President Castellano 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 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 Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.

ABSENT: Mason.

SFY 2008 Municipal Budget Hearing

The SFY 2008 Municipal Budget Hearing is continued to the next Hoboken City Council Meeting scheduled for January 16, 2008.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE REPEALING CHAPTER 179 “TAXICABS” AND REPLACING IT WITH CHAPTER 179A “TAXICABS”. (DR-341)

One (1) speaker addressed the City Council on the above ordinance: Maurice DeGennaro, 614 Hudson Street.
The above ordinance (DR-341) is continued to the January 16, 2008 meeting at the sponsors, Councilwoman LaBruno’s request.

AN ORDINANCE REPEALING CHAPTER 180 “LIMOUSINES AND LIVERIES” AND REPLACING IT WITH CHAPTER 180A “LIMOUSINES AND LIVERIES”. (DR-342)

The above ordinance (DR-342) is continued to the January 16, 2008 meeting at the sponsors, Councilwoman LaBruno’s request.

AN ORDINANCE OF THE CITY OF HOBOKEN ESTABLISHING A MUNICIPAL OPEN SPACE, RECREATION AND CONSERVATION TRUST FUND (DR-343)

President Castellano 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 of which the heading was read in full.

The following spoke regarding the ordinance: Sandi Reinardy, 1200 Grand Street; Keith Furman, 1200 Grand Street; Helen Hirsch, 98 Park Avenue; Richard Tremitiedi, 2 Constitution Court; Leah Healey, 806 Park Avenue. No other person present desiring to be heard and no written protests or objections received, President Castellano 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 Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Mason.

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

---Adopted by the following vote: YEAS: 7 - NAYS: 1 - ABSENT: 1
---Nays: President Castellano.
---Absent: Mason.

At this time members of the public spoke at the “Public Portion” of the meeting: Carmine Pietropalo, 94 Washington Street; Helen Hirsch, 98 Park Avenue; Maurice DeGennaro, 614 Hudson Street; Cheryl Fallick, 204 3rd Street; Mary Ondrejka, 159 9th Street; Daniel Tumpson, 230 Park Avenue; Richard Tremitiedi, 2 Constitution Court; Halley Wolowiec, 163 Newark Street.
08-01
APPLICATIONS FOR MISCELLANEOUS LICENSES

Livery Drivers ................................................................. 2
Parking Garages ............................................................... 3
Mechanical Amusement Devices ........................................... 0

---Councilman Russo moved that the licenses be granted.
---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Mason.

CLAIM RESOLUTIONS

08-02
By Councilman Russo:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $139,960.21 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Mason.

By Councilman Russo:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $121,228.93 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Mason.
By Councilman Russo:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $13,424.98 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Cammarano.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Mason.

By Councilman Russo:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $68,342.96 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Cammarano.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Mason.

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 $89,470.24 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilman Giacchi.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Mason.

By Councilman Cammarano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective
names in payment of approved claims totaling $28,776.76 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Mason.

By Councilman Russo:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $10,723.20 against the CAPITAL ACCOUNT.

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Mason.

By Councilwoman LaBruno:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $131,360.18 against the PARKING UTILITY.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Mason.

**PAYROLL RESOLUTIONS**

**08-03**

By Councilman Russo:

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 29, 2007 TO DECEMBER 12, 2007 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>8-01-20-105</td>
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<td>1,123.88</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>
<td>8-01-20-131</td>
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<td>Payroll Division</td>
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<td>Tax Collection</td>
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<td>Corporation Counsel</td>
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<td>Planning Board</td>
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<td>Emergency Mgmt</td>
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<td>Fire Division</td>
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<td>2,937.26</td>
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<td>465,937.94</td>
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<td>Signal &amp; Traffic</td>
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<td>21,018.66</td>
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<td>Streets &amp; Roads</td>
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<td>7,650.93</td>
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<td>Senior Citizens Div</td>
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<td>15,718.82</td>
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<td>959.04</td>
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<td>28,391.75</td>
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<td>2,079.19</td>
<td>28,464.12</td>
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<td>5,261.94</td>
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<td>32,053.16</td>
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<td>1,040.20</td>
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<td>34,102.14</td>
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<td>2,526.46</td>
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<td>Municipal Court</td>
<td>8-01-43-490</td>
<td>37,774.20</td>
<td>415.20</td>
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<td>38,189.62</td>
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<td>Parking Utility</td>
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<td>67,975.64</td>
<td>6,998.34</td>
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<td>74,973.98</td>
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<td>Universal Cops</td>
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<td>Cops In School</td>
<td>8-01-25-241-015</td>
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<td>Civilian Hiring</td>
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<td>Summer Fun</td>
<td>8-01-28-370-013</td>
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<td></td>
</tr>
</tbody>
</table>

Meeting of January 2, 2008

7
Summer Lunch  G-02-44-701-316

Other

Police GrantDE16-S701

Police Outside Employ.  T-03-40-000-006  34,350.00  34,350.00

Ped Safety Grant  8-01-25-241-013

Fire Education Grant  T-13-10-000-000

Police Housing Auth  7-01-25-241-017  21,200.00  21,200.00

Grand Total

1,505,058.05  49,689.19  62,651.14  1,617,398.38

Motion by Councilman Russo.
Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Mason.

RESOLUTIONS

Presented and Read

08-04
---By Councilman Russo:

THIS RESOLUTION AUTHORIZES ADDITIONAL TEMPORARY EMERGENCY APPROPRIATIONS TO THE SFY 2008 BUDGET UNTIL SUCH TIME AS A FORMAL BUDGET IS ADOPTED.

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>Personnel S &amp; W</td>
<td>8-01-20-105-010</td>
<td>$17,500.00</td>
</tr>
<tr>
<td>Mayor=s Office S &amp; W</td>
<td>8-01-20-110-010</td>
<td>$12,500.00</td>
</tr>
<tr>
<td>City Council S &amp; W</td>
<td>8-01-20-111-010</td>
<td>$17,500.00</td>
</tr>
<tr>
<td>Business Admin S &amp; W</td>
<td>8-01-20-112-010</td>
<td>$32,500.00</td>
</tr>
<tr>
<td>A.B.C. Board S &amp; W</td>
<td>8-01-20-113-010</td>
<td>$3,000.00</td>
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<tr>
<td>Purchasing S &amp; W</td>
<td>8-01-20-114-010</td>
<td>$10,500.00</td>
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<tr>
<td>Licensing Bureau S &amp; W</td>
<td>8-01-20-115-010</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Grants Mgmt. S &amp; W</td>
<td>8-01-20-116-010</td>
<td>$17,000.00</td>
</tr>
<tr>
<td>City Clerk S &amp; W</td>
<td>8-01-20-120-010</td>
<td>$35,000.00</td>
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<td>Finance Supervisor S&amp;W</td>
<td>8-01-20-130-010</td>
<td>$9,000.00</td>
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<tr>
<td>Accts &amp; Control S &amp; W</td>
<td>8-01-20-131-010</td>
<td>$6,500.00</td>
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</table>

Meeting of January 2, 2008  8
---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 6 - NAYS: 2 - ABSENT: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Ramos, Russo and President Castellano.
---Nays: Cunningham, Zimmer.
---Absent: Mason.

---By Councilman Russo:

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS/INTEREST, ERRONEOUS PAYMENTS, CREDIT PAYMENTS.

WHEREAS, an overpayment of taxes has been made on property listed
WHEREAS, Louis P. 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 $110,009.51 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>Wells Fargo Mortg.</td>
<td>87/13/C002G</td>
<td>824-830 Monroe St.</td>
<td>$2,704.75</td>
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<tr>
<td>P.O. Box 14506</td>
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<tr>
<td>Des Moines, Ia 50306</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>M. &amp; K. Nolan</td>
<td>181/26</td>
<td>614 Garden St.</td>
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<td>192/23 157 6th St $1,508.79</td>
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<td>Brian Newman</td>
<td>178/11-C0003</td>
<td>231 Park Ave. #3</td>
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Meeting of January 2, 2008
1 Home Campus
Des Moines, IA  50328-0001

Seena Ann Philip  
725 Jefferson St. #33  
Hoboken, N. J.  07030  
84/3/C0p24  
713-25 Jefferson St.  
$ 110.57

Mr. & Mrs. Kamalova  
1025 Maxwell Lane #1107  
Hoboken, N. J.  07030  
261.04/1/C1107  
1025 Maxwell La  
$1,720.42

Wells Fargo Home Mortg.  
MAC X2301-029  
Reverse Mortgage  
1 Home Campus  
De Moines, IA  50328-0001  
36/1/C005B  
201 Harrison St.  
$ 533.72

James Pfeiffer  
434 Fairway Road  
Ridgewood, N. J.  07450  
221/21  
1018 Hudson St.  
$4,000.00

Citi Mortgage  
P. O. Box 23689Pilot  
Rochester, N. Y.  14692-991  
114/1/C0424  
1300 Grand St.  
$2,937.73

HSBC  
2929 Walden Avenue  
Depew, N. Y. 14043  
Attn: Karen L. Smith/  
Tax Department  
68/26  
512 Jefferson St.  
$4,042.87

Marcela Rakitta  
729 Madison St. #4C  
Hoboken, N. J.07030  
83/13/C0P08  
725-33 Madison St.  
$1,015.78

Christopher Quinn  
841 Willow Avenue  
Hoboken, N. J.07030  
170/17/C02-R  
841 Willow Ave.  
Apt# 2R  
$ 573.30

Brett Diamond  
350 Seventh St. #3E  
Hoboken, N. J.  07030  
152/1/C0P24  
701-709 GrandSt.  
$ 109.88

Katarzna Kolenda  
700 First St. #17PN  
Hoboken, N. J.  07030  
25/1/C17PN  
700 First St.  
$1,500.00

Tara A. Murphy  
812 Grand St. #506  
Hoboken, N. J.  070630  
91/1.2/CP088  
812 Grand St.  
$ 74.17

First American Tax Serv.  
P. O. Box 961230  
$6,438.87

Meeting of January 2, 2008
08-06
---By Councilman Russo:

RESOLUTION AUTHORIZING THE REFUND OF TAXOVERPAYMENTS/INTEREST RECEIVED BY THE CITY OF HOBNOKEN TAX APPEALS WERE FILED AND STATE TAX COURT GRANTS REFUND

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 $252,758.00

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<tr>
<th>NAME</th>
<th>BL\LT\UNIT</th>
<th>PROPERTY</th>
<th>AMOUNT</th>
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<td>Extra Space Properties</td>
<td>141/4</td>
<td>1607-21 Clinton St.</td>
<td>$252,758.00</td>
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<td>of Hoboken &amp; Daniel G. Keough Esq. 783 Springfield Ave. Summit, N. J. 07901-2332</td>
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---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Mason.
---Nays: None.
---Absent: Mason.

08-07
---By Councilwoman LaBruno:

RESOLUTION AUTHORIZING A RATE CHANGE FOR RESIDENT PARKING PERMITS ISSUED BY THE HOBOKEN PARKING UTILITY.

WHEREAS, the Council of the City of Hoboken recognizes the needs of the Hoboken Parking Utility and supports its continuing efforts to provide adequate parking for the citizens of Hoboken, while still ensuring that such parking is available at a reasonable cost to the City's residents; and;

WHEREAS, the Council of the City of Hoboken intends to assist the Hoboken Parking Utility in its efforts to provide improved parking services to the citizens of this City; and,

WHEREAS, it has become apparent that many Hoboken households have multiple vehicles enrolled in the Hoboken resident permit parking program, and the Council agrees that it is appropriate that those households with multiple vehicles pay an increased fee for their additional use of the City's existing parking; and

WHEREAS, the Hoboken Parking Utility has requested, pursuant to its authority under Section 141-12 of the Code of the City of Hoboken, that the residential parking permit fee for the first vehicle in any household or unit remain unchanged at $15.00 for calendar year 2008, but increase to $30.00 for the second vehicle, and $90.00 for the third or any additional vehicles in any household or unit;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken that it agrees that the fee for a residential parking permit for calendar year 2008 shall be $15.00 for the first vehicle in any household or unit, $30.00 for the second vehicle, and $90.00 for the third or any additional vehicles in any household or unit; and;

BE IT FURTHER RESOLVED that the Parking Utility and City Clerk shall make available for public inspection during regular business hours a revised schedule of fees reflecting this change; and,

BE IT FURTHER RESOLVED that the Parking Utility take any steps necessary to realize the intent and purpose of this resolution; and,

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

The following spoke regarding the resolution: Maurice DeGennaro, 614 Hudson Street.

---Motion duly seconded by Councilman Cunningham.
---Adopted by the following vote: YEAS: 7 - NAYS: 1 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo and Zimmer.
---Nays: President Castellano.
---Absent: Mason.

08-08
---By Councilman Ramos:
---Motion duly seconded by Councilman Russo.

RESOLUTION OF THE CITY OF HOBOKEN AUTHORIZING CERTIFICATE OF COMPLETION TO 999 MADISON STREET URBAN RENEWAL, LLC FOR PROPERTY KNOWN AS 1000 JEFFERESON STREET, BLOCK 99, LOTS 1-30, 31.1, 31.2 AND 32, CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY.

WHEREAS, the MAYOR AND THE CITY COUNCIL OF THE CITY OF HOBOKEN, acting as a Redevelopment Entity pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., (hereinafter “City”), and FRANK RAIA entered into an amended developer’s agreement on October 18, 2000 (“Redevelopment Agreement”) for certain real estate known as 1000 Jefferson Street, Block 99, Lots 1-30, 31.1, 31.2 and 32, in the City of Hoboken, County of Hudson, State of New Jersey (hereinafter the “Property”) located in the Northwest Redevelopment Area; and

WHEREAS, Frank Raia transferred all of his rights, obligations and interests under the Redevelopment Agreement concerning the Property to 999 Madison Street Urban Renewal, LLC (hereinafter “Redeveloper”) pursuant to an Assignment and Assumption agreement dated December 1, 2003 which was authorized by a Resolution of the City of Hoboken dated October 15, 2003; and

WHEREAS, the Property is located within Zone 1 of the Northwest Redevelopment Plan Area which permits residential use in mid-rise buildings with five residential stories over ground level parking and retail; and

WHEREAS, the Preliminary Site Plan Approval for the project on the Property (“Project”) was granted on February 1, 2005, Final Site Plan Approval for the Project was granted on October 4, 2005 and Amended Preliminary and Final Site Plan Approval for the Project was granted on August 7, 2007; and

WHEREAS, the Construction Official for the City of Hoboken duly issued building permits for the Project; and

WHEREAS, the required improvements (“Improvements”) pursuant to the Redevelopment Agreement for the Project consisting of 217 dwelling units, 217 parking spaces and approximately 2,590 square feet of retail space in a ix story building consisting of five residential floors and a base garage with retail space are substantially complete; and

WHEREAS, a Certificate of Occupancy has been duly issued for the Project.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken, in consideration of the aforesaid and of the construction of the Improvements as more particularly described in the Redevelopment Agreement, as follows:

A. The Council of the City of Hoboken finds, and certifies, that the Redeveloper has complied with all of its obligations under the aforesaid Redevelopment Agreement with regard to the Property.

B. As provided for in the Redevelopment Agreement pursuant to N.J.S.A. 40A:12A-9, due to the completion of the Improvements, the conditions determined to exist at the time the area was determined to be in need of redevelopment are deemed to no longer exist, and the land and
Improvements thereon are no longer subject to eminent domain as a result of those determinations.

C. The Council of the City of Hoboken authorizes the issuance of a Certificate Of Completion, in substantially the same form as Exhibit A attached hereto, pursuant to N.J.S.A. 40A:12A-9 to the Redeveloper to constitute conclusive evidence that the Improvements required by the Redevelopment Agreement have been constructed and to serve as a conclusive determination of satisfaction and termination of the agreements and covenants of the Redevelopment Agreement as defined therein, its successors and assigns, with respect to the construction of the Improvements on the Property.

D. The Council of the City of Hoboken authorizes its Director of the Department of Community Development, Fred M. Bado, to execute the aforementioned Certificate of Completion on behalf of the City to the Redeveloper.

E. This Resolution shall be effective immediately.

The following spoke regarding the above resolution: Jim Doyle, 806 Park Avenue; John J. Curley, 1202 Plaza 10, Harborside, Jersey City; Jim Doyle, 806 Park Avenue (2nd time).

After discussion amongst the City Council a motion was made to TABLE the above resolution as follows:
---Motion to TABLE by Council President Castellano:
---Motion to TABLE duly seconded by Councilman Ramos.
---TABLED by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Mason.

RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SALE OF TAX ANTICIPATION NOTES OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY

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

SECTION 1. In anticipation of the collection of taxes for the fiscal year that commenced July 1, 2007, whether levied or to be levied in such fiscal year, and in anticipation of other revenues for such fiscal year, the City of Hoboken, in the County of Hudson, New Jersey (the "City") hereby authorizes and determines to issue, from time to time, negotiable Tax Anticipation Notes of the City in an aggregate principal amount not to exceed $18,000,000, in accordance with the Local Budget Law. Each such Tax Anticipation Note shall be designated "Tax Anticipation Note of 2008, Series A", together with such other designation as may be determined by the Chief Financial Officer of the City. The proceeds of the sale of such Tax Anticipation Notes, unless used to pay outstanding notes issued in anticipation of the collection of taxes of the same fiscal year, shall be applied only to the
purposes provided for in the budget or for which taxes are levied or to be levied for such fiscal year, and shall not be applied to any other purpose.

SECTION 2. The amount of Tax Anticipation Notes outstanding at any one time shall not exceed $18,000,000, which is within the gross borrowing power (as certified by the Chief Financial Officer) of the City, and the amount of Tax Anticipation Notes authorized hereby is within the net borrowing power (as certified by the Chief Financial Officer) of the City. On January 2, 2008, the Chief Financial Officer executed a certificate setting forth the gross borrowing power and the net borrowing power of the City in accordance with N.J.S.A. 40A:4-66. Such certificate has been filed in the office of the Clerk of the City, and a copy thereof is attached hereto as Exhibit A and is hereby incorporated herein in its entirety.

SECTION 3. All Tax Anticipation Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that all such Tax Anticipation Notes and any renewals thereof shall mature within 120 days after the beginning of the next succeeding fiscal year. The Chief Financial Officer shall determine all matters in connection with the Tax Anticipation Notes issued pursuant to this resolution, and the Chief Financial Officer’s signature upon the Tax Anticipation Notes shall be conclusive evidence as to all such determinations. All Tax Anticipation Notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:4-67. The Chief Financial Officer is hereby authorized to sell part or all of the Tax Anticipation Notes from time to time, at not less than par and accrued interest, at private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price plus accrued interest from their date to the date of delivery thereof.

SECTION 4. 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 Tax Anticipation Notes pursuant to this resolution is made, the amount, the description, the interest rate and the maturities of the Tax Anticipation Notes sold, the price obtained and the name of the purchaser, and such report shall be entered in full on the minutes of such meeting.

SECTION 5. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the Tax Anticipation Notes authorized by this resolution. The Tax Anticipation Notes shall be direct, unlimited obligations of the City. The power and obligation of the City to pay any Tax Anticipation Notes issued pursuant to this resolution and the Local Budget Law shall be unlimited and the City shall have the power and be obligated to levy ad valorem taxes upon all taxable property within the City for the payment of such Tax Anticipation Notes and interest thereon, without limitation of rate or amount.

SECTION 6. All Tax Anticipation Notes issued pursuant to this resolution shall be executed by the Chief Financial Officer and the Mayor of the City, and shall be under the seal of the City and attested by the Clerk of the City. Such officers are hereby authorized to execute and deliver all documents necessary or convenient in connection with the issuance, sale and delivery of the Tax Anticipation Notes.

SECTION 7. A certified copy of this resolution shall be filed with the Director of Local Government Services in the Department of Community Affairs, State of New Jersey.

SECTION 8. This resolution shall take effect immediately.
After discussion, the above resolution was **REMOVED** by the sponsor, Councilman Russo;
**NO VOTE TAKEN**

President Castellano then adjourned the meeting at 9:10 p.m.
President Castellano 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 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 Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.

ABSENT: None.

SFY 2008 Municipal Budget Hearing

The following spoke: Michael Lenz, 408 Monroe Street; John Carey, 836 Bloomfield Street. The SFY 2008 Municipal Budget Hearing is continued to the next Hoboken City Council Meeting.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE REPEALING CHAPTER 179 “TAXICABS” AND REPLACING IT WITH CHAPTER 179A “TAXICABS”. (DR-341) Ordinance withdraw, an amended ordinance will be introduced at a Special Meeting on Wednesday, January 23, 2008
AN ORDINANCE REPEALING CHAPTER 180 “LIMOUSINES AND LIVERIES” AND REPLACING IT WITH CHAPTER 180A “LIMOUSINES AND LIVERIES”. (DR-342) Ordinance withdraw, an amended ordinance will be introduced at a Special Meeting on Wednesday, January 23, 2008.

At this time the following spoke at a Public Portion: Yesenia Camille, 330 50th Street, West New York, New Jersey; Margaret O’Brien, 54 11th Street; Helen Hirsch, 98 Park Avenue; Perry Belfiore, 161 11th Street; Michael Lenz, 408 Monroe Street; Maurice DeGennaro, 614 Hudson Street; Richard Tremediti, 2 Constitution Court; Jim Vance, 107 Monroe Street.

PETITIONS AND COMMUNICATIONS

08-10

January 14, 2008

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

Dear Ladies & Gentlemen:

Historic Preservation Commission
Pursuant to my authority under Chapter 62, Section 2 of the Hoboken Code, I hereby reappoint Paul Somerville as a member of the Historic Preservation Commission to a three (3) year term to expire on December 31, 2010, Dennis Devino to a three (3) year term to expire on December 31, 2010 and David Downs to a two (2) year term to expire on December 31, 2009.

Planning Board
Pursuant to my authority under Chapter 44, Section 1-2 of the Hoboken Code, I hereby reappoint Joyce Tyrell as a member of the Planning Board to a four (4) year term to expire on December 31, 2011 and Frank Orsini to a two (2) year term to expire on December 31, 2009.

Zoning Board of Adjustment
Pursuant to my authority under Chapter 44, Section 11 of the Hoboken Code, I hereby reappoint Dominic Lisa as a member of the Zoning Board of Adjustment to a four (4) year term to expire on December 31, 2011 and Randall Underwood to a two (2) year term to expire on December 31, 2009.

Sincerely,

DAVID ROBERTS
Mayor
City of Hoboken

cc: James J. Farina, City Clerk
    Steve Kleinman, Corporation Counsel

--Received and filed.

08-11

January 14, 2008

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

Dear Ladies & Gentlemen:

Pursuant to Section 38-2 of the Code of the City of Hoboken, I hereby reappoint Jean Rodriguez, 540 Marshall Drive, as a Commissioner of the Hoboken Housing Authority to a term expiring May 3, 2011.

Sincerely,

DAVID ROBERTS
Mayor

cc/James J. Farina, City Clerk
    Steve Kleinman, Corporation Counsel

--Received and filed.

08-12

APPLICATIONS FOR MISCELLANEOUS LICENSES

<table>
<thead>
<tr>
<th>License Type</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Raffles</td>
<td>2</td>
</tr>
<tr>
<td>Limo/Livery Drivers</td>
<td>3</td>
</tr>
<tr>
<td>Parking Facilities</td>
<td>7</td>
</tr>
<tr>
<td>Vendors</td>
<td>4</td>
</tr>
</tbody>
</table>

Councilwoman Mason ABSTAINED on raffles.

---Councilman Russo moved that the licenses be granted.
---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

REPORTS OF CITY OFFICERS

08-13
A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending December 31, 2007 - $1,140,190.36.

---Received and filed.

08-13A
A report of the Municipal Court indicating receipts for the month of December 2007 as $295,004.36.

---Received and filed.

RESOLUTIONS

Presented and Read

08-14
---By Councilman Russo:

RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SALE OF TAX ANTICIPATION NOTES OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY

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

SECTION 1. In anticipation of the collection of taxes for the fiscal year that commenced July 1, 2007, whether levied or to be levied in such fiscal year, and in anticipation of other revenues for such fiscal year, the City of Hoboken, in the County of Hudson, New Jersey (the "City") hereby authorizes and determines to issue, from time to time, negotiable Tax Anticipation Notes of the City in an aggregate principal amount not to exceed $18,000,000, in accordance with the Local Budget Law. Each such Tax Anticipation Note shall be designated "Tax Anticipation Note of 2008, Series A", together with such other designation as may be determined by the Chief Financial Officer of the City. The proceeds of the sale of such Tax Anticipation Notes, unless used to pay outstanding notes issued in anticipation of the collection of taxes of the same fiscal year, shall be applied only to the purposes provided for in the budget or for which taxes are levied or to be levied for such fiscal year, and shall not be applied to any other purpose.

SECTION 2. The amount of Tax Anticipation Notes outstanding at any one time shall not exceed $18,000,000, which is within the gross borrowing power (as certified by the
Chief Financial Officer) of the City, and the amount of Tax Anticipation Notes authorized hereby is within the net borrowing power (as certified by the Chief Financial Officer) of the City. On January 2, 2008, the Chief Financial Officer executed a certificate setting forth the gross borrowing power and the net borrowing power of the City in accordance with N.J.S.A. 40A:4-66. Such certificate has been filed in the office of the Clerk of the City, and a copy thereof is attached hereto as Exhibit A and is hereby incorporated herein in its entirety.

SECTION 3. All Tax Anticipation Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that all such Tax Anticipation Notes and any renewals thereof shall mature within 120 days after the beginning of the next succeeding fiscal year. The Chief Financial Officer shall determine all matters in connection with the Tax Anticipation Notes issued pursuant to this resolution, and the Chief Financial Officer’s signature upon the Tax Anticipation Notes shall be conclusive evidence as to all such determinations. All Tax Anticipation Notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:4-67. The Chief Financial Officer is hereby authorized to sell part or all of the Tax Anticipation Notes from time to time, at not less than par and accrued interest, at private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price plus accrued interest from their date to the date of delivery thereof.

SECTION 4. 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 Tax Anticipation Notes pursuant to this resolution is made, the amount, the description, the interest rate and the maturities of the Tax Anticipation Notes sold, the price obtained and the name of the purchaser, and such report shall be entered in full on the minutes of such meeting.

SECTION 5. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the Tax Anticipation Notes authorized by this resolution. The Tax Anticipation Notes shall be direct, unlimited obligations of the City. The power and obligation of the City to pay any Tax Anticipation Notes issued pursuant to this resolution and the Local Budget Law shall be unlimited and the City shall have the power and be obligated to levy ad valorem taxes upon all taxable property within the City for the payment of such Tax Anticipation Notes and interest thereon, without limitation of rate or amount.

SECTION 6. All Tax Anticipation Notes issued pursuant to this resolution shall be executed by the Chief Financial Officer and the Mayor of the City, and shall be under the seal of the City and attested by the Clerk of the City. Such officers are hereby authorized to execute and deliver all documents necessary or convenient in connection with the issuance, sale and delivery of the Tax Anticipation Notes.

SECTION 7. A certified copy of this resolution shall be filed with the Director of Local Government Services in the Department of Community Affairs, State of New Jersey.

SECTION 8. This resolution shall take effect immediately.

The following spoke regarding the resolution: Fred Tompkins, Financial Adviser.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

CLAIM RESOLUTIONS

08-15
By Councilman Russo:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $405,801.38 against the UNCLASSIFIED CLAIMS.

Councilwoman Mason voted YES on 00029 and 00030.

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: Mason.

By Councilman Russo:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $10,835.70 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

By Councilman Russo:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $249,507.81 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Councilwoman Mason voted YES on 00107 and 02148.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: Mason.

By Councilman Russo:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $38,630.87 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: Mason.

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 $17,723.07 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
By Councilman Cammarano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $86,436.18 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: Mason.

By Councilwoman LaBruno:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $4,412.14 against the PARKING UTILITY.
Seconded by Councilman Cunningham.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: Mason.

**PAYROLL RESOLUTIONS**

08-16
By Councilman Russo:

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 13, 2007 TO DECEMBER 26, 2007 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>Personnel</td>
<td>8-01-20-105</td>
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<tr>
<td>Mayor's Office</td>
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<td>7,573.22</td>
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<td>Purchasing</td>
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<td>18,656.88</td>
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<td>Finance Office</td>
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<td>Community Develop.</td>
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<td>Treasurer</td>
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<td>Police Division</td>
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<tr>
<td>Crossing Guards</td>
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<td>Emergency Mgmt</td>
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<td>Fire Division</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>Streets &amp; Roads</td>
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<td>Central Garage</td>
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<tr>
<td>Board of Health</td>
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<td>Senior Citizens Div</td>
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<tr>
<td>Rent Stabilization</td>
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<td>7,379.85</td>
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<tr>
<td>Transportation</td>
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<td>689.73</td>
<td>8,403.43</td>
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<tr>
<td>Recreation</td>
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<tr>
<td>Parks</td>
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<td>27,663.83</td>
<td>1,113.53</td>
<td>28,777.36</td>
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<tr>
<td>Public Prop.</td>
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<td>27,968.89</td>
<td>1,443.45</td>
<td>29,412.34</td>
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</table>
Public Library 8-01-29-390 31,340.96 757.87 32,098.83
Public Defender 8-01-43-495 2,504.97 2,504.97
Municipal Court 8-01-43-490 37,639.81 378.70 38,018.51
Parking Utility 8-31-55-501-100 65,490.03 3,788.98 1,446.14 70,725.15
Universal Cops 8-01-25-241-012
Cops In School 8-01-25-241-015
Civilian Hiring 8-01-25-241-016 5,917.22 647.04 6,564.26
Minority Affairs 8-01-27-331
Summer Fun 8-01-28-370-013
Summer Lunch G-02-44-701-316

**Other**

Salary Adjustment

Police Outside Employ. T-03-40-000-006 17,940.00 17,940.00
Ped Safety Grant 8-01-25-241-013
Fire Education Grant T-13-10-000-000
Police Housing Auth 8-01-25-241-017 10,750.00 10,750.00

**Grand Total**

1,457,385.87 54,880.51 325,810.86 1,838,077.24

Motion by Councilman Russo.
Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

**RESOLUTIONS CONTINUED**

Presented and Read

A member of the public addressed the City Council at this time: Paul Garbraini, Route 17, South Carlstadt, New Jersey.
08-17
---By Councilman Cammarano:

WHEREAS, a lawsuit is currently pending in New Jersey Superior Court, Hudson County against the City of Hoboken captioned Cruz v. City of Hoboken, et al., docket number HUD-L-315-06; and

WHEREAS, in this lawsuit, Plaintiff, Ramona Cruz, alleges that she suffered personal injury and pain and suffering as the result of an accident which occurred on February 4, 2004; and

WHEREAS, the City Council of the City of Hoboken wishes to settle all claims alleged by Ramona Cruz in the aforementioned lawsuit; and,

WHEREAS, in return for a release of all claims against the City of Hoboken, Ramona Cruz has agreed to accept a settlement of $62,500 in a one-time lump sum payment; and,

WHEREAS, the Corporation Counsel of the City of Hoboken recommends this settlement as in the best interest of the taxpayers of Hoboken.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hoboken does hereby approve the general terms of the settlement between Ramona Cruz and the City of Hoboken as set forth above, with the final form of any settlement documents to be reviewed and approved by the Corporation Counsel's office; and

BE IT FURTHER RESOLVED, that the Council hereby authorizes the Mayor or his designee to execute the necessary documents necessary to effectuate this settlement, and to take any additional action necessary to further the purposes of this Resolution.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-18
---By Councilwoman LaBruno:

RESOLUTION FOR HANDICAP PARKING ZONE

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>
</tr>
</thead>
<tbody>
<tr>
<td>Martha L. Valerio  209 Willow Avenue Apt. 4D</td>
<td>$125.00</td>
</tr>
<tr>
<td>Rufino Rosario    113 Garden Street</td>
<td>$125.00</td>
</tr>
</tbody>
</table>

---Motion duly seconded by Councilwoman Zimmer.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-19
---By Councilwoman Mason:

RESOLUTION APPOINTING RAVINDER BALLA, ESQ. SPECIAL LEGAL COUNSEL – RENT LEVELING & STABILIZATION BOARD

WHEREAS, the City of Hoboken requires the services of Counsel to the Hoboken Rent Leveling & Stabilization Board to provide advice and guidance to the Board in the performance of its duties; and

WHEREAS, the City of Hoboken has reviewed the qualifications of Ravinder S. Bhalla and has determined that this attorney can provide these services for the City of Hoboken in an efficient manner; and

WHEREAS, this type of work constitutes a professional service a defined by N.J.S.A. 40A:1102 (b) and as such, is exempt from public bidding requirements pursuant to N.J.S.A. 40A:1105; and

WHEREAS, Ravinder S. Bhalla's proposal was submitted and reviewed in compliance with Hoboken Ordinance #DR-154 (codified as §20A-1 et. seq. of the Code of the City of Hoboken), which requires competitive negotiation for Professional Service contracts; and

WHEREAS, Ravinder S. Bhalla has already been appointed to serve as Special Counsel for Litigation involving the Rent Leveling & Stabilization Board, at the amount not to exceed $40,000, and has agreed to a $5,000 reduction in that amount to fund his appointment as Counsel to the Board through the remainder of Fiscal Year 2008, resulting in no additional cost to the City of Hoboken.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken does hereby authorize a contract between the City of Hoboken and the Law Offices of Ravinder S. Bhalla to provide legal services as set forth above;

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

1. A contract for Counsel to the Hoboken Rent Leveling & Stabilization Board shall be prepared and executed with the following vendor:
Law Offices of Ravinder S. Bhalla  
33-41 Newark Street, Suite 4A  
Hoboken, NJ 07030

Such a firm to be paid at an hourly rate of $135.00, with a total amount not to exceed $5,000.

2. The contract between the City of Hoboken and the Law Offices of Ravinder S. Bhalla to provide legal services as Special Counsel for Litigation involving the Rent Leveling & Stabilization Board to hereby amended to reduce the “not to exceed” amount from $40,000 to $35,000.

3. This agreement shall be effective January 1, 2007 and terminate June 30, 2008.

4. The Mayor is hereby authorized to execute a contract with the Law Offices of Ravinder S. Bhalla for professional services on behalf of the City of Hoboken and to take any other actions necessary to complete and realize the intent and purpose of this resolution.

5. The City Clerk shall publish notice of this resolution in one newspaper authorized by law to publish the City’s legal advertisements in the manner required by N.J.S.A. 40A:11-5(1)(a)(i) and the City Clerk shall also keep a copy of the resulting contract on file and available for public inspection in accordance with that law.

6. This resolution shall take effect immediately.

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-20
---By Councilman Giacchi:

RESOLUTION REAPPOINTING GERARD COLANGELO TO THE CITY OF HOBOKEN ALCOHOLIC BEVERAGE CONTROL BOARD

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 (3) year term to expire June 30, 2010.

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 Council President Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-21
---By Councilman Russo:

THIS RESOLUTION AUTHORIZES ADDITIONAL TEMPORARY EMERGENCY APPROPRIATIONS TO THE SFY 2008 BUDGET UNTIL SUCH TIME AS A FORMAL BUDGET IS ADOPTED.

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>Personnel S &amp; W</td>
<td>8-01-20-105-010</td>
<td>$ 9,000.00</td>
</tr>
<tr>
<td>Mayor’s Office S &amp; W</td>
<td>8-01-20-110-010</td>
<td>$ 8,000.00</td>
</tr>
<tr>
<td>City Council S &amp; W</td>
<td>8-01-20-111-010</td>
<td>$10,500.00</td>
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<td>Business Admin. S &amp; W</td>
<td>8-01-20-112-010</td>
<td>$16,000.00</td>
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<tr>
<td>A.B.C. Board S &amp; W</td>
<td>8-01-20-113-010</td>
<td>$  500.00</td>
</tr>
<tr>
<td>Purchasing S &amp; W</td>
<td>8-01-20-114-010</td>
<td>$  5,000.00</td>
</tr>
<tr>
<td>Licensing Bureau S &amp; W</td>
<td>8-01-20-115-010</td>
<td>$  500.00</td>
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<tr>
<td>Grants Mgmt. S &amp; W</td>
<td>8-01-20-116-010</td>
<td>$  8,000.00</td>
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<td>City Clerk S &amp; W</td>
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<tr>
<td>Legal Ads O.E.</td>
<td>8-01-20-121-020</td>
<td>$  6,000.00</td>
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<tr>
<td>Finance Supervisor S&amp;W</td>
<td>8-01-20-130-010</td>
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<td>Accts &amp; Control S &amp; W</td>
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<td>$  3,000.00</td>
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<td>Payroll S &amp; W</td>
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<td>$  3,000.00</td>
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<td>Tax Collector S &amp; W</td>
<td>8-01-20-145-010</td>
<td>$13,000.00</td>
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<tr>
<td>Info Technology S &amp; W</td>
<td>8-01-20-147-010</td>
<td>$  4,000.00</td>
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<tr>
<td>Assessor’s Office S &amp; W</td>
<td>8-01-20-150-010</td>
<td>$13,000.00</td>
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<tr>
<td>Corp. Counsel S &amp; W</td>
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<td>Comm. Devel Dir. S &amp; W</td>
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<td>$  7,000.00</td>
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<tr>
<td>Planning Board S &amp; W</td>
<td>8-01-21-180-010</td>
<td>$  6,000.00</td>
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<tr>
<td>Zoning Officer S &amp; W</td>
<td>8-01-21-186-010</td>
<td>$  3,000.00</td>
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<tr>
<td>Housing S &amp; W</td>
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<td>Construction S &amp; W</td>
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<td>Postage O.E.</td>
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<td>Copiers O.E.</td>
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<td>$15,000.00</td>
</tr>
<tr>
<td>Police Dept. S &amp; W</td>
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<td>$ 1,500,000.00</td>
</tr>
<tr>
<td>Emergency Mgmt. S&amp;W</td>
<td>8-01-25-252-010</td>
<td>$  5,000.00</td>
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<tr>
<td>Fire Dept S &amp; W</td>
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<td>Envirn. Svcs. Dir.S &amp; W</td>
<td>8-01-26-290-010</td>
<td>$ 15,000.00</td>
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<td>Central Garage S &amp; W</td>
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<tr>
<td>Central Garage O.E.</td>
<td>8-01-26-301-020</td>
<td>$40,000.00</td>
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<td>Human Svcs. Dir. S &amp; W</td>
<td>8-01-27-330-010</td>
<td>$  6,000.00</td>
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<td>Board of Health S &amp; W</td>
<td>8-01-27-332-010</td>
<td>$17,000.00</td>
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<tr>
<td>Constituent Svcs. S&amp;W</td>
<td>8-01-27-333-010</td>
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<tr>
<td>Senior Citizens S &amp; W</td>
<td>8-01-27-336-010</td>
<td>$15,000.00</td>
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</tbody>
</table>
Senior Citizens O.E. 8-01-27-336-020 $ 2,000.00
Rent Control S & W 8-01-27-347-010 $ 7,000.00
Transportation S & W 8-01-27-348-010 $ 5,000.00
Recreation S & W 8-01-28-370-010 $16,000.00
Recreation O.E. 8-01-28-370-020 $50,000.00
Parks S & W 8-01-28-375-010 $20,000.00
Parks O.E. 8-01-28-375-020 $35,000.00
Public Properties S & W 8-01-28-377-010 $30,000.00
Group Health O.E. 8-01-30-400-030 $ 1,500,000.00
Municipal Court S & W 8-01-43-490-010 $40,000.00
Public Defender S & W 8-01-43-495-010 $ 2,000.00
TOTAL $ 4,030,500.00

(Outside Cap)
Public Library S & W 8-01-29-390-010 $35,000.00
Parking Utility S & W 8-31-55-502-100 $50,000.00
TOTAL $85,000.00

The following spoke regarding the resolution: Michael Lenz, 408 Monroe Street.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Ramos, Russo and President Castellano.
---Nays: Cunningham, Mason, Zimmer.

08-22
---By Councilman Ramos:

RESOLUTION OF THE CITY OF HOBOKEN AUTHORIZING CERTIFICATE OF COMPLETION TO 999 MADISON STREET URBAN RENEWAL, LLC FOR PROPERTY KNOWN AS 1000 JEFFERESON STREET, BLOCK 99, LOTS 1-30, 31.1, 31.2 AND 32, CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY.

WHEREAS, the MAYOR AND THE CITY COUNCIL OF THE CITY OF HOBOKEN, acting as a Redevelopment Entity pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., (hereinafter “City”), and FRANK RAIA entered into an amended developer’s agreement on October 18, 2000 (“Redevelopment Agreement”) for certain real estate known as 1000 Jefferson Street, Block 99, Lots 1-30, 31.1, 31.2 and 32, in the City of Hoboken, County of Hudson, State of New Jersey (hereinafter the “Property”) located in the Northwest Redevelopment Area; and

WHEREAS, Frank Raia transferred all of his rights, obligations and interests under the Redevelopment Agreement concerning the Property to 999 Madison Street Urban Renewal, LLC (hereinafter “Redeveloper”) pursuant to an Assignment and Assumption agreement dated December 1, 2003 which was authorized by a Resolution of the City of Hoboken dated October 15, 2003; and
WHEREAS, the Property is located within Zone 1 of the Northwest Redevelopment Plan Area which permits residential use in mid-rise buildings with five residential stories over ground level parking and retail; and

WHEREAS, the Preliminary Site Plan Approval for the project on the Property ("Project") was granted on February 1, 2005, Final Site Plan Approval for the Project was granted on October 4, 2005 and Amended Preliminary and Final Site Plan Approval for the Project was granted on August 7, 2007; and

WHEREAS, the Construction Official for the City of Hoboken duly issued building permits for the Project; and

WHEREAS, the required improvements ("Improvements") pursuant to the Redevelopment Agreement for the Project consisting of 217 dwelling units, 217 parking spaces and approximately 2,590 square feet of retail space in a ix story building consisting of five residential floors and a base garage with retail space are substantially complete; and

WHEREAS, a Certificate of Occupancy has been duly issued for the Project.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken, in consideration of the aforesaid and of the construction of the Improvements as more particularly described in the Redevelopment Agreement, as follows:

A. The Council of the City of Hoboken finds, and certifies, that the Redeveloper has complied with all of its obligations under the aforesaid Redevelopment Agreement with regard to the Property.

B. As provided for in the Redevelopment Agreement pursuant to N.J.S.A. 40A:12A-9, due to the completion of the Improvements, the conditions determined to exist at the time the area was determined to be in need of redevelopment are deemed to no longer exist, and the land and Improvements thereon are no longer subject to eminent domain as a result of those determinations.

C. The Council of the City of Hoboken authorizes the issuance of a Certificate Of Completion, in substantially the same form as Exhibit A attached hereto, pursuant to N.J.S.A. 40A:12A-9 to the Redeveloper to constitute conclusive evidence that the Improvements required by the Redevelopment Agreement have been constructed and to serve as a conclusive determination of satisfaction and termination of the agreements and covenants of the Redevelopment Agreement as defined therein, its successors and assigns, with respect to the construction of the Improvements on the Property.

D. The Council of the City of Hoboken authorizes its Director of the Department of Community Development, Fred M. Bado, to execute the aforementioned Certificate of Completion on behalf of the City to the Redeveloper.

E. This Resolution shall be effective immediately.

The following spoke regarding the resolution: John Curley, 3 2nd Street, Jersey City; Helen Hirsch, 98 Park Avenue; Maurice DeGennaro, 614 Hudson Street; Jim Doyle, 806 Park Avenue; Leah Healey, 806 Park Avenue; Mike Pierless 818 Jefferson Street; Lane Bajardi, 70 Park Avenue.

---Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 7 - NAYS: 2
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo and President Castellano.
---Nays: Mason, Zimmer.

08-23
---By Councilman Russo:

THIS RESOLUTION AUTHORIZES ESTIMATED TAX BILLS FOR THE FIRST QUARTER OF CALENDAR 2008

WHEREAS, the SFY 2008 budget has not as yet been adopted; and

WHEREAS, the City of Hoboken is attempting to find alternative revenue sources to lessen the burden of taxes on the City=s taxpayers and residents; and

WHEREAS, the City of Hoboken is in need of revenues to maintain normal cash flow operations;

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector of the City of Hoboken is hereby authorized to issue estimated tax bills; and,

BE IT FURTHER RESOLVED, that the deadline for receipt of First Quarter 2008 taxes and the grace period for the collection of those taxes be determined according to P.L. 1994. C.72 (R.S. 54:4-67).

The following spoke regarding the resolution: Michael Lenz, 408 Monroe Street.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Giacchi, LaBruno, Ramos, Russo and President Castellano.
---Nays: Cammarano, Cunningham, Mason, Zimmer.

ORDINANCES
Introduction and First Reading

08-24
DR-344

AN ORDINANCE TO AMEND CHAPTER 196 (ZONING) OF THE CODE OF THE CITY OF HOBOKEN, ARTICLE XI (OFF-STREET PARKING AND LOADING) REGARDING SUB-CHAPTER 196-44 (PARKING FOR PLACES OF ASSEMBLY) (DR-344)

WHEREAS, the City of Hoboken has established a comprehensive zoning ordinance, contained at Chapter 196 of the Code of the City of Hoboken, to regulate the nature and extent of the uses of land and buildings and structures thereon; and,

WHEREAS, from time to time, the Council of the City of Hoboken finds it necessary to amend the Zoning Ordinance so as to meet the needs of the community at large; and,
WHEREAS, the Council of the City of Hoboken has determined that it would be beneficial to the community to reduce the requirement to provide off-street parking for certain uses;

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

Section One:

Section 196-44 (Zoning) of the Code of the City of Hoboken, New Jersey, is hereby amended to read as follows:

§196-44 Minimum Off-Street Parking Requirements

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Number Off-Street Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assembly halls and auditoriums, community centers, places of worship, theaters and other places of assembly in every district with the following exceptions: for R-1(E) see Section 196-14F(2); for hospitals see Section 196-15.F(2); for PUD’s see below in this table</td>
<td>Zero (0) spaces for the first five thousand (5000) square feet of floor area; one (1) (1,000) square feet of floor area</td>
</tr>
</tbody>
</table>

The previous standard, 1 space for every 10 seats Not counting the first 50 seats, is hereby deleted. The remainder of Section 196-44 shall remain unchanged.

Section Two: 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 with 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 Three: Severability

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not effect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining effect; it being the legislative intent that this Ordinance shall stand not withstanding the invalidity of any part.

Section Four:

This Ordinance shall take effect upon passage and publication as provided by ;aw.

Section Five:

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken 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.

---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 FEBRUARY 6, 2008 at 7:00 PM.

---Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-25
DR-345

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN, ENTITLED VEHICLES AND TRAFFIC. (Loading Zone: Early Learning Center, 659-1st Street) (DR-345)

THE COUNCIL THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS: (Early Learning Center 659-1st Street)

ARTICLE V
LOADING ZONE

190-11 Loading Zone

Section 1: The location described is 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>First Street</td>
<td>7:00 A.M. To 6:30 P.M.</td>
<td>south</td>
<td>Beginning at a point 30 feet east of</td>
</tr>
<tr>
<td></td>
<td>Mon.- Fri.</td>
<td></td>
<td>the easterly curbline of Harrison</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Street and extending 44 feet easterly</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>therefrom.</td>
</tr>
</tbody>
</table>

Section 2: 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.

---Councilwoman LaBruno 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 6, 2008 at 7:00 PM.
---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-26
DR-346

ORDINANCE OF THE CITY OF HOBNOK AUTHORIZING ASSIGNMENT OF THE
LONG TERM TAX EXEMPTION FINANCIAL AGREEMENT FOR PROPERTY KNOWN AS
1000 JEFFERSON STREET, BLOCK 99, LOTS 1-30, 31.1, 31.2 & 32, CITY OF HOBNOK,
COUNTY OF HUDSON, STATE OF NEW JERSEY. (DR-346)

THE MUNICIPAL COUNCIL OF THE CITY OF HOBNOK DOES ORDAIN:

WHEREAS, 999 MADISON STREET URBAN RENEWAL, LLC, is an urban renewal
entity formed and qualified to do business under the provisions of the Long Term Tax
having its principal office at 71 Grand Street, Hoboken, New Jersey 07030 (“Entity”); and

WHEREAS, the Entity is the owner of certain real property known as 1000 Jefferson
Street, Block 99, Lots 1-30, 31.1, 31.2 & 32, in the City of Hoboken, County of Hudson, State
of New Jersey, which is located within the Northwest Redevelopment Area (“Property”); and

WHEREAS, by the adoption of Ordinance DR-238 on February 1, 2006, the City
Council of the City of Hoboken approved the tax exemption application filed by Entity on
January 9, 2006 for a residential condominium urban renewal housing project on the
Property (“Project”), and authorized the City of Hoboken (“City”) to enter into a Long Term
Tax Exemption Financial Agreement, pursuant to N.J.S.A. 40A:20-1 et seq., with the
Entity; and

WHEREAS, on April 13, 2006, the City and the Entity entered into a Long Term Tax
Exemption Financial Agreement, pursuant to N.J.S.A. 40A:20-1 et seq., which was amended
by Ordinance adopted on November 7, 2007 (“Financial Agreement”); and

WHEREAS, Article VIII, Section 8.1 of the Financial Agreement provides that any
sale or transfer of the Project shall be void unless approved in advance by Ordinance of the City Council, and that such consent on written application will not be unreasonable withheld provided (a) the assignee does not own any other project subject to long term tax exemption at the time of transfer; (b) the assignee is formed and eligible to operate under the Long Term Tax Exemption Law of 1992, as amended and supplemented to date, N.J.S.A. 40A:20-1 et seq.; (c) the Entity is not then in default of the Financial Agreement or the Long Term Tax Exemption Law of 1992, as amended and supplemented to date, N.J.S.A. 40A:20-1 et seq.; (d) the Entity’s obligations under the Financial Agreement are fully assumed by the assignee; and (e) the Entity has paid over to the City a transfer fee equal to 2% of the then current Annual Service Charge as permitted by N.J.S.A. 40A:20-10d; and

WHEREAS, on May 24, 2007 the Entity entered into a purchase and sale agreement (“Contract”) for the Property and all of the Entity’s rights, obligations and interest with regard to the Project with Clarion Lion Properties Fund Holdings, L.P., and by Assignment as of ________________ 2007 Clarion Lion Properties Fund Holdings, L.P., assigned and transferred all of its right, title and interest in the Contract to CLPF-JEFFERSON URBAN RENEWAL, L.P., 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 to date, N.J.S.A. 40A:20-1 et seq., having its principal office c/o ING Clarion Partners, 230 Park Avenue, New York, New York 10169-0005 (“Assignee”); and

WHEREAS, pursuant to the Contract, the Entity is to assign all of its rights, obligations and interests under the Financial Agreement to the Assignee, and the Assignee is to fully assume the Entity’s obligations under the Financial Agreement (“Assignment”); and

WHEREAS, the Entity has by written application requested that the City consent to the assignment of the Financial Agreement to the Assignee conditioned upon the Assignee taking title to the Property; and

WHEREAS, the City has made the following findings:

(A) The Assignee does not own any other project subject to a long term tax exemption.

(B) The Assignee is formed and eligible to operate under the Long Term Tax Exemption Law of 1992, as amended and supplemented to date, N.J.S.A. 40A:20-1 et seq.

(C) The Entity is not in default of the Financial Agreement or the Long Term Tax Exemption Law of 1992, as amended and supplemented to date, N.J.S.A. 40A:20-1 et seq.

(D) The Entity’s obligations under the Financial Agreement are to be fully assumed by the Assignee pursuant to the Assignment.

(E) The Entity has paid over to the City a transfer fee equal to 2% of the then current Annual Service Charge as permitted by N.J.S.A. 40A:20-10d.

(F) The City has reviewed the following documents and information regarding the Assignee and finds the Assignee to be qualified and financially capable to assume the Entity’s obligations under the Financial Agreement:

a. Disclosure Statement
b. Listing of officers
c. Annual Report
d. Previous Experience

WHEREAS, the City has therefore found that the Entity has met all of the requirements under the Financial Agreement for the assignment of the Financial Agreement and that the Assignee is qualified to assume all of the Entity’s obligations under the Financial Agreement;

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

A. The City approves the Assignment of the Financial Agreement to the Assignee conditioned upon the Assignee taking title to the Property and that the Entity and the Assignee are authorized by the City to execute the appropriate documents to effect the Assignment.

---Councilman Cammarano 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 6, 2008 at 7:00 PM.

---Motion duly seconded by Councilman Giacchi.

---Adopted by the following vote: YEAS: 8 - NAYS: 1

---Yeas: Council persons Cammarano, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.

---Nays: Cunningham.
President Castellano then adjourned the meeting at 10:06 p.m.

PRESIDENT OF THE COUNCIL

______________________________  
CITY CLERK
At this time, 6:00 p.m., the City Clerk opened the meeting 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 Hoboken Reporter, The 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 Cammarano, Cunningham, LaBruno Mason, Russo, Zimmer.

ABSENT: Giacchi, Ramos, President Castellano.

The City Clerk read the following letter, dated January 17, 2008, into the record:

08-27
The Honorable Theresa Castellano
President, Hoboken City Council
Hoboken City Hall
94 Washington Street
Hoboken, NJ 07030

Re: Special Meeting of the Hoboken City Council

Dear Council President Castellano:

I hereby call a Special Meeting of the Hoboken City Council for Wednesday, January 23, 2008 at 6:00 pm in the City Council Chambers, 94 Washington Street, First Floor, Hoboken, New Jersey for the purpose:

Introduction of an Ordinance Repealing Chapter 179 “Taxicabs” and replacing it with Chapter 179A “Taxicabs”. (DR-347)

Introduction of an Ordinance Repealing Chapter 180 “Limousines and Liveries” and replacing it with Chapter 180A “Limousines and Liveries”. (DR-348)
Sincerely,

David Roberts
Mayor
City of Hoboken

cc: City Council Members
    Richard F. England, Jr., Business Administrator
    Steven W. Kleinman, Corporation Counsel
    James J. Farina, City Clerk
    The Jersey Journal/Star Ledger/The Record

Councilman Cammarano nominated Councilwoman LaBruno to serve as Acting Council President at this meeting and seconded by Councilman Russo and voted on unanimously.

08-28
DR-347

AN ORDINANCE OF THE COUNCIL OF THE CITY OF HOBOKEN ORDINANCE REPEALING CHAPTER 179 “TAXICABS” AND REPLACING IT WITH CHAPTER 179A “TAXICABS”. (DR-347)

WHEREAS, the Hoboken City Council seeks to make numerous substantive changes to Chapter 179, “Taxicabs”; and

WHEREAS, in order to eliminate confusion into the public it is most prudent to eliminate all of Chapter 179 and replace it with Chapter 179 "A"; and

NOW, THEREFORE BE IT ORDAINED that:

1. That Chapter 179 is entirely repealed and is substituted with Chapter 179A.

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 ordinance.

3. All licenses previously issued by the City of Hoboken shall be honored and considered binding and have legal affect under Chapter 179A, unless separately revoked by the City’s Administrative action.

4. In the event that any portion of this Ordinance is declared illegal, or unconstitutional, the remaining sections shall survive and be deemed binding with full legal effect.

5. This ordinance shall be effective according to law.

---Councilwoman LaBruno 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 6, 2008 at 7:00 PM.
08-29  
DR-348

AN ORDINANCE OF THE COUNCIL OF THE CITY OF HOBOKEN REPEALING  
CHAPTER 180 “LIMOUSINES AND LIVERIES” AND REPLACING IT WITH  
CHAPTER 180A “LIMOUSINES AND LIVERIES”. (DR-348)

WHEREAS, the Hoboken City Council seeks to make numerous substantive changes  
to Chapter 180, “Limousines and Liveries”; and

WHEREAS, in order to eliminate confusion into the public it is most prudent to  
eliminate all of Chapter 180 and replace it with Chapter 180 "A"; and

NOW, THEREFORE BE IT ORDAINED that:

1. That Chapter 180 is entirely repealed and is substituted with Chapter  
   180A.

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  
ordinance.

3. All licenses previously issued by the City of Hoboken shall be honored  
and considered binding and have legal affect under Chapter 180A, unless  
separately revoked by the City's Administrative action.

4. In the event that any portion of this Ordinance is declared illegal, or  
unconstitutional, the remaining sections shall survive and be deemed  
binding with full legal effect.

5. This ordinance shall be effective according to law.

---Councilwoman LaBruno 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 6, 2008 at 7:00 PM.

---Motion duly seconded by Councilman Cunningham.  
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3  
---Yeas: Council persons Cammarano, Cunningham, LaBruno, Mason, Russo, Zimmer.  
---Nays: None.  
---Absent: Giacchi, Ramos, President Castellano

Special Meeting of January 23, 2008
Public Portion: Maurice DeGennaro, 614 Hudson Street; Robert Dato, Hazlet, New Jersey.

Acting Council President LaBruno then adjourned the meeting at 6:07 p.m.

______________________________
PRESIDENT OF THE COUNCIL

______________________________
CITY CLERK
President Castellano 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 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 Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.

ABSENT: None.

Council President Castellano asked for a moment of silence in memory of Seth Dembowitz who died in a Hoboken fire at 12th and Washington Street.

**SFY 2008 Municipal Budget Hearing continued**

The following spoke: Jon Gordon, 1015 Washington Street; Helen Hirsch, 98 Park Avenue. The SFY 2008 Municipal Budget Hearing is continued to the next Hoboken City Council Meeting.

**PUBLIC HEARING and FINAL VOTE ON ORDINANCES**

Second Reading / Public Hearing and Final Vote
AN ORDINANCE TO AMEND CHAPTER 196 (ZONING) OF THE CODE OF THE CITY OF HOBOKEN, ARTICLE XI (OFF-STREET PARKING AND LOADING) REGARDING SUB-CHAPTER 196-44 (PARKING FOR PLACES OF ASSEMBLY) (DR-344)

President Castellano 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 of which the heading was read in full.

The following spoke regarding the ordinance: Helen Hirsch, 98 Park Avenue; George Sommers, 51 Newark Street. No other person present desiring to be heard and no written protests or objections received, President Castellano asked for a motion to close the hearing.

The ordinance (DR-344) was amended on a motion by Councilman Ramos and seconded by Councilwoman LaBruno and the hearing was closed.

Councilman Ramos moved that the hearing be closed.  
Motion duly seconded by Councilwoman LaBruno.  
---Adopted by the following vote: YEAS: 9 - NAYS: 0  
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.  
---Nays: None.

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

The final vote was taken on ordinance (DR-344) as amended in writing by Corporation Counsel Kleinman (on the original document) and supported unanimously.

---Adopted by the following vote: YEAS: 9 - NAYS: 0  
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.  
---Nays: None.

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN, ENTITLED VEHICLES AND TRAFFIC. (Loading Zone: Early Learning Center, 659-1st Street) (DR-345)

President Castellano 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 of which the heading was read in full.

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

Councilwoman LaBruno moved that the hearing be closed.  
Motion duly seconded by Councilman Ramos.  
---Adopted by the following vote: YEAS: 9 - NAYS: 0  
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.

---Adopted by the following vote: YEAS: 9 - NAYS: 0  
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

Council President Castellano 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 Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

AN ORDINANCE REPEALING CHAPTER 179 “TAXICABS” AND REPLACING IT WITH CHAPTER 179A “TAXICABS”. (DR-347)

President Castellano 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 of which the heading was read in full.

The following spoke regarding the ordinance: Helen Hirsch, 98 Park Avenue; Paul Casteleiro, 200 Washington Street; Robert Dado, 25 Kayla Ct., Hazlet, NJ; Maurice DeGennaro, 614 Hudson Street; Yesenia Camilo, 13th Street, West New York, NJ; Wajie Elgmos, 17 Mentor Avenue, Jersey City; Margaret O’Brien, 54 11th Street. No other person present desiring to be heard and no written protests or objections received, President Castellano asked for a motion to close the hearing.

Councilman Russo moved that the hearing be closed.
Motion duly seconded by Councilwoman Mason.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

Council President Castellano 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 Cunningham, Giacchi, LaBruno, Russo, Zimmer.
---Nays: Cammarano, Mason, Ramos, President Castellano.

AN ORDINANCE REPEALING CHAPTER 180 “LIMOUSINES AND LIVERIES” AND REPLACING IT WITH CHAPTER 180A “LIMOUSINES AND LIVERIES”. (DR-348)

President Castellano 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 of which the heading was read in full.

The following spoke regarding the ordinance: Carmen Maria, 162 15th Street, Jersey City, NJ; Robert Dado, 25 Kayla Ct., Hazlet, NJ; Yesenia Camilo, 330 13th Street, West New York, NJ; Paul Casteleiro, 200 Washington Street. No other person present desiring to be heard and no written protests or objections received, President Castellano 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: 9 - NAYS: 0  
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.  
---Nays: None.

Council President Castellano 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 Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.  
---Nays: None.  
ORDINANCE OF THE CITY OF HOBOKEN AUTHORIZING ASSIGNMENT OF THE LONG  
TERM TAX EXEMPTION FINANCIAL AGREEMENT FOR PROPERTY KNOWN AS 1000  
JEFFERSON STREET, BLOCK 99, LOTS 1-30, 31.1, 31.2 & 32, CITY OF HOBOKEN, COUNTY OF  
HUDSON, STATE OF NEW JERSEY. (DR-346)

President Castellano 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 of which the heading was read in full.

The following spoke regarding the ordinance:  John J. Curley, 3 2nd Street, Jersey City; Helen Hirsch, 98 Park Avenue; Jim Doyle, 806 Park Avenue; John J. Curley spoke again; Councilwoman LaBruno left the meeting at 8:48 p.m.; Jim Doyle Spoke again; Councilwoman LaBruno returned to the meeting at 8:52 p.m.  No other person present desiring to be heard and no written protests or objections received, President Castellano asked for a motion to close the hearing.

Councilwoman LaBruno moved that the hearing be closed.  
Motion duly seconded by Councilman Ramos.  
---Adopted by the following vote: YEAS: 9 - NAYS: 0  
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.  
---Nays: None.

Council President Castellano then instructed the City Clerk to call the Final Vote for the above Ordinance.  
---Adopted by the following vote: YEAS: 6 - NAYS: 3  
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Ramos, Russo and President Castellano.  
---Nays: Cunningham, Mason, Zimmer.

At this time, 9:18 p.m., the City Council entered into a closed (executive) session as follows:
08-30
---By Councilman Russo:

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:

Litigation (MDK & Maurice DeGennaro v. City of Hoboken)

BE IT RESOLVED, that the City Council shall at this time 9:18 pm, February 6, 2008, 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 Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

The City Council came out of a closed (executive) session at 9:57 p.m., on a motion by Councilwoman LaBruno and seconded by Councilman Russo and voted on unanimously.

At this time the public spoke at the “Public Portion” of the meeting as follows: Stephen Spector, 25 Rockwood Place, Englewood, New Jersey; John LaBarbera, 210 Washington Street; Angelica LaBarbera, 210 Washington Street; Frank Tattoli, 405 Jefferson Street; Carl Morelli, 155 6th Street; Lou Taglieri, 311 13th Street; Stephen Spector spoke again; Helen Hirsch, 98 Park Avenue; Matt LaSordo, 521 Garden Street; Maurice DeGennaro, 614 Hudson Street.

PETITIONS AND COMMUNICATIONS

08-31
A communication from the Hoboken Planning Board, dated February 6, 2008, advising that the ordinance (DR-344) is not inconsistent with the Master Plan.

--Received and filed.
APPLICATIONS FOR MISCELLANEOUS LICENSES

- Taxi Drivers: 1
- Limo/Livery Drivers: 1
- Vendors: 1
- Parking Facilities: 1

---Councilman Russo moved that the licenses be granted.
---Motion duly seconded by Council President Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

REPORTS OF CITY OFFICERS

A report of the Municipal Court indicating receipts for the month of January 2008 as $343,814.89.

---Received and filed.

CLAIM RESOLUTIONS

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 $846,212.45 against the UNCLASSIFIED CLAIMS.

Councilwoman Mason voted NO on items 00016; 00017; 00018; 00019; 00020; 00021; 01034.

Seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

By Councilman Giacchi:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $75,887.55 against the DEPARTMENT OF ADMINISTRATION.

Councilwoman Mason voted NO on items 00428; 02019; 02179; 02505; 01831; 02238; 02240.
Councilwoman Mason voted ABSTAIN on item 00999.

Seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

By Councilman Russo:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $280,252.54 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

By Councilman Russo:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $108,252.08 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---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 $76,791.77 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Councilwoman Mason voted NO on item 00997.

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

By Councilman Cammarano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $48,062.25 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

By Councilman Russo:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $120,740.90 against the CAPITAL ACCOUNT.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

By Councilwoman LaBruno:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $139,252.08 against the PARKING UTILITY.

Seconded by Councilman Cunningham.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

PAYROLL RESOLUTIONS

08-35
By Councilman Russo:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEEN, FOR THE PERIOD DECEMBER 27, 2007 TO JANUARY 9, 2008 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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### Cops In School 8-01-25-241-015

### Civilian Hiring 8-01-25-241-016 5,917.22 485.28 6,402.50

### Minority Affairs 8-01-27-331

### Summer Fun 8-01-28-370-013

### Summer Lunch G-02-44-701-316

**Other**

### Police GrantDE16-S701

### Police Outside Employ. T-03-40-000-006 9,847.50 9,847.50

### Ped Safety Grant 8-01-25-241-013

### Fire Education Grant T-13-10-000-000

### Police Housing Auth 8-01-25-241-017 2,140.00 2,140.00

**Grand Total**

1,531,636.73 44,240.81 3,943,276.69 5,519,154.23

Motion by Councilman Russo.
Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.

---Nays: None.

### RESOLUTIONS

Presented and Read

Councilwoman Zimmer left the dais before the vote was taken (10:49 p.m.) on the following resolution.

**08-36**

---By Councilman Giacchi:
THIS RESOLUTION AUTHORIZES ADDITIONAL TEMPORARY EMERGENCY APPROPRIATIONS TO THE SFY 2008 BUDGET UNTIL SUCH TIME AS A FORMAL BUDGET IS ADOPTED.

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 (Within Cap)</th>
<th>ACCOUNT #</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel S &amp; W</td>
<td>8-01-20-105-010</td>
<td>$20,000.00</td>
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<tr>
<td>City Council S &amp; W</td>
<td>8-01-20-111-010</td>
<td>$10,000.00</td>
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<tr>
<td>Business Admin. S &amp; W</td>
<td>8-01-20-112-010</td>
<td>$17,000.00</td>
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<td>A.B.C. Board S &amp; W</td>
<td>8-01-20-113-010</td>
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<td>Purchasing S &amp; W</td>
<td>8-01-20-114-010</td>
<td>$ 6,000.00</td>
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<td>Licensing Bureau S &amp; W</td>
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<td>$ 700.00</td>
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<td>Grants Mgmt. S &amp; W</td>
<td>8-01-20-116-010</td>
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<td>City Clerk S &amp; W</td>
<td>8-01-20-120-010</td>
<td>$17,000.00</td>
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<td>Legal Ads O.E.</td>
<td>8-01-20-121-020</td>
<td>$ 6,000.00</td>
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<td>Elections S &amp; W</td>
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<td>$ 7,000.00</td>
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<td>Finance Supervisor S&amp;W</td>
<td>8-01-20-130-010</td>
<td>$ 5,000.00</td>
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<td>Accts &amp; Control S &amp; W</td>
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<td>Info Technology S &amp; W</td>
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<td>Corp. Counsel S &amp; W</td>
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<td>Planning Board S &amp; W</td>
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<td>Zoning Officer S &amp; W</td>
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<td>Housing S &amp; W</td>
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<td>$ 5,000.00</td>
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<td>Fire Dept S &amp; W</td>
<td>8-01-25-266-010</td>
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<td>Envrn. Svs. Dir.S &amp; W</td>
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<td>Central Garage S &amp; W</td>
<td>8-01-26-301-010</td>
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<td>Solid Waste S &amp; W</td>
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<td>8-01-27-330-010</td>
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<td>Board of Health S &amp; W</td>
<td>8-01-27-332-010</td>
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<td>Constituent Svs. S&amp;W</td>
<td>8-01-27-333-010</td>
<td>$ 6,000.00</td>
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<tr>
<td>Senior Citizens S &amp; W</td>
<td>8-01-27-336-010</td>
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<table>
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<tr>
<th>ACCOUNT (Within Cap)</th>
<th>ACCOUNT #</th>
<th>AMOUNT</th>
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<tr>
<td>Rent Control S &amp; W</td>
<td>8-01-27-347-010</td>
<td>$ 7,000.00</td>
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<td>Transportation S &amp; W</td>
<td>8-01-27-348-010</td>
<td>$11,000.00</td>
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<tr>
<td>Recreation S &amp; W</td>
<td>8-01-28-370-010</td>
<td>$30,000.00</td>
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<tr>
<td>Parks S &amp; W</td>
<td>8-01-28-375-010</td>
<td>$30,000.00</td>
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</table>
Public Properties S & W 8-01-28-377-010 $30,000.00
Public Properties O.E. 8-01-28-377-021 $20,000.00
Municipal Court S & W 8-01-43-490-010 $40,000.00
Public Defender S & W 8-01-43-495-010 $2,500.00
TOTAL $2,569,500.00

ACCOUNT ACCOUNT # AMOUNT
Outside Cap
Public Library S & W 8-01-29-390-010 $35,000.00
Parking Utility S & W 8-31-55-502-100 $80,000.00
Undergnd Storage Tanks 8-01-45-940-020 $16,000.00
TOTAL $131,000.00

Councilwoman Mason voted NO on item #8-01-20-111-010
Councilwoman Mason voted ABSTAIN on item #8-01-20-120-010
Councilwoman Mason voted ABSTAIN on item #8-01-20-155-010

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 7 - NAYS: 1 - ABSENT: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Mason, Ramos, Russo and President Castellano.
---Nays: Cunningham.
---Absent: Zimmer.

Councilwoman Zimmer returned to the dais after the vote was recorded on the above resolution.

08-37
---By Councilwoman LaBruno:

RESOLUTION APPROVING CHANGE IN RATES AT GARAGES OPERATED BY THE HOBOKEN PARKING UTILITY

WHEREAS, the City of Hoboken, through the Hoboken Parking Utility, owns and operates numerous parking garages within our municipality; and,

WHEREAS, pursuant to Section 56-7 of the Code of the City of Hoboken, the Hoboken Parking Utility has the authority to charge and collect monies for the use of its facilities; and,

WHEREAS, the Hoboken Parking Utility establishes both monthly and transient rates for the use of these City-owned parking facilities; and,

WHEREAS, the City Council of the City of Hoboken has been advised by the Hoboken Parking Utility that the current rates charged are below the market level, and therefore an increase in rates is warranted;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken that the rates attached hereto as Exhibit “A” are hereby adopted as the new rate schedule at
garages operated by the Hoboken Parking Utility, as of an effective date to be established by the Hoboken Parking Utility.

BE IT FURTHER RESOLVED that the Parking Utility and City Clerk shall make available for public inspection during regular business hours a revised schedule of fees reflecting this change; and,

BE IT FURTHER RESOLVED that the Parking Utility take any steps necessary to realize the intent and purpose of this resolution; and,

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

---Motion duly seconded by Councilman Cunningham.
---Adopted by the following vote: YEAS: 7 - NAYS: 2
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Zimmer.
---Nays: Russo, President Castellano.

08-38
---By Councilman Russo:

THIS RESOLUTION AWARDS A TWO (2) YEAR CONTRACT FOR PLUMBING SERVICE, BASED ON THE LOWEST, RELIABLE BIDDER.

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposal was received for Plumbing Services in accordance with Bid 08-15:

<table>
<thead>
<tr>
<th>Name ofBidder</th>
<th>Amount of Bid</th>
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</thead>
<tbody>
<tr>
<td>Magic Touch Construction Co., Inc.</td>
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</tr>
<tr>
<td>59 W. Front Street Middletown, NJ 07748</td>
<td>Year 1: Straight Time $92.50/hr. $92.50/hr. Year 2: Overtime $138.75/hr. $140.25/hr.</td>
</tr>
</tbody>
</table>

and:

WHEREAS, the Purchasing Agent recommends the acceptance of the bid of Magic Touch Construction Co., Inc.; now, therefore, be it

RESOLVED, that the proposal of Magic Touch Construction Co., Inc. at a price of $92.50/hr. S/T and $138.75/hr. O/T. in 1st year and $92.50/hr. S/T. and $140.25/hr. O/T. in the 2nd year be and the same is hereby accepted, and be it further

RESOLVED, that a contract be drafted and entered into between the Mayor and Council of the City of Hoboken and Magic Touch Construction Co., Inc. for the aforementioned Plumbing Services, form of which contract is to be prepared by the City’s Corporate Counsel; and be it further

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

---Motion duly seconded by Council President Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-39
---By Councilman Cammarano:

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER
FOR THE ESTABLISHMENT OF THE “POLICE ATHLETIC LEAGUE” TRUST
FUND

WHEREAS, permission is required of the Director of the Division of Local
Government Services for approval as a dedication by rider of revenues received by a county
or Private Sponsorship, and private collections when the revenue is not subject to reasonably
accurate estimates in advance: and

WHEREAS, N.J.S.A. 40A:4-39 provides the Director of the Division of Local
Government Services may approve expenditures or monies by dedication by rider; and

NOW, THEREFORE, BE IT RESOLVED by the City of Hoboken, County of
Hudson, New Jersey as follows:

1. The City Council does hereby request permission of the Director or the Division of Local
Government Services to pay expenditures under the provisions of N.J.S.A. 40A: 4-39, as
amended by P.L. 1999. c.292, for the exclusive purpose of depositing and expending
funds paid by individuals and/or sponsors to offset the costs of operating athletic,
recreational, educational opportunities, and other programs.

2. The City Clerk is hereby directed to forward two certified copies of this Resolution to
the Director of the Division of Local Government Services.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos,
Russo, Zimmer and President Castellano.
---Nays: None.

08-40
---By Councilman Russo:

AUTHORIZING THE SUMISSION OF AN FY 2008 COOPERATIVE MARKETING
GRANT APPLICATION

WHEREAS, the City of Hoboken has, in past years, been the recipient of
Cooperative Marketing Funds to assist in marketing expenses for the City’s Spring and Fall
Arts & Music Festivals; and

Meeting of February 6, 2008
WHEREAS, the City of Hoboken wishes to submit an application for 2008 Cooperative Marketing funding;

NOW, THEREFORE, the governing body resolves that Mayor is hereby authorized to:

(a) make application for 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 be it further –

RESOLVED BY THE Council of the City of Hoboken:

1. That, should funding be awarded, the Mayor is hereby authorized to execute a funding agreement;

2. That this resolution shall take effect immediately.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-41
---By Councilman Cammarano:

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR THE ESTABLISHMENT OF THE “HOBOKEN POLICE DEPARTMENT MEMORIAL” TRUST FUND

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance: and

WHEREAS, N.J.S.A. 40A:4-39 provides the Director of the Division of Local Government Services may approve expenditures or monies by dedication by rider; and

NOW, THEREFORE, BE IT RESOLVED by the City of Hoboken, County of Hudson, New Jersey as follows:

1. The City Council does hereby request permission of the Director or the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A:4-39, for the exclusive purpose of depositing and expending funds received as donations and contributions in memory of local city residents fallen victim to the World Trade Center Tragedy of September 11, 2001.
2. The City Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-42
---By Councilman Ramos:

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR THE ESTABLISHMENT OF THE “RCA NORTH HALEDON” AFFORDABLE HOUSING TRUST FUND

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance: and

WHEREAS, N.J.S.A. 40A:4-39 provides the Director of the Division of Local Government Services may approve expenditures or monies by dedication by rider; and

NOW, THEREFORE, BE IT RESOLVED by the City of Hoboken, County of Hudson, New Jersey as follows:

1. The City Council does hereby request permission of the Director or the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A: 4-39, as amended by P.L. 1999. c. 292, for the exclusive purpose of depositing and expending funds paid by Borough of North Haledon to offset the costs of operating affordable housing units approved by (COAH) Council on Affordable Housing.

2. The City Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---By Councilman Ramos:

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR THE ESTABLISHMENT OF THE “RCA WANAJUE” AFFORDABLE HOUSING TRUST FUND

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance: and

WHEREAS, N.J.S.A. 40A:4-39 provides the Director of the Division of Local Government Services may approve expenditures or monies by dedication by rider; and

NOW, THEREFORE, BE IT RESOLVED by the City of Hoboken, County of Hudson, New Jersey as follows:

1. The City Council does hereby request permission of the Director or the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A:4-39, as amended by P.L. 1999. c.292, for the exclusive purpose of depositing and expending funds paid by Borough of Wanaque to offset the costs of operating affordable housing units approved by (COAH) Council on Affordable Housing.

2. The City Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

---By Councilman Russo:

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR THE ESTABLISHMENT OF THE "WORKERS' COMPENSATION INSURANCE" TRUST FUND

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance: and

WHEREAS, N.J.S.A. 40A:4-39 provides the Director of the Division of Local Government Services may approve expenditures or monies by dedication by rider; and

NOW, THEREFORE, BE IT RESOLVED by the City of Hoboken, County of Hudson, New Jersey as follows:
1. The City Council does hereby request permission of the Director or the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A: 4-39, as amended by P.L. 1999. c.292, for the exclusive purpose of depositing and expending funds paid by municipality to offset the costs of operating City of Hoboken employee’s on paid workers’ compensation.

2. The City Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-45
---By Councilman Russo:

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR THE ESTABLISHMENT OF THE “SHADE TREE COMMISSION” TRUST FUND

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance: and

WHEREAS, N.J.S.A. 40A:4-39 provides the Director of the Division of Local Government Services may approve expenditures or monies by dedication by rider; and

NOW, THEREFORE, BE IT RESOLVED by the City of Hoboken, County of Hudson, New Jersey as follows:

1. The City Council does hereby request permission of the Director or the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A: 4-39, as amended by P.L. 1999. c.292, for the exclusive purpose of depositing and expending funds paid by municipality and/or donations to offset the costs of operating planting, care and control of shade and ornamental trees and shrubbery in public places, parks and parkways.

2. The City Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.
---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-46
---By Councilman Russo:

RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR THE ESTABLISHMENT OF THE “CULTURAL AFFAIRS, FESTIVALS & EVENTS” TRUST FUND

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or Private Sponsorship, and private collections when the revenue is not subject to reasonably accurate estimates in advance: and

WHEREAS, N.J.S.A. 40A:4-39 provides the Director of the Division of Local Government Services may approve expenditures or monies by dedication by rider; and

NOW, THEREFORE, BE IT RESOLVED by the City of Hoboken, County of Hudson, New Jersey as follows:

1. The City Council does hereby request permission of the Director or the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A: 4-39, as amended by P.L. 1999. c.292, for the exclusive purpose of depositing and expending funds paid by individuals and/or sponsors to offset the costs of operating cultural affairs, festival, events and other programs.

2. The City Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

--Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-47
---By Councilman Ramos:

RESOLUTION AMENDING CONTRACT WITH ANSELL ZARO GRIMM & AARON P.C. SPECIAL LEGAL COUNSEL – REDEVELOPMENT

WHEREAS, the City of Hoboken is currently under contract with the law firm of Ansell Zaro Grimm & Aaron P.C. (responsible attorney: Gordon Litwin, Esq.) to serve as Special Legal Counsel for redevelopment issues involving the City of Hoboken; and,
WHEREAS, in connection with the ongoing contract with this law firm, Ansell Zaro Grimm & Aaron had submitted a proposal that was reviewed in compliance with Hoboken Ordinance #DR-154 (codified as §20A-1 et seq. of the Code of the City of Hoboken), which requires competitive negotiation for Professional Service contracts; and,

WHEREAS, the work performed by Ansell Zaro Grimm & Aaron constitutes a professional service as defined by N.J.S.A. 40A:11-2(b) and as such, is exempt from public bidding requirements pursuant to N.J.S.A. 40A:11-5; and,

WHEREAS, due to high the volume of work required to be handled on behalf of the City by Ansell Zaro Grimm & Aaron, including the defense of the City in recently-filed litigation captioned MDK Development LLC, et al, v. City of Hoboken, et al., an adjustment to this law firm's contract will be required in order to ensure the uninterrupted provision of necessary legal services; and,

WHEREAS, funds for this agreement are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken does hereby authorize an amended contract between the City of Hoboken and Ansell Zaro Grimm & Aaron P.C. to provide legal services as set forth above;

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

1. An amended contract for Special Counsel for the City of Hoboken shall be prepared and executed with the following vendor:

   Ansell Zaro Grimm & Aaron P.C.
   60 Park Place
   Suite 1114
   Newark, NJ 07102

   Such firm to be paid at an hourly rate of $140.00, with a total amount not to exceed $125,000.00 (increased from $75,000.00).

2. This agreement shall be effective July 1, 2007 and terminate June 30, 2008.

3. The City Clerk shall publish 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 is hereby authorized to execute an amended contract with Ansell Zaro Grimm & Aaron P.C. for professional services on behalf of the City of Hoboken and to take any other actions necessary to complete and realize the intent and purpose of this resolution.

5. A copy of this resolution shall be published according to law and the City Clerk shall keep a copy of the resulting contract on file in accordance with N.J.S.A. 40A:11-1 et seq.
6. This resolution shall take effect immediately.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-48
---By Councilwoman LaBruno:

RESOLUTION SUPPORTING TREE PLANTING AND BEAUTIFICATION EFFORTS

WHEREAS, the City of Hoboken has been designated a Tree City USA Community by the National Arbor Day Foundation in response to the City’s efforts to plant more trees throughout our community; and,

WHEREAS, the Council of the City of Hoboken believes trees add immeasurable benefits to our urban landscape and the well being of our residents; and,

WHEREAS, the City has been engaged in an ongoing tree planting campaign and the Roberts Administration has been actively seeking locations where new trees can be planted; and,

WHEREAS, the Council wishes to support and encourage these efforts and any other efforts by the Administration and the Shade Tree Commission to beautify our City.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken:
1. The above recitals are incorporated as if fully set forth at length.
2. The Council expresses its official support for the Administration’s tree planting and beautification project and authorizes up to Fifteen Thousand ($15,000.00) dollars from existing revenue to be spent in support of such efforts.
3. The Council requests the Administration and the Shade Tree Commission to explore all additional possible methods of financing these efforts including by voluntary donations and grant funds.
4. The Council authorizes the Mayor to take all actions necessary to further the intent and purpose of this resolution.

BE IT FURTHER RESOLVED that certified copies of this resolution shall be provided to the Mayor, the Shade Tree Commission and our 33rd District Legislators.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---By Councilman Russo:

RESOLUTION AUTHORIZING VOLUNTARY EMPLOYEE SEVERANCE PROGRAM

WHEREAS, the Council of the City of Hoboken greatly appreciates and recognizes the dedication and years of service of city employees and their contributions to the City; and

WHEREAS, the City of Hoboken is faced with budgetary constraints due to the increasing cost of administering municipal government, especially in the area of employee benefits, and has had to utilize non-recurring funding resources in order to balance the City's budget, which are not likely to be available in future years;

WHEREAS, in light of these financial constraints, the City of Hoboken has deemed it prudent to examine its finances, reduce certain expenditures and reallocate its financial resources; and

WHEREAS, the Council of the City of Hoboken wishes to offer a one-time only Voluntary Severance Incentive Program in an effort to prevent any potential need for a forcible reduction in its labor force, and ensure the government is operated at a level that taxpayers can afford; and

WHEREAS, the Business Administrator of the City of Hoboken has advised that such a program would lead to significant budgetary savings for the City and that sufficient funds to implement such a program are available in current City appropriations; and

WHEREAS, it is in the best interests of the City to provide this Voluntary Severance Incentive Program to give City employees opportunity to plan their future or find alternative employment opportunities; and

WHEREAS, participation in this program is entirely voluntary;

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

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

2. The City Council does hereby authorize a Voluntary Severance Incentive Program for City employees, regardless of length of service, upon the following general conditions:

a. Any City employee wishing to participate in the Program must resign (or voluntarily retire, if eligible) from his or her current position and any civil service title held, as well as any City position from which he or she is on leave of absence, and agree to be no longer be employed by the City in any capacity.

b. In return for an employee's separation from service, the City will offer a bonus severance payment, consisting of a specified percentage of the employee's annual base salary, to any employee participating in the Program, payable in five (5) equal, annual payments starting on date established by the Administration. The Administration shall base the bonus severance payment upon the employee's length of service, but in no event shall the payment be less than 10% nor exceed 100% of the employee's annual base salary.
c. This severance is to be considered a bonus, not salary, is not pensionable and shall not affect the amount of terminal leave nor any other payments to which an employee would ordinarily be entitled to receive upon separation of employment from the City of Hoboken.

3. The Mayor or his designee are hereby authorized to execute any and all documents and take any actions necessary to effectuate the purposes of this resolution and implement a Voluntary Severance Incentive Program, including the establishment of eligibility rules and regulations.

4. The authorization created by the Resolution shall expire on December 31, 2008, and employees must no longer be employed by the City by that date in order to be eligible to receive a bonus severance payment, provided, however, that the Administration may establish a deadline earlier than December 31, 2008 for employees wishing to participate in the Voluntary Severance Incentive Program.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSTENTIONS: 2
---Yeas: Council persons Cammarano, Cunningham, Giacchi, Mason, Ramos, Russo, Zimmer.
---Nays: None.
---Abstentions: LaBruno, President Castellano.

08-50
---By Councilman Ramos:

RESOLUTION CALLING UPON THE PLANNING BOARD OF THE CITY OF HOBOKEN TO ALLOCATE AND IMPOSE COST OF OFF-TRACT IMPROVEMENTS AGAINST DEVELOPERS AS A CONDITION OF SUBDIVISION OR SITE PLAN APPROVAL, AS PROVIDED BY §§ 44-7 AND 196-63.1 OF THE CODE OF THE CITY OF HOBOKEN

WHEREAS, Section 42 of the Municipal Land Use Law, N.J.S.A. 40:55D-42, authorizes the governing body of a municipality to adopt, by ordinance, regulations requiring a developer, as a condition for approval of a subdivision or site plan, to pay the pro-rata share of the cost of providing off-tract improvements, including without limitation, for street improvements and water, sewerage and drainage facilities, necessitated or required by construction or improvements within such subdivision or development; and,

WHEREAS, in accordance with Section 42 of the Municipal Land Use Law, the City Council of the City of Hoboken adopted an ordinance (codified as §§ 44-7 and 196-63.1 of the Code of the City of Hoboken) giving the Planning Board broad power to require a developer, as a condition for approval of a subdivision or site plan, to pay its fair share of off-tract improvements made necessary by its development; and,

WHEREAS, as a matter of public policy, the financial burden for such off-tract improvements should be placed upon developers in Hoboken and not the taxpayers of Hoboken, to the fullest extent permitted by law.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Hoboken, County of Hudson, and State of New Jersey that for the good and betterment of the taxpayers of Hoboken, the City Council calls upon the Planning Board of the City of Hoboken to
carefully review all subdivision and site plan approvals for any and all off-tract improvements that the proposed project may require in accordance with Zoning Ordinance §§44-7 and 196-63-1; and,

    BE IT FURTHER RESOLVED, that the Council of the City of Hoboken calls upon the Planning Board to allocate and impose the costs for such needed off-tract improvements to developers as a condition of such approvals in accordance the methods and procedures set forth in Zoning Ordinance §§44-7 and 196-63.1; and,

    BE IT FURTHER RESOLVED, that a certified copy of this resolution be provided to the Secretary of the Hoboken Planning Board for distribution to its membership.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

President Castellano then adjourned the meeting at 11:36 p.m.
President Castellano 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 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 Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.

ABSENT: None.

SFY 2008 Municipal Budget Hearing

The SFY 2008 Municipal Budget Hearing is continued to the next Hoboken City Council Meeting.

PETITIONS AND COMMUNICATIONS

08-51

February 20, 2008

Dear Council President and Members of the City Council:
On Saturday, March 1, 2008, Hoboken will celebrate St. Patrick’s Day with an annual parade that attracts thousands of residents and visitors from throughout the region. It is a festive day meant to celebrate the Irish culture.

It is also a day where participants must utilize caution and good judgment to ensure an orderly event. With the communication, I have directed the assistance of the Director of Public Safety, all available police officers, firefighters, the Office of Emergency Management, building inspectors and other municipal officials to enforce all codes regarding public behavior with a level of zero tolerance.

This includes enforcement regarding the public consumption of alcohol, public urination and legal capacity of taverns, bars and restaurants, as well as house parties.

Members of the hospitality industry must vigilantly regulate their establishments to the letter of the law. This includes establishments that serve alcohol, including liquor stores. All laws regarding distribution and consumption of alcohol will be strictly enforced.

It is the responsibility of all participants to abide by municipal code, on this day as well as all others.

Sincerely,

DAVID ROBERTS
Mayor
City of Hoboken

--Received and filed.

08-52

February 20, 2008

Dear Council President and Members of the City Council:

On behalf of Project for Public Spaces (PPS), I am pleased to invite the company’s Vice-President, Cynthia Nikitin, to speak and present a powerpoint presentation before you regarding a proposal for working with the City of Hoboken on the development of a comprehensive strategy for identifying best uses, amenity packages, ways to plan for and design parks to serve target audiences across our community.

The goal of the planning process will be to take a system-wide approach to planning for the redesign, purchase, and future programming of Hoboken’s parklands to best serve the most people of Hoboken in the most appropriate manner.

Working in cities, like Miami, Houston, Detroit, Cleveland and Newark PPS has helped achieve remarkable success in improving public spaces. I greatly appreciate your providing Ms. Nikitin the opportunity to present to you her presentation on a program that will help us as we work together to develop ideas and opportunities for Hoboken’s existing and future parks.
Sincerely,

DAVID ROBERTS
Mayor
City of Hoboken

--Received and filed.

**08-53**

**APPLICATIONS FOR MISCELLANEOUS LICENSES**

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<td>Public Hack Owners (Taxicabs)</td>
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<tr>
<td>Livery Owners</td>
<td>2</td>
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<tr>
<td>Vendors</td>
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<tr>
<td>Mechanical Amusement Devices</td>
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<tr>
<td>Music Machines</td>
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---Councilman Russo moved that the licenses be granted.
---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

**08-54**

**REPORTS OF CITY OFFICERS**


---Received and filed.

**08-55**

**CLAIM RESOLUTIONS**

By Councilman Russo:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $623,001.30 against the UNCLASSIFIED CLAIMS.

Councilwoman Mason voted **YES** on items #02604
#00009
Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: Mason.

By Councilman Russo:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $78,474.38 against the DEPARTMENT OF ADMINISTRATION.

Councilwoman Mason voted ABSTAIN on items #01748 (due to conflict of interest); 02294
Councilwoman Mason voted YES on items  #02544
  #02459
  #02477
  #02656
  #02657
  #02561
  #02563
  #02599
  #00037
  #00038
  #00039
  #00039

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: Mason.

By Councilman Russo:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $231,103.04 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Councilwoman Mason voted YES on items  #00107
  #02508
Councilwoman Mason voted **ABSTAIN** on items #02366 lack of information

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: Mason.

By Councilman Russo:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $66,155.78 against the DEPARTMENT OF HUMAN SERVICES.

Councilwoman Mason voted **YES** on items #02470 #02605

Councilwoman Mason voted **ABSTAIN** on items #02559 lack of information

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: Mason.

By Councilman Cammarano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $41,737.48 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Councilwoman Mason voted **YES** on items #02521 #02525 #00043 #00046 #00047

Councilwoman Mason voted **ABSTAIN** on items #02452 due to conflict and #02448 due to conflict.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: Mason.
By Councilman Cammarano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $36,630.38 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

By Councilman Russo:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $87,527.02 against the CAPITAL ACCOUNT.

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

By Councilwoman LaBruno:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $36,868.74 against the PARKING UTILITY.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: Mason.

PAYROLL RESOLUTIONS

08-56
By Councilman Russo:

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 10, 2008 TO JANUARY 23, 2008 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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Meeting of February 20, 2008
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Meeting of February 20, 2008 8
Minority Affairs 8-01-27-331
Summer Fun 8-01-28-370-013
Summer Lunch G-02-44-701-316

**Other**

Police GrantDE16-S701

Police Outside Employ. T-03-40-000-006 40,125.00 40,125.00
Ped Safety Grant 8-01-25-241-013
Fire Education Grant T-13-10-000-000
Police Housing Auth 8-01-25-241-017 30,990.00 30,990.00

**Grand Total**

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<tr>
<th></th>
<th>1,553,649.76</th>
<th>54,371.93</th>
<th>549,843.67</th>
<th>2,157,865.36</th>
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Motion by Councilman Russo.
Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

On the above payroll resolution Councilwoman Mason voted NO on the following:
  Mayor’s Office 8-01-20-110
  City Council 8-01-20-111

On the above payroll resolution Councilwoman Mason voted ABSTAIN, due to conflicts of interest on the following:
  City Clerk’s Office 8-01-20-120
  Corporation Counsel 8-01-20-155
  Construction Code 8-01-20-195

**08-57**

By Councilman Russo:
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 24, 2008 TO

Meeting of February 20, 2008
FEBRUARY 6, 2008 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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Meeting of February 20, 2008
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<td>Cops In School</td>
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Meeting of February 20, 2008

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**Summer Fun**

8-01-28-370-013

**Summer Lunch**

G-02-44-701-316

**Other**

**Salary Adjustment**

8-01-36-478-000

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**Grand Total**

1,563,832.58 66,145.05 158,433.67 1,788,411.30

---

Motion by Councilman Russo.
Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

On the above payroll resolution Councilwoman Mason voted NO on the following:

City Council 8-01-20-111

On the above payroll resolution Councilwoman Mason voted ABSTAIN, due to conflicts of interest on the following:

City Clerk’s Office 8-01-20-120
Corporation Counsel 8-01-20-155
Construction Code 8-01-20-195

---

**RESOLUTIONS**

**Presented and Read**

**08-58**

---By Councilman Russo:
RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS/
INTEREST, ERRONEOUS PAYMENTS, CREDIT PAYMENTS.

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

WHEREAS, Louis P. 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 $50,576.16 representing overpayment of taxes:

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL \LOT\UNIT</th>
<th>PROPERTY</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
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<td>83/13/C003A</td>
<td>725-33 Madison St.</td>
<td>$21.45</td>
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</table>
| 729 Madison Street #3-A
| Hoboken, N. J. 07030|
| Wells Fargo         | 68/26            | 512 Jefferson St.      | $2,044.23  |
| Attn Financial Support Union-Region 1
| 1 Home Campus, M X2302-04D
| DES MOINES, IA 50328-0001|
| Laura Siegal        | 177/17.1/C000B   | 137-39 Park Ave. #B    | $3,747.30  |
| 137-39 Park Ave. #B
| Hoboken, N. J. 07030|
| T & C Management LLC | 76/25/C0001    | 618 Jefferson St.      | $237.29    |
| 180 Fairfield Road
| Fairfield, N. J. 07004|
| Chase Home Finance  | 184/41           | 900 Garden St.         | $2,444.86  |
| P. O. Box 961227    
| Fort Worth, TX 76161|
| Countrywide Tax Serv.238/11/C0004 | 931 Hudson St. | $1,622.85 |
| P. O. Box 10211-SV3-24
| Van Nuys, CA 91410-0211|
| Elizabeth Greco     | 104/1.01/C0413   | 1100 Adams St. #413    | $216.38    |
| 1100 Adams St. #413
| Hoboken, N. J. 07030|
| Countrywide Tax Serv 261.04/1/C0510 | 1025 Maxwell La | $7,105.36 |
| P. O. Box 10211-SV3-24
| Van Nuys, CA 91410-0211|
| Shobha S Jain       | 36/26/C0008      | 214-16 Jackson St. #8  | $1,583.29  |
| 214-16 Jackson St. #8
<p>| Hoboken, N. J. 07030|</p>
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<th>City, State</th>
<th>Account Number</th>
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<td>221/15/C0010</td>
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<td>25 Halstead Way</td>
<td>Mahwah, N. J.</td>
<td>91410-0211</td>
<td>P. O. Box 10211-SV3-24</td>
<td>Van Nuys, CA</td>
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<tr>
<td>Countrywide Tax Serv</td>
<td>261.04/1/CP072</td>
<td>1025 Maxwell La</td>
<td>$ 271.94</td>
<td>Danna Colon</td>
<td>30/14.1/C0001</td>
<td>130 Adams St.</td>
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<td>130 Adams Street #1</td>
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<tr>
<td>Countrywide Tax Serv</td>
<td>84/14/C001A</td>
<td>730-32 Adams St.</td>
<td>$1,181.96</td>
<td>Liliana Lopez</td>
<td>39/16/C0002</td>
<td>229 Madison St.</td>
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<td>Countrywide Tax Serv</td>
<td>221/15/C0010</td>
<td>1030 Hudson St.</td>
<td>$3,230.87</td>
<td>Washington Mutual</td>
<td>114/1/C0412</td>
<td>1300 Grand St.</td>
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<td>Countrywide Tax Serv</td>
<td>26/30/C006A</td>
<td>108-112 Jackson St.</td>
<td>$4,673.70</td>
<td>Liliana Lopez</td>
<td>39/16/C0002</td>
<td>229 Madison St.</td>
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<td>Countrywide Tax Serv</td>
<td>84/14/C001A</td>
<td>730-32 Adams St.</td>
<td>$1,181.96</td>
<td>Liliana Lopez</td>
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<td>229 Madison St.</td>
<td>Hoboken, N. J.</td>
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</table>
---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-59
---By Councilman Russo:

THIS RESOLUTION AUTHORIZES THE ADMINISTRATION TO ADVERTISE FOR AN AUCTION OF ABANDONED/SURPLUS VEHICLES ON 29 FEBRUARY 2008.

WHEREAS, the Business Administrator, Department of Administration requests authorization of the Council to dispose of abandoned/surplus vehicles, that are in the
possession of the Hoboken Police Department and/or the City of Hoboken 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 Business Administrator, Department of Administration or his duly authorized representative is hereby authorized to expose for sale at Public Auction, Friday, 29 February 2008, 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 Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-60
---By Councilman Russo:

RESOLUTION FOR HANDICAP PARKING ZONE REFUND

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>
</tr>
</thead>
<tbody>
<tr>
<td>Rocco Sierchio</td>
<td>$125.00</td>
</tr>
<tr>
<td>Ed Vasso</td>
<td>$125.00</td>
</tr>
<tr>
<td>Minerva Gonzalez</td>
<td>$125.00</td>
</tr>
<tr>
<td>Ana Guzman</td>
<td>$125.00</td>
</tr>
</tbody>
</table>

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-61
---By Councilman Ramos:

AMENDMENT TO BIRDSALL ENGINEERING, INC. CONTRACT

WHEREAS, the City of Hoboken received bids for the remediation of the former Todd Shipyards; and
WHEREAS, the bids received were rejected due to high bid prices; and

WHEREAS, in order to re-bid the remediation of the former Todd Shipyards, the following engineering services are required:

- Modify existing bid package to include HDSRF soil disposal requirements;
- Re-advertise the project
- Hold a pre-bid meeting;

and;

WHEREAS, Birdsall Engineering, Inc. has submitted a proposal for completion of the above tasks (proposal attached) in an amount not to exceed Six thousand nine hundred dollars ($6,900.00) and;

WHEREAS, the City of Hoboken has reviewed the qualifications of BEI and has determined that this consulting & environmental engineering firm can provide these services for the City of Hoboken in an efficient manner; and

WHEREAS, this type of work constitutes a professional service as defined by N.J.S.A. 40A:11-2-2(b) and as such, is exempt from public bidding requirements pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, BEI’s proposal was submitted and reviewed in compliance with Hoboken Ordinance #DR-154 (codified as §20A-1 et seq. of the Code of the City of Hoboken), which requires competitive negotiation for Professional Service contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken does hereby authorize an amendment to a contract between the City of Hoboken and Birdsall Engineering, Inc. to provide additional consultant and environmental engineering services for the Former Todd Shipyard project as set forth above; and

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

1. A contract amendment for consultant and environmental engineering services for the City of Hoboken shall be prepared and executed with the following vendor:

   Birdsall Engineering, Inc.
   611 Industrial Way West
   Eatontown, NJ 07724-2213

   Such firm to be paid an hourly rate as contained in the proposal and a total amount not to exceed $6,900.00

2. This agreement shall be effective immediately and terminate June 30, 2008.

3. The City Clerk shall publish 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 is hereby authorized to execute a contract with Birdsall Engineering, Inc. for professional services on behalf of the City of Hoboken and to take any other actions necessary to complete and realize the intent and purpose of this resolution.

5. A copy of this resolution shall be published according to law and the City Clerk shall keep a copy of the resulting contract on file in accordance with N.J.S.A. 40A:11-1 et seq.

6. This resolution shall take effect immediately.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-62
---By Councilman Ramos:

**THIS RESOLUTION AUTHORIZES ADDITIONAL TEMPORARY EMERGENCY APPROPRIATIONS TO THE SFY 2008 BUDGET UNTIL SUCH TIME AS A FORMAL BUDGET IS ADOPTED.**

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 (Within Cap)</th>
<th>ACCOUNT #</th>
<th>AMOUNT</th>
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</thead>
<tbody>
<tr>
<td>Mayor’s Office S &amp; W</td>
<td>8-01-20-110-010</td>
<td>$15,000.00</td>
</tr>
<tr>
<td>City Council S &amp; W</td>
<td>8-01-20-111-010</td>
<td>$6,000.00</td>
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<tr>
<td>Business Admin. S &amp; W</td>
<td>8-01-20-112-010</td>
<td>$14,000.00</td>
</tr>
<tr>
<td>A.B.C. Board S &amp; W</td>
<td>8-01-20-113-010</td>
<td>$2,000.00</td>
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<tr>
<td>Purchasing S &amp; W</td>
<td>8-01-20-114-010</td>
<td>$5,000.00</td>
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<tr>
<td>Licensing Bureau S &amp; W</td>
<td>8-01-20-115-010</td>
<td>$500.00</td>
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<tr>
<td>Grants Mgmt. S &amp; W</td>
<td>8-01-20-116-010</td>
<td>$7,000.00</td>
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<tr>
<td>City Clerk S &amp; W</td>
<td>8-01-20-120-010</td>
<td>$25,000.00</td>
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<td>Elections S &amp; W</td>
<td>8-01-20-122-010</td>
<td>$2,500.00</td>
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<td>Elections O.E.</td>
<td>8-01-20-122-021</td>
<td>$15,000.00</td>
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<td>Finance Supervisor S&amp;W</td>
<td>8-01-20-130-010</td>
<td>$3,500.00</td>
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<td>Accts &amp; Control S &amp; W</td>
<td>8-01-20-131-010</td>
<td>$3,000.00</td>
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<td>Payroll S &amp; W</td>
<td>8-01-20-132-010</td>
<td>$7,000.00</td>
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<tr>
<td>Tax Collector S &amp; W</td>
<td>8-01-20-145-010</td>
<td>$10,000.00</td>
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<tr>
<td>Info Technology S &amp; W</td>
<td>8-01-20-147-010</td>
<td>$5,000.00</td>
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<tr>
<td>Assessor’s Office S &amp; W</td>
<td>8-01-20-150-010</td>
<td>$14,000.00</td>
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<td>Corp. Counsel S &amp; W</td>
<td>8-01-20-155-010</td>
<td>$15,000.00</td>
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<tr>
<td>Comm. Devel Dir. S&amp;W</td>
<td>8-01-20-160-010</td>
<td>$5,000.00</td>
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<td>Planning Board S &amp; W</td>
<td>8-01-21-180-010</td>
<td>$6,000.00</td>
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<tr>
<td>Zoning Officer S &amp; W</td>
<td>8-01-21-186-010</td>
<td>$5,000.00</td>
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<td>Housing S &amp; W</td>
<td>8-01-21-187-010</td>
<td>$6,000.00</td>
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<tr>
<td>Construction S &amp; W</td>
<td>8-01-22-195-010</td>
<td>$25,000.00</td>
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</table>
Police Dept. S & W 8-01-25-241-010 $2,300,000.00
Emergency Mgmt. S&W 8-01-25-252-010 $13,000.00
Fire Dept S & W 8-01-25-266-010 $650,000.00
Envirn. Svcs. Dir.S & W 8-01-26-290-010 $35,000.00
Central Garage S & W 8-01-26-301-010 $21,000.00
Central Garage O.E. 8-01-26-301-021 $20,000.00
Solid Waste S & W 8-01-26-305-010 $30,000.00
Human Svcs. Dir. S & W 8-01-27-330-010 $7,000.00
Board of Health S & W 8-01-27-332-010 $41,000.00
Constituent Svcs. S&W 8-01-27-333-010 $10,000.00
Senior Citizens S & W 8-01-27-336-010 $15,000.00
Rent Control S & W 8-01-27-347-010 $8,000.00
Transportation S & W 8-01-27-348-010 $12,000.00
Recreation S & W 8-01-28-370-010 $20,000.00
Parks S & W 8-01-28-375-010 $33,000.00
Public Properties S & W 8-01-28-377-010 $25,000.00
Worker= Comp. O.E. 8-01-30-400-020 $40,000.00
Telephone O.E. 8-01-31-440-000 $25,000.00
Fuel Oil O.E. 8-01-31-447-000 $10,000.00
Telecommunications O.E. 8-01-31-450-000 $2,000.00
Gasoline O.E. 8-01-31-460-000 $40,000.00
Municipal Court S & W 8-01-43-490-010 $35,000.00
Public Defender S & W 8-01-43-495-010 $3,000.00

TOTAL $3,591,500.00

ACCOUNT ACCOUNT # AMOUNT
(Outside Cap)
Public Library S & W 8-01-29-390-010 $30,000.00
Summer Lunch O.E. 8-01-40-700-003 $11,930.00
Green Acres Interest O.E. 8-01-45-940-001 $2,754.00
Parking Utility S & W 8-31-55-502-100 $120,000.00
Clean Communities O.E. G-02-44-701-301 $41,756.00

TOTAL $206,440.00

The following spoke on the resolution: Michael Lenz, 408 Monroe Street.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 7 - NAYS: 2
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: Cunningham, Mason.

On the above resolution Councilwoman Mason voted to ABSTAIN due to conflicts of interest on the following items:

Business Admin. S & W 8-01-20-112-010
City Clerk S & W 8-01-20-120-010
Corporation Counsel S & W 8-01-20-155-010
Construction Office S & W 8-01-22-195-010
Construction S/S O.E. 8-01-22-195-032
Construction Unempl OE 8-01-22-195-033
08-63
---By Councilwoman LaBruno:

THIS RESOLUTION AUTHORIZES THE ADMINISTRATION TO ADVERTISE FOR AN AUCTION OF UP TO SEVEN (7) NEW TAXI LICENSES ON MARCH 7, 2008

WHEREAS, the City Council of Hoboken approved, by ordinance, on February 6, 2008, an increase of seven (7) Taxi licenses, and

WHEREAS, the Department of Administration, requests authorization to offer these at public auction on March 7, 2008, the said authorized 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 One Hundred Fifty Thousand ($150,000.00) dollars.

WHEREAS, the Council, specifically, authorizes the Notice of Auction to advertise the above referenced auction prior to February 20, 2008, Nunc-Pro-Tunc.

WHEREAS, the actions of the Mayor and the Administration in the advertising of this sale are hereby ratified and authorized Nunc-Pro-Tunc.

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 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’s actions to advertise for and conduct said auction on the date specified are hereby ratified and authorized, Nunc-Pro-Tunc.

The following spoke on the resolution: Michael Lenz, 408 Monroe Street.

---Motion duly seconded by Councilman Cunningham.
---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Cunningham, Giacchi, LaBruno, Russo, Zimmer.
---Nays: Cammarano, Mason, Ramos, President Castellano.

08-64
---By Councilman Russo:
AMENDMENT TO EIC ASSOCIATES PIER C CONSTRUCTION CONTRACT
APPROVING CHANGE ORDER NO. 1 & CHANGE DIRECTIVE NO. 1

WHEREAS, the City Council has awarded a contract in the amount of Eighteen Million Nine Hundred Sixty Thousand Dollars ($18,960,000) to EIC Associates, 140 Mountain Avenue, Springfield, NJ for the construction of Hoboken’s Pier C project; and

WHEREAS, the City wishes to complete this project by the Summer of 2008; and

WHEREAS, the City has requested the New Jersey Department of Environmental Protection (NJDEP) approve the extension of the time period allowed for pile driving from December 31, 2007 to March 15, 2008; and

WHEREAS, the NJDEP has granted the aforementioned extension with the stipulation that a silt curtain be installed around the site; and

WHEREAS, in order to comply with the above NJDEP stipulation, the City Council wishes to approve Change Order #001 (attached) to the EIC Associates Pier C Contract; and

WHEREAS, in order to drive all piles associated with the main concrete portion of the Pier (220 piles) by the amended March 15, 2008 deadline, overtime hours will be necessary, the City Council wishes to approve Change Directive #001 (attached) to the EIC Associates Pier C Contract;

NOW THEREFORE, BE IT RESOLVED, that the City Council hereby approves Change Order #001 in the amount of One Hundred Thirty-Four Thousand Seven Hundred Seventy-Nine Dollars and Eighty-Four Cents ($134,779.84) for the installation of a silt curtain around the pile driving site; and be it –

FURTHER RESOLVED, that the City Council hereby approves Change Directive #001 authorizing overtime hours on an accrued basis in an amount not to exceed Twenty-Nine Thousand Seven Hundred Forty-Four Dollars ($29,744); and be it –

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: Mason.

08-65
---By the entire City Council:

AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE HUDSON COUNTY TRUST FUND FOR THE ACQUISITION OF SOUTHWEST DEVELOPMENT PARK LAND

WHEREAS, the Hudson County Department of Planning is soliciting applications for funding through the Hudson County Open Space Trust Fund for the support of acquisition projects within the County of Hudson, and
WHEREAS, the City of Hoboken desires to further the public interest by obtaining funding in the amount of $3,000,000.00 in grant funds toward the purchase of Southwest Development Park Land; Blocks 9, 10, 11, 12 and 14 – all lots at a cost of $16,300,000.00. Balance of project cost to be paid for by other City of Hoboken funding sources.

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 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 be it further

RESOLVED, BY THE Council of the City of Hoboken

1. That, should funding be awarded, the Mayor is hereby authorized to execute an agreement and any amendment thereto with the County of Hudson, with respect to the Southwest Development Park acquisition project;
2. That the applicant agrees to comply with all applicable federal, state and local laws, rules and regulations in its performance of the project, and;
3. That this resolution shall take effect immediately.

The following spoke on the resolution: Sara Stojkovic, 167 11th Street; Michael Lenz, 408 Monroe Street; Jim Vance, 107 Monroe Street.

---Motion duly seconded by the entire City Council.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-66
---By Councilman Russo:

RESOLUTION AUTHORIZING REFINANCING OF MORTGAGE FOR COLUMBIAN ARMS

WHEREAS, the Columbian Arms, Inc. (the “Owner”) is the owner of the development commonly known as Columbian Arms (the “Development”) and is located at 514 Madison Street, Hoboken, New Jersey, Block 20, Lot 67; and

WHEREAS, the Development receives Section 8 rent subsidies for the benefit of low and moderate income senior citizens; and

WHEREAS, the mortgage on the Development in the original principal amount of approximately $4,451,500.00 with an 8.375% interest rate was given by U.S. Department of Housing and Urban Development (the “HUD”) on or about May 31, 1990; and
WHEREAS, the non-profit Board of the Owner desires to refinance the existing mortgage at a lower interest rate and utilize the savings for improvements to benefit the Development and its residents; and

WHEREAS, the land upon which the building housing low and moderate income senior citizens is leased by the City of Hoboken to the Owner; and

WHEREAS, the recorded land lease allows cures to be made by HUD in the event the Owner is in default of the land lease; and

WHEREAS, in order to accomplish the refinancing, approval was granted by HUD, Hudson County, and State of New Jersey Local Finance Board and a letter of support was issued by the Mayor of Hoboken; and

WHEREAS, Sovereign Bank has offered a mortgage rate substantially below the current mortgage rate; and

WHEREAS, in order to obtain the mortgage from Sovereign Bank, Sovereign Bank is seeking similar protections under the lease in order to cure and be notified of any defaults by the Owner to the City of Hoboken similar in nature to those received by HUD as more fully described in the attached Estoppel Agreement; and

WHEREAS, the closing on the new mortgage is set for Friday, February 22, 08 and all other documents and approvals are in place so that the much needed improvements may commence at the Development; and

WHEREAS, because of the complexity of having gathered all the necessary approvals over the past two (2) years it is determined to be of an emergent nature to approve and execute this Resolution and the attached Estoppel Agreement so that the approvals already received will not be withdrawn and having to start the entire process over again which will cause further delays for these much needed improvements.

THEREFORE, BE IT RESOLVED that the governing body of the city of Hoboken believes it is in the best interest of Columbian Arms to permit it to refinance its property at a more competitive mortgage rate; and

BE IT FURTHER RESOLVED, that the City Council of the City of Hoboken consents to the refinancing of 514 Madison Street, Hoboken, New Jersey, Block 20, Lot 67, with Sovereign Bank; and

BE IT FURTHER RESOLVED that the City of Hoboken authorizes the Mayor of the City of Hoboken and the City Clerk of the City of Hoboken to execute an Estoppel Agreement and a waiver and Subordination Agreement for the benefit of Columbian Arms and Sovereign Bank.

NOW, THEREFORE BE IT RESOLVED, that the City of Hoboken hereby approves the attached Estoppel Agreement and directs its immediate execution.

The following spoke on the resolution: Ron Jampel (financial consultant to Columbian Arms), 66 Vanard Drive, Brick, NJ; Robert Rosenberg, attorney, 100 Hamilton Plaza, Patterson, NJ; James Gabriele, builder and manager of Columbia Arms, 302 Patterson Plank Road, Jersey City, NJ.
---Motion duly seconded by Councilman President Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

ORDINANCES

Introduction and First Reading

08-67

DR-349

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED PARKING FOR HANDICAPPED (Approvals: 55 Bloomfield St., 419 Monroe St., 112 Willow Ave., 1130 Willow Ave) (Deletions: 264 7th St., 102 Jefferson St., 305 1st St., 218 7th St., 810 Park Ave.) DR-349

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

Handicap Spaces

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

Juan Sepulveda 55 Bloomfield Street: east side of Bloomfield Street, beginning at a point of 38 feet from the northerly curbline of Observer Highway and extending 22 feet northerly therefrom.

Carol Ocello 406 Monroe Street: east side of Monroe Street, beginning at a point of 90 feet from the southerly curbline of Fifth Street and extending 22 feet southerly therefrom.

Salvatore Costaglliola 112 Willow Avenue: west side of Willow Avenue, beginning at a point 164 feet from the northerly curbline of First Street and extending 22 feet northerly therefrom.

Mary Pepe 1130 Willow Avenue: west side of Willow Avenue, beginning at a point of 351 feet from the southerly curbline of Twelfth Street and extending 22 feet southerly therefrom.

B Section 192-4 is hereby amended to deleted the following:

264 - 7th Street Laura Albanse (moved)
102 Jefferson Street Kristina Conners (moved)
305-1st Street Othoniel Martinez (moved)
218 – 7th Street Gerard Patrick (moved)
810 Park Avenue Florence Iapicca
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

---Councilwoman LaBruno 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 5, 2008 at 7:00 PM.

---Motion duly seconded by Councilman Cunningham.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-68
DR-350

AN ORDINANCE GRANTING AN EASEMENT FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY AT 300 BLOOMFIELD STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS LOT 31, BLOCK 190, ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY

WHEREAS, the applicant, Peter Jensen, Architect, has petitioned the City of Hoboken for the granting of a certain easement over municipal lands at 300 Bloomfield Street, Hoboken, New Jersey, (“the premises”) which premises is more particularly described as Lot 31, Block 190, on the Tax Map of the City of Hoboken, New Jersey, in order to maintain an encroachment on municipal lands for the purpose to repair and replacement of the existing front retaining wall. Petitioner is proposing a complete replacement of the existing masonry retaining wall due to the deleterious condition of the existing structure as well as to incorporate a new lower entry into the existing basement as outlined in the attached drawing. The easements are described as follows:

METES AND BOUNDS
(PROPOSED REPLACEMENT OF EXISTING FRONT STOOP)

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

BEGINNING at the Northwesterly corner of Third and Bloomfield Streets in said City of Hoboken, running,

THENCE along the Northerly line of third Street, 69 feet;

THENCE Northerly and parallel with Bloomfield Street, 50 feet;
THENCE Easterly, parallel with Third Street, 69 feet to the Westerly line of Bloomfield Street;

THENCE Southerly along the Westerly line of Bloomfield Street, 50 feet to the point or place of Beginning.

Known as Lot 31, Block 190 as shown on the official tax assessment map for the City of Hoboken, Hudson County, New Jersey, and more commonly known as 300 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 300 Bloomfield Street, THE AFREMENTIONED EASEMENT SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:

1. The above recitals are incorporated herein as though 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 that 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 insured's.

5. These easements shall run with the land and insure 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 the 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 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 MARCH 5, 2008 at 7:00 PM.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Abstentions: Mason.

08-69
DR-351
AN ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOKEN, CHAPTER 59A, ENTITLED “DEPARTMENT OF PUBLIC SAFETY” WITH RESPECT TO THE FIRE DEPARTMENTS TABLE OF ORGANIZATION. DR-351

WHEREAS, the Council for the City of Hoboken should ensure that the proper level of personnel are being maintained within the Department of Public Safety; and

WHEREAS, the Council acknowledges the need for appropriate personnel changes within the Department of Public Safety; and

WHEREAS, the Council has been informed that there is sufficient concern for public safety and the efficient operations of the Fire Department justifying certain changes in the table of organization within the Fire Department; and

WHEREAS, the Council has been informed that there is sufficient funding in the budget with respect to the proposed changes in the table of organization within the Fire Department; and,

WHEREAS, it is necessary to reduce the rank of Deputy Fire Chief from two (2) to (1), and to eventually abolish that position; and,

WHEREAS, it is necessary to increase the number of Battalion Chiefs from seven (7) to nine (9); and

WHEREAS, it is necessary to rename the position of Training Officer UFD/Captain to Training Officer/Captain; and,

WHEREAS, it is necessary to create the position of Hazmat Captain; and,

WHEREAS, it is necessary to rename the position of Fire Official UFD/Captain to Fire Marshal/Captain; and,

WHEREAS, it is necessary to create the position of Arson Investigator/Captain; and,

WHEREAS, it is necessary to eliminate the position of Fire Prevention Specialist UFD and replacing it with two (2) Fire Inspectors; and,
WHEREAS, it is necessary to increase the number of Fire Alarm Operators from six (6) to eight (8); and,

WHEREAS, it is necessary and in order for the Council for the City of Hoboken to adjust the table of organization for the Fire Department.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hoboken as follows:

SECTION I

ARTICLE IV
Division of Fire

Sections 59A-31 of the Code of the City of Hoboken shall be amended to read as follows:

§59A-31 Staff.

A. The staff of the Division of Fire shall not exceed the following force, within the budgetary constraints established by the Council:

<table>
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<tr>
<th>Rank/Position</th>
<th>Number</th>
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</thead>
<tbody>
<tr>
<td>Chief</td>
<td>1</td>
</tr>
<tr>
<td>Deputy Fire Chief*</td>
<td>1/0</td>
</tr>
<tr>
<td>Battalion Chief</td>
<td>9</td>
</tr>
<tr>
<td>Captain</td>
<td>32</td>
</tr>
<tr>
<td>Training Officer/Captain</td>
<td>1</td>
</tr>
<tr>
<td>Hazmat Captain</td>
<td>1</td>
</tr>
<tr>
<td>Fire Marshal/Captain</td>
<td>1</td>
</tr>
<tr>
<td>Arson Investigator/Captain</td>
<td>1</td>
</tr>
<tr>
<td>Maintenance Officer</td>
<td>1</td>
</tr>
<tr>
<td>Fire Prevention Inspector</td>
<td>1</td>
</tr>
<tr>
<td>Firefighter</td>
<td>92</td>
</tr>
<tr>
<td>Fire Alarm Operator</td>
<td>8</td>
</tr>
</tbody>
</table>

*The position of Deputy Fire Chief shall be reduced from two (2) to one (1) effective immediately upon the adoption of this Ordinance. It shall thereafter be abolished upon the retirement, promotion or separation of service of any incumbent holding the position of Deputy Fire Chief at the time this Ordinance is adopted.

The remainder of Section 59A-31 shall remain unchanged.

SECTION II

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

SECTION III

All Ordinances or parts of Ordinances inconsistent herewith and hereby repealed to the extent of such inconsistency.
SECTION IV

This Ordinance shall take effect upon publication.

---Councilman Cammarano 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 5, 2008 at 7:00 PM.

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Abstentions: Mason.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Perry Belfiore, 161 11th Street; Councilman Giacchi left the meeting at 9:44 p.m.; Michael Lenz, 408 Monroe Street; Councilman Giacchi returned to the meeting at 9:47 p.m.; Mary Ondrekja, 159 9th Street; Councilwoman Mason left the meeting at 9:56 p.m.; Cheryl Fallick, 204 3rd Street; Councilwoman Mason returned to the meeting at 9:59 p.m.; Dan Tumpson, 230 Park Avenue; David Axelrod, 76 Bloomfield Street; Maurice DeGennaro, 614 Hudson Street; Michael Pierless, 818 Jefferson Street; Alice Misiewicz, 1015 Washington Street.

President Castellano then adjourned the meeting at 10:24 p.m.

__________________________________________________________________________

PRESIDENT OF THE COUNCIL
CITY CLERK
President Castellano 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 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 Cammarano, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.

ABSENT: Cunningham, Mason.

SFY 2008 Municipal Budget Hearing continued

Councilwoman Mason arrived at 7:06 p.m.

RESOLUTIONS

Presented and Read

08-70
---By Councilman Russo:

THIS RESOLUTION AUTHORIZES AMENDMENTS TO THE SFY 2008 BUDGET INTRODUCED ON 8 NOVEMBER 2007.
WHEREAS, the local municipal budget for the fiscal year 2008 was approved on the 21st day of November 2007 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 2008 be made:

Recorded Vote

<table>
<thead>
<tr>
<th>Ayes</th>
<th>Nays</th>
<th>Abstain</th>
<th>Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Cammarano)</td>
<td>(None)</td>
<td>(Mason)</td>
<td>(Cunningham)</td>
</tr>
<tr>
<td>(Giacchi)</td>
<td></td>
<td>(Zimmer)</td>
<td></td>
</tr>
<tr>
<td>(LaBruno)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Ramos)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Russo)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Castellano)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

EXPLANATORY STATEMENT

Summary of Current Fund Section of Approved Budget (Sheet 3)

1. Appropriations within “CAPS”
   a. Municipal Purposes (Items H-1, Sheet 19) From $67,503,062 To $68,579,903

2. Appropriations excluded from “CAPS”
   a. Municipal Purposes (Items H-2, Sheet 28) From $19,324,290 To $25,092,426

Total General Appropriations excluded from “CAPS” (Item O, Sheet 29) From $19,324,290 To $25,092,426

4. Total General Appropriations (Item 9, Sheet 29) From $86,982,352 To $93,827,329

5. Less: Anticipated Revenues (Other than Current Property Tax) (Item 5, Sheet 11) From $54,842,491 To $62,480,329

6(a). Local Tax for Municipal Purposes (Item 6(a), Sheet 11) From $32,139,862 To $31,347,000

BUDGET MESSAGE

Less Exceptions:

<table>
<thead>
<tr>
<th></th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Public &amp; Private Programs</td>
<td>$4,474,654</td>
<td>$4,070,160</td>
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<tr>
<td>Total Exceptions</td>
<td>$16,618,808</td>
<td>$16,214,314</td>
</tr>
<tr>
<td>3.5% CAP</td>
<td>$2,142,151</td>
<td>$2,156,308</td>
</tr>
</tbody>
</table>
Allowable Operating Approp. pre CAP $ 63,346,456 $ 63,765,107
2007 Allowable Appropriations (Sheet 3b) $ 68,161,795 $ 68,580,446
Fiscal Year In-CAP Appropriations (Sheet 3b) $ 67,503,062 $ 69,579,903
Amount of In-Cap Appropriations Under CAP Limit (Sheet 3b) $ 658,733 $ 543

“In order to comply with statutory and regulatory requirements, the amounts appropriated for certain department functions have been split and their parts appear in several places. Those appropriations which have been split add up as follows:

Police, Salaries & Wages (Sheet 3b)
Operations Within CAP $ 14,990,000 $ 15,450,000
Total $ 15,590,000 $ 16,050,000

Housing Inspections, Salaries & Wages
Operations Within CAP $ 84,000 $ 76,400
Total $ 163,000 $ 155,400

Sanitation, Salaries & Wages (Sheet 3b)
Operations Within CAP $ 1,479,918 $ 1,733,868
Total $ 1,616,050 $ 1,870,000

Senior Citizens, Salaries & Wages
Operations Within CAP $ 0 $ 196,075
Total $ 0 $ 406,300

Grants Management, Salaries & Wages
Operations Within CAP $ 135,000 $ 129,500
Total $ 215,000 $ 209,500

ANTICIPATED REVENUES:
1. Surplus Anticipated $ 2,700,000 $ 1,000,000
2. Total Surplus Anticipated $ 2,700,000 $ 1,000,000
3. Miscellaneous Revenues - Section A: Local Revenues
   Other $ 168,800 $ 167,764
   Interest and Costs on Taxes $ 234,300 $ 320,000
   Interest on Investments and Deposits $ 957,000 $ 1,000,000
   Riverview Cablevision Associates $ 173,100 $ 195,654
   Columbian Arms $ 7,300 $ 27,464
   Willow Ave Assocs. - 800-812 Willow $ 52,200 $ 74,478
   Anticipated Parking Utility Operating Surplus $ 6,125,100 $ 6,167,600
   TOTAL SECTION A: Local Revenues (Sheet 4a) $22,610,424 $22,845,584
3. Miscellaneous Revenues - Section F: Special Items
   Summer Food Service Program $ 26,235 $ 38,165
   Body Armor Replacement Fund $ 0 $ 17,039
   Alcohol Education & Rehabilitation $ 0 $ 18,224
   Cops in School $ 0 $ 22,800
   Body Armor Replacement $ 0 $ 9,928
   State Forestry Green Community Grant $ 0 $ 2,000
   Adult Day Care $ 0 $ 10,861
   Domestic Violence Grant $ 0 $ 5,000
   Drunk Driving Enforcement Grant $ 0 $ 5,142
   Downtown Revitalization Program $ 0 $ 125,555
   Public Healthcare Management Caregivers $ 0 $ 99,382
   Summer Food Program $ 0 $ 16,739
   Walk Safe Hoboken/Pedestrian $ 0 $ 2,000
   Computer Program for the Elderly-DYFS $ 0 $ 40,000
### Clean Communities – 2007
- 2007: $0
- 2008: $41,756

### 12th Street Project 2000/Clinton Street
- 2007: $0
- 2008: $18,497

### 2005 Roadway Improvement Project
- 2007: $0
- 2008: $114,926

### State Aid Highway - Hudson Place - 2003
- 2007: $0
- 2008: $32,585

### State Aid Highway - Signage Phase I - 2004
- 2007: $0
- 2008: $19,144

### State Aid Highway - Safe Street School Dist.
- 2007: $0
- 2008: $12,551

### Fire Department Grant
- 2007: $0
- 2008: $36,000

### TOTAL SECTION F: Special Items
- 2007: $0
- 2008: $1,080,884

### Miscellaneous Revenues - Section G: Special Items

<table>
<thead>
<tr>
<th>Description</th>
<th>2007</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Surplus</td>
<td>$300,000</td>
<td>$127,000</td>
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<tr>
<td>Sale of Municipal Garage</td>
<td>$4,000,000</td>
<td>$7,000,000</td>
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<tr>
<td>Save the Youth</td>
<td>$0</td>
<td>$235,000</td>
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<tr>
<td>1600 Park Avenue Development</td>
<td>$0</td>
<td>$300,000</td>
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<tr>
<td>Smart Growth Planning</td>
<td>$0</td>
<td>$60,000</td>
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<tr>
<td>Municipal Alliance (County Share)</td>
<td>$0</td>
<td>$56,134</td>
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<td>Municipal Alliance (City Share)</td>
<td>$0</td>
<td>$14,034</td>
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<td>JAG 2007</td>
<td>$0</td>
<td>$19,120</td>
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<tr>
<td>Senior Emergency Funds</td>
<td>$0</td>
<td>$4,531</td>
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<tr>
<td>Over Limit/Under Arrest 2007</td>
<td>$0</td>
<td>$5,000</td>
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<tr>
<td>2008 Red Safety/Walk Safe</td>
<td>$0</td>
<td>$20,000</td>
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<tr>
<td>1600 Park Avenue Acquisition</td>
<td>$0</td>
<td>$2,300,000</td>
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<td>1600 Park Avenue Land &amp; Water</td>
<td>$0</td>
<td>$1,513,240</td>
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<td>Interfund Receivable</td>
<td>$0</td>
<td>$323,551</td>
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<td>UDAG Funds - CD - Planning</td>
<td>$2,400,000</td>
<td>$2,650,000</td>
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<td>1001 Madison Street (Pilot Payment)</td>
<td>$0</td>
<td>$490,000</td>
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<tr>
<td>TOTAL SECTION G : Misc. Items</td>
<td>$10,555,084</td>
<td>$18,972,694</td>
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### GENERAL REVENUES

**Summary of Revenues (Sheet 11)**

1. Surplus of Anticipated Revenues: $2,700,000
2. Total Section A: Local Revenues: $22,610,424
3. Miscellaneous Revenues: $1,080,884
4. Total Section G: Other Special Items: $10,555,084
5. Total Miscellaneous Revenues: $52,165,501
7. Amount to be Raised by Taxes for Support of Municipal Budget:
   - a. Local Tax: $32,153,473
   - Total Amount to be Raised by Taxes: $32,153,473
8. TOTAL GENERAL REVENUES: $87,018,973

**GENERAL APPROPRIATIONS:**

(A) Operations within “CAPS”

Mayor and City Council

Mayor’s Office
<table>
<thead>
<tr>
<th>Department</th>
<th>Salary &amp; Wages</th>
<th>Other Expenses</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>$290,000</td>
<td>$221,400</td>
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<td>Other Expenses</td>
<td>$12,000</td>
<td>$13,000</td>
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<td><strong>City Council</strong></td>
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<tr>
<td>Other Expenses</td>
<td>$8,000</td>
<td>$8,500</td>
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<tr>
<td><strong>Total Mayor &amp; Council</strong></td>
<td>$522,000</td>
<td>$454,900</td>
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<td>Office of the Clerk</td>
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<tr>
<td>Salary &amp; Wages</td>
<td>$464,000</td>
<td>$469,500</td>
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<tr>
<td>Other Expenses</td>
<td>$8,000</td>
<td>$6,000</td>
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<td>Legal Advertising</td>
<td>$32,000</td>
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<td>Codification</td>
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<td>Elections - Salaries &amp; Wages</td>
<td>$15,000</td>
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<td>Elections - Other Expenses</td>
<td>$150,000</td>
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<td><strong>Total Office of the City Clerk</strong></td>
<td>$679,000</td>
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<td>DEPARTMENT OF ADMINISTRATION</td>
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<td>Business Administrator's Office</td>
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<td>Salary &amp; Wages</td>
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<td>Salary &amp; Wages</td>
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<td>Other Expenses</td>
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<td>Salary &amp; Wages</td>
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<td>Salary &amp; Wages</td>
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<td>Other Expenses</td>
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<td>Constituent Services</td>
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<td>Uniform Construction Code</td>
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<td>Corporation Counsel</td>
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<td>Expert Witness - Other Expenses</td>
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<td>Revenue and Finance Director</td>
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<td>Salary &amp; Wages</td>
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<td>Accounts &amp; Control</td>
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<tr>
<td>Salary &amp; Wages</td>
<td>$325,000</td>
<td>$318,000</td>
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<tr>
<td>Other Expenses</td>
<td>$32,000</td>
<td>$40,000</td>
</tr>
<tr>
<td>Department</td>
<td>Salary &amp; Wages</td>
<td>Other Expenses</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>----------------</td>
<td>----------------</td>
</tr>
<tr>
<td><strong>Information Technology</strong></td>
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<tr>
<td>Salary &amp; Wages</td>
<td>$106,000</td>
<td>$113,500</td>
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<td>Other Expenses</td>
<td>$3,000</td>
<td>$3,500</td>
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<tr>
<td><strong>Municipal Court</strong></td>
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<td></td>
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<tr>
<td>Salary &amp; Wages</td>
<td>$930,000</td>
<td>$966,900</td>
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<td>Other Expenses</td>
<td>$125,000</td>
<td>$85,000</td>
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<tr>
<td><strong>Public Defender</strong></td>
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<tr>
<td>Salary &amp; Wages</td>
<td>$66,500</td>
<td>$65,300</td>
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<tr>
<td>Other Expenses</td>
<td>$3,500</td>
<td>$2,000</td>
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<tr>
<td><strong>Total Department of Administration</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Sheet 14)</td>
<td>$6,029,521</td>
<td>$5,939,521</td>
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<tr>
<td><strong>Office of the Tax Assessor</strong></td>
<td></td>
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<tr>
<td>Salary &amp; Wages</td>
<td>$358,000</td>
<td>$343,000</td>
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<tr>
<td>Other Expenses</td>
<td>$25,000</td>
<td>$18,500</td>
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<tr>
<td><strong>Total Office of the Tax Assessor</strong></td>
<td></td>
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<tr>
<td></td>
<td>$383,000</td>
<td>$361,500</td>
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<tr>
<td><strong>DEPARTMENT OF HUMAN SERVICES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Director's Office</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salary &amp; Wages</td>
<td>$182,000</td>
<td>$170,500</td>
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<tr>
<td><strong>Rent Leveling</strong></td>
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<tr>
<td>Salary &amp; Wages</td>
<td>$250,000</td>
<td>$227,000</td>
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<tr>
<td>Other Expenses</td>
<td>$50,000</td>
<td>$60,000</td>
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<tr>
<td><strong>Housing Inspections</strong></td>
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<tr>
<td>Salary &amp; Wages</td>
<td>$84,000</td>
<td>$76,400</td>
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<td>Other Expenses</td>
<td>$2,500</td>
<td>$750</td>
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<tr>
<td><strong>Transportation</strong></td>
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<tr>
<td>Salary &amp; Wages</td>
<td>$255,000</td>
<td>$260,000</td>
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<tr>
<td>Other Expenses</td>
<td>$6,000</td>
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<tr>
<td><strong>Board of Health</strong></td>
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<tr>
<td>Salary &amp; Wages</td>
<td>$535,000</td>
<td>$545,000</td>
</tr>
<tr>
<td>Other Expenses</td>
<td>$105,000</td>
<td>$100,000</td>
</tr>
<tr>
<td><strong>Senior Citizens</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salary &amp; Wages</td>
<td>$402,400</td>
<td>$196,075</td>
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<tr>
<td><strong>Hispanic Affairs</strong></td>
<td></td>
<td></td>
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<tr>
<td>Other Expenses</td>
<td>$3,000</td>
<td>$2,000</td>
</tr>
<tr>
<td><strong>Recreation &amp; Cultural Affairs</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salary &amp; Wages</td>
<td>$750,000</td>
<td>$690,000</td>
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<tr>
<td>Other Expenses</td>
<td>$370,000</td>
<td>$355,000</td>
</tr>
<tr>
<td><strong>Total Department of Human Services</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Sheet 15A)</td>
<td>$3,019,400</td>
<td>$2,710,725</td>
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<tr>
<td><strong>DEPARTMENT OF ENVIRONMENTAL</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Director's Office</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Central Garage</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salary &amp; Wages</td>
<td>$219,000</td>
<td>$223,300</td>
</tr>
<tr>
<td>Sanitation</td>
<td></td>
<td></td>
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<tr>
<td>Salary &amp; Wages</td>
<td>$1,479,918</td>
<td>$1,773,868</td>
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<tr>
<td>Other Expenses</td>
<td>$3,100,000</td>
<td>$2,900,000</td>
</tr>
</tbody>
</table>
### Total Environmental Services

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount 1</th>
<th>Amount 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>$ 7,681,268</td>
<td>$ 7,628,818</td>
</tr>
</tbody>
</table>

(Sheet 15B)

### DEPARTMENT OF COMMUNITY DEVELOPMENT

#### Director's Office
- **Salary & Wages**: $ 165,000, $ 162,400
- **Other Expenses**: $ 140,000, $ 120,000

#### Grants Management
- **Salary & Wages**: $ 135,000, $ 129,500
- **Other Expenses**: $ 1,500, $ 1,000

#### Waterfront Development
- **Other Expenses**: $ 65,000, $ 50,000

#### Planning Board
- **Salary & Wages**: $ 115,000, $ 130,000
- **Other Expenses**: $ 120,000, $ 160,000

#### Zoning Board of Adjustment
- **Other Expenses**: $ 105,000, $ 110,000

#### Historic Commission
- **Other Expenses**: $ 700, $ 600

#### Total Community Development
- **Total**: $ 847,200, $ 863,500

(Sheet 15C)

### DEPARTMENT OF PUBLIC SAFETY

#### Police Department
- **Salary & Wages**: $ 14,990,000, $ 15,450,000
- **Other Expenses**: $ 400,000, $ 550,000
- **Acquisition of Vehicles - Other Expense**: $ 15,000, $ 12,000

#### Fire Department
- **Salary & Wages**: $ 12,700,000, $ 13,125,000
- **Other Expenses**: $ 300,000, $ 225,000

#### Office of Emergency Management
- **Salary & Wages**: $ 130,000, $ 143,300
- **Other Expenses**: $ 2,000, $ 500

#### Total Department of Public Safety
- **Total**: $ 28,611,584, $ 29,580,384

(Sheet 15D)

#### Insurance
- **General Liability**: $ 850,000, $ 900,000
- **Employee Group Health**: $ 11,500,000, $ 11,262,000

#### Total Insurance (N.J.S.A. 40A:4-45.3)
- **Total**: $ 12,990,000, $ 12,802,000

#### UNCLASSIFIED

- **Alcoholic Beverage Control Board**
  - **Salary & Wages**: $ 32,100, $ 24,800
  - **Other Expense**: $ 12,000, $ 2,500
- **Settlement of Claims Against City**: $ 25,000, $ 62,500
- **Towing & Storage of Abandoned Cars**: $ 4,000, $ 3,500
- **Engineering**: $ 130,000, $ 75,000
- **Municipal Dues & Membership**: $ 5,000, $ 3,000
- **Celebration of Public Events**: $ 12,000, $ 10,000
- **Postage**: $ 130,000, $ 135,000
<table>
<thead>
<tr>
<th>Category</th>
<th>2008</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office Machines</td>
<td>$55,000</td>
<td>$40,000</td>
</tr>
<tr>
<td>Stationary &amp; Office Supplies</td>
<td>$7,500</td>
<td>$10,000</td>
</tr>
<tr>
<td>Electricity</td>
<td>$490,000</td>
<td>$475,000</td>
</tr>
<tr>
<td>Street Lighting</td>
<td>$540,000</td>
<td>$525,000</td>
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</table>

1. Deferred Charges

<table>
<thead>
<tr>
<th>Description</th>
<th>2008</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deficit of Payroll Account</td>
<td>$116,200</td>
<td>$0</td>
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<tr>
<td>Deficit in Operations - 2007</td>
<td>$0</td>
<td>$617,702</td>
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<tr>
<td>Subtotal - Deferred Charges</td>
<td>$757,418</td>
<td>$1,258,920</td>
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</table>

2. Statutory Expenditures: (Sheet 19)

<table>
<thead>
<tr>
<th>Description</th>
<th>2008</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Social Security System (O.A.S.I.)</td>
<td>$925,000</td>
<td>$965,000</td>
</tr>
<tr>
<td>Unemployment Compensation</td>
<td>$55,000</td>
<td>$85,000</td>
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<tr>
<td>Subtotal Statutory Expenditures</td>
<td>$980,000</td>
<td>$1,050,000</td>
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</table>

Total Deferred Charges & Statutory Expenditures - Municipal within CAPS

<table>
<thead>
<tr>
<th>Description</th>
<th>2008</th>
<th>2007</th>
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</thead>
<tbody>
<tr>
<td>$1,737,418</td>
<td>$2,308,920</td>
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</table>

(H-1) Total General Appropriations Within CAPS

<table>
<thead>
<tr>
<th>Description</th>
<th>2008</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>$67,539,683</td>
<td>$69,517,903</td>
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</table>

A) Operations - Excluded from “CAPS”

<table>
<thead>
<tr>
<th>Description</th>
<th>2008</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintenance of Public Library (PL 1985, c.82)</td>
<td>$0</td>
<td>$2,698,000</td>
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<tr>
<td>Salary &amp; Wages</td>
<td>$819,160</td>
<td>$0</td>
</tr>
<tr>
<td>Other Expenses</td>
<td>$623,840</td>
<td>$0</td>
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<tr>
<td>Social Security</td>
<td>$92,000</td>
<td>$0</td>
</tr>
<tr>
<td>Employee Group Health</td>
<td>$225,000</td>
<td>$0</td>
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</table>

(A) Operations - Excluded from “CAPS”

<table>
<thead>
<tr>
<th>Description</th>
<th>2008</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Home Support &amp; Adult Day Care (State)</td>
<td>$276,708</td>
<td>$66,483</td>
</tr>
<tr>
<td>Home Support &amp; Adult Day Care (Sen S&amp;W)</td>
<td>$0</td>
<td>$210,225</td>
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<tr>
<td>Summer Food Service</td>
<td>$26,235</td>
<td>$38,165</td>
</tr>
<tr>
<td>Body Armor Replacement Fund</td>
<td>$0</td>
<td>$17,039</td>
</tr>
<tr>
<td>Alcohol Education &amp; Rehabilitation</td>
<td>$0</td>
<td>$18,224</td>
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<tr>
<td>Cops in School</td>
<td>$0</td>
<td>$22,800</td>
</tr>
<tr>
<td>Body Armor Replacement</td>
<td>$0</td>
<td>$9,928</td>
</tr>
<tr>
<td>State Forestry Green Community Grant</td>
<td>$0</td>
<td>$2,000</td>
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<tr>
<td>Adult Day Care</td>
<td>$0</td>
<td>$10,861</td>
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<tr>
<td>Domestic Violence Grant</td>
<td>$0</td>
<td>$5,000</td>
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<tr>
<td>Drunk Driving Enforcement Grant</td>
<td>$0</td>
<td>$5,142</td>
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<tr>
<td>Downtown Revitalization Program</td>
<td>$0</td>
<td>$125,555</td>
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<tr>
<td>Public Healthcare Management Caregivers</td>
<td>$0</td>
<td>$99,382</td>
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<tr>
<td>Summer Food Program</td>
<td>$0</td>
<td>$16,739</td>
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</table>

Walk Safe Hoboken Pedestrians                 | $0    | $2,000  |
Computer Program for the Elderly - DYFS      | $0    | $40,000 |
Clean Communities - 2007                      | $0    | $41,756 |
12th Street Project 2000/Clinton Street      | $0    | $18,497 |
2005 Roadway Improvement Project              | $0    | $114,926 |
State Aid Highway - Hudson Place - 2003       | $0    | $32,585 |
State Aid Highway - Signage Phase I - 2004    | $0    | $19,144 |
State Aid Highway - Safe Street School Dist. | $0    | $12,551 |
Fire Department Grant                         | $0    | $36,000 |
Save the Youth                               | $0    | $235,000 |
1600 Park Avenue Development                 | $0    | $300,000 |
Smart Growth Planning                        | $0    | $60,000 |
Municipal Alliance (County Share)             | $0    | $56,134 |

Meeting of March 5, 2008
<table>
<thead>
<tr>
<th>Description</th>
<th>Public</th>
<th>Private</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipal Alliance (City Share)</td>
<td>$ 0</td>
<td>$ 14,034</td>
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<tr>
<td>JAG 2007</td>
<td>$ 0</td>
<td>$ 19,120</td>
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<tr>
<td>Senior Emergency Funds</td>
<td>$ 0</td>
<td>$  4,531</td>
</tr>
<tr>
<td>Over Limit/Under Arrest 2007</td>
<td>$ 0</td>
<td>$  5,000</td>
</tr>
<tr>
<td>2008 Pedestrian Safety/Walk Safe</td>
<td>$ 0</td>
<td>$  20,000</td>
</tr>
<tr>
<td>1600 Park Avenue (Acquisition)</td>
<td>$ 0</td>
<td>$  2,300,000</td>
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<tr>
<td>1600 Park Avenue (Land &amp; Water)</td>
<td>$ 0</td>
<td>$  1,513,420</td>
</tr>
<tr>
<td><strong>Total Public &amp; Private Programs Offset by Revenues</strong></td>
<td>$ 1,080,884</td>
<td>$ 6,270,181</td>
</tr>
<tr>
<td><strong>Total Operations - Excluded “CAPS”</strong></td>
<td>$ 9,985,630</td>
<td>$ 16,155,428</td>
</tr>
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</table>

Detail: (Sheet 25)

<table>
<thead>
<tr>
<th>Description</th>
<th>Public</th>
<th>Private</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries &amp; Wages</td>
<td>$ 856,509</td>
<td>$ 886,509</td>
</tr>
<tr>
<td>Other Expenses</td>
<td>$ 9,129,121</td>
<td>$ 15,268,919</td>
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<tr>
<td>(C) Capital Improvements Excluded from “CAPS”</td>
<td>$ 300,000</td>
<td>$  95,000</td>
</tr>
<tr>
<td><strong>Total Capital Improvements from “CAPS”</strong></td>
<td>$ 300,000</td>
<td>$  95,000</td>
</tr>
</tbody>
</table>

(Sheet 26)

<table>
<thead>
<tr>
<th>Description</th>
<th>Public</th>
<th>Private</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Green Trust Loan Program:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Loan Repayments for Prin &amp; Int.</td>
<td>$ 192,684</td>
<td>$  195,450</td>
</tr>
<tr>
<td>Interest of Garage Sale</td>
<td>$ 1,194,248</td>
<td>$  1,020,000</td>
</tr>
<tr>
<td><strong>Total Municipal Debt Service Excluded from “CAPS”</strong></td>
<td>$ 7,713,660</td>
<td>$  7,544,899</td>
</tr>
</tbody>
</table>

(Sheet 27)

<table>
<thead>
<tr>
<th>Description</th>
<th>Public</th>
<th>Private</th>
</tr>
</thead>
<tbody>
<tr>
<td>(F) Judgements</td>
<td>$ 50,000</td>
<td>$  22,100</td>
</tr>
<tr>
<td>(H-2) Total General Appropriations for Municipal Purposes Excluded from “CAPS” (Sheet 28)</td>
<td>$ 19,324,290</td>
<td>$ 25,092,426</td>
</tr>
<tr>
<td>(O) Total General Appropriations - Excluded from “CAPS” (Sheet 29)</td>
<td>$ 19,324,290</td>
<td>$ 25,092,426</td>
</tr>
<tr>
<td>(L) Subtotal General Appropriations (Items (H-1) and (O))</td>
<td>$ 86,863,973</td>
<td>$  93,672,329</td>
</tr>
<tr>
<td>(M) Reserve for Uncollected Taxes</td>
<td>$ 155,000</td>
<td>$  155,000</td>
</tr>
<tr>
<td><strong>9. TOTAL GENERAL APPROPRIATIONS</strong></td>
<td>$ 87,018,973</td>
<td>$  93,827,329</td>
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</table>

(Sheet 29)

<table>
<thead>
<tr>
<th>Description</th>
<th>Public</th>
<th>Private</th>
</tr>
</thead>
<tbody>
<tr>
<td>(H-1) Total General Appropriations for Municipal Purposes within “CAPS” (Sheet 30)</td>
<td>$ 67,539,683</td>
<td>$  68,579,903</td>
</tr>
<tr>
<td>(A) Other Operations (Sheet 30)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private &amp; Public Revenues Offset</td>
<td>$ 1,080,884</td>
<td>$  6,270,181</td>
</tr>
<tr>
<td>Total Operations - Excluded from “CAPS” (Sheet 30)</td>
<td>$ 9,985,630</td>
<td>$ 16,155,428</td>
</tr>
<tr>
<td>(C) Capital Improvements</td>
<td>$ 300,000</td>
<td>$   95,000</td>
</tr>
<tr>
<td>(D) Municipal Debt Service</td>
<td>$ 7,713,660</td>
<td>$  7,544,899</td>
</tr>
<tr>
<td>(F) Judgements</td>
<td>$ 50,000</td>
<td>$   22,100</td>
</tr>
<tr>
<td>(M) Reserve for Uncollected Taxes</td>
<td>$ 155,000</td>
<td>$  155,000</td>
</tr>
<tr>
<td><strong>TOTAL GENERAL APPROPRIATIONS</strong></td>
<td>$ 87,018,973</td>
<td>$  93,827,329</td>
</tr>
</tbody>
</table>

(Sheet 30)

<table>
<thead>
<tr>
<th>Description</th>
<th>Public</th>
<th>Private</th>
</tr>
</thead>
<tbody>
<tr>
<td>10. Dedicated Revenues From Parking Utility Operating Surplus Anticipated</td>
<td>$ 0</td>
<td>$  400,000</td>
</tr>
<tr>
<td>Total Surplus Anticipated</td>
<td>$ 0</td>
<td>$  400,000</td>
</tr>
<tr>
<td>Special Items of General Revenue Anticipated With Written Consent of DCA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking Fees - Continuous Operations</td>
<td>$ 1,970,097</td>
<td>$  1,570,097</td>
</tr>
</tbody>
</table>
WASHINGTON, DC — The President of the United States signed the National Defense Authorization Act for Fiscal Year 2022 into law on December 27, 2021. The act provides funding for the Department of Defense, the Department of Veterans Affairs, and other related agencies.

The act authorizes $778 billion in defense spending, including $715 billion for the Department of Defense and $63 billion for the Department of Veterans Affairs. It also includes provisions related to defense policy, foreign policy, and national security.

The act includes funding for the construction of military facilities, procurement of weapons systems, and research and development. It also includes provisions related to defense posture, military personnel, and veterans' benefits.

The act was signed into law by President Joe Biden. It passed the House of Representatives with a vote of 367-67 and the Senate with a vote of 88-11. It was the first major piece of legislation signed by Biden since he took office in January 2021.
Council President Castellano 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 Cammarano, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Cunningham.

AN ORDINANCE GRANTING AN EASEMENT FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY AT 300 BLOOMFIELD STREET, HOEKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS LOT 31, BLOCK 190, ON THE TAX MAP OF THE CITY OF HOEKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY. DR-350

President Castellano 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 of which the heading was read in full.

No person present desiring to be heard and no written protests or objections received, President Castellano 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 Cammarano, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Cunningham.

Council President Castellano 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 Cammarano, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Cunningham.

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HOEKEN, CHAPTER 59A, ENTITLED “DEPARTMENT OF PUBLIC SAFETY” WITH RESPECT TO THE FIRE DEPARTMENT’S TABLE OF ORGANIZATION. DR-351

The above ordinance DR-351 was withdrawn, a new ordinance, with the same heading and a new number of DR-353, will be introduced later in this meeting.
PETITIONS AND COMMUNICATIONS

08-71

APPLICATIONS FOR MISCELLANEOUS LICENSES

Music Machines  --------------------------------------------------------------- 6
Raffles  --------------------------------------------------------------- 1
Parking Garage  ------------------------------------------------------------- 1

---Councilman Russo moved that the licenses be granted.
---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and
President Castellano.
---Nays: None.
---Absent: Cunningham.

REPORTS OF CITY OFFICERS

08-72

A report of the Municipal Court indicating receipts for the month of February 2008 as
$307,055.63.

---Received and filed.

CLAIM RESOLUTIONS

08-73

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 $4,696.93 against the UNCLASSIFIED
CLAIMS.

Councilwoman Mason voted YES on items #00002
#02759
#02765

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Nays: Mason, Russo, President Castellano.
---Absent: Cunningham.

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 $125,131.94 against the DEPARTMENT OF ADMINISTRATION.

Councilwoman Mason stated conflict due to litigation on items #00998 and #00999

Councilwoman Mason voted YES on items #01000  
#02542  
#02679

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Nays: Mason, Russo, President Castellano.
---Absent: Cunningham.

By Council President 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 $36,047.37 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Nays: Mason, Russo, President Castellano.
---Absent: Cunningham.

By Council President 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 $89,744.94 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 6 - NAYS: 2 - ABSENT: 1
---Nays: Russo, President Castellano.
---Absent: Cunningham.

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 $29,859.19 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

After discussion, item #02524 REMOVED; M. Van Valkenburgh Prof. Services$21,284.33 (NO ACTION TAKEN)

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 6 - NAYS: 3 - ABSENT: 1
---Nays: Mason, Russo, President Castellano.
---Absent: Cunningham.

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 $53,081.09 against the DEPARTMENT OF PUBLIC SAFETY.

Councilwoman Mason voted NO on items #00051
#00066
#02540
#02644

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 6 - NAYS: 2 - ABSENT: 1
---Nays: Russo, President Castellano.
---Absent: Cunningham.

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 $41,848.20 against the CAPITAL ACCOUNT.

Council President Castellano REMOVED item #02720; Prof serv Sybil’s Cave $16,460.00 (NO ACTION TAKEN)

Councilwoman Mason voted YES on item #02723

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Nays: Mason, Russo, President Castellano.
---Absent: Cunningham.

By Councilwoman LaBruno:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $135,114.17 against the PARKING UTILITY.

Councilwoman Mason voted YES on item #02796

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Nays: Mason, Russo, President Castellano.
---Absent: Cunningham.

PAYROLL RESOLUTIONS

08-74
By Councilman Russo:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD FEBRUARY 7, 2008 TO FEBRUARY 20, 2008 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>8-01-20-105</td>
<td>8,567.41</td>
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<td>153.85</td>
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<td>18,473.53</td>
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<td>Elections</td>
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<td>Finance Office</td>
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<td>4,432.85</td>
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<td>Accounts / Controls</td>
<td>8-01-20-131</td>
<td>3,084.74</td>
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<td>Payroll Division</td>
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<td>Planning Board</td>
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<td>Construction Code</td>
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<td>Police Division</td>
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<td>22,448.76</td>
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<td>Fire Division</td>
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<td>Signal &amp; Traffic</td>
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<td>Envir. Ser. Dir. Office</td>
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<td>Streets &amp; Roads</td>
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<td>Central Garage</td>
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<td>Licensing Division</td>
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<td>590.31</td>
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<td>Human Services Dir Off</td>
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<td>Amount 2</td>
<td>Amount 3</td>
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<td>Constituent Services</td>
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<td>7,442.01</td>
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<td>Senior Citizens Div</td>
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<td>Rent Stabilization</td>
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<td>Transportation</td>
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<td>1,062.97</td>
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<td>Recreation</td>
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<td>25,249.24</td>
<td>2,452.34</td>
<td>28,301.58</td>
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<td>Parks</td>
<td>8-01-28-375</td>
<td>28,527.28</td>
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<td>30,024.67</td>
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<td>Public Prop.</td>
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<td>27,325.02</td>
<td>1,896.09</td>
<td>29,221.11</td>
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<td>Public Library</td>
<td>8-01-29-390</td>
<td>33,686.64</td>
<td>459.60</td>
<td>34,146.24</td>
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<td>Public Defender</td>
<td>8-01-43-495</td>
<td>2,504.07</td>
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<td>2,504.07</td>
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<tr>
<td>Municipal Court</td>
<td>8-01-43-490</td>
<td>37,719.93</td>
<td>817.14</td>
<td>38,537.07</td>
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<tr>
<td>Parking Utility</td>
<td>8-31-55-501-100</td>
<td>67,378.76</td>
<td>13,534.97</td>
<td>81,636.07</td>
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<td>Universal Cops</td>
<td>8-01-25-241-012</td>
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<tr>
<td>Cops In School</td>
<td>8-01-25-241-015</td>
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<td>42,417.50</td>
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<td>Civilian Hiring</td>
<td>8-01-25-241-016</td>
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<td>Minority Affairs</td>
<td>8-01-27-331</td>
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<tr>
<td>Summer Fun</td>
<td>8-01-28-370-013</td>
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<td>Summer Lunch</td>
<td>G-02-44-701-316</td>
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**Other**

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<tr>
<th>Other</th>
<th>Code</th>
<th>Amount 1</th>
<th>Amount 2</th>
<th>Amount 3</th>
</tr>
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<tbody>
<tr>
<td>Salary Adjustment</td>
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<td>Police Outside Employ.</td>
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<td>42,417.50</td>
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<td>Ped Safety Grant</td>
<td>8-01-25-241-013</td>
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<tr>
<td>Fire Education Grant</td>
<td>T-13-10-000-000</td>
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<tr>
<td>Police Housing Auth</td>
<td>8-01-25-241-017</td>
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<td>39,370.00</td>
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**Grand Total**

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<th>Category</th>
<th>Code</th>
<th>Amount 1</th>
<th>Amount 2</th>
<th>Amount 3</th>
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<td>1,566,186.76</td>
<td>62,964.99</td>
<td>111,156.69</td>
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</table>

Motion by Councilman Russo.
Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Cunningham.

RESOLUTIONS CONTINUED

Presented and Read

08-75
---By Councilman Russo:

THIS RESOLUTION RATIFIES THE ACTION OF THE ADMINISTRATION IN THE PUBLIC AUCTION OF ABANDONED/SURPLUS VEHICLES HELD ON 29 FEBRUARY 2008

WHEREAS, pursuant to the resolution of the Council of the City of Hoboken, a car auction was held 29 February 2008 in the Court Room in City Hall, and,

WHEREAS, only one bid was received for the bulk sale of ten (10) cars at a bid of: $1,200.00

WHEREAS, said bidder, Jersey One Auto Sales tendered cash in full payment, for the bulk sale, in the amount of Twelve Hundred Dollars. Said payment was deposited in the City Finance Department for disposition in the City bank account, and,

WHEREAS, two (2) individuals purchased twelve (12) surplus pieces of equipment for a total of Three Hundred Dollars ($300.00) said monies being deposited with the City=s finance department, therefore, be it

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

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Cunningham.

08-76
---By Councilwoman LaBruno:
---Motion duly seconded by Councilman Ramos.
THIS RESOLUTION AUTHORIZES ADDITIONAL TEMPORARY EMERGENCY APPROPRIATIONS TO THE SFY 2008 BUDGET UNTIL SUCH TIME AS A FORMAL BUDGET IS ADOPTED.

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 (Within Cap)</th>
<th>ACCOUNT #</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tax Collector O.E.</td>
<td>8-01-20-145-021</td>
<td>$8,000.00</td>
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<tr>
<td>Assessor's Office O.E.</td>
<td>8-01-20-150-021</td>
<td>$4,500.00</td>
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<tr>
<td>Construction O.E.</td>
<td>8-01-22-195-021</td>
<td>$113,000.00</td>
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<tr>
<td>Solid Waste S &amp; W</td>
<td>8-01-26-305-010</td>
<td>$75,000.00</td>
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<tr>
<td>Recreation S &amp; W</td>
<td>8-01-28-370-010</td>
<td>$5,000.00</td>
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<tr>
<td>Recreation O.E.</td>
<td>8-01-28-370-021</td>
<td>$30,000.00</td>
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<tr>
<td>Public Properties O.E.</td>
<td>8-01-28-377-021</td>
<td>$25,000.00</td>
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<tr>
<td>Electricity O.E.</td>
<td>8-01-31-430-000</td>
<td>$100,000.00</td>
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<tr>
<td>Street Lights O.E.</td>
<td>8-01-31-435-000</td>
<td>$100,000.00</td>
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<td>Master Plan O.E.</td>
<td>8-01-31-463-000</td>
<td>$15,000.00</td>
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<td>Municipal Court O.E.</td>
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<th>ACCOUNT (Outside Cap)</th>
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</thead>
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<td>8-01-29-390-021</td>
<td>$156,500.00</td>
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<td>Municipal Alliance O.E.</td>
<td>8-01-40-700-050</td>
<td>$30,000.00</td>
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<tr>
<td>Parking Utility O.E.</td>
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<td>TOTAL</td>
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<td>$422,127.00</td>
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The following spoke on the above resolution: Maurice DeGennaro, 614 Hudson Street; Jim Vance, 107 Monroe Street.

After much discussion, and voting by dividing the above resolution by several different council members, in different manners, without the sufficient six (6), two thirds votes, needed to pass the resolution, this temporary emergency appropriations resolution was finally divided into two (2) separate resolutions as originally proposed by Councilman Russo and duly seconded by Councilwoman Mason in the following manner.

08-77
---By Councilman Russo:

THIS RESOLUTION AUTHORIZES ADDITIONAL TEMPORARY EMERGENCY APPROPRIATIONS TO THE SFY 2008 BUDGET UNTIL SUCH TIME AS A FORMAL BUDGET IS ADOPTED.

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:
---Motion duly seconded by Councilwoman Mason.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Cunningham.

08-78
---By Councilman Russo:

**THIS RESOLUTION AUTHORIZES ADDITIONAL TEMPORARY EMERGENCY APPROPRIATIONS TO THE SFY 2008 BUDGET UNTIL SUCH TIME AS A FORMAL BUDGET IS ADOPTED.**

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><strong>(Within Cap)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Solid Waste S&amp;W</td>
<td>8-01-26-305-010</td>
<td>$75,000.00</td>
</tr>
<tr>
<td>Recreation S&amp;W</td>
<td>8-01-28-370-011</td>
<td>$80,000.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td>$80,000.00</td>
</tr>
<tr>
<td><strong>(Outside Cap)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Library O.E.</td>
<td>8-01-29-390-021</td>
<td>$156,500.00</td>
</tr>
<tr>
<td>Municipal Alliance O.E.</td>
<td>8-01-40-700-050</td>
<td>$30,000.00</td>
</tr>
<tr>
<td>Parking Utility O.E.</td>
<td>8-31-55-502-200</td>
<td>$235,627.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td>$422,127.00</td>
</tr>
</tbody>
</table>
---Motion duly seconded by Councilwoman Mason.

---FAILED by the following vote: YEAS: 4 - NAYS: 4 - ABSENT: 1

---Nays: Giacchi, Mason, Russo, President Castellano.
---Absent: Cunningham.

08-79
---By Councilman Ramos:

AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE HUDSON COUNTY OPEN SPACE TRUST FUND FOR DEVELOPMENT FUNDS FOR EMERGENCY RECONSTRUCTION TO THE WATERFRONT WALKWAY AT CASTLE POINT PARK PROJECT

WHEREAS, the Hudson County Department of Planning is soliciting applications for funding through the Hudson County Open Space Trust Fund for the support of development projects within the County of Hudson; and

WHEREAS, The City of Hoboken desires to further the public interest by obtaining funding in the amount of $400,000 in grant funds toward the development/emergency reconstruction of the Waterfront Walkway at Castle Point Park, Block 259, Lot 2 at a cost of $550,000 (balance to be paid for the City of Hoboken).

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 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 be it further –

RESOLVED BY THE Council of the City of Hoboken:

1. That, should funding be awarded, the Mayor is hereby authorized to execute an agreement thereto with the County of Hudson with respect to the development/emergency repair of the Waterfront Walkway at Castle Point Park project;

2. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project, and;

3. That this resolution shall take effect immediately.

The following spoke on the above resolution: Lane Bajardi. 70 Park Avenue; Jim Vance, 107 Monroe Street.

---Motion duly seconded by Councilman Russo.
08-80
---By Councilman Ramos:

**AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE HUDSON COUNTY OPEN SPACE TRUST FUND FOR ACQUISITION FUNDS FOR THE ACQUISITION OF THE COGNIS SITE**

- **WHEREAS**, the Hudson County Department of Planning is soliciting applications for funding through the Hudson County Open Space Trust Fund for the support of acquisition projects within the County of Hudson; and
- **WHEREAS**, The City of Hoboken desires to further the public interest by obtaining funding in the amount of $3,000,000 in grant funds toward the acquisition of the Cognis site, Block 103, Lots 7-25, Block 107, Lot 1 and Block 113, Lot 1 at a cost of $12,000,000 (balance to be paid for by DEP Green Acres and a City of Hoboken bond issue).

**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 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 be it further –

**RESOLVED BY THE** Council of the City of Hoboken:

1. That, should funding be awarded, the Mayor is hereby authorized to execute an agreement thereto with the County of Hudson with respect to the acquisition of the Cognis site project;
2. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project, and;
3. That this resolution shall take effect immediately.

The following spoke on the above resolution: Jim Doyle, 806 Park Avenue; Lane Bajardi, 70 Park Avenue; Jim Vance, 107 Monroe Street.

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Cunningham.

08-81
---By Councilwoman LaBruno:

WHEREAS, the City of Hoboken operates an automated parking garage located at 916 Garden Street, which is one of the few such facilities currently in operation in the world; and,

WHEREAS, this automated parking garage experienced considerable technical difficulties under a previous vendor responsible for support, service and maintenance; and

WHEREAS, the City of Hoboken engaged the services of Unitronics Ltd., to make the necessary repairs to the garage in order to make it fully operational, and Unitronics Ltd. accomplished this task in a satisfactory manner; and

WHEREAS, there now exists a need for continued support, service and maintenance at the 916 Garden Street garage for the next 12 months; and

WHEREAS, this type of work is of a highly specialized, technical nature, and also involves the use of proprietary hardware and software, thus qualifying as an extraordinary, unspecifiable service under the Local Public Contracts Law, and as such is exempt from public bidding requirements pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, Unitronics has submitted a satisfactory proposal to provide the needed support, service and maintenance at the 916 Garden Street garage; and

WHEREAS, funds for this agreement are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken does hereby authorize a contract between the City of Hoboken and Unitronics Ltd. For support, service, and maintenance at the 916 Garden Street garage; and,

BE IT FURTHER RESOLVED, by the Council as follows:

1. A contract for support, service and maintenance at the 916 Garden Street garage shall be prepared and executed as follows:

   Unitronics Inc.
   1 Batterymarch Park
   Quincy, MA 02169

   The contract shall be in the total amount of $138,000 (payable $11,500 per month)

2. This Agreement shall be effective December 1, 2007 nunc pro tunc and terminate on December 1, 2008.

3. The City Clerk shall publish 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 is hereby authorized to execute a contract with Unitronics Ltd. For the aforementioned services on behalf of the City of Hoboken and to take any other actions necessary to complete and realize the intent and purpose of this resolution.

5. A copy of this resolution shall be published according to law and the City Clerk shall keep a copy of the resulting contract on file in accordance with N.J.S.A. 40A:11-1 et. seq.

6. This resolution shall take effect immediately.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 7 - NAYS: 1 - ABSENT: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: Mason.
---Absent: Cunningham.

08-82
---By the entire City Council present:

Resolution City of Hoboken Participation In the Cities for Climate Protection™ Campaign And U.S. Mayors Climate Protection Agreement

WHEREAS, scientific consensus has developed that Carbon Dioxide (CO2) and other greenhouse gases released into the atmosphere have a profound effect on the Earth's climate; and

WHEREAS, in 2003 the American Geophysical Union adopted a Statement noting that human activities are increasingly altering the Earth climate and that natural influences cannot explain the rapid increase in near-surface temperatures observed during the second half of the 20th century; and

WHEREAS, in 2001, at the request of the Administration, the National Academy of Sciences (NAS) reviewed and declared global warming a real problem caused in part by the actions of humankind; and

WHEREAS, 162 countries including the U.S. pledged under the United Nations Framework Convention on Climate Change to reduce its greenhouse gas emissions; and

WHEREAS, energy consumption, specifically the burning of fossil fuels, accounts for more than 80% of U.S. greenhouse gas emissions and makes the U.S. reliant on foreign oil that endangers national security; and

WHEREAS, local governments influence communities' emissions by exercising key powers over land use, transportation, construction, waste management, and energy management; and

WHEREAS, local government actions taken to reduce greenhouse gas emissions and increase energy efficiency provide multiple local benefits by decreasing air pollution,
creating jobs, reducing energy expenditures, and saving money for the local government, its businesses and its residents; and

WHEREAS, the steps taken by cities outlined above collectively reduce our nation’s dependence on foreign oil, thereby taking steps to bolster national security; and

WHEREAS, the U.S. Mayors’ Climate Protection Agreement lists the activities to be undertaken such as:

1. Inventory global warming emissions in City operations and in the community, set reduction targets and create an action plan.
2. Adopt and enforce land-use policies that reduce sprawl, preserve open space, and create compact, walkable urban communities;
3. Promote transportation options such as bicycle trails, commute trip reduction programs, incentives for car pooling and public transit;
4. Increase the use of clean, alternative energy by, for example, investing in “green tags”, advocating for the development of renewable energy resources, recovering landfill methane for energy production, and supporting the use of waste to energy technology;
5. Make energy efficiency a priority through building code improvements, retrofitting city facilities with energy efficient lighting and urging employees to conserve energy and save money;
6. Purchase only Energy Star equipment and appliances for City use;
7. Practice and promote sustainable building practices using the U.S. Green Building Council’s LEED program or a similar system;
8. Increase the average fuel efficiency of municipal fleet vehicles; reduce the number of vehicles; launch an employee education program including anti-idling messages; convert diesel vehicles to bio-diesel;
9. Evaluate opportunities to increase pump efficiency in water and wastewater systems; recover wastewater treatment methane for energy production;
10. Increase recycling rates in City operations and in the community;
11. Maintain healthy urban forests; promote tree planting to increase shading and to absorb CO2; and
12. Help educate the public, schools, other jurisdictions, professional associations, business and industry about reducing global warming pollution.

NOW THEREFORE, BE IT RESOLVED, that the City of Hoboken commits to participate in the Cities for Climate Protection Campaign by following the activities adopted in the U.S. Mayors’ Climate Protection Agreement and, as a participant, pledges to take a leadership role in promoting public awareness about the causes and impacts of climate change.

The following spoke on the above resolution: Helen Manogue, 904 Jefferson Street; Jim Vance, 107 Monroe Street.

---Motion duly seconded by the entire City Council present.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Cunningham.
ORDINANCES

Introduction and First Reading

08-83
DR-352

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE CODE OF THE CITY OF HOBOKEN. (Parking Prohibited Certain Hours; 315 Jackson Street, Church of God of Prophecy) DR-352

ARTICLE II

Parking Prohibited Certain Hours

190-4 Parking Prohibited Certain Hours.

Section 1: The location described is hereby designated as a Prohibited Parking Zone. No person shall park a vehicle in said location during the times and days indicated.

<table>
<thead>
<tr>
<th>Name of Street</th>
<th>Day/Time</th>
<th>Side</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jackson Street</td>
<td>Wed &amp; Fri. 6PM to</td>
<td>East</td>
<td>Beginning at a point 180' feet south of the southerly curbline</td>
</tr>
<tr>
<td></td>
<td>10PPM</td>
<td></td>
<td>of Fourth Street and extending 28 feet southerly therefrom</td>
</tr>
<tr>
<td>Sun.</td>
<td>9 AM to 3 PM</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 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.

---Council Councilwoman LaBruno 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 19, 2008 at 7:00 PM.

---Motion duly seconded by Councilwoman Zimmer.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Cunningham.

08-84
DR-353
AN ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOKEN, CHAPTER 59A, ENTITLED “DEPARTMENT OF PUBLIC SAFETY” WITH RESPECT TO THE FIRE DEPARTMENT’S TABLE OF ORGANIZATION

WHEREAS, the Council for the City of Hoboken should ensure that the proper level of personnel are being maintained within the Department of Public Safety; and

WHEREAS, the Council acknowledges the need for appropriate personnel changes within the Department of Public Safety; and

WHEREAS, the Council has been informed that there is sufficient concern for public safety and the efficient operations of the Fire Department justifying certain changes in the table of organization within the Fire Department; and

WHEREAS, the Council has been informed that there is sufficient funding in the budget with respect to the proposed changes in the table of organization within the Fire Department; and,

WHEREAS, it is necessary to reduce the rank of Deputy Fire Chief from two (2) to (1), and to eventually abolish that position; and,

WHEREAS, it is necessary to increase the number of Battalion Chiefs from seven (7) to nine (9); and

WHEREAS, it is necessary to rename the position of Training Officer UFD/Captain to Training Officer/Captain; and,

WHEREAS, it is necessary to create the position of Hazmat Captain; and,

WHEREAS, it is necessary to rename the position of Fire Official UFD/Captain to Fire Marshal/Captain; and,

WHEREAS, it is necessary to create the position of Arson Investigator/Captain; and,

WHEREAS, it is necessary to eliminate the position of Fire Prevention Specialist UFD and replacing it with two (2) Fire Inspectors; and,

WHEREAS, it is necessary to increase the number of Fire Alarm Operators from six (6) to eight (8); and,

WHEREAS, it is necessary and in order for the Council for the City of Hoboken to adjust the table of organization for the Fire Department.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hoboken as follows:

SECTION I

ARTICLE IV
Division of Fire

Sections 59A-31 of the Code of the City of Hoboken shall be amended to read as follows:
§59A-31 Staff.

A. The staff of the Division of Fire shall not exceed the following force, within the budgetary constraints established by the Council:

<table>
<thead>
<tr>
<th>Rank/Position</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chief</td>
<td>1</td>
</tr>
<tr>
<td>Deputy Fire Chief*</td>
<td>1/0</td>
</tr>
<tr>
<td>Battalion Chief</td>
<td>9</td>
</tr>
<tr>
<td>Captain</td>
<td>32</td>
</tr>
<tr>
<td>Training Officer/Captain</td>
<td>1</td>
</tr>
<tr>
<td>Hazmat Captain</td>
<td>1</td>
</tr>
<tr>
<td>Fire Marshal/Captain</td>
<td>1</td>
</tr>
<tr>
<td>Arson Investigator/Captain</td>
<td>1</td>
</tr>
<tr>
<td>Maintenance Officer</td>
<td>1</td>
</tr>
<tr>
<td>Fire Inspector</td>
<td>2*</td>
</tr>
<tr>
<td>Firefighter</td>
<td>92</td>
</tr>
<tr>
<td>Fire Alarm Operator</td>
<td>8</td>
</tr>
</tbody>
</table>

*The position of Deputy Fire Chief shall be reduced from two (2) to one (1) effective immediately upon the adoption of this Ordinance. It shall thereafter be abolished upon the retirement, promotion or separation of service of any incumbent holding the position of Deputy Fire Chief at the time this Ordinance is adopted.

* At the April 2, 2008 meeting an amendment was made from “Fire Prevention Inspector - 1” to “Fire Inspector - 2” as “a corrected typographical error” by Corporation Counsel.

The remainder of Section 59A-31 shall remain unchanged.

SECTION II

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

SECTION III

All Ordinances or parts of Ordinances inconsistent herewith and hereby repealed to the extent of such inconsistency.

SECTION IV

This Ordinance shall take effect upon publication.
---Councilman Cammarano 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 19, 2008 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSTENTIONS: 2 - ABSENT: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Ramos, Zimmer and President Castellano.
---Nays: None.
---Abstentions: Mason, Russo.
---Absent: Cunningham.

08-85
DR-354
AN ORDINANCE TO AMEND AN ORDINANCE ESTABLISHING A SCHEDULE OF CLASSIFICATIONS AND ALLOCATIONS OF TITLE FOR ALL POSITIONS IN THE CITY OF HOBOKEN AND DESIGNATING THE APPROPRIATE STANDARDIZED TITLE FOR EACH POSITION. (DR-354)

THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES ORDAIN AS FOLLOWS;

1. The Alphabetical List of Titles, City of Hoboken, set forth in the ordinance to which this Ordinance is an amendment be and the same is hereby amended so that the following titles, salaries and ranges contained therein shall be included as follows in the attached list which is incorporated by reference.

2. If the Alphabetical List of Titles, City of Hoboken, herein set forth contains any position or positions, the duties of which are not enumerated in the Plan for the Standardization of Municipal Class Titles, which is a part of the ordinance to which this ordinance is an amendment, then in that event the duties of the said position or positions shall be those which pertain to the particular position and positions set forth in any other ordinance adopted and now in force and effect in any statute of the State of New Jersey relating to said position or provisions of this ordinance or the ordinance amended hereby.

3. The provisions of this ordinance shall in no way affect the tenure or Civil Service status of any employees presently employed by the City of Hoboken in any of the various positions set forth in the Alphabetical List of Titles, City of Hoboken, herein.

4. The Alphabetical List of Titles referred to herein as well as the salary ranges for all positions in the City shall be on file in the Office of the City Clerk.

5. All ordinances or parts of ordinances inconsistent herewith are herewith repealed.

6. This ordinance shall take effect as provided by law.
<table>
<thead>
<tr>
<th>Title</th>
<th>Minimum</th>
<th>Max. 07/01/06</th>
<th>Max. 01/01/07</th>
<th>Max. 07/01/07</th>
<th>Max. 01/01/08</th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional Municipal Court Judge</td>
<td>$24,000.00</td>
<td>$40,307.00</td>
<td>$56,832.00</td>
<td>$61,689.00</td>
<td>$62,922.78</td>
</tr>
<tr>
<td>Administrative Clerk</td>
<td>$31,500.00</td>
<td>$50,590.19</td>
<td>$51,854.95</td>
<td>$52,892.05</td>
<td>$53,949.89</td>
</tr>
<tr>
<td>Administrative Clerk (40 hour week)</td>
<td>$35,500.00</td>
<td>$57,441.53</td>
<td>$58,877.57</td>
<td>$60,055.12</td>
<td>$61,256.22</td>
</tr>
<tr>
<td>Administrative Secretary</td>
<td>$38,000.00</td>
<td>$63,879.05</td>
<td>$65,476.02</td>
<td>$66,785.54</td>
<td>$68,121.25</td>
</tr>
<tr>
<td>Administrative Secretary (40 hour week)</td>
<td>$40,000.00</td>
<td>$65,166.28</td>
<td>$66,795.43</td>
<td>$68,131.34</td>
<td>$69,493.97</td>
</tr>
<tr>
<td>Aide to the Mayor</td>
<td>$20,000.00</td>
<td>$36,180.07</td>
<td>$37,084.57</td>
<td>$37,826.26</td>
<td>$38,582.79</td>
</tr>
<tr>
<td>Assessor</td>
<td>$62,000.00</td>
<td>$100,287.38</td>
<td>$102,794.56</td>
<td>$104,850.46</td>
<td>$106,947.46</td>
</tr>
<tr>
<td>Assistant Assessor</td>
<td>$41,000.00</td>
<td>$66,597.79</td>
<td>$68,262.73</td>
<td>$69,627.99</td>
<td>$71,020.55</td>
</tr>
<tr>
<td>Assistant City Attorney</td>
<td>$33,280.00</td>
<td>$48,270.20</td>
<td>$49,476.95</td>
<td>$50,466.49</td>
<td>$51,475.82</td>
</tr>
<tr>
<td>Assistant City Attorney (Zoning)</td>
<td>$40,000.00</td>
<td>$58,017.06</td>
<td>$59,467.48</td>
<td>$60,656.83</td>
<td>$61,869.97</td>
</tr>
<tr>
<td>Assistant Corporation Counsel</td>
<td>$35,000.00</td>
<td>$52,795.68</td>
<td>$54,115.58</td>
<td>$55,197.89</td>
<td>$56,301.84</td>
</tr>
<tr>
<td>Assistant Health Officer</td>
<td>$35,000.00</td>
<td>$75,000.00</td>
<td>$76,500.00</td>
<td>$76,500.00</td>
<td>$76,500.00</td>
</tr>
<tr>
<td>Assistant Library Director</td>
<td>$45,000.00</td>
<td>$80,615.02</td>
<td>$82,630.40</td>
<td>$84,283.00</td>
<td>$85,968.66</td>
</tr>
<tr>
<td>Assistant Superintendent Recreation</td>
<td>$27,000.00</td>
<td>$57,888.11</td>
<td>$59,335.32</td>
<td>$65,522.00</td>
<td>$66,832.44</td>
</tr>
<tr>
<td>Assistant Violations Clerk</td>
<td>$29,000.00</td>
<td>$47,159.99</td>
<td>$48,338.99</td>
<td>$49,305.77</td>
<td>$50,291.88</td>
</tr>
<tr>
<td>Assistant Zoning Officer</td>
<td>$21,000.00</td>
<td>$42,564.79</td>
<td>$43,628.91</td>
<td>$50,000.00</td>
<td>$56,100.00</td>
</tr>
<tr>
<td>Assistant Zoning Officer P/T</td>
<td>$2,000.00</td>
<td>$12,060.02</td>
<td>$12,361.52</td>
<td>$12,608.75</td>
<td>$12,860.93</td>
</tr>
<tr>
<td>Assistant Superintendent, Water/Sewer</td>
<td>$38,000.00</td>
<td>$61,846.19</td>
<td>$63,392.34</td>
<td>$64,660.19</td>
<td>$65,953.39</td>
</tr>
<tr>
<td>Building Service Supervisor</td>
<td>$28,000.00</td>
<td>$59,105.35</td>
<td>$60,582.99</td>
<td>$61,794.65</td>
<td>$63,030.54</td>
</tr>
<tr>
<td>Business Administrator</td>
<td>$62,432.00</td>
<td>$131,454.26</td>
<td>$134,740.61</td>
<td>$137,435.42</td>
<td>$140,184.13</td>
</tr>
<tr>
<td>Chief Financial Officer</td>
<td>$50,000.00</td>
<td>$103,920.00</td>
<td>$106,518.00</td>
<td>$108,648.36</td>
<td>$110,821.33</td>
</tr>
<tr>
<td>Chief Financial Officer P/T</td>
<td>$10,000.00</td>
<td>$15,084.42</td>
<td>$15,461.53</td>
<td>$15,770.77</td>
<td>$16,086.18</td>
</tr>
<tr>
<td>Chief Field Rep. Property Improvement</td>
<td>$38,000.00</td>
<td>$61,736.07</td>
<td>$63,279.47</td>
<td>$64,545.06</td>
<td>$65,835.96</td>
</tr>
<tr>
<td>Chief Fire Alarm Operator</td>
<td>$25,000.00</td>
<td>$50,454.00</td>
<td>$51,463.08</td>
<td>$51,463.08</td>
<td>$51,463.08</td>
</tr>
<tr>
<td>City Attorney</td>
<td>$50,000.00</td>
<td>$102,510.20</td>
<td>$105,072.95</td>
<td>$107,174.41</td>
<td>$109,317.90</td>
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<td>Confidential Aide to Mayor</td>
<td>$28,840.00</td>
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<td>$90,026.51</td>
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<td>Construction Code Official</td>
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<td>$33,500.00</td>
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<td>$42,000.00</td>
<td>$68,842.34</td>
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<td>Deputy Mun. Emergency Mgmt. Coord.</td>
<td>$30,000.00</td>
<td>$91,535.70</td>
<td>$93,824.09</td>
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<td>Electrical Sub-Code Official</td>
<td>$45,000.00</td>
<td>$72,360.14</td>
<td>$74,169.14</td>
<td>$75,652.53</td>
<td>$77,165.58</td>
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<td>Elevator Inspector</td>
<td>$45,000.00</td>
<td>$72,360.14</td>
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<td>Elevator Sub-Code Official</td>
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<td>$72,360.14</td>
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<td>Emergency Management Coordinator</td>
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<td>$80,677.94</td>
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<td>$124,851.39</td>
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<td>Municipal Court Administrator</td>
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<td>Municipal Court Judge</td>
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<td>Municipal Prosecutor</td>
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<td>Purchasing Agent</td>
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<td>$88,998.18</td>
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<td>Qualified Purchasing Agent</td>
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<td>Rent Regulation Officer</td>
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<td>1st Year</td>
<td>2nd Year</td>
<td>3rd Year</td>
<td>4th Year</td>
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<tr>
<td>Supervising Laborer</td>
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<td>$73,356.22</td>
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<td>$22,000.00</td>
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<td>$61,736.08</td>
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<td>Tax Collector</td>
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<td>$103,920.00</td>
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<td>$110,821.33</td>
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<td>Violations Clerk</td>
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<td>$38,437.50</td>
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<td>$40,186.41</td>
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<td>Account Clerk Typing</td>
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<td>$38,915.58</td>
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<td>$40,462.79</td>
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<td>$59,270.00</td>
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<tr>
<td>Clerk</td>
<td>$20,000.00</td>
<td>$35,543.05</td>
<td>$36,431.62</td>
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<td>$37,903.46</td>
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<td>Clerk Typist</td>
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<td>$40,689.00</td>
<td>$41,706.23</td>
<td>$42,540.35</td>
<td>$43,911.62</td>
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<tr>
<td>Clerk, Bd of Hlth, Dep. Rgstr Vital Stats.</td>
<td>$26,000.00</td>
<td>$55,264.44</td>
<td>$56,646.05</td>
<td>$57,778.97</td>
<td>$58,934.55</td>
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<tr>
<td>Clerk Typist Bilingual Spanish/English</td>
<td>$20,000.00</td>
<td>$27,162.14</td>
<td>$27,841.19</td>
<td>$28,398.02</td>
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<td>Code Enforcement Officer P/T</td>
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<td>Community Service Worker</td>
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<td>$41,743.23</td>
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<tr>
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<tr>
<td>Coordinator of Safety Programs</td>
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<tr>
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<td>1st Year</td>
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<td>3rd Year</td>
<td>4th Year</td>
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<td>Customer Service Representative</td>
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Meeting of March 5, 2008
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<tr>
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<td>$20,000.00</td>
<td>$38,114.94</td>
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**Fire Division**

<table>
<thead>
<tr>
<th>Fire Fighter</th>
<th>Hired before 07/01/2004</th>
<th>7/1/04</th>
<th>1/1/05</th>
<th>1/1/06</th>
<th>7/1/06</th>
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</thead>
<tbody>
<tr>
<td>Step 1</td>
<td>32,842.00</td>
<td>34,484.00</td>
<td>35,863.00</td>
<td>37,298.00</td>
<td>37,298.00</td>
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<tr>
<td>Step 2</td>
<td>45,249.00</td>
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<tr>
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<tr>
<td>Step 4</td>
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<td>65,487.00</td>
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<tr>
<td>Step 5</td>
<td>71,644.00</td>
<td>75,226.00</td>
<td>78,235.00</td>
<td>81,365.00</td>
<td>81,365.00</td>
</tr>
<tr>
<td>Step 6</td>
<td>72,389.00</td>
<td>76,008.00</td>
<td>79,048.00</td>
<td>82,210.00</td>
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</table>

<table>
<thead>
<tr>
<th>Fire Fighter</th>
<th>Hired after 07/01/2004</th>
<th>7/1/04</th>
<th>1/1/05</th>
<th>1/1/06</th>
<th>7/1/06</th>
</tr>
</thead>
<tbody>
<tr>
<td>Step 1</td>
<td>32,842.00</td>
<td>34,484.00</td>
<td>35,863.00</td>
<td>37,298.00</td>
<td>37,298.00</td>
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<tr>
<td>Step 2</td>
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<tr>
<td>Step 4</td>
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<td>58,575.00</td>
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<tr>
<td>Step 5</td>
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<td>68,106.00</td>
<td>70,831.00</td>
<td>70,831.00</td>
</tr>
<tr>
<td>Step 6</td>
<td>71,644.00</td>
<td>75,226.00</td>
<td>78,235.00</td>
<td>81,365.00</td>
<td>81,365.00</td>
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Step 7

<p>| | | | | |</p>
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<thead>
<tr>
<th></th>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>72,389.00</td>
<td>76,008.00</td>
<td>79,048.00</td>
<td>82,210.00</td>
</tr>
</tbody>
</table>

Fire Captain

| Step 1 | $105,229.00 |
| Step 2 | $106,873.00 |
| Step 3 | $108,436.00 |

Battalion Fire Chief

| Step 1 | $128,247.00 |
| Step 2 | $129,892.00 |
| Step 3 | $131,170.00 |

Deputy Fire Chief

| Step 1 | $139,757.00 |
| Step 2 | $141,401.00 |
| Step 3 | $142,534.00 |

<table>
<thead>
<tr>
<th>Min.</th>
<th>Max.</th>
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</thead>
<tbody>
<tr>
<td>$150,000.00</td>
<td>$173,629.00</td>
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Police Division

<table>
<thead>
<tr>
<th>Min.</th>
<th>Max.</th>
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</thead>
<tbody>
<tr>
<td>$34,449.00</td>
<td>$80,542.00</td>
</tr>
<tr>
<td>$82,542.00</td>
<td>$93,429.00</td>
</tr>
<tr>
<td>$95,429.00</td>
<td>$106,316.00</td>
</tr>
<tr>
<td>$108,316.00</td>
<td>$128,868.00</td>
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<tr>
<td>$130,868.00</td>
<td>$174,521.00</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 MARCH 19, 2008 at 7:00 PM.

---Motion duly seconded by Councilwoman LaBruno.

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

---Yeas: Council persons Cammarano, Giacchi, LaBruno, Ramos and President Castellano.

---Nays: None.

---Abstentions: Mason, Russo, Zimmer.

---Absent: Cunningham.

Councilman Angelo Giacchi left the meeting for a few minutes then returning at 9:12 p.m.; and also, Councilman Ruben Ramos left the meeting at 9:22 p.m. returning at 9:27 p.m.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Councilwoman LaBruno left the meeting at 9:58 p.m.; Maurice DeGennaro, 614 Hudson Street; Richard Tremediti, 2 Constitution Court; Jim Vance, 107 Monroe Street; Councilwoman LaBruno returned to the meeting at 10:07 p.m.; Nat Salvemini, 607 Jefferson Street; Matt LoSordo, 521 Garden Street; John Nastasi, 321 Newark Street.
President Castellano then adjourned the meeting at 10:24 p.m.

__________________________
PRESIDENT OF THE COUNCIL

__________________________
CITY CLERK
President Castellano 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 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 Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.

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 CODE OF THE CITY OF HOBOKEN. (Parking Prohibited Certain Hours; 315 Jackson Street, Church of God of Prophecy) DR-352

President Castellano 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 of which the heading was read in full.

No person present desiring to be heard and no written protests or objections received, President Castellano 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: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

Council President Castellano 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 Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOKEN, CHAPTER 59A, ENTITLED “DEPARTMENT OF PUBLIC SAFETY” WITH RESPECT TO THE FIRE DEPARTMENT’S TABLE OF ORGANIZATION. DR-353

The above ordinance was removed from the agenda.

AN ORDINANCE TO AMEND AN ORDINANCE ESTABLISHING A SCHEDULE OF CLASSIFICATIONS AND ALLOCATIONS OF TITLE FOR ALL POSITIONS IN THE CITY OF HOBOKEN AND DESIGNATING THE APPROPRIATE STANDARDIZED TITLE FOR EACH POSITION. DR-354

The above ordinance was removed from the agenda.

08-86

APPLICATIONS FOR MISCELLANEOUS LICENSES

Public Hack Drivers ................................................. 2
Limo/Livery Drivers.................................................. 1
Limo Owners................................................................ 12
Taxi Owners............................................................... 15
Bingos......................................................................... 1
Parking Facilities......................................................... 9
Music Machines ......................................................... 2
Motor Vehicle Repair Shops......................................... 1

---Councilman Russo moved that the licenses be granted.
---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

Meeting of March 19, 2008
REPORTS OF CITY OFFICERS

08-87
A report from Business Administrator Richard England, with the results of the auction of seven (7) new Taxi Licenses (#’s 59 through 65) on Friday, March 7, 2008; total bid amount of $2,180,000.00.

---Received and filed.

CLAIM RESOLUTIONS

08-88
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 $133,445.74 against the UNCLASSIFIED CLAIMS.

Councilwoman Mason voted YES on items:

<table>
<thead>
<tr>
<th>Group Health Insurance</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>00027 Blue Cross Blue Shield</td>
<td></td>
</tr>
<tr>
<td>00029 Cobra</td>
<td></td>
</tr>
<tr>
<td>00031 Vision Service Plan</td>
<td></td>
</tr>
<tr>
<td>02729 Hoboken Univ Medical Ctr</td>
<td></td>
</tr>
</tbody>
</table>

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Zimmer.
---Nays: Mason, Russo, President Castellano.

By Councilman Giacchi:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $5,321.91 against the DEPARTMENT OF ADMINISTRATION.
Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Zimmer.
---Nays: Mason, Russo, President Castellano.

By Councilman Giacchi:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $210,525.53 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Councilwoman Mason voted YES on:

<table>
<thead>
<tr>
<th>Solid Waste</th>
<th>Hudson County Improvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>00107</td>
<td></td>
</tr>
</tbody>
</table>

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Zimmer.
---Nays: Mason, Russo, President Castellano.

By Councilman Giacchi:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $17,799.03 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Zimmer.
---Nays: Mason, Russo, President 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 $44,199.68 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Zimmer.
---Nays: Mason, Russo, President Castellano.
By Councilman Cammarano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $26,662.05 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Zimmer.
---Nays: Mason, Russo, President Castellano.

By Councilman Giacchi:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $111,461.63 against the CAPITAL ACCOUNT.

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Zimmer.
---Nays: Mason, Russo, President Castellano.

By Councilwoman LaBruno:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $803.30 against the PARKING UTILITY.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Zimmer.
---Nays: Mason, Russo, President Castellano.

PAYROLL RESOLUTIONS

08-89
By Councilman Russo:

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 HOBNOKEN, FOR THE PERIOD MARCH 12, 2008* TO MARCH 12, 2008* FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS (*DATES ARE CORRECT AS PER PAYROLL RESOLUTION):
<table>
<thead>
<tr>
<th>Department</th>
<th>Account Num.</th>
<th>Regular Pay</th>
<th>Overtime</th>
<th>Other Pay</th>
<th>Total Pay</th>
</tr>
</thead>
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<tr>
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<td>153.85</td>
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<td>8-01-20-122</td>
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<tr>
<td>Finance Office</td>
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<td>Treasurer</td>
<td>8-01-20-146</td>
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<tr>
<td>Planning Board</td>
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<td>4,586.79</td>
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Meeting of March 19, 2008
<table>
<thead>
<tr>
<th>Department</th>
<th>Code</th>
<th>Budget 2008</th>
<th>Transfers 2008</th>
<th>Total 2008</th>
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</thead>
<tbody>
<tr>
<td>Emergency Mgmt</td>
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<td>Signal &amp; Traffic</td>
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<tr>
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Other

Salary Adjustment

Police Outside Employ.  T-03-40-000-006  33,012.50  33,012.50
Police Grant  8-01-25-241-013  6,000.00  6,000.00
Fire Education Grant  T-13-10-000-000  1,015.08  1,015.08
Police Housing Auth  8-01-25-241-017  21,550.00  21,550.00

Grand Total  1,505,867.93  57,776.41  313,345.87  1,876,990.21

On the above resolution Councilwoman Mason voted Abstain on the following:

Business Administration  8-01-20-112
City Clerk's Office  8-01-20-120
Corporation Counsel  8-01-20-155
Construction Code  8-01-22-195

Motion by Councilman Russo.
Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: Mason.

RESOLUTIONS

Presented and Read

08-90
---By Councilman Ramos:

RESOLUTION REQUESTING THAT THE MAJOR LEAGUE BASEBALL ORGANIZATION RETIRE ROBERTO CLEMENTE'S NUMBER 21

WHEREAS, Roberto Clemente, born in Carolina, Puerto Rico, was a Major League Baseball Player for the Pittsburgh Pirates for eighteen seasons from 1955 to 1972, where among his accomplishments he collected 3,000 hits, won four National League batting titles, has a .317 lifetime batting average, received twelve gold glove awards, was voted the Most Valuable Player of the 1971 World Series and after his untimely death in 1973 was elected to the Baseball Hall of Fame, becoming only the second player for whom the five year mandatory waiting period was waived; and
WHEREAS, Roberto Clemente confronted and overcame the dual obstacles of racism and language to become the first dark skinned Latino to achieve superstar status as a Major League Baseball Player; and

WHEREAS, Roberto Clemente, in addition to being an excellent athlete, was a compassionate humanitarian and role model for all players and young fans; and

WHEREAS, Roberto Clemente, following the baseball season in 1972, organized a relief effort to provide emergency assistance to the victims of a Nicaraguan earthquake and on December 31, 1972 the cargo plane carrying Roberto Clemente crashed into the sea with no survivors; and

WHEREAS, thirty-five years after his death, Roberto Clemente’s memory still lives on not only as an outstanding athlete but as a great humanitarian.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF HOBOKEN:

1. That the Council respectfully requests that Major League Baseball retire Roberto Clemente’s number 21 as a fitting tribute to a remarkable athlete and human being.

2. That a copy of this resolution be sent to the Major League Baseball Organization and Commissioner Allen “Bud” Selig.

---Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

RESOLUTION AUTHORIZING THE SUBMISSION OF A PROPOSAL FOR INCLUSION IN THE 2008-2009 URBAN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO HUD AND AUTHORIZING THE MAYOR AND/OR HIS DESIGNEE TO EXECUTE PROJECT AGREEMENTS

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 established 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 Development 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 the Council of the City of Hoboken that the 2008-2009 proposal for the City of Hoboken’s continued participation in the Urban County CDBG 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 the City's proposal for funding to the County of Hudson 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 the Mayor and/or his designee to execute the 2008-2009 CDBG Project Agreements on behalf of the City of Hoboken and the City Clerk to affix the Seal of the City of Hoboken to the aforesaid agreements witnessing the execution thereto.

---Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-92
---By Councilman Giacchi:

AUTHORIZING A GRANT AGREEMENT BETWEEN THE CITY OF HOBOKEN AND THE STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the governing body of The City of Hoboken desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately $3,000 to fund the following project: Community Forestry Management Plan;

NOW, THEREFORE BE IT RESOLVED, by the Hoboken City Council that Mayor David Roberts or the successor to the office of Mayor is hereby authorized to:

(a) make application for such a grant
(b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than $3,000 and not more than $3,000
(c) to execute any amendments thereto which do not increase the Grantee's obligations
(d) that this resolution shall take effect immediately.

;and

BE IT FURTHER RESOLVED, that the Hoboken City Council authorizes and hereby agrees to match 33.3% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether
Cash, services, or property, is hereby certified. 100% of the match will be made up of in-kind services. (see attached breakdown of the in-kind services to be provided by the Grantee)

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-93
---By Councilman Russo:

THIS RESOLUTION AUTHORIZES ADDITIONAL TEMPORARY EMERGENCY APPROPRIATIONS TO THE SFY 2008 BUDGET UNTIL SUCH TIME AS A FORMAL BUDGET IS ADOPTED.

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 (Within Cap)</th>
<th>ACCOUNT #</th>
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Transportation S & W 8-01-27-348-010 $21,000.00
Recreation S & W 8-01-28-370-010 $43,000.00
Parks S & W 8-01-28-375-010 $56,000.00
Public Property S&W 8-01-28-377-010 $58,000.00
Municipal Court S&W 8-01-43-490-010 $80,000.00
Public Defender S & W 8-01-43-495-010 $5,000.00
TOTALS $1,876,000.00

ACCOUNT ACCOUNT # AMOUNT
Inside the Cap
Public Library S & W 8-01-29-390-010 $200,000.00
Municipal Alliance O.E. 8-01-40-700-050 $30,000.00
Parking Utility S&W 8-31-55-502-100 $180,000.00
TOTALS $278,000.00

The following spoke on this resolution: Michael Lenz, 408 Monroe Street; Helen Hirsch, 98 Park Avenue; Maurice DeGennaro, 614 Hudson Street; Richard Tremediti, 2 Constitution Court; Jim Vance, 107 Monroe Street.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 7 - NAYS: 2
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: Cunningham, Mason.

Before the vote was taken on the above resolution, on a motion by Councilwoman Zimmer and duly seconded by Councilman Cammarano and supported unanimously, it was agreed to request that the mayor attend the next city council meeting.

On the above resolution Councilwoman Mason voted Abstain on the following:
- Business Administration 8-01-20-112-010
- City Clerk’s Office 8-01-20-120-010
- Corporation Counsel 8-01-20-155-010
- Construction Code 8-01-22-195-010

08-94
---By Councilwoman LaBruno:

A RESOLUTION APPROVING PARTICIPATION WITH THE NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY.
WHEREAS, the City of Hoboken is interested in participating with the N.J. Division of Highway Traffic Safety and supporting their Click It or Ticket Seat Belt Campaign, and

WHEREAS, there were 716 motor vehicle fatalities in New Jersey in 2007, and

WHEREAS, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat 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 135,000 lives have been saved by safety belt usage nationally between 1975-2000, and

WHEREAS, the State of New Jersey will participate in the nationwide Click It or Ticket Safety Belt Mobilization from May 19 - June 1, 2008 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 rate in the state from the current level of 91% to 93%, and

WHEREAS, a further increase in safety belt usage in New Jersey will save lives on our roadways;

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

1) The Mayor or his designee is authorized to execute the above reference 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 Click It or Ticket Safety Belt Mobilization both locally and nationally from May 19- June 1, 2008 and pledges to increase awareness of the mobilization and the benefits of safety belt use.

The following spoke on this resolution: Jim Vance, 107 Monroe Street.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-95
---By Councilman Giacchi:

AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

WHEREAS, the U.S. Department of Justice, Office of Juvenile Justice and Delinquency is soliciting applications for funding under its DOJ FY08 Earmark Funding: Save the Youth Program; and

WHEREAS, The City of Hoboken desires to further the public interest by obtaining funding in the amount for $235,000 in grant funds for Hoboken’s Save the Youth Program.

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 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 be it further –

RESOLVED BY THE Council of the City of Hoboken:

1. That, should funding be awarded, the Mayor is hereby authorized to execute an agreement thereto with the U.S. Department of Justice, Office of Juvenile Justice and Delinquency.

2. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project, and;

3. That this resolution shall take effect immediately.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-95
---By Council President Castellano:
---Motion duly seconded by Councilman Cammarano.

RESOLUTION APPOINTING NEW RULES OF PROCEDURE FOR THE CITY COUNCIL OF THE CITY OF HOBOKEN

WHEREAS, the City Council of the City of Hoboken is granted the exclusive authority to adopt rules of procedure for its own internal governance, pursuant to the Faulkner Act, N.J.S.A. 40:69A-36(f); and,

WHEREAS, the City Council has not re-adopted its rules of procedure in many years, and these rules of procedure need to be revised and updated to meet the Council’s needs; and,
WHEREAS, the City Council wishes to adopt the following rules of procedure for its internal governance,

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOBOKEN, that the following rules of procedure are hereby adopted for the government of this City Council and the prior rules of procedure repealed.

RULE I

Regular Meetings: The Council shall hold regular meetings in accordance with an annual schedule to be adopted at the Council's re-organizational meeting. Generally, meetings shall be held on the first and third Wednesdays of each month at 7:00 P.M., subject to summer schedules, holidays, and conflicting City events. Council meetings shall ordinarily be held in the Council Chambers at Hoboken City Hall, except that the Council President or a majority of Council members may, in writing, call a meeting to be held in any other suitable public place within the City of Hoboken that is accessible to the public. The provisions of the Open Public Meetings Act shall govern the procedures and conduct of all regular meetings. Robert's Rules of Order shall be followed at regular meetings to the extent that they do not conflict with these Rules of Procedure. The Council may also establish that it will hold regular caucus or workshop sessions, provided, however, that any such sessions comply with the Open Public Meetings Act.

RULE II

Special Meetings: The Mayor may call a special meeting of the Council. In the call the Mayor shall designate the purpose of the special meeting, and no other business may be considered. A special meeting may be held in any suitable place within the City of Hoboken that is accessible to the public. Upon the written request of a majority of Council members, a special meeting may be called in accordance with the requirements of this Rule. The written request shall designate the purpose of the special meeting, and no other business shall be considered. The provisions of the Open Public Meetings Act shall govern the procedures and conduct of special meetings. Robert's Rules of Order shall be followed at special meetings to the extent that they do not conflict with these by-laws.

RULE III

Emergency Meetings: In accordance with the requirements of the Open Public Meetings Act, the Mayor or a majority of Council members may, in writing, call for an emergency meeting of the Council. An emergency meeting may be held in any suitable place within the City of Hoboken that is accessible to the public. Whenever an emergency meeting is called, the Clerk shall immediately notify, by the most expedient means possible, all Council members, the Mayor, the Corporation Counsel, the Business Administrator, and all Directors of the date, time, location, and agenda of the meeting to the extent known. Only those matters permitted by law may be considered at an emergency meeting. Robert's Rules of Order shall be followed at special meetings to the extent that they do not conflict with these by-laws.

RULE IV

Agenda: All reports, communications, resolutions, ordinances, contract documents, or other matters to be submitted to the Council, shall be delivered to the City Clerk by 4:00 P.M. on the Thursday preceding each regular Wednesday Council meeting. A minimum of twenty-five (25) copies shall be provided to the City Clerk. The City Clerk shall immediately date and time-stamp each
original submission. Thereafter, the City Clerk shall immediately prepare a typewritten meeting agenda, according to the order of business set forth in these Rules of Procedure. The City Clerk shall provide the agenda to each member of the Council, the Mayor, the Corporation Counsel, the Business Administrator, and all Directors as far in advance of the meeting as time for preparation will permit. Normally, delivery shall be effectuated by mailing the agenda no later than 4:00 P.M. on the Friday prior to a Wednesday meeting, but may be effectuated by hand delivery in exceptional circumstances. Regular meetings held on a day other than Wednesday shall also follow the time frames set forth in this rule.

Thereafter, none of the foregoing matters shall be presented to the Council by the administrative heads of the several departments of the City government except those of an urgent nature, and when so presented, shall have the written approval of the Mayor before presentation to the Council. Copies of the agenda shall be distributed to the press as far in advance of the meeting as time for preparation will permit. The agenda shall also be made available to members of the public upon request, and shall also be promptly placed on the City’s website, www.hobokennj.org, in compliance with the Chapter 25 of the Code of the City of Hoboken, “Electronic Accessibility of Public Information.” Agendas for special and emergency meetings shall be prepared and distributed in compliance with this Rule to the extent practicable under the circumstances.

The provisions of the Open Public Meetings Act shall govern the conduct, agenda, and procedures for all meetings. Pursuant to law, the Council may consider and act upon urgent matters at a regular meeting even if the matter was not listed on the agenda, however, all ordinances and resolutions must be introduced in written or typewritten form, and copies provided to each member of the City Council, the City Clerk, and reviewed by the Corporation Counsel, before the City Council may take any action on any such ordinance or resolution. The City Clerk shall assist in providing sufficient written copies during any meeting as necessary to comply with this Rule.

**RULE V**

The Presiding Officer - Election and Duties: The presiding officer of the Council shall be the President, who shall be elected at the re-organizational meeting and shall hold office for a period of one (1) year. At the re-organizational meeting the Vice President of the Council shall also be elected and shall hold office for a period of one (1) year. In the President’s absence, the Vice President of the Council shall preside over the Council. In the absence of both the President and Vice President, a presiding officer shall be elected by a majority of the Council members present.

The President shall assume the chair of the presiding officer immediately after his or her election, and shall thereafter determine the seating arrangements for the remainder of the Council. The presiding officer shall preserve strict order and decorum at all meetings of the Council. The presiding officer shall state every question coming before the Council, announce the decision of the Council on all subjects and decide all questions of order, subject, however, to an appeal to the Council, in which event a majority vote of the Council shall govern and conclusively determine such question of order. The President may vote on all questions, and his or her name will be called last.

**RULE VI**

Minutes: Minutes of all meetings of the City Council, including closed sessions, shall be taken by the City Clerk in the format and manner required by law. These minutes shall be presented to the Council in resolution form and approved by a majority vote of the City Council. Written communications from the Mayor or any member of the Council, upon request, shall be placed in the minutes without the necessity for a vote, however, no other written communications shall be placed in the minutes unless approved by motion.

**RULE VII**
Call to Order: The President shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Council to order. In the absence of the President, the Vice President shall call the Council to order. Upon the arrival of the President, the Vice President shall immediately relinquish the chair upon the conclusion of the business immediately before the Council.

RULE VIII

Roll Call: Before proceeding with the business of the Council, the City Clerk or the Deputy City Clerk shall call the roll of the members, and the names of those present shall be entered on the minutes.

RULE IX

Quorum: A majority of the whole number of members of the Council shall constitute a quorum, but no ordinance shall be adopted by the Council without the affirmative vote of the majority of the full membership of the Council, unless a supermajority is required for adoption of a particular ordinance, in which case the vote shall be that required by law.

RULE X

Order of Business: All meetings of the Council shall be open to the public promptly at the hour set for each meeting, the members of the Council shall take their regular stations in the Council Chambers, and the business of the Council shall be taken up for consideration and disposed in the following order:

1. Reading of Open Public Meetings Act notice
2. Flag salute
3. Roll call
4. Reports and communications from the Mayor
5. Reports of officers, boards and committees
6. Claims
7. Unfinished business
8. Motions, resolutions, ordinances
9. Petitions and communications
10. New business
11. Public comment
12. Adjournment

Any citizen requesting to be heard on resolutions or claims shall be permitted to address the Council prior to action on those matters. Citizens may address the Council on ordinances during the public hearing on the ordinance.

In accordance with the Open Public Meetings Act, the Council by resolution may go into closed executive session at any time during the meeting for the purposes provided by law.

The presiding officer, at his or her discretion, shall retain the authority to deviate from the regular order of business as necessary for the efficient conduct of the meeting, subject to override by majority vote of the Council.

RULE XI

Rules of Debate:
(a) Rights of Presiding Officer. The presiding officer may move second and debate from the chair subject only to such limitations of debate as are by these rules imposed upon all members and such
not be deprived of any of the rights and privileges of a Council member due to his or her status as a presiding officer.

(b) **Getting the Floor.** Every member desiring to speak shall address the chair, and upon recognition by the presiding officer shall confine statements to the question under debate, avoiding all personal references and indecorous language.

(c) **Interruption.** Upon being recognized by the chair, a member shall not be interrupted while speaking except to call the member to order or as otherwise provided herein. If a member, while speaking, is called to order, the member shall cease speaking until the presiding officer determines the question of order, and if in order the member shall be permitted to proceed. Any member may appeal to the Council from the decision of the presiding officer upon a question of order, without debate the presiding officer shall submit to the Council the question, “Shall the decision of the chair be sustained?” and the Council shall decide by vote.

(d) **Privilege of Opening or Closing Debate.** The Council member moving the adoption of an ordinance or resolution shall have the privilege of either opening or closing the debate as desired.

(e) **Discussion During Vote.** Upon any roll call there shall be no discussion or explanation given by a member voting, and the member shall vote aye or nay unless the member shall first receive permission from the Council to explain the member’s vote or to refrain from casting the member’s vote.

(f) **Limiting Debate Period.** The presiding officer shall retain the power to limit the length of debate on any single question, provided, however, that Council members shall be allowed a minimum of five (5) minutes each to speak on any particular question under debate.

**RULE XII**

**Method of Voting:** The vote upon every motion, resolution or ordinance shall be taken by roll call and the results of the vote shall be entered upon the minutes. In addition to voting yea or nay, a Council member may abstain or vote “present,” which has the effect of an abstention. The roll call shall be taken in alphabetical order of the members present except that the presiding officer shall vote last. Two or more resolutions may be placed on a consent agenda, and approved by a single roll call vote of the Council, provided that no member of the Council nor any member of the public wishes to be heard on any resolution listed on the consent agenda.

**RULE XIII**

**Manner in Which the Public May Address the Council – Speaker’s List:** Any member of the public desiring to address the Council shall sign either the list of speakers who wish to speak on a particular agenda item, and/or shall sign the list of speakers wishing to address the Council during the public comment period. The two lists referred to in this rule shall be prepared by the City Clerk and placed in a convenient place in the City Council Chambers for the convenience of those individuals desiring to speak. Copies of the agenda will be placed nearby.

**RULE XIV**

**Manner in Which the Public May Address the Council - Time Limits:**

(a) A speaker may address the Council on claims but will be limited to five (5) minutes regardless of the number of claims that the speaker chooses to speak on.

(b) A speaker may not speak for more than five (5) minutes on any single resolution.

(c) A speaker may speak for no more than five (5) minutes on any single ordinance.

(d) A speaker may address the City Council on any subject relevant to the affairs and interests of the City of Hoboken when the matters on the agenda have been
concluded and after the individual Council members have had an opportunity to address the Council in public. Any speaker addressing the Council during this public comment period will be limited to five (5) minutes unless the presiding officer, in his or her discretion, decides that more time should be allotted to the speaker.

(e) The City Clerk or Deputy City Clerk will monitor each speaker’s time and inform the presiding officer when the speaker has used up the allotted time, at which time the speaker addressing the Council will immediately yield the floor. Whenever possible, the speaker shall be given a warning one minute prior to the expiration of his or her time.

(f) If the speaker addressing the Council questions the Council concerning City matters, the presiding officer will answer on behalf of the Council and the time taken by the presiding officer in answering the speaker’s questions will not count against the speaker’s time. However, the authority of the presiding officer to answer on behalf of the Council does not preclude any other Council member from commenting on the subject under discussion upon being recognized by the presiding officer.

(g) The rules governing the time allotted to the persons addressing the City Council may be relaxed at the discretion of the presiding officer or by a majority vote of the Council members present.

RULE XV

Decorum:

(a) By Council Members. While the Council is in session, the members must preserve order and decorum and a member shall neither by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council nor disturb any member while speaking or refuse to obey the orders of the Council or its presiding officer except as otherwise herein provided.

(b) By the Public. A member of the public who addresses the Council shall not make personal, impertinent, slanderous or profane remarks to any member of the Council, staff or general public. Any person who makes such remarks, or who utters loud, threatening, personal or abusive language, or engages in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of any Council meeting shall, at the discretion of the presiding officer or a majority of the Council, be barred from further audience before the Council during that meeting.

RULE XVI

Enforcement of Decorum: The Chief of Police, or such member or members of the Police Department as the Chief may designate, shall be the Sergeant-at-Arms of the Council meeting. The Chief or they shall carry out all appropriate orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at any Council meeting.

RULE XVII

Persons Authorized to be within the Council rail: No persons, except Council members, the City Clerk and/or Deputy City Clerk, and authorized City officers, shall be permitted within the rail in front of the Council Chamber without the express permission of the Council.

RULE XVIII
Standing Committees: All standing committees shall consist of at least three Council members, except for the Committee of the Whole, which shall consist of the full nine members of the Council. The Council President shall appoint all committee members unless otherwise ordered by the Council. The following standing Committees are hereby established:

1. Revenue and Finance.
3. Quality of Life.
4. Public Safety.
5. Parks and Recreation.

The Council retains the right to establish additional, special committees as required for the efficient operation of the Council. The Council President shall appoint all committee members and the chair of each committee, and shall serve as an ex-officio member of each committee. The Council President shall have the right in his or her sole discretion to remove a member from any committee, including special committees. A majority of the whole membership of the Council may override the President’s decision to remove a member from any regular or special committee.

The Committee of the Whole is chaired by the Council President, who has sole authority to call a meeting of the Committee, which shall be noticed for purposes of the Open Public Meetings Act as a special meeting. However, no formal action shall be taken at any meeting of the Committee of the Whole.

It shall be the duty of each committee to consider and report to the Council its findings and recommendations relating to such matters as are delegated to the committee by the Council President or by the Council, and to make recommendations to the Council relating to the operation of the several departments of the City Government.

Nothing hereinabove stated shall be construed so as to invest the membership of said committees with any of the executive or administrative powers of the several City Departments, which are now vested in the Mayor and the Directors of the several City Departments, pursuant to the provisions of Chapter 210, Laws of 1950, and the amendments and supplements thereto.

RULE XIX

Claims against the City: No account or other demand against the City shall be allowed until it has been considered and reported to the Council.

RULE XX

Ordinances, Resolutions, Motions and Contract Documents:

(a) Preparation of Ordinances. All ordinances shall be prepared by the Law Department, and thereafter approved as to form and legality by the Hoboken Corporation Counsel. The Law Department shall, in a timely manner, provide all necessary legal guidance and assistance to any member of the Council seeking to introduce an ordinance.

(b) Sponsorship of Ordinances and Time for Submission to City Council. Each ordinance must be sponsored by at least one member of the City Council, whose name shall be affixed thereon, and seconded by at least one other member of the City Council, prior to formal introduction and first reading.

(c) Resolutions. All resolutions must be sponsored by a member of the City Council, whose name shall be affixed thereon, and seconded by at least one other member of the City Council, prior to introduction.
(d) Other Matters and Subjects. Other matters and subjects must be read at the regular Council Meeting prior to the introduction of Resolutions and Ordinances.

RULE XXI

Reports of Committees: Committees shall make their reports in writing or orally, and shall return forthwith any petitions, resolutions, accounts or other papers submitted for their consideration upon submission of a report.

RULE XXII

Reports and Resolutions to be filed with City Clerk: All reports and resolutions shall be filed with the City Clerk and entered on the minutes.

RULE XXIII

Adjournment: A motion to adjourn shall always be in order and decided without debate.

RULE XXIV

Certification of Passage of Ordinance over Mayor's veto: Whenever an ordinance has been vetoed by the Mayor and is passed by the Council over such veto in the manner provided by law, the City Clerk shall append to such ordinances a certification in substantially the following form:

“I hereby certify that the above ordinance was passed by the Council of the city of Hoboken on the ____________ day of __________ was vetoed by the Mayor of the City, and was passed over the said veto on the ___________ day of __________.

DATED:

City Clerk

RULE XXV

Attendance of City Officials at Council Meetings: In addition to the City Clerk and the Deputy City Clerk, the directors of every City department and the Corporation Counsel shall be required to attend all meetings of the City Council unless excused by the President. Upon receiving permission from the Council President, any City official required to attend a Council meeting may be represented by designee.

RULE XXV

Amendment of Rules of Procedure: No amendment to these Rules of Procedure shall be adopted unless it receives a vote of the majority of the full membership of the City Council. Any such amendment shall not take effect until the second regular meeting following adoption of the amendment.

7. * Adopting new rules of procedure for the City Council of the City of Hoboken.

The following spoke on the above resolution: Michael Lenz, 408 Monroe Street; Eric Volpe, 109 Madison Street; Jim Vance, 107 Monroe Street; Eric Kurta, 214 Garden Street; Perry Belfiore, 161 11th Street; David Axelrod, 76 Bloomfield Street; Margaret O’Brien, 54 11th
Street; Cheryl Fallick, 204 3rd Street; Mary Ondrejka, 159 9th Street; Dan Tumpson, 230 Park Avenue; Jessica Coco, 320 Jackson Street; Alice Misiewicz, 1015 Washington Street; Councilman Ramos left the meeting at approximately 9:25p.m. awaiting the birth of his baby.

The above resolution was withdrawn after discussion; NO ACTION TAKEN

08-96
---By Council President Castellano:

Approving the minutes for city council meetings of November 21, December 3, December 13 and December 19, 2007.

The following spoke on this resolution: Helen Hirsch, 98 Park Avenue.

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 5 - NAYS: 0 - ABSTENTIONS: 3 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, LaBruno, Russo and President Castellano.
---Nays: None.
---Abstentions: Giacchi, Mason, Zimmer.
---Absent: Ramos.

At this time, the following addressed the City Council regarding 1) Northwest Redevelopment Plan: Robert Mutule; John Nastasi, Architect, 321 Newark Street; and also 2) a presentation by Metro Energy Solutions; Pete Pirrello, 1140 Bloomfield Avenue, West Caldwell, NJ.

RESOLUTIONS CONTINUED

08-97
---By Councilman Cunningham:

Resolution Directing the administration to cease spending outside of S&W (Salaries and Wages) effective immediately. (added at the meeting)

This resolution direct Corporation Counsel, the Administration to cease spending outside of S&W effective immediately.

S&W is defined as Salaries & Wages of collective bargaining employees only.

Except for amounts already appropriated by Resolution adopted previously by City Council to date.

Meeting of March 19, 2008
---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Ramos.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Mike Evers, 252 2nd Street; Margaret O’Brien, 54 - 11th Street; Matt Losordo, 521 Garden Street; Joan Bates, 1023 Park Avenue; Charlie Bates, 1023 Park Avenue; David Axelrod, 76 Bloomfield Street; Eric Volpe, 109 Madison Street; Perry Belfiore, 161 - 11th Street; Mary Ondrejka, 159 - 9th Street; Dan Tumpson, 230 Park Avenue; Councilwoman LaBruno left the meeting at 11:48 p.m.; Cheryl Fallick, 204 - 3rd Street; Councilwoman LaBruno returned to the meeting at 11:51 p.m.; Alice Misiewicz, 1015 Washington Street; Eric Kurta, 214 Garden Street; Maurice DeGennaro, 614 Hudson Street.

President Castellano then adjourned the meeting at 12:04 a.m. (Thursday, March 20, 2008).
President Castellano 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 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 Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.

ABSENT: None.

At this time Mayor Roberts addressed the City Council with council questions and the mayor responding. Afterward, the mayor presented and read a proclamation to Ian Shaughnessy for his remarkable achievement as one of Hoboken’s youngest video artists (as follows):

WHEREAS, seven year old Ian Shaughnessy, a very talented boy who is one of Hoboken’s youngest video artists, is being honored, and

WHEREAS, Ian is the son of long-time Hoboken artists McKevin Shaughnessy and Laura Alexander; and

WHEREAS, Ian was inspired by his interest in video to create a thirty-nine second clay animation video; and

WHEREAS, Ian, with the help of his father created an expertly edited and produced video featuring his piano playing, clay work and voice-over abilities; and

WHEREAS, Ian entered the finished product in the Laurel Springs, You Tube video contest “Why Homeschool is Cool” and won second prize for his age group; and

WHEREAS, Ian was awarded $100.00 for his achievement in creating his clay-animation and is so inspired that he is presently working on new video projects;
NOW, THEREFORE, I, DAVID ROBERTS, Mayor of the City of Hoboken, do hereby issue this proclamation to Ian Shaughnessy for his remarkable achievement as one of Hoboken’s youngest video artists.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOKEN, CHAPTER 59A, ENTITLED “DEPARTMENT OF PUBLIC SAFETY” WITH RESPECT TO THE FIRE DEPARTMENT’S TABLE OF ORGANIZATION. (DR-353)

President Castellano 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 of which the heading was read in full.

The following spoke on the ordinance: John Carey, 836 Bloomfield Street; Helen Hirsch, 98 Park Avenue. No other person present desiring to be heard and no written protests or objections received, President Castellano 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: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

Prior to the Final Vote, a vote was taken to amend the ordinance introduced on March 5, 2008 on a “typographical error” spoken by Corporation Counsel; on a motion by Councilman Russo, duly seconded by Councilman Cammarano on the amendment to “Fire Inspector - 2” from “Fire Prevention Inspector - 1” and the amendment voted in favor unanimously by a vote of 9 Yeas and 0 Nays.

Council President Castellano then instructed the City Clerk to call the Final Vote for the above (amended) Ordinance.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

AN ORDINANCE TO AMEND AN ORDINANCE ESTABLISHING A SCHEDULE OF CLASSIFICATIONS AND ALLOCATIONS OF TITLE FOR ALL POSITIONS IN THE CITY OF HOBOKEN AND DESIGNATING THE APPROPRIATE STANDARDIZED TITLE FOR EACH POSITION. (DR-354)
President Castellano 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 of which the heading was read in full.

The following spoke on the ordinance: Maurice DeGennaro, 614 Hudson Street; Helen Hirsch, 98 Park Avenue; Steve Cappiello, 530 Adams Street. No other person present desiring to be heard and no written protests or objections received, President Castellano asked for a motion to close the hearing.

Councilwoman LaBruno moved that the hearing be closed. Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

Council President Castellano then instructed the City Clerk to call the Final Vote for the above Ordinance.
---FAILED by the following vote: YEAS: 2 - NAYS: 7
---Yeas: Council persons LaBruno, Ramos.
---Nays: Cammarano, Cunningham, Giacchi, Mason, Russo, Zimmer and President Castellano.

08-99

PETITIONS AND COMMUNICATIONS

A proclamation from Mayor David Roberts to Ian Shaughnessy for his remarkable achievement as one of Hoboken’s youngest video artists (presented earlier).

--Received and filed.

08-100

APPLICATIONS FOR MISCELLANEOUS LICENSES

Limo Owners----------------------------------------------- 15
Public Hack Drivers ---------------------------------------- 35
Livery Owners----------------------------------------------- 18
Mechanical Amusement Devices ----------------------------- 1
Vendors ---------------------------------------------------- 1
Parking Facilities------------------------------------------- 3
Music Machines--------------------------------------------- 2
Motor Vehicles Repair Shop------------------------------- 2

---Councilwoman LaBruno moved that the licenses be granted.
---Motion duly seconded by Councilman Cunningham.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

REPORTS OF CITY OFFICERS

08-101
A report from Business Administrator Richard England and Chief Financial Officer George DeStefano regarding the Corrective Action Plan for the City of Hoboken.

---Received and filed.

CLAIM RESOLUTIONS

08-102
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 $29,896.75 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Zimmer.
---Nays: Mason, Russo, President 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 $38,367.74 against the DEPARTMENT OF ADMINISTRATION.

Councilwoman Mason ABSTAINED on:

<table>
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<tr>
<th>Claim Number</th>
<th>Company</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>#02237</td>
<td>Premiere Global</td>
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<tr>
<td>#02557</td>
<td>W.B. Mason Co.</td>
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</tr>
<tr>
<td>#02642</td>
<td>West Group</td>
<td>$162.24</td>
</tr>
<tr>
<td>#00998</td>
<td>Florio &amp; Kenny</td>
<td>$7,354.35</td>
</tr>
<tr>
<td>#00999</td>
<td>Scarinci &amp; Hollenbeck</td>
<td>$8,514.91 (litigation)</td>
</tr>
</tbody>
</table>

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Zimmer.
---Nays: Mason, Russo, President Castellano.
By Councilman Cammarano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $204,508.18 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Zimmer.
---Nays: Mason, Russo, President Castellano.

By Councilman Cammarano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $30,165.77 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Zimmer.
---Nays: Mason, Russo, President 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 $38,317.49 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Zimmer.
---Nays: Mason, Russo, President Castellano.

By Councilman Cammarano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $33,163.05 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Zimmer.
---Nays: Mason, Russo, President 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 $7,980.00 against the CAPITAL ACCOUNT.

Seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Zimmer.
---Nays: Mason, Russo, President Castellano.

By Councilwoman LaBruno:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $39,775.22 against the PARKING UTILITY.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Zimmer.
---Nays: Mason, Russo, President Castellano.

**PAYROLL RESOLUTIONS**

08-103

By Councilman Russo:

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 13, 2008 TO MARCH 26, 2008 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>Summer Fun</td>
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**Other**

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Grand Total

Councilwoman Mason **ABSTAINED** on:
Business Administrator
City Clerk’s Office
Corporation Counsel
Construction Code (litigation)

Motion by Councilman Russo.
Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 7 - NAYS: 2
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: Cunningham, Mason.

RESOLUTIONS

Presented and Read

Councilman Giacchi left the meeting at 9:06 p.m.

**08-104**
---By Councilman Russo:

WHEREAS, St. Ann’s Church has requested permission to conduct its annual Feast in Honor of St. Ann from Saturday, July 19th through Saturday, July 26th 2008; 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 have electrical illumination and decorations in the Church area.
8. To erect concession stands for vendors of food, novelties, games and rides in the Church area.
9. 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.
10. To have music and entertainment on the bandstands.

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 Saint Ann.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi.

08-105
---By Council President Castellano:


---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 7 - NAYS: 1 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: Mason.
---Absent: Giacchi.
---By Councilman Ramos:

**THIS RESOLUTION AUTHORIZES ADDITIONAL TEMPORARY EMERGENCY APPROPRIATIONS TO THE SFY 2008 BUDGET UNTIL SUCH TIME AS A FORMAL BUDGET IS ADOPTED.**

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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<td>Licensing Bureau S &amp; W</td>
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<td>Zoning Officer S &amp; W</td>
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The following spoke on the resolution: Maurice DeGennaro, 614 Hudson Street.

Councilman Giacchi returned to the meeting at 9:11 p.m.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 7 - NAYS: 2
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: Cunningham, Mason.

08-107
---By Councilman Russo:

THIS RESOLUTION REJECTS THE BIDS RECEIVED FOR THE INSTALLATION OF A H.V.A.C. SYSTEM AT THE BOYS AND GIRLS CLUB AS SPECIFIED IN BID NUMBER 08-17.

WHEREAS, the City of Hoboken sought competitive proposals for the installation of a H.V.A.C. System at the Boys and Girls Club in the City of Hoboken, and

WHEREAS, the below submitted bids, while received in good stead, were not received correctly by the City, and

WHEREAS, the following proposals were received:

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<td>Envirocon, LLC</td>
<td>$82,300.00</td>
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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 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: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-108
---By Councilman Russo:

RESOLUTION AUTHORIZING THE REFUND OF TAX OVER PAYMENTS/INTEREST RECEIVED BY THE CITY OF HOBOKEN TAX APPEALS WERE FILED HUDSON COUNTY TAX COURT AND STATE TAX COURT REFUNDS

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 $111,429.31

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<tr>
<td>Westfield, NJ 07090</td>
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<td>David Solomon</td>
<td>172/7/C00A5</td>
<td>1011 Willow Ave.</td>
<td>$1,963.03</td>
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<td>1011 Willow Avenue #7</td>
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<tr>
<td>Hoboken, NJ 07030</td>
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Meeting of April 2, 2008
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<td>Salvatore Mancini</td>
<td>606 Willow Ave.</td>
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<td>1 Home Campus, MAC X2302-04D</td>
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<td>Avrom J. Gold</td>
<td>West Orange, NJ 07052-4204</td>
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Meeting of April 2, 2008

14
Attn: Financial Support Unit-Region 1  
1 Home Campus, MAC X2302-04D  
Des Moines, IA 50328-0001

Wells Fargo Real Estate Tax  
68/26/C001R  
512 Jefferson St.  $ 3,643.56

Attn: Financial Support Unit-Region 1  
1 Home Campus, MAC X2302-04D  
Des Moines, IA 50328-0001

Wells Fargo Real Estate Tax  
268.1/2/C011U  
1500 Washington St.  $ 1,767.38

Chase Home Finance LLC  
268.1/3/C004R  
1500 Hudson Street  $ 8,638.51

Robert Maloney ETUX 158.1/5  
24 Willow Court  $ 327.18 TA

24 Willow Court  
Hoboken, NJ 07030

---Motion duly seconded by Councilman Giacchi.  
---Adopted by the following vote: YEAS: 9 - NAYS: 0  
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.  
---Nays: None.

**08-109**  
---By Councilwoman LaBruno:

**THIS RESOLUTION AUTHORIZES INDIVIDUAL REFUNDS FOR DISMISSED CHARGES FOR BOOTING AND/OR TOWING ACTIONS TAKEN BY THE HOBNOK PARKING UTILITY.**

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 citations being issued, and dismissed by the Municipal Court, 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 dismissed by the Municipal Court, 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 Six Thousand Thirty-Seven Dollars and Twenty-Five Cents ($6,037.25), and be it further

RESOLVED, that the Hoboken Parking Utility shall reimburse said individuals from the Other Expense Line in the SFY 2008 Budget Fund line number 8-31-55-502-200. (See attached list)

4.* Authorizing individual refunds in a total amount of $6,037.25 for dismissed charges for booting and/or towing actions taken by the Hoboken Parking Utility.

The following spoke on the resolution: Maurice DeGennaro, 614 Hudson Street.

---Motion duly seconded by Councilwoman Zimmer.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Cammarano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Abstentions: Giacchi.

08-110
---By Councilman Russo:

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT.

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 year SFY 2007 has been filed by a Registered Municipal Accountant with the Hoboken City Clerk, James Farina, pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 27 BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.S.A. 5:30-6-5, 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 “Comments and 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 “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and;

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5, 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
WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars ($1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, That the Hoboken City Council of the City of Hoboken, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON APRIL 2, 2008.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-111
---By Councilwoman LaBruno:

RESOLUTION EXPRESSING CONCEPTUAL SUPPORT FOR THE CONSTRUCTION OF A NEW CITY PARKING GARAGE/OPEN SPACE PROMENADE AT THE STEVENS INSTITUTE OF TECHNOLOGY

WHEREAS, the Council of the City of Hoboken recognizes that there is a severe lack of parking in the City, as well as a growing need for additional open space for the public; and

WHEREAS, the Stevens Institute of Technology has expressed interest in engaging in a joint venture with the City to provide a new 500 to 600 space parking facility on its campus, to be located along Sinatra Drive; and,

WHEREAS, Stevens has provided the City with possible designs that blend the proposed new parking with graduate residential housing (to be paid entirely by Stevens) and open space including the potential of an ice skating rink, amphitheatre or other similar amenities; and,

WHEREAS, the innovative designs proposed by Stevens would have the effect of minimizing the visibility of the parking structure, while blending with the surrounding landscape; and,
WHEREAS, the Administration has respectfully requested that the Council provide some guidance as to the Council’s position on moving forward with discussions and analysis on this project; and,

WHEREAS, the Council believes that the proposal by Stevens is likely to have a highly beneficial effect on the City of Hoboken and its residents, and agrees that it should be explored further by the appropriate City representatives as to its feasibility;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Hoboken, County of Hudson, and State of New Jersey that it encourages the Administration to continue to pursue the feasibility of constructing the proposed parking facility as a joint venture between the City and Stevens Institute of Technology; and,

BE IT FURTHER RESOLVED that the Administration regularly report back to the Council with progress reports on this important project; and,

BE IT FURTHER RESOLVED that when a more formal design and cost analysis is available, that it presented to the Council for its review at the earliest possible opportunity.

The following spoke on the resolution: Ron Hine, 258 Newark Street; Lane Bajardi, 70 Park Avenue.

---Motion duly seconded by Councilman Cunningham.
---Adopted by the following vote: YEAS: 5 - NAYS: 0 - ABSTENTIONS: 4
---Nays: None.
---Abstentions: Cunningham, Giacchi, Mason, President Castellano.

ORDINANCES

Introduction and First Reading

08-112
DR-355

AN ORDINANCE TO EXTEND ORDINANCE #DR-327 IMPOSING A CONTINUATION OF A MORATORIUM IN THE CITY OF HOBOKEN WITH RESPECT TO THE USE OF PEDICABS IN THE CITY OF HOBOKEN. DR-355

WHEREAS, on November 2, 2007 the Hoboken City Council passed Ordinance #DR-327 which established an extension of a six (6) month moratorium for the commercial use of Pedicabs in the City of Hoboken which expires on May 2, 2008; and

WHEREAS, the City Council’s Transportation Committee has continued its review of the possible use of Pedicabs in the City of Hoboken and has monitored its use in other communities, has solicited comments from various Hoboken City Officials and is not yet prepared to render a recommendation pertaining to this topic to the full governing body before May 2, 2008, and requires additional time to hold additional Committee meetings and solicit Committee and Community input on this topic.
NOW, THEREFORE BE IT ORDAINED that the Council of the City of Hoboken believe it is in the best interest of the City of Hoboken to extend Ordinance #DR-327 to establish a moratorium to prohibit the issuance of a business license to community use of Pedicabs and extend the moratorium for an additional six (6) months to the expiration date of November 3, 2008.

---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 APRIL 16, 2008 at 7:00 PM.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOKEN TO ESTABLISH AN INSURANCE FUND AND INSURANCE FUND COMMISSION. DR-356

WHEREAS, pursuant to N.J.S.A. 40A:10-6 et seq., the City of Hoboken is authorized to establish an insurance fund for the purposes provided by law; and,

WHEREAS, other municipalities throughout New Jersey, have established such a fund, which has resulted in considerable efficiencies and savings to said municipalities; and,

WHEREAS, the Administration recommends the creation of an insurance fund as beneficial to the taxpayers of the City of Hoboken;

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

Section One: Commission established; appointment; terms; compensation

There is hereby established, pursuant to N.J.S.A. 40A:10-8 et seq., in the City of Hoboken an Insurance Fund Commission of three (3) Commissioners, appointed by the Mayor with the advice and consent of the City Council, who shall be officials of the city and shall serve for two (2) years or for the remainder of their term of office, whichever shall be less, and until their successors shall have been duly appointed and qualified. The Commission shall serve without compensation.
Section Two: Secretary To The Insurance Fund Commission

Pursuant to N.J.S.A. 40A:10-8 et seq., the Secretary to the Insurance Fund Commission shall be appointed by the Mayor with the advice and consent of the City Council. The Secretary shall serve at the pleasure of the Commission at a salary set by ordinance of the City Council.

Section Three: Purposes of the Commission

The Insurance Fund Commission is established to perform all of the purposes set forth in N.J.S.A. 40A:10-6.

Section Four: Powers of Commission

A. Pursuant to N.J.S.A. 40A:10-10, the Commissioners shall have the following powers and authority:

(1) To employ necessary clerical assistants, whose compensation shall be fixed and paid by the City Council in the same manner as is that of other employees of the city.

(2) To invest the fund and all additions and accretions thereto in such securities as they shall deem best suited for the purposes of this article.

(3) To adopt rules and regulations for the control and investment of the fund.

(4) To keep on hand at all times sufficient money, or have the same invested in such securities as can be immediately sold for cash, for the payment of losses to any buildings or property of the local unit or liability resulting from the operation of publicly owned motor vehicles, equipment or apparatus or liability for the city’s negligence and that of its officers, employees and servants, whether or not compensated or part-time, who are authorized to perform any act or services, but not including an “independent contractor” as the term is defined within the limitations of New Jersey Tort Claims Act (N.J.S.A. 59:1-1 et seq.)

(5) To fix reasonable rates of premium for all insurance carried by the Insurance Fund, and shall effect all insurance in the Insurance Fund or with any insurance company or companies authorized to do business in this state.

B. Premiums for insurance, whether carried in the Insurance Fund or placed with insurance companies, shall be paid to the Commissioners by the board, commission, department, committee or officer having charge or control of the property insured.

C. All insurance upon property owned or controlled by the city or any of its departments, boards, agencies or commissions shall be placed and effected by the Commissioners.

D. The Secretary to the Insurance Fund Commission shall be entrusted with the daily operation of the Insurance Fund and shall submit a report to the Commissioners at least once a month.
Section Five: Vacancies

Vacancies in the office of Insurance Fund Commissioner caused by any reason other than expiration of term as an official shall be filled for the unexpired term. Vacancies in the position of Secretary shall be filled in the manner of the original appointment.

Section Six: Repeal of Inconsistent Provisions

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 Seven: 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 by a court of competent jurisdiction, 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 Eight: Effective Date

This Ordinance shall take effect upon passage and publication as provided by law.

Section Nine: Codification

This ordinance shall be a part of the 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 Code.

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken 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 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 16, 2008 at 7:00 PM.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
AN ORDINANCE TO AMEND CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN (ZONING). DR-357

WHEREAS, the Council of the City of Hoboken recognizes the need to clarify Chapter 196 of the Code of the City of Hoboken (Zoning), as previously amended by Ordinance DR-90, which was adopted on May 7, 2003, with regard to the issuance of first and final certificates of zoning compliance, to wit; that a building permit may be issued when the Construction Code Official is in receipt of a first certificate of zoning compliance, but no certificate of occupancy may be issued until the Construction Code Official is in receipt of a final certificate of zoning compliance; and,

WHEREAS, there are other amendments to the provisions of the Zoning Ordinance, which were the subject of prior amendment by DR-90, which have been recommended by the City Planner;

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Hoboken, County of Hudson, State of New Jersey that Chapter 196 of the Code of the City of Hoboken be amended and supplemented as follows:

Section One

A. Section 196-26B(4) of the Code of the City of Hoboken, New Jersey, is hereby amended to now read as follows:

§ 196-26. Site plan review.

B. Procedures.

(4) Upon submission to the Planning Board/Zoning Board Secretary of completed conforming final plans for those applications previously granted preliminary site plan approval, the Planning Board/Zoning Board shall grant or deny final site plan approval in accordance with N.J.S.A. 40:55D-50. Failure of the Planning Board/Zoning Board to act within forty-five (45) days after submission of a complete conforming application shall constitute final site plan approval. Applications for final site plan approval shall be submitted for Planning Board/Zoning Board review prior to beginning construction of the building or buildings receiving preliminary site plan approval. First certificates of zoning compliance and building permits shall only be granted upon a showing of the resolution of approval of minor site plan or final site plan approval along with a set of the approved, signed site plan drawings.

The remainder of Section 196-26 shall remain unchanged.

B. Section 196-60 of the Code of the City of Hoboken, New Jersey, is hereby renamed “First certificate of zoning compliance,” and Section 196-60C is amended to now read as follows:

§ 196-60. First certificate of zoning compliance.
C. Issuance of certification. The first certificate of zoning compliance shall be issued by the Zoning Officer on a form approved by the office of the Business Administrator. Where action is required by the Planning Board or the Zoning Board, no first certificate of zoning compliance shall be issued until the Zoning Officer is in receipt of the resolution of approval of minor site plan or final site plan approval along with a set of the approved, signed site plan drawings. No building permit shall be issued until the Construction Code Official is in receipt of the first certificate of zoning compliance.

The remainder of Section 196-60 shall remain unchanged.

C. Section 196-61 of the Code of the City of Hoboken, New Jersey, is hereby renamed “Final certificate of zoning compliance,” and Section 196-61A is amended to now read as follows:

§ 196-61. Final certificate of zoning compliance.

A. New uses. No building, structure or land shall be occupied or used until such time as the certificate of occupancy issued by the Construction Code Official is certified by the Zoning Officer as to its compliance with this chapter. Such final certificate of zoning compliance shall be issued, in writing, to the applicant and Construction Code Official upon application by the owner, prospective occupant or purchaser only after the Zoning Officer determines that the facts represented on the application are correct and that the building, structure or use is in conformance with the provisions of this chapter. A temporary certificate of occupancy may be issued for any structure or use for which the conditions of minor site plan or final site plan approval have been complied with. The Planning Board or Zoning Board (as appropriate) shall approve the issuance and terms of any temporary certificate of occupancy.

The remainder of Section 196-61 shall remain unchanged.

D. Section 196-63 of the Code of the City of Hoboken, as last amended by Ordinance DR-90, adopted on May 7, 2003, is hereby re-adopted without change.

Section Two: Nunc Pro Tunc Application

This ordinance shall apply to any and all presently pending construction activities and related administrative processes and or procedures in the City of Hoboken under which this ordinance may be applicable.

Section Three: Referral to Planning Board

In accordance with N.J.S.A. 40:55D-64 and 26, subsequent to the introduction of this Ordinance, the Municipal Clerk shall refer this Ordinance to the Planning Board for review and consideration for a period of no longer than 35 days. Subsequent to the 35-day review period, this Ordinance shall be heard for second reading. In the event the Planning Board issues a report, the governing body shall consider same and any recommendations made therein. The governing body, when considering the adoption of this ordinance, shall review any such report of the Planning Board and may disapprove or change any recommendation by a vote of a majority of its full authorized membership and shall record in its minutes the reasons for not following such recommendation in accordance with the provisions of law.

Section Four: Repeal of Inconsistent Provisions

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 Five: 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 by a court of competent jurisdiction, 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 Six: Effective Date**

Subject to the provisions of the *Nunc Pro Tunc* clause, this Ordinance shall take effect upon passage and publication as provided by law.

**Section Seven: Codification**

This ordinance shall be a part of the 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 Code.

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken 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 Russo 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 7, 2008 at 7:00 PM.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Richard Tremediti, 2 Constitution Court; Councilwoman LaBruno left the meeting at 9:58 p.m.; Steve Cappiello, 530 Adams Street; Councilwoman LaBruno returned to the meeting at 10:02 p.m.; Bob Gottlieb, 417 Bloomfield Street; Councilman Ramos left the meeting at approximately 10:05 p.m.; Helen Hirsch, 98 Park Avenue; David Axelrod, 76 Bloomfield Street; Bill Noonan, 711 Garden Street; Councilman Ramos returned to the meeting at 10:24 p.m.; Maurice DeGennaro, 614 Hudson Street.

President Castellano then adjourned the meeting at 10:31 p.m.
President Castellano 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 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 Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, and President Castellano.

ABSENT: Zimmer.

President Castellano acknowledged Mayor David Roberts who spoke regarding the late Bobby Ferrante “Bobby the Peddler's Corner”. Councilwoman LaBruno read the mayor's proclamation into the record. The mayor then read the proclamation designating the month of May, 2008 as the American Cancer Society’s “May for Relay” in the City of Hoboken and presented the proclamation to Melissa Canjame of 917 Clinton Street and Jennifer Riggins of 422 Monroe Street.

The mayor then spoke regarding lead at the soccer field and Sharon Kubiak, New Jersey Department of Health and Senior Services addressed the City Council. Then Frank Sasso, Hoboken Health Department spoke on the lead issue. Council President Castellano allowed the following members of the public to speak: Jim Vance, 107 Monroe Street; Leo Pelligrini, 333 River Street; Matt La Sorto, 521 Garden Street.

Sharon Kubiak, New Jersey Department of Health and Senior Services answered President Castellano’s question. Glenn Pulgrim of Department of Health and Senior Services spoke to the City Council.
SFY 2008 Municipal Budget Hearing to be continued with additional amendments on May 7, 2008

The City Clerk read the above heading into the record. One member of the public spoke: Jon Gordon, 1015 Washington Street. Then a motion was made to close the hearing as follows: Motion by Councilwoman LaBruno; duly seconded by Councilman Russo; adopted as follows: Yeas (8): Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo and President Castellano. Nays(0): None. Absent (1): Zimmer.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE TO EXTEND ORDINANCE #DR-327 IMPOSING A CONTINUATION OF A MORATORIUM IN THE CITY OF HOBOKEH WITH RESPECT TO THE USE OF PEDICABS IN THE CITY OF HOBOKEH. DR-355

President Castellano 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 of which the heading was read in full.

The following spoke to the ordinance: Jon Gordon, 1015 Washington Street. No other person present desiring to be heard and no written protests or objections received, President Castellano 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: 7 - NAYS: 1 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, Mason, Ramos, Russo and President Castellano.
---Nays: LaBruno.
---Absent: Zimmer.

Council President Castellano 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 Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo and President Castellano.
---Nays: None.
---Absent: Zimmer.
AN ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOKEN TO ESTABLISH AN INSURANCE FUND AND INSURANCE FUND COMMISSION. DR-356

President Castellano 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 of which the heading was read in full.

The following spoke to the ordinance: Jon Gordon, 1015 Washington Street. No other person present desiring to be heard and no written protests or objections received, President Castellano asked for a motion to close the hearing.

Councilwoman Mason 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 Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo and President Castellano.
---Nays: None.
---Absent: Zimmer.

John Mosca of 153 Caroline Road, Paramus, NJ as a financial consultant to the City of Hoboken addressed the City Council.

After discussion it was decided to carry DR-356 to the May 7, 2008 meeting. (outcome was to withdraw with no action taken).

08-115 (CLOSED SESSION)
At approximately 8:20 p.m. a motion was made to enter into Executive (closed) Session:
Motion by Councilwoman Castellano; duly seconded by Councilman Giacchi; adopted as follows: Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo and President Castellano. Nays: None. Absent: Zimmer.

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:

Litigation: People for Open Government v. David Roberts
Competello v. Hoboken City Council
Status report on all litigation involving Rent Control Board

BE IT RESOLVED, that the City Council shall at this time (approximately) 8:20 pm, April 16, 2008, 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.

At 9:40 p.m. the City Council came out of an Executive (closed) Session on a motion by Councilman Russo; duly seconded by Councilman Ramos and voted on unanimously.

CONTINUED FROM BEFORE CLOSED (EXECUTIVE) SESSION

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE TO AMEND CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN (ZONING). DR-357

The hearing for the above ordinance is scheduled for May 7, 2008 to allow sufficient time for legal advertising and planning board review.

PETITIONS AND COMMUNICATIONS

08-116

WHEREAS, Bartholomew Ferrante was born on October 17, 1940 to Michael and Philomena Ferrante of Hoboken and grew up to take over his father's (Michael the Peddler) business in 1964; and

WHEREAS, “Bobby” was married to Christina Baselice for forty-two years and the proud father of Michael, Danielle, Nicole and Rosette and loving grandfather to Michael Bartholomew; and

WHEREAS, the selling of fruit and vegetables on the streets of Hoboken was such an important part of Hoboken’s rich and diverse past and it was always said that everyone in town knew “Bobby the Peddler”, and

WHEREAS, after retiring from operating his fruit and produce peddling truck for more than thirty-eight years, Bobby took up employment with the City of Hoboken’s Department of Public Works; and

WHEREAS, we honor the memory of the late Bartholomew Ferrante for his many contributions to our City by dedicating the corner of Seventh Street and Willow Avenue in his memory;

NOW, THEREFORE, BE IT RESOLVED, THAT I, DAVID ROBERTS, Mayor of the City of Hoboken, do hereby issue this proclamation on behalf of the City of Hoboken and its citizens and the Hoboken City Council and do hereby designate the corner of Seventh Street and Willow Avenue as “Bobby the Peddler's Corner”.

Proclamation was read into the record earlier in the meeting.

--Received and filed.
08-117

WHEREAS, an estimated 49,370 New Jersey residents are diagnosed with cancer each year, including 2,521 in Hudson County; and

WHEREAS, an estimated 17,140 New Jersey residents do not survive; 1,026 of whom live in Hudson County; and

WHEREAS, Relay for Life raises funds for the life-saving work of the American Cancer Society, including research, advocacy, education and services for patients and families;

NOW, THEREFORE, I, DAVID ROBERTS, Mayor of the City of Hoboken, do hereby proclaim the month of May in the year 2008; as

The American Cancer Society’s May for Relay

and the official recognition of Relay For Life in the City of Hoboken. I urge all citizens to celebrate cancer survivorship, remember loved ones lost to the disease, honor caregivers and join Hoboken’s fight against cancer. Only together will we find a cure.

DAVID ROBERTS,
Mayor

Proclamation was read into the record earlier in the meeting.

--Received and filed.

08-118

Dear Council President and Members of the City Council:

I am pleased to invite the members of the City Council to the public lighting ceremony for the Hoboken Clock Tower at the Hoboken Railroad Terminal on Friday, May 9, 2008 at 8 p.m. The ceremony will include a dedication of the Terminal Plaza to the late George D. Warrington (a great friend to the City of Hoboken), the former Executive Director of New Jersey Transit. The dedication ceremony will be held at 6 p.m. and will be followed by a reception in the Hoboken Terminal Waiting Room. The event will conclude with the lighting of the historic clock tower.

This celebration of the historic preservation on one of the greatest landmarks in the State of New Jersey will mark an important moment in the remarkable history of the City of Hoboken. The Hoboken Clock Tower will stand high above our City as a beacon to our rich and colorful past for generations to come.

Sincerely,

DAVID ROBERTS,
Mayor

--Received and filed.
08-119

Dear Council President and Members of the City Council:

Pursuant to our agreement to conduct a cost study analysis, I am pleased to report that my administration is vigorously pursuing this efficiency examination. I have contacted the Department of Community Affairs Commissioner Joseph Doria and his chief of staff, requesting that they come in and assess our operation here in the City of Hoboken.

In addition, I have directed Fred Tompkins, a partner with the financial management firm contracted by the City of Hoboken, to immediately work with the Council to conduct all the necessary measures to attain a bond rating for our municipality.

In working with the Council, it is my firm belief that these actions will assist us greatly as we move forward. Regardless of how wealthy we are as a community, we must be cost conscious. By conducting an efficiency study through the DCA and pursuing a bond rating we are continuing our commitment to ensure the financial well-being of the City of Hoboken.

Sincerely,
DAVID ROBERTS,
Mayor

--Received and filed.

08-120

APPLICATIONS FOR MISCELLANEOUS LICENSES

Limo Owners ----------------------------------------------- 1
Taxi Owners ----------------------------------------------- 5
Public Hack Drivers ------------------------------------------ 3
Limo/Livery Drivers ---------------------------------------- 1
Lumber Yard----------------------------------------------- 1
Parking Facilities ------------------------------------------- 2
Motor Vehicle Repair Shops ------------------------------- 1

---Councilman Russo moved that the licenses be granted.
---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo and President Castellano.
---Nays: None.
---Absent: Zimmer.

REPORTS OF CITY OFFICERS

08-121
A report of the Municipal Court indicating receipts for the month of March 2008 as $299,295.50.

---Received and filed.

08-122

CLAIM RESOLUTIONS

Councilman Russo initially voted NO on all Claims, then amended his vote to YES on all Claims as shown in all the following votes:

UNCLASSIFIED CLAIMS (not available)

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 $39,225.06 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Ramos, Russo.
---Nays: Cunningham, Mason, President Castellano.
---Absent: Zimmer.

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 $25,906.49 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Ramos, Russo.
---Nays: Cunningham, Mason, President Castellano.
---Absent: Zimmer.

By Councilman Giacchi:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $30,767.14 against the DEPARTMENT OF HUMAN SERVICES.
Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Ramos, Russo.
---Nays: Cunningham, Mason, President Castellano.
---Absent: Zimmer.

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 $27,638.68 against the DEPARTMENT OF HUMAN SERVICES; DIVISION of CULTURAL AFFAIRS.

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Ramos, Russo.
---Nays: Cunningham, Mason, President Castellano.
---Absent: Zimmer.

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 $788.27 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Ramos, Russo.
---Nays: Cunningham, Mason, President Castellano.
---Absent: Zimmer.

By Councilman Cammarano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $40,017.69 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Ramos, Russo.
---Nays: Cunningham, Mason, President Castellano.
---Absent: Zimmer.
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 $102,650.02 against the CAPITAL ACCOUNT.

Councilwoman Mason voted to ABSTAIN on item #02503; WWII memorial; $90,160.02.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Ramos, Russo.
---Nays: Cunningham, Mason, President Castellano.
---Absent: Zimmer.

By Councilwoman LaBruno:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $2,133.82 against the PARKING UTILITY.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Ramos, Russo.
---Nays: Cunningham, Mason, President Castellano.
---Absent: Zimmer.

PAYROLL RESOLUTIONS

08-123
By Councilman Russo:

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 27, 2008 TO APRIL 9, 2008 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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<th>Overtime</th>
<th>Other Pay</th>
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RESOLUTIONS

Presented and Read

After discussion a vote was taken to AMEND the following resolution (08-124)
---Motion on the amendment by Council President Castellano.
---Motion duly seconded by Councilman Russo.
---Amendment adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSTENTIONS: 1 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Russo and President Castellano.
---Nays: None.
---Abstentions: Ramos.
---Absent: Zimmer.

08-124
---By Council President Castellano:


WHEREAS, it is the intention of the City Council to achieve and maintain a level of affordability for our residents. The City Council has spend a great deal of time in making recommendations for this year’s budget of which some were made and some not.

WHEREAS, the City Council, acknowledges, as we proceed to devise the 2008/2009 budget, that the City Council recognizes the need to “hold the line” on the finances of the City.

WHEREAS, the City Council efforts to achieve and maintain affordability, the City Council

THEREFORE BE IT RESOLVED, the City Council of the City of Hoboken, wants the 2008/2009 “Operating Expenses” to be identical to the same total level for the amended 2007/2008 “Operating Expenses”.

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 6 - NAYS: 2 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, Mason, Russo and President Castellano.
---Nays: LaBruno, Ramos.
---Absent: Zimmer.

08-125
---By Councilman Ramos:

THIS RESOLUTION AUTHORIZES ADDITIONAL TEMPORARY EMERGENCY Appropriations TO THE SFY 2008 BUDGET UNTIL SUCH TIME AS A FORMAL BUDGET IS ADOPTED.

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>Personnel S &amp; W</td>
<td>8-01-20-105-010</td>
<td>$ 8,500.00</td>
</tr>
<tr>
<td>Mayor's Office S &amp; W</td>
<td>8-01-20-110-010</td>
<td>$ 7,500.00</td>
</tr>
<tr>
<td>City Council S &amp; W</td>
<td>8-01-20-111-010</td>
<td>$ 8,500.00</td>
</tr>
<tr>
<td>Business Admin. S &amp; W</td>
<td>8-01-20-112-010</td>
<td>$ 13,000.00</td>
</tr>
<tr>
<td>A.B.C. Board S &amp; W</td>
<td>8-01-20-113-010</td>
<td>$ 1,500.00</td>
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<tr>
<td>Purchasing S &amp; W</td>
<td>8-01-20-114-010</td>
<td>$ 11,500.00</td>
</tr>
<tr>
<td>Licensing Bureau S &amp; W</td>
<td>8-01-20-115-010</td>
<td>$ 500.00</td>
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<tr>
<td>Grants Mgmt. S &amp; W</td>
<td>8-01-20-116-010</td>
<td>$ 8,000.00</td>
</tr>
<tr>
<td>City Clerk S &amp; W</td>
<td>8-01-20-120-010</td>
<td>$ 19,500.00</td>
</tr>
<tr>
<td>Finance Supervisor S&amp;W</td>
<td>8-01-20-130-010</td>
<td>$ 4,500.00</td>
</tr>
<tr>
<td>Accts &amp; Control S &amp; W</td>
<td>8-01-20-131-010</td>
<td>$ 3,000.00</td>
</tr>
<tr>
<td>Payroll S &amp; W</td>
<td>8-01-20-132-010</td>
<td>$ 3,500.00</td>
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<tr>
<td>Tax Collector S &amp; W</td>
<td>8-01-20-145-010</td>
<td>$ 12,000.00</td>
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<tr>
<td>Information Tech S&amp;W</td>
<td>8-01-20-147-010</td>
<td>$ 3,500.00</td>
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<tr>
<td>Assessor's Office S &amp; W</td>
<td>8-01-20-150-010</td>
<td>$ 12,500.00</td>
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<tr>
<td>Corporation Counsel S&amp;W</td>
<td>8-01-20-155-010</td>
<td>$ 16,000.00</td>
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<td>Community Devel. S &amp; W</td>
<td>8-01-20-160-010</td>
<td>$ 6,000.00</td>
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<tr>
<td>Planning Board S &amp; W</td>
<td>8-01-21-180-010</td>
<td>$ 4,000.00</td>
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<tr>
<td>Zoning Officer S &amp; W</td>
<td>8-01-21-186-010</td>
<td>$ 2,500.00</td>
</tr>
<tr>
<td>Housing Inspection S&amp;W</td>
<td>8-01-21-187-010</td>
<td>$ 4,000.00</td>
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<tr>
<td>Construction Office S&amp;W</td>
<td>8-01-22-195-010</td>
<td>$ 27,500.00</td>
</tr>
<tr>
<td>Police Department S &amp; W</td>
<td>8-01-25-241-010</td>
<td>$ 650,000.00</td>
</tr>
<tr>
<td>Emergency Mgmt S &amp; W</td>
<td>8-01-25-252-010</td>
<td>$ 5,000.00</td>
</tr>
</tbody>
</table>
Fire Department S & W 8-01-25-266-010 $ 475,000.00
Environ. Svcs. Office S&W 8-01-26-290-010 $ 20,000.00
Central Garage S & W 8-01-26-301-010 $ 11,000.00
Solid Waste S & W 8-01-26-305-010 $ 70,000.00
Human Services S & W 8-01-27-330-010 $ 6,500.00
Board of Health S & W 8-01-27-332-010 $ 19,000.00
Constituent Svcs. S & W 8-01-27-333-010 $ 6,000.00
Senior Citizens S & W 8-01-27-336-010 $ 15,000.00
Rent Control S & W 8-01-27-347-010 $ 5,500.00
Transportation S & W 8-01-27-348-010 $ 10,500.00
Recreation S & W 8-01-28-370-010 $ 18,000.00
Parks S & W 8-01-28-375-010 $ 27,500.00
Public Property S & W 8-01-28-377-010 $ 30,000.00
Municipal Court S & W 8-01-43-490-010 $ 39,500.00
Municipal Court O.E. 8-01-43-490-021 $ 8,300.00
Public Defender S & W 8-01-43-495-010 $ 3,000.00
TOTAL $ 1,597,300.00

ACCOUNT ACCOUNT # AMOUNT
(Outside Cap)
Public Library S & W 8-01-29-390-010 $ 34,000.00
Parking Utility S & W 8-31-55-502-100 $ 74,000.00
TOTAL $ 108,000.00

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 6 - NAYS: 2 - ABSENT: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Ramos, Russo and President Castellano.
---Nays: Cunningham, Mason.
---Absent: Zimmer.

08-126
---By all the City Council members in attendance:

RESOLUTION DESIGNATING BOBBY THE PEDDLER CORNER ON 7TH STREET AND WILLOW AVENUE

WHEREAS, the Mayor and the City Council deem it appropriate to honor the many contributions made to our great City by the late Bobby Ferrente, who among other things operated a fruit and produce peddling truck in Hoboken for more than 38 years; and;

WHEREAS, Bobby, after retiring his peddling truck, took up employment with the City of Hoboken’s Department of Public Works; and;

WHEREAS, Bartholomew Ferrante was born on October 17, 1940 to Michael and Philomena Ferrante of Hoboken and grew up to take over his dad, Michael the Peddler’s business in 1964; and;

WHEREAS, Bobby was married to Christina Baselice for 42 years and was the proud father of Michael, Danielle, Nicole and Rosette and proud grandfather to Michael Bartholomew; and;
WHEREAS, it was always said that everyone knew “Bobby the Peddler”; and;

WHEREAS, this selling of fruit and vegetables on the streets of Hoboken was such an important part of Hoboken’s rich and diverse past; and;

WHEREAS, we honor Bobby’s contributions to our City by dedicating the corner of 7th and Willow in his memory.

NOW THEREFORE BE IT RESOLVED, that the Mayor and the Council hereby designate the corner of 7th Street and Willow Avenue as “Bobby the Peddler’s” corner.

---Motion duly seconded by all the City Council members in attendance.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo and President Castellano.
---Nays: None.
---Absent: Zimmer.

08-127
---By Councilman Russo:

RESOLUTION AWARDING A TWO (2) YEAR CONTRACT FOR THE SUPPLY OF GENERAL MAINTENANCE MATERIALS BASED ON THE LOWEST RESPONSIBLE BIDDER.

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposal was received for the supply of General Maintenance Materials to 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>10% under Ace Price</td>
</tr>
<tr>
<td>130 Washington Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(Note: Ace prices are those printed in the commercial catalog distributed by Ace Corporation)

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

1. The above recitals are incorporated herein as 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:

City Paint & Hardware
130 Washington Street
Hoboken, NJ 07030
---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSTENTIONS: 1 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo and President Castellano.
---Nays: None.
---Abstentions: Mason.
---Absent: Zimmer.

08-128
---By Councilman Russo:

RESOLUTION APPOINTING MARIE BOZZONE TO THE CITY OF HOBOKEN ALCOHOLIC BEVERAGE CONTROL BOARD

BE IT RESOLVED, by the City Council that Marie Bozzone, 400 First 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 complete a three (3) year term which expires June 30, 2009.

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 Ms. Bozzone’s acceptance of his appointment.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSTENTIONS: 1 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo and President Castellano.
---Nays: None.
---Abstentions: Mason.
---Absent: Zimmer.

08-129
---By Councilman Giacchi:

THIS RESOLUTION APPROVES PAYMENT FOR PROFESSIONAL SERVICES RENDERED.

WHEREAS, the Municipal Court of the City of Hoboken, during the course of it’s normal trial activities, periodically has need of a professional translator, and

WHEREAS, the cost of the professional service is borne by the Other Expense line in the Municipal Court’s appropriations line within the City budget, and

WHEREAS, this service is a necessity to the operation of the Municipal Court, and

WHEREAS, the Other Expense line for the Court does not have sufficient funds in their temporary appropriation to pay for services rendering during the months of February and March 2008, NOW THEREFORE BE IT;
RESOLVED, that, with the passage of the temporary appropriation resolution earlier in this meeting, Alcazar Communications, Inc. be paid the amount of Eight Thousand Two Hundred Thirty-five Dollars ($8,235.00) for work performed during the months of February and March 2008.

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 7 - NAYS: 1 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo and President Castellano.
---Nays: Mason.
---Absent: Zimmer.

08-130
---By Councilman Ramos:

RESOLUTION AUTHORIZING PAYMENT IN THE AMOUNT OF $13,000.00 FOR THE PERFORMANCE OF MICKY DOLENZ OF THE MONKEES AT THE MAY 4, 2008 HOBOKEN ARTS AND MUSIC FESTIVAL

WHEREAS, the City of Hoboken sponsors the Hoboken Arts & Music Festival, to take place May 4, 2008; and

WHEREAS, one of the most popular parts of the festival is a performance by a well-known professional musician; and,

WHEREAS, this year the City has arranged for Mickey Dolenz of the Monkees to be the featured performer at the festival at a cost of $13,000.00 (thirteen thousand dollars), to be paid entirely out of vendor fees and sponsorships and at no cost to the taxpayer; and,

WHEREAS, although Mr. Dolenz has waived his requirement that 50% of his payment be in advance, he still requires full payment on the date of the Festival; and;

WHEREAS, the City of Hoboken considers it desirable to enter into a contract with Micky Dolenz to perform at the Festival on May 4, 2008 and wishes to approve payment in the amount of $13,000.00, which will be provided to Mr. Dolenz on the date of his performance,

NOW THEREFORE 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 hereby authorizes the Mayor, or his designee to execute any and all documents 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 $13,000.00 (thirteen thousand dollars) for performing services of Dolenz Productions, Inc. said funds to be paid from the proceeds or vendor fees and sponsorships.
4. The Council authorizes and approves full payment of $13,000.00 to Dolenz Productions, Inc. no earlier than May 4, 2008, the date of the Hoboken Arts and Music Festival.

Before the vote was taken the following spoke: Helen Hirsch, 98 Park Avenue.

---Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo and President Castellano.
---Nays: None.
---Absent: Zimmer.

08-131
---By Council President Castellano:

RESOLVED, that filed minutes for the Hoboken City Council meetings of March 5, 2008 and March 19, 2008 have been reviewed and approved as to legal form and content.

After discussion on the above resolution a motion was made to TABLE the resolution as follows:

---Motion to TABLE by Councilwoman Mason.
---Motion to TABLE duly seconded by Councilman Cunningham.
---Table FAILED by the following vote: YEAS: 3 - NAYS: 5 - ABSENT: 1
---Yeas: Council persons Cunningham, Giacchi, Mason.
---Nays: Cammarano, LaBruno, Ramos, Russo and President Castellano.
---Absent: Zimmer.

Then the FINAL vote on Resolution #08-05 was taken as follows:

---By Council President Castellano:
---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 5 - NAYS: 2 - ABSTENTIONS: 1 - ABSENT: 1
---Yeas: Council persons Cammarano, LaBruno, Ramos, Russo and President Castellano.
---Nays: Cunningham, Mason.
---Abstentions: Giacchi.
---Absent: Zimmer.

08-132
---By Councilman Russo:

RESOLVED, that the Council of the City of Hoboken, by majority vote of the full membership hereby determine that the SFY 2008 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.
Before the vote was taken the following spoke: Helen Hirsch, 98 Park Avenue.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo and President Castellano.
---Nays: None.
---Absent: Zimmer.

08-133
---By Councilman Ramos:

RESOLUTION CALLING FOR ALL NEW VEHICLES PURCHASED BY THE CITY OF HOBOKEN TO BE ENVIRONMENTALLY FRIENDLY

WHEREAS, the Council of the City of Hoboken believes that every effort should be made by City government to become more energy efficient and environmentally friendly; and,

WHEREAS, the Council has in recent months supported “green” initiatives including signing onto the U.S. Mayors’ Climate Protection Agreement, supporting an energy audit for City facilities, and requiring that the City’s entire taxicab fleet be made up of new, fuel efficient models; and,

WHEREAS, the Council recognizes that increasing efficiency is not only good for the environment, it also can save substantial tax dollars that would otherwise go to pay for ever-increasing electricity, energy and fuel costs; and,

WHEREAS, as the next step in this important process, the Council deems it prudent to establish a policy that future City motor vehicle purchases, wherever possible, consist of only fuel efficient vehicles, such as hybrids and other alternative fuel models; and,

WHEREAS, this policy will benefit Hoboken taxpayers because according to statistics published by the Federal Government, the average Ford Crown Victoria police cruiser only gets approximately 17 miles to the gallon, but currently available and in use police hybrids can get up to 50 miles to the gallon, a potential savings of thousands of dollars a year for each police vehicle; and

WHEREAS, by multiplying these savings across the City’s entire fleet of vehicles, substantial tax savings can be achieved while helping to clear the City’s air of harmful pollutants and greenhouse gases emitted by traditional motor vehicles;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Hoboken, County of Hudson, and State of New Jersey that whenever it is feasible to do so, the Council will only support future City motor vehicle purchases if they consist of environmentally friendly, fuel efficient vehicles;

BE IT FURTHER RESOLVED that before the Administration makes any future motor vehicle purchases, it shall conduct research into possible environmentally-friendly, fuel-efficient alternatives, and promptly report back to the Council with the results of this investigation before any such purchases are made; and,
BE IT FURTHER RESOLVED that a certified copy of this resolution be presented to Mayor David Roberts and Business Administrator/Purchasing Agent Richard England.

Before the vote was taken the following spoke: Maurice DeGennaro, 614 Hudson Street; Jim Vance, 107 Monroe Street.

---Motion duly seconded by Council President Castellano, additionally signed by Council members Cammarano and Russo.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo and President Castellano.
---Nays: None.
---Absent: Zimmer.

08-134
---By Councilman Ramos:

THIS RESOLUTION AUTHORIZES FURTHER AMENDMENTS TO THE SFY 2008 BUDGET INTRODUCED ON 21 NOVEMBER 2007.

WHEREAS, the local municipal budget for the fiscal year 2008 was approved on the 21st day of November 2007 and

WHEREAS, an amended version was approved on the 5th day of March 2008, 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 2008 be made:

Ayes  (Cammarano  (Giacchi  (LaBruno  (Ramos  (Russo  (Castellano
(                (                (                (                (                (                
Abstain  (Mason  (Zimmer
(                (                (                (                (                (                
Recorded Vote  Ayes  (Castellano  Nays  (Cunningham
(                (                (                (                (                (                

EXPLANATORY STATEMENT
Summary of Current Fund Section of Approved Budget
1. Appropriations within “CAPS” $68,579,902.89 $68,579,902.89

2. Appropriations excluded from “CAPS”
   (a) Municipal Purposes (Items H-2, etc) $25,049,926.33 $24,793,625.08

   . Total General Appropriations excluded from “CAPS” (Item L, Sheet 29) $25,049,926.33 $24,793,625.08

4. Total General Appropriations (Item 9, Sheet 29) (Sheet 3) $93,784,829.22 $93,528,527.97

5. Less: Anticipated Revenues (Other than Current Property Tax) (Item 5, Sheet 11) $62,480,329.22 $62,304,027.97

6(a). Local Tax for Municipal Purposes
   (Item 6(a), Sheet 11) $31,304,500.00 $31,224,500.00

CAP CALCULATION 2008 BUDGET
Fiscal Year In-CAP Appropriations $68,579,903.00 $68,579,903.00
Amount of In-CAP Appropriations Under CAP Limit $543.00 $543.00

BUDGET MESSAGE

“In order to comply with statutory and regulatory requirements, the amounts appropriated for certain department functions have been split and their parts appear in several places. Those appropriations which have been split add up as follows:

Police, Salaries & Wages (Sheet 3b)
   Operations Within CAP $15,450,000 $15,510,000
   Outside CAP $600,000 $540,000

ANTICIPATED REVENUES:

3. Miscellaneous Revenues - Section D: Special Items
   Hoboken Housing Authority - Public Safety (Sheet 7) $600,000 $540,000

3. Miscellaneous Revenues - Section F: Special Items
   Clean Communities Grant $0 $38,698.75
   1600 Park Avenue Development $0 $300,000
   Smart Growth Planning $0 $60,000
   Municipal Alliance (County Share) $0 $56,134
   Municipal Alliance (City Share) $0 $14,034
   JAG 2007 $0 $19,120
   Senior Emergency Funds $0 $4,531
   Over Limit/Under Arrest 2007 $0 $5,000
   2008 Ped. Safety/Walk Safe $0 $20,000
   1600 Park Avenue Acquisition $0 $2,300,000
   1600 Park Avenue Land & Water $0 $1,513,240
   TOTAL SECTION F: Special Items $1,742,942.16 $6,073,699.91
   (Sheet 9b)

3. Miscellaneous Revenues - Section G: Special Items
   Added Assessments $1,500,000 $1,700,000
<table>
<thead>
<tr>
<th>Description</th>
<th>City</th>
<th>County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sale of Municipal Garage</td>
<td>$7,000,000</td>
<td>$5,700,000</td>
</tr>
<tr>
<td>Save the Youth</td>
<td>$235,000</td>
<td>$0</td>
</tr>
<tr>
<td>1600 Park Avenue Development</td>
<td>$300,000</td>
<td>$0</td>
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<tr>
<td>Smart Growth Planning</td>
<td>$60,000</td>
<td>$0</td>
</tr>
<tr>
<td>Municipal Alliance (County Share)</td>
<td>$56,134</td>
<td>$0</td>
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<tr>
<td>Municipal Alliance (City Share)</td>
<td>$14,034</td>
<td>$0</td>
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<tr>
<td>JAG 2007</td>
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<td>$0</td>
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<tr>
<td>Senior Emergency Funds</td>
<td>$4,531</td>
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<tr>
<td>Over Limit/Under Arrest 2007</td>
<td>$5,000</td>
<td>$0</td>
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<tr>
<td>2008 Pedestrian Safety/Walk Safe</td>
<td>$20,000</td>
<td>$0</td>
</tr>
<tr>
<td>1600 Park Avenue Acquisition</td>
<td>$2,300,000</td>
<td>$0</td>
</tr>
<tr>
<td>1600 Park Avenue Land &amp; Water</td>
<td>$1,513,240</td>
<td>$0</td>
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<tr>
<td>Sale of Taxi Licenses</td>
<td>$1,000,000</td>
<td>$2,180,000</td>
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<tr>
<td><strong>TOTAL SECTION G: Misc. Items</strong></td>
<td><strong>$18,972,693.99</strong></td>
<td><strong>$14,525,634.99</strong></td>
</tr>
</tbody>
</table>

**GENERAL REVENUES**

Summary of Revenues (Sheet 11)

3. Miscellaneous Revenues:
   - Total Section D: Interlocal Service Agree $600,000.00 $540,000.00
   - Total Section F: Public & Private Revenues $1,742,942.16 $6,073,699.91
   - Total Section G: Other Special Items $18,972,693.99 $14,525,634.99
   - Total Miscellaneous Revenues $61,480,329.22 $61,304,027.97

5. Subtotal General Revenues: $62,480,329.22 $62,304,027.97

6. Amount to be Raised by Taxes for Support of Municipal Budget:
   - a. Local Tax $31,304,500.00 $31,224,500.00
   - Total Amount to be Raised by Taxes $31,304,500.00 $31,224,500.00

7. **TOTAL GENERAL REVENUES:** $93,784,829.22 $93,528,527.97

8. **GENERAL APPROPRIATIONS:**

   (A) Operations within

   **DEPARTMENT OF ADMINISTRATION**
   - Business Administrator's Office
     - Other Expenses $7,500 $9,000
   - Zoning Administration
     - Other Expenses $1,500 $2,500
   - Information Technology
     - Other Expenses $3,500 $4,000
   - Total Department of Administration $5,939,521.00 $5,942,521.00

   **DEPARTMENT OF PUBLIC SAFETY**
   - Police Department
     - Less: Interlocal Agreement $600,000 $540,000
     - Salary & Wages $15,450,000 $15,510,000
   - Total Department of Public Safety (Sheet 15D) $29,580,383.99 $29,640,383.99
   - Insurance
     - Employee Group Health $11,262,000 $11,195,000
   - **UNCLASSIFIED**
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount 1</th>
<th>Amount 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Hudson Regional Council</td>
<td>$56,692</td>
<td>$56,693</td>
</tr>
<tr>
<td>Towing &amp; Storage of Abandoned Cars</td>
<td>$3,500</td>
<td>$5,000</td>
</tr>
<tr>
<td>Municipal Dues &amp; Membership</td>
<td>$3,000</td>
<td>$6,000</td>
</tr>
<tr>
<td><strong>Total Unclassified</strong></td>
<td><strong>$5,248,992</strong></td>
<td><strong>$5,253,493</strong></td>
</tr>
<tr>
<td><strong>Total Operations (Items 8(a))Within “CAPS”</strong></td>
<td><strong>$66,270,982.89</strong></td>
<td><strong>$66,270,982.89</strong></td>
</tr>
<tr>
<td><strong>Total Operations Including Contingent</strong></td>
<td><strong>$66,270,982.89</strong></td>
<td><strong>$66,270,982.89</strong></td>
</tr>
<tr>
<td>Detail: Salaries &amp; Wages</td>
<td><strong>$40,509,626.99</strong></td>
<td><strong>$40,509,626.99</strong></td>
</tr>
<tr>
<td>Other Expenses (Incl. Contingent)</td>
<td><strong>$25,761,355.90</strong></td>
<td><strong>$25,761,335.90</strong></td>
</tr>
<tr>
<td>(Sheet 17)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(H-1) <strong>Total General Appropriations Within CAPS</strong></td>
<td><strong>$68,579,902.89</strong></td>
<td><strong>$68,579,903.00</strong></td>
</tr>
<tr>
<td>(A) Operations - Excluded from “CAPS”</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maintenance of Public Library</td>
<td><strong>$2,698,000.00</strong></td>
<td><strong>$2,698,000.00</strong></td>
</tr>
<tr>
<td>(PL 1985, c.82)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(A) Operations - Excluded from “CAPS”</td>
<td></td>
<td></td>
</tr>
<tr>
<td>$9,094,960.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Sheet 20)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. General Operations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(A) Operations - Excluded from “CAPS”</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken Housing Authority</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Police Salary &amp; Wages</td>
<td>$600,000.00</td>
<td>$540,000.00</td>
</tr>
<tr>
<td><strong>Total - Interlocal Service Agreements</strong></td>
<td>$600,000.00</td>
<td>$540,000.00</td>
</tr>
<tr>
<td><strong>Total Public &amp; Private Programs offset by Revenues (Sheet 25)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Save the Youth 2008 Grant</td>
<td>$235,000.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Clean Communities - 2008</td>
<td>0.00</td>
<td>$38,698.75</td>
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<tr>
<td><strong>Total Public &amp; Private Programs off/revenues</strong></td>
<td><strong>$6,270,181.16</strong></td>
<td><strong>$6,073,879.91</strong></td>
</tr>
<tr>
<td><strong>Total Operations - Excluded “CAPS”</strong></td>
<td><strong>$16,112,927.66</strong></td>
<td><strong>$15,935,626.41</strong></td>
</tr>
<tr>
<td>Detail: (Sheet 25)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries &amp; Wages</td>
<td>$764,509.00</td>
<td>$704,509.00</td>
</tr>
<tr>
<td>Other Expenses</td>
<td>$15,348,418.66</td>
<td>$15,231,117.41</td>
</tr>
<tr>
<td><strong>(H-2) Total General Appropriations for Municipal Purposes Excluded from “CAPS” (Sheet 28)</strong></td>
<td><strong>$25,049,926.33</strong></td>
<td><strong>$24,793,625.08</strong></td>
</tr>
<tr>
<td><strong>(O) Total General Appropriations - Excluded from “CAPS” (Sheet 29)</strong></td>
<td><strong>$25,049,926.33</strong></td>
<td><strong>$24,793,625.08</strong></td>
</tr>
<tr>
<td><strong>(L) Subtotal General Appropriations</strong></td>
<td><strong>$93,629,829.22</strong></td>
<td><strong>$93,528,527.97</strong></td>
</tr>
<tr>
<td><strong>9. TOTAL GENERAL APPROPRIATIONS</strong></td>
<td><strong>$93,784,829.22</strong></td>
<td><strong>$93,608,028.97</strong></td>
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</tbody>
</table>
## (H-1) Total General Appropriations for Municipal Purposes within “CAPS” (Sheet 30)

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount (1)</th>
<th>Amount (2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total General Appropriations</td>
<td>$ 68,579,902.89</td>
<td>$68,580,403.89</td>
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</table>

## (A) Other Operations (Sheet 30)

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount (1)</th>
<th>Amount (2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interlocal Municipal Service Agree.</td>
<td>$ 600,000.00</td>
<td>$ 540,000.00</td>
</tr>
<tr>
<td>Private &amp; Public Revenues Offset</td>
<td>$ 6,270,181.16</td>
<td>$ 6,073,879.91</td>
</tr>
<tr>
<td>Total Operations - Excluded from “CAPS” (Sheet 30)</td>
<td>$ 16,112,927.66</td>
<td>$15,935,626.41</td>
</tr>
</tbody>
</table>

## TOTAL GENERAL APPROPRIATIONS (Sheet 30)

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount (1)</th>
<th>Amount (2)</th>
</tr>
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<tbody>
<tr>
<td>TOTAL GENERAL APPROPRIATIONS</td>
<td>$ 93,784,829.22</td>
<td>$93,608,028.97</td>
</tr>
</tbody>
</table>

## 11. Appropriations Parking Utility (Sheet 35) Operating:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount (1)</th>
<th>Amount (2)</th>
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</thead>
<tbody>
<tr>
<td>Other Expenses - Group Health</td>
<td>$ 400,000.00</td>
<td>$ 380,000.00</td>
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## Debt Service:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount (1)</th>
<th>Amount (2)</th>
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</thead>
<tbody>
<tr>
<td>Payment of Note Interest</td>
<td>$ 150,000.00</td>
<td>$ 200,000.00</td>
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</table>

## Statutory Expenditures:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount (1)</th>
<th>Amount (2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contribution to:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Employee’s Pension</td>
<td>$ 40,000.00</td>
<td>$ 30,000.00</td>
</tr>
<tr>
<td>Social Security System</td>
<td>$ 90,000.00</td>
<td>$ 80,000.00</td>
</tr>
<tr>
<td>Unemployment Insurance</td>
<td>$ 40,000.00</td>
<td>$ 30,000.00</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 16th day of April 2008.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 6 - NAYS: 1 - ABSTENTIONS: 1 - ABSENT: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Ramos, Russo and President Castellano.
---Nays: Cunningham.
---Abstentions: Mason.
---Absent: Zimmer.

---By Councilman Ramos:

**08-135**

RESOLUTION AWARDS A CONTRACT FOR THE INSTALLATION OF A H.V.A.C. SYSTEM AT THE HOBOKEN BOYS AND GIRLS CLUB BASED ON THE LOWEST RESPONSIBLE BIDDER.

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposals were received for the installation of a H.V.A.C. system at the Hoboken Boys and Girls Club for the City of Hoboken in accordance with the specifications set forth in City of Hoboken Bid 08-17.
Vendor BaseBid$ Alternate#1$ Total $

Envirocon, LLC  
490 Schooley’s Mt. Rd.  
Hackettstown, NJ 07840  
$81,300.00 $17,000.00 $93,570.00

In-Line Air Conditioning  
85 East 21st Street  
Bayonne, NJ 07003  
$100,200.00 $27,950.00 $128,150.00

And, WHEREAS, the City of Hoboken’s Engineering firm for this project recommends the following,

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

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

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.

The Mayor, or his designee is hereby authorized to execute an agreement, contingent on all mandated requirements being met, for the above references goods and/or services based upon the following information:

Envirocon, LLC  
490 Schooley’s Mountain Rd  
Hackettstown, NJ 07840

Before the vote was taken the following spoke:  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 Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo and President Castellano.
---Nays: None.
---Absent: Zimmer.

ORDINANCES

Introduction and First Reading

08-136
DR-358

AN ORDINANCE OF THE COUNCIL OF THE CITY OF HOBNKEN GRANTING AN EASEMENT FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY
WHEREAS, the applicant, Peter Jensen, Architect, has petitioned the City of Hoboken for the granting of a certain easement over municipal lands at 315 Park Avenue, Hoboken, New Jersey, (“the premises”) which premises is more particularly described as Lot 7 & 48, Block 179, on the Tax Map of the City of Hoboken, New Jersey, in order to maintain an encroachment on municipal lands for the purpose to repair and replacement of the existing front retaining wall. Petitioner is proposing a complete replacement of the existing masonry retaining wall due to the deleterious condition of the existing structure as well as to incorporate a new lower entry into the existing basement as outlined in the attached drawing. The easements are described as follows:

METES AND BOUNDS
(PROPOSED REPLACEMENT OF EXISTING FRONT STOOP)

All that certain lot, parcel or tract of land, situate and lying 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 Park Avenue, a distance of 120.00 feet northerly from the intersection formed by the northerly line of Third Street with the easterly line of Park Avenue and running;

THENCE N -13°-04'-E and along the easterly line of Park Avenue, a distance of 20.00 feet to a point;

THENCE N-76°-56'-E and parallel to Third Street, a distance of 105.00 feet to a point;

THENCE S-13°-04'-W and parallel to Park Avenue, a distance of 20.00 feet to a point;

THENCE N-76°-56'-W and parallel to Third Street, a distance of 105.00 feet to a point in the easterly line of Park Avenue, and point being the point or place of beginning.

Known as Lot 7 & 48, Block 179 as shown on the official tax assessment map for the City of Hoboken, Hudson County, New Jersey, and more commonly known as 315 Park Avenue, 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 315 Park Avenue, THE AFREMENTIONED EASEMENT SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:

1. The above recitals are incorporated herein as though 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 that 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 insured’s.

5. These easements shall run with the land and insure 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 the 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 Giacchi moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on MAY 7, 2008 at 7:00 PM.

---Motion duly seconded by Council President Castellano.
---Adopted by the following vote: YEAS: 7 - NAYS: 1 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo, Zimmer and President Castellano.
---Nays: Mason.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Maurice DeGennaro, 614 Hudson Street; Helen Hirsch, 98 Park Avenue; Matt LaSorta, 521 Garden Street; Gary Holtzman, 80 Bloomfield Street.

President Castellano then adjourned the meeting at 10:56 p.m.
PRESIDENT OF THE COUNCIL

CITY CLERK
At this time, 5:34 p.m., the Council President opened the meeting 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 Hoboken Reporter, The 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 April 23, 2008, into the record:

08-136
The Honorable Theresa Castellano
President, Hoboken City Council
Hoboken City Hall
94 Washington Street
Hoboken, NJ 07030

Re: Special Meeting of the Hoboken City Council

Dear Council President Castellano:

I hereby call a Special Meeting of the Hoboken City Council for Tuesday, April 29, 2008 at 5:30 pm in the City Council Chambers, 94 Washington Street, First Floor, Hoboken, New Jersey for the purpose:

Adoption of a resolution awarding an emergency contract to the Fieldturf Company to place the synthetic field surface at Sinatra Park.

Sincerely,

David Roberts
Mayor
City of Hoboken

cc: City Council Members
The City Clerk then called the roll:

PRESENT: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.

ABSENT: None.

Council President Castellano recognized the mayor and he recognized the City Council and those in attendance. Then the following members of the public were allowed to speak: Dan Tumpson, 230 Park Avenue; Halley Wolwiec, 163 Newark Avenue; Donna Blah-Weiken, 163 11th Street; Lane Bajardi, 70 Park Avenue; the mayor spoke again; speakers continued; Kyra Trana Barry, 2 14th Street; Frank Cardillo; Leo Pelligrini, 333 River Street.

08-137

---By the entire City Council:

RESOLUTION AWARDING AN EMERGENCY CONTRACT TO FIELDTURF TARKETT INC. TO REPLACE THE SYNTHETIC FIELD SURFACE AT SINATRA PARK

WHEREAS, pursuant to N.J.S.A. 40A:11-6, the City of Hoboken (“City”) is authorized to award an emergency contract to Fieldturf Tarkett Inc. (“Fieldturf”) to replace the synthetic field surface at Sinatra Park; and,

WHEREAS, on April 14, 2008, the State of New Jersey, Department of Health and Senior Services, advised the City of Hoboken that its primary recreational field, located at Sinatra Park, tested positive for lead contained in the synthetic turf; and,

WHEREAS, this report necessitated the immediate closure of the field, which created a significant disruption to the City’s youth recreational and sports programs and concern among the general public, especially parents, as to the long-term safety of those using the facility; and,

WHEREAS, because Hoboken is a densely populated urban community, it does not have readily available space to accommodate these recreational programs elsewhere; and,

WHEREAS, the health, safety and welfare of the community requires that the contaminated turf be removed as quickly as possible and replaced with lead-free turf; and,

WHEREAS, Fieldturf manufactures such a product, which is utilized by professional, college and high school teams throughout the United States, including numerous installations in New Jersey, and is prepared to replace the field at Sinatra Park at an expedited pace and a reduced cost; and
WHEREAS, funds for this project are available for revenue derived from previous bonds issued by the City, and no additional taxpayer funds are necessary;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Hoboken, County of Hudson, and State of New Jersey as follows: The City Council authorizes and approves the award of an emergency contract to Fieldturf to remove and replace the synthetic turf field at Sinatra Park, in an amount not to exceed three hundred fifty thousand dollars ($350,000.00).

BE IT FURTHER RESOLVED, that the City 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;

BE IT FURTHER RESOLVED that appropriate notification of this emergency contract award be provided to the New Jersey Department of Community Affairs.

---Motion duly seconded by the entire City Council.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

Council President Castellano then adjourned the meeting at 6:35 p.m.

__________________________________________________

PRESIDENT OF THE COUNCIL

__________________________________________________

CITY CLERK

Special Meeting of April 29, 2008  3
President Castellano 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 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 Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.

ABSENT: None.

SFY 2008 Municipal Budget Amendments Hearing

One member of the public spoke at this time: Michael Lenz, 408 Monroe Street. Director England stated that the amendments hearing will be continued when the question was asked by the City Clerk prior to the clerk taking the miscellaneous licenses vote.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE TO AMEND CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN (ZONING). DR-357
DR-357 continued to the next city council meeting, awaiting planning board review.

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 315 Park Avenue, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS LOT 7 & 48, BLOCK 179, ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY. DR-358

President Castellano 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 of which the heading was read in full.

No person present desiring to be heard and no written protests or objections received, President Castellano 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: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

Council President Castellano 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 Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

PETITIONS AND COMMUNICATIONS

08-138
A communication from James J. Farina, Municipal Clerk, with filed recorded deed received from New Jersey Department of Environmental Protection regarding “PT Maxwell 1101-1125 Hudson Street, Hoboken, New Jersey”.

--Received and filed.

08-139

Dear Council President and Members of the City Council:
I am pleased to once again offer my congratulations to the Hoboken All-Star Cheer Dynamics Youth and Senior Cheerleading Teams.

The Cheer Dynamics Youth Team had an undefeated season, winning two National Championships, grand champions at a local event and a remarkable win against 22 teams from across the nation, capturing the title of 2008 NLCC Final Destination World’s Best Champions. Team members Chynna-Rosa Acevedo, Kayla Ayala, Vincent Addeo, Rachel Cosme, Jenna Caraballo, Jalissa Genao, Clarriss Gonzalez, Gianna Jacobelli, Flora I. Keim, Nyreee Martin, Marlyn Milne, Amanda Padilla, Brianna Peguero, Amada Ponce, Lidia Richards, Victoria Rodriguez, DiamaLee Santiago, Leah Seickendick, Destiny Soto, Victoria Vitale, Dishonna Williams and coaches David Gonzalez, Rosemarie Lorenzo, Annette Amaro, Vera Valdivia and Advisor Michele Russo are to be congratulated for another outstanding season.

The Cheer Dynamics Senior Team won 3 National Championships and was named National Grand Champions in all 3 events. They competed against 14 teams from across the nation and were once again named in the 2008 NLCC Final Destination World’s Best Champions for the second year in a row. Team members Alexia Ratto, Captain, Tia La Bruno, Co-Captain, Regina Cannarozzi, Co-Captain, Alysha Branda, Mirella Ratto, Devon Decalzi, Gabrielle Musella, Amanda Garcia, Isabel Lopez, Megan Brown, Aleah Lombardi, Lynese Garcia, Gabriella Fumia, Alyssa Martinez, Tara Descalzi, Gabrielle Johnson, Victoria Vitale, Bryana Caraballo, Smarah Gomez, Sohraya Bernaerts, Domonique Rotondi, Hazel Yarber, Maria Clavijo, Jessenia Mercedes and coaches Nancy Vitale, David Gonzalez and Advisor Michele Russo and to be congratulated for another outstanding season.

I congratulate the 2008 Final Destination World’s Best Champions Cheer Dynamics Teams and commend the cheerleaders, coaches and advisor for their exceptional skill and team effort. It is my further intent to acknowledge their outstanding accomplishments with a Mayoral Proclamation and Parade in their honor.

Sincerely,

DAVID ROBERTS
Mayor
City of Hoboken

---Received and filed.

Councilwoman Labruno read the above mayor’s communication into the record.

08-140

APPLICATIONS FOR MISCELLANEOUS LICENSES

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<th>License Type</th>
<th>Count</th>
</tr>
</thead>
<tbody>
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</tr>
<tr>
<td>Limo/Livery Drivers</td>
<td>11</td>
</tr>
<tr>
<td>Taxi Owners</td>
<td>6</td>
</tr>
<tr>
<td>Limo Owners</td>
<td>9</td>
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<tr>
<td>New Limo Owners</td>
<td>9</td>
</tr>
<tr>
<td>Raffles</td>
<td>3</td>
</tr>
<tr>
<td>Carnival</td>
<td>1</td>
</tr>
<tr>
<td>Vendors</td>
<td>3</td>
</tr>
</tbody>
</table>

Meeting of May 7, 2008
---Councilman Russo moved that the licenses be granted.
---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

REPORTS OF CITY OFFICERS

08-141
A report of the Municipal Court indicating receipts for the month of April 2008 as $398,281.76.

---Received and filed.

CLAIM RESOLUTIONS

08-142
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 $77,921.13 against the UNCLASSIFIED CLAIMS.

Seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos.
---Nays: Mason, Russo, Zimmer and President 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 $68,757.09 against the DEPARTMENT OF ADMINISTRATION.
Councilwoman Mason voted ABSTAIN on item #00999 Scarinci & Hollenbeck $14,771.00 due to litigation.

Seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos.
---Nays: Mason, Russo, Zimmer and President Castellano.

By Councilman Giacchi:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $218,816.96 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos.
---Nays: Mason, Russo, Zimmer and President Castellano.

By Councilman Giacchi:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $22,592.07 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos.
---Nays: Mason, Russo, Zimmer and President 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 $9,440.70 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos.
---Nays: Mason, Russo, Zimmer and President Castellano.

By Councilman Cammarano:
RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $17,704.98 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos.
---Nays: Mason, Russo, Zimmer and President Castellano.

By Councilman Giacchi:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $2,015.00 against the CAPITAL ACCOUNT.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos,
---Nays: Russo, Zimmer and President Castellano.

By Councilwoman LaBruno:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $68,159.56 against the PARKING UTILITY.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos.
---Nays: Mason, Russo, Zimmer and President Castellano.

The mayor spoke at this time with an explanation of the claims payments and the necessity of making those payments.

PAYROLL RESOLUTIONS

08-143
By Councilman Russo:

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 10, 2008 TO APRIL 23, 2008 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:
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Meeting of May 7, 2008
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Motion by Councilman Russo. Seconded by Councilman Cammarano. ---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

RESOLUTIONS

Presented and Read

At this time the city council unanimously voted to address the agenda out of sequence. 08-144
---By Councilman Giacchi:

RESOLUTION CALLING FOR THE RETURN OF RECREATION SPACE IN A PORTION OF CHURCH SQUARE PARK

WHEREAS, there is a deficit of open and clear recreation space in the City of Hoboken for both active and passive pursuits; and,

WHEREAS, that deficit is most acute in Church Square Park which by virtue of its central location is the only place in the City’s heart where any open recreation space is possible; and,
WHEREAS, it is agreed that any unilateral action decreasing the amount of current and existing recreation space is not acceptable to the Council; and,

WHEREAS, the placement of newly-planted trees in Church Square Park last fall was done in a manner to alter the existing use of the grassy area next to the dog run and decreased the amount of open and clear recreation space in that park.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken that the grassy area in Church Square Park next to the dog run should be returned as an open grassy area, as it was before the new trees were planted last fall; and,

BE IT FURTHER RESOLVED that the four recently planted trees in the grassy area should be moved as close as possible to the sidewalks that surround this grassy area, or into the dog run where no trees have been planted; and,

BE IT FURTHER RESOLVED that these trees should be repositioned before the official start of summer when demand for the open recreation space is high; and,

BE IT FURTHER RESOLVED that a certified copy of this resolution be presented to Mayor David Roberts and Business Administrator/Purchasing Agent Richard England.

Before the vote the following spoke: Bill D'Angelo, 1 Marineview Plaza; Rocco Riccardi, 303 Jefferson Street; John Brown, 1022 Garden Street; Matt La Sorto, 521 Garden Street; Meghan Barrier, 105 10th Street; Mary Ondreaka, 159 9th Street; Cheryl Fallick, 204 3rd Street; Michael Lenz, 408 Monroe Street; Jim Vance, 107 Monroe Street; David Axelford, 76 Bloomfield Street; Jack Coggins, 1311 Garden Street; Jill Singleton, 1311 Garden Street; Lane Bajardi, 70 Park Avenue. Mayor Roberts spoke before the vote was taken.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 7 - NAYS: 2
---Yeas: Council persons Cammarano, Cunningham, Giacchi, Mason, Russo, Zimmer and President Castellano.
---Nays: LaBruno, Ramos.

A motion, second and vote was taken at this time to address item 08-145), to suspend the order of the agenda.

---By Councilwoman LaBruno:
---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 7 - NAYS: 1 - ABSTAIN: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Zimmer and President Castellano.
---Nays: Russo.
---Abstain: Mason.

08-145
---By Councilman Ramos:

RESOLUTION DEMANDING COUNCILWOMAN ELIZABETH MASON DROP HER LAWSUIT AGAINST THE HOBOKEN MUNICIPAL HOSPITAL AUTHORITY

Meeting of May 7, 2008  10
WHEREAS, thanks to the leadership of the Mayor and the City Council, along with Governor Jon Corzine, our Hudson County Legislative Delegation, and the citizens of Hoboken, the City has been able to save St. Mary Hospital from closure, a vital, lifesaving resource to the residents of this City, especially those without means to utilize more expensive and distant hospitals; and,

WHEREAS, St. Mary Hospital has since been renamed the Hoboken University Medical Center, which is run under the leadership of the Hoboken Municipal Hospital Authority and Chief Executive Officer Harvey Holzberg; and,

WHEREAS, though there were some who did not support the effort to save the Hospital, increasing evidence indicates that the Hospital is a wonderful success story for the City, and,

WHEREAS, accolades for the Hospital continue to mount, including a recent Harvard School of Public Health study that ranked Hoboken University Medical Center #2 nationwide in pneumonia care for Latinos, and a Gold Seal of Approval for health care quality and safety from the Joint Commission on Health Care, the highest level of health care accreditation in the nation; and,

WHEREAS, Councilwoman Elizabeth Mason has filed numerous unsuccessful lawsuits against the City of Hoboken and its agencies and instrumentalities, which have cost the City many thousands of dollars in legal fees to defend in court; and,

WHEREAS, Councilwoman Mason has now set her sights on the Hoboken Municipal Hospital Authority, prosecuting yet another lawsuit regarding meetings that took place nearly two years ago, which if successful would severely disrupt the operations of the Authority by having important actions taken at those meetings overturned; and,

WHEREAS, Councilwoman Mason also originally named the City as a defendant in this case, forcing it to expend additional funds to defend itself and obtain a dismissal of the allegations against it; and,

WHEREAS, the City Council is aware that Councilwoman Mason is now subjecting the Authority to a lengthy trial concerning these long-ago meetings, serving numerous subpoenas on Hospital and other officials, diverting them from their job responsibilities while costing the Hospital many thousands of dollars in legal fees; and,

WHEREAS, the time and money wasted by this lawsuit have a direct effect on the ability of the Hospital to focus its efforts on its proper role - saving the lives of Hoboken residents; and,

WHEREAS, the Council strongly believes that if there are legitimate issues to be addressed regarding the Authority or any other governmental office, those issues are far better resolved through discussion and co-operation, rather than litigation.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Hoboken, County of Hudson, and State of New Jersey that Councilwoman Elizabeth Mason is asked to immediately drop her wasteful and needless lawsuit against the Hoboken Municipal Hospital Authority; and,

BE IT FURTHER RESOLVED that the Council implores Councilwoman Mason to support the City’s efforts to promote Hoboken University Medical Center as a success story
for all our residents, rather than continue her attempt to disrupt the Hospital’s operations through this litigation; and,

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be provided to Councilwoman Elizabeth Mason.

Before the vote the following spoke: Bob DuVall, 303 Park Avenue; Jason Padrone, 112 Oak Street, Weehawken; Helen Hirsch, 98 Park Avenue; Maurice DeGennaro, 614 Hudson Street; Steve Cappiello, 530 Adams Street; George Crimmins, 1111 Garden Street; Michael Lenz, 408 Monroe Street; Jim Vance, 107 Monroe Street; Gary Holtzman, 80 Bloomfield Street; Maureen Sullivan, 213 14th Street; Eric Kurta, 214 Garden Street; Richard Tremtiedi, 2 Constitution Court; Ann Holtzman, 80 Bloomfield Street; Lane Bajardi, 70 Park Avenue; Perry Belfiore, 161 11th Street; Inez Garcia Keim, 1103 Washington Street. Additionally, Jeffery Kantowitz, Attorney for Councilwoman Mason, 200 Executive Drive, West Orange, NJ addresses the city council.

---Motion duly seconded by Councilwoman LaBruno.
---**FAILED** by the following vote: YEAS: 2 - NAYS: 6 - PRESENT: 1
---Yeas: Council persons LaBruno, Ramos.
---Nays: Council persons Cammarano, Cunningham, Giacchi, Russo, Zimmer and President Castellano.
---Present: Mason.

At this time the city council unanimously voted to return to the agenda in original sequence.

At 10:29 the City Council took a recess.
At 10:43 the City Council returned to the meeting.

On the following resolution (#08-146) after an initial vote was taken of Yeas: 5 (Giacchi, LaBruno, Ramos, Russo, and President Castellano) and Nays: 4 (Cammarano, Mason, Cunningham, Zimmer). The resolution needing a two-thirds vote to pass it would have failed. Then after a statement by Business Administrator England a motion by Councilwoman Mason and duly seconded by Councilman Russo and voted unanimously of Yeas: 9 and Nays: 0 the city council decided to reconsider resolution #08-146 as follows:

08-146
---By Councilman Russo:

**THIS RESOLUTION AUTHORIZES ADDITIONAL TEMPORARY EMERGENCY APPROPRIATIONS TO THE SFY 2008 BUDGET UNTIL SUCH TIME AS A FORMAL BUDGET IS ADOPTED.**

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

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<tr>
<th>ACCOUNT</th>
<th>ACCOUNT #</th>
<th>AMOUNT</th>
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<td>(Within Cap)</td>
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Meeting of May 7, 2008 12
Personnel S & W  8-01-20-105-010  $ 8,800.00  
Mayor's Office S & W  8-01-20-110-010  $ 7,500.00  
City Council S & W  8-01-20-111-010  $ 8,000.00  
Business Admin. S & W  8-01-20-112-010  $ 13,200.00  
A.B.C. Board S & W  8-01-20-113-010  $ 1,000.00  
Purchasing S & W  8-01-20-114-010  $ 5,000.00  
Licensing Bureau S & W  8-01-20-115-010  $ 500.00  
Grants Mgmt. S & W  8-01-20-116-010  $ 8,000.00  
City Clerk S & W  8-01-20-120-010  $ 18,300.00  
Elections S & W  8-01-20-122-010  $ 8,325.00  
Finance Supervisor S&W  8-01-20-130-010  $ 4,400.00  
Accts & Control S & W  8-01-20-131-010  $ 3,100.00  
Payroll S & W  8-01-20-132-010  $ 4,000.00  
Tax Collector S & W  8-01-20-145-010  $ 12,000.00  
Information Tech S&W  8-01-20-147-010  $ 5,500.00  
Assessor's Office S & W  8-01-20-150-010  $ 12,800.00  
Community Devel. S & W  8-01-20-160-010  $ 6,200.00  
Planning Board S & W  8-01-21-180-010  $ 3,600.00  
Zoning Officer S & W  8-01-21-186-010  $ 1,500.00  
Housing Inspection S&W  8-01-21-187-010  $ 1,500.00  
Construction Office S&W  8-01-22-195-010  $ 23,500.00  
Police Department S & W  8-01-25-241-010  $ 630,000.00  
Emergency Mgmt S & W  8-01-25-252-010  $ 4,600.00  
Fire Department S & W  8-01-25-266-010  $ 425,000.00  
Environ. Svcs. Office S&W  8-01-26-290-010  $ 23,000.00  
Central Garage S & W  8-01-26-301-010  $ 10,600.00  
Solid Waste S & W  8-01-26-305-010  $ 83,000.00  
Human Services S & W  8-01-27-330-010  $ 6,500.00  
Board of Health S & W  8-01-27-332-010  $ 18,500.00  
Constituent Svcs. S & W  8-01-27-333-010  $ 6,800.00  
Senior Citizens S & W  8-01-27-336-010  $ 15,000.00  
Rent Control S & W  8-01-27-347-010  $ 5,700.00  
Transportation S & W  8-01-27-348-010  $ 10,200.00  
Recreation S & W  8-01-28-370-010  $ 24,000.00  
Parks S & W  8-01-28-375-010  $ 20,000.00  
Public Property S & W  8-01-28-377-010  $ 33,500.00  
Water & Sewer O.E.  8-01-31-445-000  $ 1,500.00  
Municipal Court S & W  8-01-43-490-010  $ 47,500.00  
Public Defender S & W  8-01-43-495-010  $ 2,000.00  
TOTAL  $ 1,524,125.00

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<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Library S &amp; W</td>
<td>8-01-29-390-010</td>
<td>$ 33,500.00</td>
</tr>
<tr>
<td>Public Library O.E.</td>
<td>8-01-29-390-021</td>
<td>$ 79,000.00</td>
</tr>
<tr>
<td>Parking Utility S &amp; W</td>
<td>8-31-55-502-100</td>
<td>$ 80,000.00</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>$ 192,500.00</td>
</tr>
</tbody>
</table>

Before the vote the following spoke: Michael Lenz, 408 Monroe Street.
---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: Cunningham.

On the above resolution Councilman Cunningham voted YES on:
8-01-25-241-010  $630,000.00  Police Department S & W
8-01-25-266-010  $425,000.00  Fire Department S & W

On the above resolution Councilwoman Mason voted ABSTAIN on:
8-01-20-112-010  $13,200.00  Business Administrator S & W
8-01-20-120-010  $18,300.00  City Clerk S & W
8-01-22-195-010  $23,500.00  Construction Office S & W
Additionally, on the above resolution Councilwoman Mason voted NO on:
8-01-20-110-010  $7,500.00  Mayor's Office S & W
8-01-20-111-010  $3,000.00  City Council S & W

08-147
---By Councilwoman LaBruno:

RESOLUTION FOR HANDICAP PARKING ZONE

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>
</tr>
</thead>
<tbody>
<tr>
<td>Carlos Rivera</td>
<td>$125.00</td>
</tr>
<tr>
<td>311 Harrison Street</td>
<td></td>
</tr>
</tbody>
</table>

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-148
---By Council President Castellano:

CALENDAR FOR May 2008 through June 2008
RESOLVED, that the following dates and times listed below are re-adopted as the official meeting dates of the Hoboken City Council for May 2008 through June 2008, and be it further -

RESOLVED, that in accordance with N.J.S.A. 10:4-8(d) and 10:4-18 (Open Public Meetings Act), within seven (7) days of passage of this Resolution, the City Clerk shall (a) prominently post this Resolution in at least one location at City Hall reserved for similar announcements; (b) mail, telephone, telegram or hand deliver this Resolution to all of the official newspapers of the City of Hoboken; and (c) maintain a copy of this Resolution in the Office of the City Clerk; and, be it further -

RESOLVED, that this Resolution be advertised in two of the City’s official newspapers within (7) days of passage.

CITY COUNCIL MEETINGS, COUNCIL CHAMBERS, CITY HALL, HOBOKEN, NJ

NOTICE OF DATES AND TIMES FOR MAY 2008 THROUGH JUNE 2008

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wednesday</td>
<td>May 7, 2008 7PM</td>
</tr>
<tr>
<td>Thursday</td>
<td>May 22, 2008* 7PM</td>
</tr>
<tr>
<td>Wednesday</td>
<td>June 4, 2008 7PM</td>
</tr>
<tr>
<td>Wednesday</td>
<td>June 18, 2008 7PM</td>
</tr>
</tbody>
</table>

* Please note that this meeting has been changed from the originally scheduled date of Wednesday, May 21 due to a conflict with the City of Hoboken’s Veterans’ Parade.

All information pertaining to the Council agenda may be obtained from the City Clerk, during regular business hours, prior to each Council meeting and also, on the City’s website - www.hobokennj.org.

Before the vote the following spoke: Helen Hirsch, 98 Park Avenue.

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-149
---By Council President Castellano:

APPROVAL OF CITY COUNCIL MINUTES

RESOLVED, that filed minutes for the Hoboken City Council meeting of April 2, 2008 are approved and also,

amending a single vote of the January 16, 2008 meeting (resolution 08-22; regarding a Certificate of Completion for 1000 Jefferson, Street) from 7 yeas (Cammarano, Cunningham, Giacchi, LaBruno, Ramos, Russo and President Castellano) and 2-nays from (Mason, Zimmer) to 6 yeas (Cammarano, Giacchi, LaBruno, Ramos, Russo and President Castellano),
meeting of may 7, 2008

and 3-nays (cunningham, mason, zimmer).

---motion duly seconded by councilman russo.
---adopted by the following vote: yeas: 9 - nays: 0
---yeas: council persons cammarano, cunningham, giacchi, labruno, mason, ramos, russo, zimmer and president castellano.
---nays: none.

08-150
---by councilman russo:

resolution authorizing the closure of a bank account at the recommendation of the division of revenue and finance

whereas, the division of revenue and finance of the city of hoboken has recommended the closure of the following bank account which have been dormant:

<table>
<thead>
<tr>
<th>bank account</th>
<th>number</th>
</tr>
</thead>
<tbody>
<tr>
<td>city of hoboken-quality claims adjustor</td>
<td>#398-2692614</td>
</tr>
</tbody>
</table>

now, therefore, be it resolved, that the division of revenue & finance be and is hereby authorized to close the aforementioned bank account and to execute any and all documents necessary for the closure of said account; and be it further

resolved, that the td banknorth, which administers the account noted above, shall be furnished with a certified copy of this resolution.

before the vote the following spoke: george destefano, 324 monroe street.

---motion duly seconded by councilman cammarano.
---adopted by the following vote: yeas: 9 - nays: 0
---yeas: council persons cammarano, cunningham, giacchi, labruno, mason, ramos, russo, zimmer and president castellano.
---nays: none.

08-151
---by councilman russo:

resolution authorizing the city council of the city of hoboken to cancel outstanding, dated checks from the city of hoboken allied risk & quality claims adjustor account#'s 4144010958 & 3982692614 in the amount of $48,821.39

whereas, the division of revenue of the city of hoboken has yielded the computation that as of august of the year 2006, account number account #4144010958 & 3982692614 contains numerous outstanding, dated checks; and
WHEREAS, these outstanding dated checks date from May 2000 & prior through August 2006, and have amassed a grand total of $48,821.39; and

WHEREAS, the Division of Revenue and Finance of the City of Hoboken has recommended that

The City Council take the necessary and proper action to cancel these outstanding dated checks from the City of Hoboken Allied Risk/Quality Claims Adjustors Account: and

WHEREAS, cancellation of these outstanding dated checks will best serve and protect the interests of the residents of this City. NOW, THEREFORE, BE IT

RESOLVED, that the Department of Administration, Division of Revenue and Finance, is hereby authorized to cancel said outstanding checks from the Allied Risk/Quality Claims Adjustors Account # 4144010958 & 3952692614 In the amount of $48,821.39.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

---By Councilwoman LaBruno:

A RESOLUTION RATIFYING THE SUBMISSION OF A REQUEST FOR FUNDS FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION SAFE ROUTES TO SCHOOL PROGRAM

WHEREAS, the City of Hoboken Department of Environmental Services is requesting grant funds in the amount $119,120.00 from the New Jersey Department of Transportation Safe Routes To School Program for pedestrian safety improvements within the Wallace School zone, 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 Department of Transportation; 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 within said application; 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 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 and related pertinent documents on behalf of the City of Hoboken with the New Jersey Department of Transportation.
Before the vote the following spoke: Helen Hirsch, 98 Park Avenue; James Ronga, 1 Marine View Plaza.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-153
---By Councilman Ramos:

AUTHORIZING CONTRACT AMENDMENT FOR ENVIRONMENTAL ENGINEERING SERVICES FOR THE 1600 PARK AVENUE PROJECT TO BIRDSALL ENGINEERING, INC.

WHEREAS, the City of Hoboken wishes to undertake an environmental remediation of the 1600 Park Avenue site, which has been dedicated for the development of open space/parkland; and

WHEREAS, Bid Documents, Construction Administration, Groundwater Monitoring Activities, Sensitive Receptor Survey/BEE and NJDEP Reporting (as per Remedial Action Workplan submitted to NJDEP) are required in order to proceed with the cleanup for the above entitled project; and

WHEREAS, Birdsall Engineering, Inc. has submitted a proposal for the preparation of such documents (proposal attached) in an amount not to exceed Thirty One Thousand Dollars ($31,000.00); and

WHEREAS, the City of Hoboken has reviewed the attached proposal and has recommended that said amended contract be awarded to bid the construction of the environmental remediation work at 1600 Park Avenue; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken does hereby authorize an amendment to a contract between the City of Hoboken and Birdsall Engineering, Inc. to provide additional consultant and environmental engineering services for the environmental remediation of 1600 Park Avenue project as set forth above; and

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

1. A contract for the above services for the City of Hoboken shall be prepared and executed with the following vendor:

   Birdsall Engineering, Inc.
   611 Industrial Way West
   Eatontown, NJ 07724-2213
2. Such firm to be paid an hourly rate as contained in the proposal and a total amount not to exceed $31,000.00.

3. This agreement shall be effective immediately.

4. The City Clerk shall publish 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).

5. The Mayor is hereby authorized to execute a contract with Birdsall Engineering, Inc. for professional services on behalf of the City of Hoboken and to take any other actions necessary to complete and realize the intent and purpose of this resolution.

6. This resolution shall take effect immediately.

Before the vote the following spoke: Lane Bajardi, 70 Park Avenue.

---Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-154
---By Councilman Ramos:

AMENDMENT TO BIRDSALL ENGINEERING, INC. CONTRACT FOR REMEDIATION WORK FOR THE FORMER TODD SHIPYARD SITE

WHEREAS, the City of Hoboken received bids for the environmental remediation work of the former Todd Shipyards; and

WHEREAS, the bids received were rejected due to high bid prices; and

WHEREAS, in order to re-bid the remediation of the former Todd Shipyards, the following engineering services are required:

- Resubmit application for funding to HDSRF for additional funds for remediation work;
- Modify existing bid package to include HDSRF soil disposal requirements;
- Re-advertise the project and review bids and recommend award of contract for remediation work and;
- WHEREAS, Birdsall Engineering, Inc. has submitted a proposal for completion of the above tasks (proposal attached) in an amount not to exceed Six Thousand Nine Hundred Dollars ($6,900.00) as an amendment to their existing contract with the City; and

WHEREAS, the City of Hoboken has reviewed the attached proposal and has recommended that said proposed contract to bid the construction of the remediation work at the former Todd Shipyard site be awarded;
NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken does hereby authorize an amendment to a contract between the City of Hoboken and Birdsall Engineering, Inc. to provide additional consultant and environmental engineering services for the environmental remediation work at the Former Todd Shipyard project as set forth above; and

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

1. A contract amendment for consultant and environmental engineering services for the City of Hoboken shall be prepared and executed with the following vendor:

   Birdsall Engineering, Inc.
   611 Industrial Way West
   Eatontown, NJ 07724-2213

2. Such firm to be paid an hourly rate as contained in the proposal and a total amount not to exceed $6,900.00

3. This agreement shall be effective immediately and terminate October 31, 2008.

4. The City Clerk shall publish 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).

5. The Mayor is hereby authorized to execute a contract with Birdsall Engineering, Inc. for professional services on behalf of the City of Hoboken and to take any other actions necessary to complete and realize the intent and purpose of this resolution.

6. This resolution shall take effect immediately.

Before the vote the following spoke: Helen Hirsch, 98 Park Avenue.

---Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-155
---By Councilman Russo:

THIS RESOLUTION PUTS THE CITY OF HOBOKEN IN CONFORMITY WITH N.J.A.C. 5:34-1.2 (LOCAL PUBLIC CONTRACTS LAW RULES). THIS AFFIRMS THAT THE CITY OF HOBOKEN WILL BE PURCHASING GOODS AND/OR SERVICES FROM VENDORS APPROVED BY THE STATE’S DIVISION OF

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 firm has been awarded a New Jersey Contract for the period 1 January 2006 thru 31 December 2008; and,

WHEREAS, the purchasing agent recommends the utilization of this contract on the grounds that it represents the best composite price available; and,

WHEREAS, the actual cost of the purchase of each of this individual various goods and/or services is expected not to exceed $ 90,000.00; and,

WHEREAS, the Chief Financial Officer will certify the availability of funds for this contract,

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

Nextel Communications, 2001 Edmund Halley Drive, Reston, VA. 20191, Contract # A64429 be awarded a contract for fiscal year 2008 for Wireless Communications (Cell Phone/Radio).

Before the vote the following spoke: Helen Hirsch, 98 Park Avenue.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

---By Councilman Ramos:

RESOLUTION AUTHORIZING MAYOR TO EXECUTE COST ALLOCATION AND COOPERATION AGREEMENT WITH SHG HOBOKEN URBAN RENEWAL ASSOCIATES, LLC

WHEREAS, SHG Hoboken Urban Renewal Associates, LLC ("SHG") is the entity conditionally selected to purchase and redevelop Block 1, Lot 1 in the City of Hoboken (commonly known as the “Public Works Garage site”) pursuant to a redevelopment plan and in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("the Redevelopment Law"); and

WHEREAS, the Block 1, Lot 1 (“the Premises”) is currently subject to a potential claim of ownership by the State of New Jersey to those portions of the Premises that were formerly flowed by tidal waters (the "Tidelands Claim"); and
WHEREAS, subject to the terms of its conditional selection as redeveloper, and in furtherance of the purchase and redevelopment of the Premises, SHG desires to dispose of the Tidelands Claim; and

WHEREAS, SHG has offered, at its sole cost and expense, to take all actions necessary to lease and acquire the claimed portion of the Premises, and/or otherwise dispose of the Tidelands Claim in consideration for the City’s cooperation in this regard; and

WHEREAS, SHG and representatives of the City have negotiated the attached agreement, which sets forth their mutual understandings and agreements with respect to the disposal of the Tidelands Claim;

WHEREAS, the Council has determined that it is in the best interest of the City to accept the attached agreement as negotiated.

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

1. The attached Cost Allocation and Cooperation Agreement is hereby approved;

2. The Mayor of the City of Hoboken, or his designee, is hereby authorized and directed to execute said Agreement, and the City Clerk is hereby authorized to attest same and to affix the City Seal.

Before the vote the following spoke: Helen Hirsch, 98 Park Avenue.

---Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-157
---By Councilman Russo:

RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SALE OF TAX ANTICIPATION NOTES OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY

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

SECTION 1. In anticipation of the collection of taxes for the fiscal year that commenced July 1, 2007, whether levied or to be levied in such fiscal year, and in anticipation of other revenues for such fiscal year, the City of Hoboken, in the County of Hudson, New Jersey (the “City”) hereby authorizes and determines to issue, from time to time, negotiable Tax Anticipation Notes of the City in an aggregate principal amount not to exceed $24,000,000, in accordance with the Local Budget Law. Each such Tax Anticipation Note shall be designated “Tax Anticipation Note of 2008, Series B”, together with such other designation as may be determined by the Chief Financial Officer of the City. The proceeds of the sale of such Tax Anticipation Notes, unless used to pay outstanding notes issued in anticipation of
the collection of taxes of the same fiscal year, shall be applied only to the purposes provided
for in the budget or for which taxes are levied or to be levied for such fiscal year, and shall
not be applied to any other purpose.

SECTION 2. The amount of Tax Anticipation Notes outstanding at any one time shall not
exceed $24,000,000, which is within the gross borrowing power (as certified by the Chief
Financial Officer) of the City, and the amount of Tax Anticipation Notes authorized hereby is
within the net borrowing power (as certified by the Chief Financial Officer) of the City. On
May 7, 2008, the Chief Financial Officer executed a certificate setting forth the gross
borrowing power and the net borrowing power of the City in accordance with N.J.S.A. 40A:4-
66. Such certificate has been filed in the office of the Clerk of the City, and a copy thereof is
attached hereto as Exhibit A and is hereby incorporated herein in its entirety.

SECTION 3. All Tax Anticipation Notes issued hereunder shall mature at such times as may
be determined by the Chief Financial Officer, provided that all such Tax Anticipation Notes
and any renewals thereof shall mature within 120 days after the beginning of the next
succeeding fiscal year. The Chief Financial Officer shall determine all matters in connection
with the Tax Anticipation Notes issued pursuant to this resolution, and the Chief Financial
Officer’s signature upon the Tax Anticipation Notes shall be conclusive evidence as to all
such determinations. All Tax Anticipation Notes issued hereunder may be renewed from
time to time subject to the provisions of N.J.S.A. 40A:4-67. The Chief Financial Officer is
hereby authorized to sell part or all of the Tax Anticipation Notes from time to time, at not
less than par and accrued interest, at private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price plus accrued interest from their date
to the date of delivery thereof.

SECTION 4. 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 Tax Anticipation
Notes pursuant to this resolution is made, the amount, the description, the interest rate and
the maturities of the Tax Anticipation Notes sold, the price obtained and the name of the
purchaser, and such report shall be entered in full on the minutes of such meeting.

SECTION 5. The full faith and credit of the City are hereby pledged to the punctual payment
of the principal of and the interest on the Tax Anticipation Notes authorized by this
resolution. The Tax Anticipation Notes shall be direct, unlimited obligations of the City.
The power and obligation of the City to pay any Tax Anticipation Notes issued pursuant to
this resolution and the Local Budget Law shall be unlimited and the City shall have the
power and be obligated to levy ad valorem taxes upon all taxable property within the City for
the payment of such Tax Anticipation Notes and interest thereon, without limitation of rate
or amount.

SECTION 6. All Tax Anticipation Notes issued pursuant to this resolution shall be executed
by the Chief Financial Officer and the Mayor of the City, and shall be under the seal of the
City and attested by the Clerk of the City. Such officers are hereby authorized to execute
and deliver all documents necessary or convenient in connection with the issuance, sale and
delivery of the Tax Anticipation Notes.

SECTION 7. A certified copy of this resolution shall be filed with the Director of Local
Government Services in the Department of Community Affairs, State of New Jersey.

SECTION 8. This resolution shall take effect immediately.

Before the vote the following spoke: George DeStefano, 324 Monroe Street.
---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-158
---By the entire City Council:

RESOLUTION SUPPORTING THE ADMINISTRATION’S EFFORTS TO RETURN SCHOOLYARDS AT CONNORS SCHOOL AND DEMAREST SCHOOL TO OPEN RECREATIONAL SPACE FOR OUR CHILDREN

WHEREAS, the City Council acknowledges that there is a deficit of open and clear recreational space in the City of Hoboken; and,

WHEREAS, currently, there are large schoolyards at both Connors School and Demarest School, which are currently being used for parking, rather than for recreation; and,

WHEREAS, returning these schoolyards to their proper, intended recreational use would greatly increase the City’s amount of open space available for our children to play on; and,

WHEREAS, the City Council is aware that the Administration has been reaching out to the Hoboken Board of Education in an effort to accomplish this worthy goal in a co-operative manner; and,

WHEREAS, the Council has been advised by the Administration that this effort will be in addition to, not to replace, all of the City’s other efforts to increase open space and provide additional recreational areas for all citizens of Hoboken;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken that it fully supports the Administration’s efforts to create this additional open space for active recreation; and,

BE IT FURTHER RESOLVED that the Council requests that the Hoboken Board of Education also support these efforts and work co-operatively with the City to see this is accomplished in the most expeditious and cost-effective manner possible; and,

BE IT FURTHER RESOLVED that a certified copy of this resolution be presented to Mayor David Roberts, Superintendent Jack Rasloowsky, and each member of the Hoboken Board of Education.

Before the vote the following spoke:  Jim Vance, 107 Monroe Street; Mary Ondreka, 152 9th Street; Matt LaSorta, 321 Garden Street.

---Motion duly seconded by the entire City Council.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-159
---By Councilman Ramos:
RESOLUTION RESTORING THE ABILITY OF THE ADMINISTRATION TO PAY FOR “OTHER EXPENSES (O.E.)” EXPENDITURES

WHEREAS, on March 19, 2008, the Council of the City of Hoboken adopted a resolution directing the Administration to cease spending except for salaries and wages; and,

WHEREAS, that resolution was intended to send a message to the Administration that the Council was concerned about the budgetary and spending processes that were taking place in the City; and,

WHEREAS, the Administration has worked to address the Council’s concerns and has pledged to continue doing so; and,

WHEREAS, the prohibition against spending for Other Expenses (O.E.) has resulted in the inability to pay vendors for needed products and services, thus damaging the City’s financial standing among the business community and disrupting the efficient operations of City government; and,

WHEREAS, the Council intends to continue to keep a watchful eye on the Administration’s spending practices and will take further appropriate action if it becomes necessary to do so;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken that the March 19, 2008 resolution directing the Administration to cease spending except for salaries and wages is hereby revoked and withdrawn; and,

BE IT FURTHER RESOLVED that such spending may now continue to the extent permitted by law, and within the confines of the City’s budget; and,

BE IT FURTHER RESOLVED that a certified copy of this resolution be presented to Mayor David Roberts and Business Administrator/Purchasing Agent Richard England.

Before the vote the following spoke: Maurice DeGennaro, 614 Hudson Street.

---Motion duly seconded by Councilwoman LaBruno.
---FAILED by the following vote: YEAS: 1 - NAYS: 8
---Yeas: LaBruno.
---Nays: Council persons Cammarano, Cunningham, Giacchi, Mason, Ramos, Russo, Zimmer and President Castellano.

08-160
---By Council President Castellano:

RESOLUTION APPROVING “FRESH AIR FLICKS” TO PERFORM SOUND AND PROJECTION SERVICES FOR THE “MOVIES UNDER THE STARS”

WHEREAS, the City of Hoboken offers a program known as “Movies Under The Stars,” which a free film series held for the benefit of the community at Pier A Park on Wednesdays throughout the summer; and,
WHEREAS, in order to provide this well-liked program to the residents of the community, the City is required to expend substantial funds for the projection and sound system and necessary personnel to operate this equipment; and,

WHEREAS, a company known as “Fresh Air Flicks” has offered to provide the necessary equipment and staff for each night Movies Under the Stars is held, including the film screen, generator, sound system, projector and necessary personnel at no cost whatsoever to the City of Hoboken; and,

WHEREAS, in return for these services, “Fresh Air Flicks” has asked that it be granted the exclusive right to sell food, beverages and souvenirs to the public attending “Movies Under the Stars,” and to have this event sponsored by third parties in a manner pre-approved by the City; and,

WHEREAS, due to the unusual nature of this arrangement, even though the value of this contract is less than the bid threshold established by the Local Public Contracts Law, the Administration has requested that the Council grant its approval to this proposed agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken does hereby authorize a contract between the City of Hoboken and Fresh Air Flicks, as set forth above;

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

1. A contract shall be prepared and executed with the following vendor:

   Fresh Air Flicks
   262 48th Street
   Brooklyn, NY 11220

   Such contract shall be substantially in the form set forth in Exhibit “A.”

2. This agreement shall be effective June 1, 2008 and terminate on September 1, 2008.

3. The Mayor is hereby authorized on behalf of the City of Hoboken to execute a contract with Fresh Air Flicks, and to take any other actions necessary to complete and realize the intent and purpose of this resolution.

4. This resolution shall take effect immediately.

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---By Council President Castellano:

08-161
---By Councilman Russo:
RESOLUTION AUTHORIZING THE DETERMINATION OF THE RESERVE FOR UNCOLLECTED TAXES APPROPRIATION, FOR THE SFY 2008 BUDGET, TO BE BASED ON THE PREVIOUS THREE YEARS RATES OF TAX COLLECTIONS

WHEREAS, the City of Hoboken introduced the SFY 008 municipal budget with a reserve for uncollected taxes appropriation of $155,000.00, and

WHEREAS, the calculation determining the reserve for uncollected taxes appropriation utilized the SFY 2007 tax collection rate including the results of the accelerated tax sale, and

WHEREAS, N.J.S.A. 40A:4-1 et. seq. (Local Budget Law) prohibits the utilization of the accelerated tax sale results in determined the reserve for uncollected taxes appropriation if the municipal budget is not adopted by April 15 of any given year, and

WHEREAS, N.J.S.A. 40A:4-1 et. seq. (Local Budget Law) provides for the determination of the reserve for uncollected taxes appropriation utilizing the average of the last three (3) fiscal years rates of tax collection upon authorization of the Governing Body, and

WHEREAS, the determination of the reserve for uncollected taxes appropriation utilizing the average of the last three (3) fiscal years rates of tax collections results in an appropriation increase of $333,958.00 vs. an appropriation increase of $707,856.02 utilizing only the SFY 07 underlying rate of tax collection.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, that the Chief Finance Officer be and is hereby authorized to determine the SFY 08 reserve for uncollected taxes appropriation utilizing the average of the last three (3) fiscal years rates of tax collections.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

ORDINANCES

Introduction and First Reading

08-162
DR-359

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOKEN TO ESTABLISH A HOTEL AND MOTEL ROOM OCCUPANCY TAX. DR-359

WHEREAS, as Hoboken has continued to thrive as a tourist and cultural destination, it is likely that the hotel and motel industry will continue to look to Hoboken as a promising site to locate; and,
WHEREAS, pursuant to P.L. 2003, c. 114, codified at N.J.S.A. 40:48F-1 et seq., the City of Hoboken is authorized to establish a hotel and motel occupancy tax; and,

WHEREAS, at least 164 other municipalities throughout New Jersey have already established such a tax, the revenues of which can be used to pay for additional services for the residents of Hoboken as well as visitors to our community, including those lodging at hotels and motels within the City;

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

Section One: Purpose

It is the purpose of this legislation to implement the provisions of P.L. 2003, c. 114, now codified at N.J.S.A. 40:48F-1 et seq., which authorizes the governing body of a municipality to adopt an ordinance imposing a tax at a uniform percentage rate not to exceed 3% on charges of rent for every occupancy on or after July 1, 2004, of a room or rooms in a hotel subject to taxation pursuant to Subsection (d) of Section 3 of P.L. 1966, c. 40 (N.J.S.A. 54:32B-3), which shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon the occupancy of a hotel room. Section Two: Tax Established

There is hereby established a hotel and motel room occupancy tax in the City of Hoboken, which shall be fixed at a uniform percentage rate of 3% on charges of rent for every occupancy of a hotel or motel room in the City of Hoboken on or after July 1, 2004, of a room or rooms in a hotel subject to taxation pursuant to Subsection (d) of Section 3 of P.L. 1966, c. 40, N.J.S.A. 54:32B-3 (sales tax).

Section Three: Applicability

The hotel and motel room occupancy tax shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon the occupancy of a hotel room.

Section Four: Payment of Tax

In accordance with the requirements of P.L. 2003, c. 114:

(1) All taxes imposed by this article shall be paid by the purchaser.

(2) A vendor shall not assume or absorb any tax imposed by this article.

(3) A vendor shall not in any manner advertise or hold out to any person or to the public in general, in any manner, directly or indirectly, that the tax will be assumed or absorbed by the vendor, that the tax will not be separately charged and stated to the customer, or that the tax will be refunded to the customer.

(4) Each assumption or absorption by a vendor of the tax shall be deemed a separate offense and each representation or advertisement by a vendor for each day that the representation or advertisement continues shall be deemed a separate offense.
(5) The penalty for violation of the foregoing provisions shall be a fine not exceeding $1,250, a term of imprisonment not exceeding 90 days or a period of community service for a period not exceeding 90 days, or any combination thereof, for each offense.

Section Five: Collection of Tax

The tax imposed by this article shall be collected on behalf of the City by the person collecting the rent from the hotel or motel customer. Each person required to collect the tax herein imposed shall be personally liable for the tax imposed, collected, or required to be collected hereunder. Any such person shall have the same right in respect to collecting the tax from a customer as if the tax were a part of the rent and payable at the same time; provided that the Chief Financial Officer of the City shall be joined as a party in any action or proceeding brought to collect the tax.

Section Six: Distribution of Provisions of Article

A copy of this Ordinance shall be transmitted to the State Treasurer and to each hotel or motel located within the City of Hoboken.

Section Seven: Repeal of Inconsistent Provisions

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 Eight: 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 by a court of competent jurisdiction, 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 Nine: Effective Date

Pursuant to N.J.S.A. 40:48F-1, this Ordinance shall take effect on the first day of the first full month occurring 90 days after the date of transmittal to the State Treasurer.

Section Ten: Codification

This Ordinance shall be a part of the 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 Code.

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken 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.

---The entire City Council 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 THURSDAY, MAY 22, 2008 at 7:00 PM.

---Motion duly seconded by the entire City Council.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-163
DR-360

ORDINANCE AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS IN CONNECTION WITH AND APPROVING THE EXTENSION OF CERTIFICATES OF PARTICIPATION (“COPS”) PREVIOUSLY ISSUED BY THE CITY OF HOBOKEN FOR THE PUBLIC WORKS GARAGE. DR-360

WHEREAS, the City of Hoboken, in the County of Hudson, New Jersey (the "City") previously authorized and on June 29, 2006 entered into various agreements and documents (the "2006 Documents") in connection with the issuance of Certificates of Participation Relating to Lease Purchase Agreement between NWF Leasing Inc. (the "Lessor") and the City in the aggregate principal amount of $13,840,000 (the “2006 Certificates”) to fund the purchase by the Lessor of the Department of Public Works Garage (the "DPW Garage") for lease to the City for its use, and which 2006 Certificates are scheduled to mature on July 1, 2008 (the "Scheduled Maturity Date"); and

WHEREAS, prior to the Scheduled Maturity Date, the City intended to close on the conveyance of the DPW Garage to a buyer in order to provide funds to retire the 2006 Certificates, and have in fact awarded the sale of the DPW Garage to a buyer selected pursuant to a competitive bidding process under the Local Land and Buildings Law (the "Bid Process Buyer") subject to certain conditions, including locating another suitable location for a new public works garage; and

WHEREAS, the City to date has not located another suitable site for a new public works garage and therefore desires to extend the Scheduled Maturity Date of the 2006 Certificates, as well as authorize the increase of the principal amount of the 2006 Certificates; on terms mutually acceptable to the City and the holder of the 2006 Certificates (the "2006 Certificates Holder") as set forth herein and in amendments/supplements to the 2006 Documents to be entered into by the City (collectively, the "2008 Transaction"); and

WHEREAS, since the obligations of the City under the 2006 Documents are subject to appropriation by the Municipal Council of the City, the 2006 Certificates Holder, as further assurance that the principal of and interest on the 2006 Certificates will get paid at maturity, has required the City to enter into a purchase and sale agreement with the Lessor obligating the City to acquire the DPW Garage from the Lessor on the earlier of (i)
the date upon which the City is obligated to convey the DPW Garage to the Bid Process Buyer and (ii) the Extended Maturity Date (as hereinafter defined), and to make an initial deposit towards the purchase of the DPW Garage; and

WHEREAS, the City now desires to authorize all actions which may be necessary, useful or convenient in connection with the foregoing transactions; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND MUNICIPAL COUNCIL OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY, AS FOLLOWS:

Section 1. The City hereby authorizes the 2008 Transaction upon such terms and conditions as are set forth in the Term Sheet (attached hereto as Exhibit A) from the 2006 Certificates Holder, which terms and conditions are hereby approved, with any changes to such attached Term Sheet as shall be approved by the Mayor, the Business Administrator or the Chief Financial Officer (each, an “Authorized City Officer”); provided that upon completion of the 2008 Transaction, the 2006 Certificates shall be in such aggregate principal amount not exceeding $19,000,000, shall mature on such date not later than July 1, 2010 (the “Extended Maturity Date”), with the interest payments evidenced thereby to be based upon a rate or rates described in the Term Sheet. The City in connection with the 2008 Transaction and the acquisition of the DPW Garage from the Lessor is hereby authorized to provide for the payment of costs of the 2008 Transaction from among other sources proceeds derived from (i) the 2008 Transaction and (ii) obligations of the City issued pursuant to the Acquisition Bond Ordinance (as hereinafter defined).

Section 2. The City hereby authorizes the purchase of the DPW Garage upon such terms as are set forth in a Purchase and Sale Agreement (the "Purchase and Sale Agreement"), which terms and conditions shall be approved by an Authorized City Officer in consultation with City Corporation Counsel and Bond Counsel; provided that (i) such terms and conditions shall provide that the purchase price shall be at least sufficient to retire the 2006 Certificates as amended by the 2008 Transaction, and (ii) the closing of the purchase by the City from the Lessor of the DPW Garage shall occur on the earlier of the Extended Maturity Date and the date upon which the DPW Garage is sold to the Bid Process Buyer (the "Third Party Sale Date").

Section 3. The City hereby appoints NW Financial Group, LLC, to serve as the City’s financial advisor in connection with the 2008 Transaction, including the negotiation on behalf of the City of the terms of the 2008 Transaction, and hereby ratifies and approves any action taken by them on behalf of the City prior to the date of this ordinance.

Section 4. The City hereby appoints GluckWalrath LLP to serve as special counsel to the City in connection with the 2008 Transaction, and hereby ratifies and approves any action taken by them on behalf of the City prior to the date of this ordinance.

Section 5. Any Authorized City Officer is hereby authorized to enter into, consent to, or approve (as the case may be) such documents as may be necessary or appropriate in connection with the 2008 Transaction in such form and substance as is customary for transactions of this nature, including specifically amendments to the 2006 Documents, including, but not limited to the following documents which were entered into in connection with the 2006 Certificates:
A. The 2006 Lease.
B. The 2006 Assignment.
C. The 2006 Indenture.
D. Such additional documents as may be necessary or appropriate in connection with the 2008 Transaction.

The documents described above shall be in substantially the forms presented by the Mayor, with such alterations, changes, insertions and deletions as may be determined by an Authorized City Officer. No further action need be taken by the governing body of the City, and the execution of the foregoing documents by an Authorized City Officer shall be conclusively presumed to evidence any necessary approvals.

Section 6. Any Authorized City Officer is hereby authorized to enter into the Purchase and Sale Agreement. No further action need be taken by the governing body of the City, and the execution of the Purchase and Sale Agreement by an Authorized City Officer shall be conclusively presumed to evidence any necessary approvals. The funding of an initial deposit toward the purchase of the DPW Garage shall be provided by bond ordinance adopted by the City and the initial deposit shall be held by the 2006 Certificate Holder in escrow to be applied on the earlier of the Extended Maturity Date or the Third Party Sale Date toward the purchase of the DPW Garage.

Section 7. The legal obligation of the City under the 2006 Lease, as amended, to make rentals thereunder shall be subject to and dependent upon appropriations being made by the Municipal Council of the City. The Municipal Council shall have no obligation to make appropriations for such rentals under the 2006 Lease, as amended, and the City shall not be obligated to pay, and neither the full faith and credit nor the ad valorem taxing power of the City shall be pledged to pay, such rentals or to pay other amounts which are provided for in the 2006 Lease, as amended or to perform its other obligations under the 2006 Lease, as amended.

Section 8. The Authorized City Officers, the City's Corporation Counsel, the Municipal Clerk and such other officers, employees and representatives of the City as are required, are hereby authorized and directed to execute and deliver the documents identified in Sections 5 and 6 hereof and such other documents (all of which shall be deemed to have been presented by the Mayor), to execute and deliver such opinions and to take such other actions as they determine to be necessary or appropriate in order to effectuate the 2008 Transaction, including, without limitation, the execution and delivery of all lease and financing documents, closing documents and certificates.

Section 9. The Authorized City Officers are hereby authorized and directed to execute and deliver such other documents and to take such other action as they determine to be necessary or appropriate in order to effectuate the 2008 Transaction.

Section 10. This ordinance shall take effect in accordance with law

---Councilman Russo 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 THURSDAY, MAY 22, 2008 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
AN ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY AND OTHER RELATED EXPENSES IN AND FOR THE CITY OF HOBOKEEN AND APPROPRIATING $3,700,000 THEREFORE, AND PROVIDING FOR THE ISSUANCE OF $3,523,000 IN BONDS OR NOTES OF THE CITY OF HOBOKEN TO FINANCE THE SAME. DR-361

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 improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the City of Hoboken, in the County of Hudson, New Jersey (the "City") as general improvements. For the improvements or purposes described in Section 3 hereof, there is hereby appropriated the sum of $3,700,000 including the sum of $177,000 as the down payment for the improvements or purposes required by the Local Bond Law. The down payment has been made available by virtue of provision in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvements or purposes not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of $3,523,000 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 improvements hereby authorized and the purposes for which the bonds are to be issued is the acquisition of property in the City commonly known as 56-66 Park Avenue, and designated as Lot 1 and Block 1 on the tax map of the City, and including all rights or interests therein and all costs, work and services necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes is as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes is equal to the amount of the appropriation herein made therefor.

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 bond 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 N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, 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 bond 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 (or temporary capital budget as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget (or amended temporary capital budget as applicable) 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 improvements or purposes described in Section 3 of this bond ordinance are not a current expense. They are improvements or purposes the City may lawfully undertake as general improvements, 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 improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 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 $3,523,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding $200,000 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 several improvements or purposes.

(e) The City reasonably commence the acquisition and/or construction of the improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the City further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the City is 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 9. After passage upon first reading of this bond ordinance, the City Clerk is hereby directed to publish the full text of the bond ordinance, together with the notice set forth below entitled: ‘NOTICE OF PENDING BOND ORDINANCE’ (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19, at least seven days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten days after introduction and first reading). The City Clerk is further directed to comply with all provisions of N.J.S.A.
40A:2-17(b) regarding postings, publications, and the provision of copies of this bond ordinance.

Section 10. After final adoption of this bond ordinance by the City Council, the City Clerk is hereby directed to publish the full text of this bond ordinance, as finally adopted, together with the notice set forth below entitled: "NOTICE OF ADOPTION OF BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19.

Section 11. The City Council of the City hereby covenants on behalf of the City to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 12. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 13. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by Section 10 hereof and the Local Bond Law.

---Councilman Russo 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 THURSDAY, MAY 22, 2008 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 6 - NAYS: 2 - ABSTENTIONS: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Ramos, Russo and President Castellano.
---Nays: Cunningham, Zimmer.
---Abstentions: Mason.

Councilman Ramos left the meeting at 12:20 a.m.
Councilman Ramos returned at 12:27 a.m.

All regular business concluded the following members of the public spoke at the "Public Portion" of the meeting: Helen Hirsch, 98 Park Avenue; Councilwoman LaBruno left the meeting at 12:31 a.m.; Margaret O'Brien, 54 11th Street; Councilwoman LaBruno returned at 12:36 a.m.; Maurice DeGennaro, 614 Hudson Street; Mary Ondrejka, 159 9th Street; Matt Lasorta, 521 Garden Street; Lane Bajardi, 70 Park Avenue; Gary Holtzman, 80 Bloomfield Street; Alice Dowd, 1015 Washington Street.

President Castellano then adjourned the meeting at 1:01 a.m. on Thursday, May 8, 2008.
President Castellano opened the meeting at 7:06 p.m. and stated, "I would like to advise all those present that notice of this meeting has been provided to the public in accordance with the provisions of the Open Public Meeting Act, and that notice was furnished to The Jersey Journal and The Hoboken Reporter, The 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 Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.

ABSENT: None.

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**A presentation from All Saints Episcopal Day School**

Speakers: Michael, 402, 9th Street; Emma, 800 Hudson Street; Eva, 4th & Hudson Streets; Eric, 722 Bloomfield Street; Andria, Newport, Jersey City; Nicole, 1138 Bloomfield Street; Kaila, 800 Hudson Street; Sam, 1124 Bloomfield Street; James DiBiasi, 313 14th Street.

**SFY 2008 Municipal Budget Hearing Continued**

Speakers: Jon Gordon, 1015 Washington Street; Bob DuVal, 303 Park Avenue; Helen Hirsch, 98 Park Avenue; Michael Lenz, 408 Monroe Street; Fred Tomkins, of Donohue, Gironda & Doria a finance consults firm, addressed council questions. The hearing is continued to next meeting.
PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE TO AMEND CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN (ZONING). DR-357

The above ordinance, DR-357, is continued to the next city council meeting.

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOKEN TO ESTABLISH A HOTEL AND MOTEL ROOM OCCUPANCY TAX. DR-359

President Castellano 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 of which the heading was read in full.

No person present desiring to be heard and no written protests or objections received, President Castellano 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: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

Council President Castellano 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 Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

ORDINANCE AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS IN CONNECTION WITH AND APPROVING THE EXTENSION OF CERTIFICATES OF PARTICIPATION (“COPS”) PREVIOUSLY ISSUED BY THE CITY OF HOBOKEN FOR THE PUBLIC WORKS GARAGE. DR-360

President Castellano 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 of which the heading was read in full.

The following spoke: Jon Gordon, 1015 Washington Street; Lane Bajardi, 70 Park Avenue; Michael Lenz, 408 Monroe Street; Councilwoman LaBruno left the meeting at 9:14 p.m. and returned at 9:20 p.m.; additional speakers: Richard Triemediti, 2 Constitution Court; Tony

Meeting of May 22, 2008
Soares, 551 Observer Highway: Jim Vance, 107 Monroe Street; Councilman Ramos left the meeting at 9:42 p.m.; Helen Hirsch, 98 Park Avenue. No other person present desiring to be heard and no written protests or objections received, President Castellano asked for a motion to close the hearing.

Councilwoman LaBruno 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 Cammarano, Cunningham, Giacchi, LaBruno, Mason, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Ramos.

Councilman Ramos returned at 9:48 p.m.

At this time Chris Walrath; Bond Consel addressed the City Council, answering questions.

After discussion, a motion was made to TABLE DR-360 as follows:

---Motion to TABLE DR-360 by Councilwoman Mason
---Motion duly seconded by Councilman Cunningham
---TABLED by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Cunningham, Mason, Russo, Zimmer and President Castellano.
---Nays: Cammarano, Giacchi, LaBruno, Ramos.

AN ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY AND OTHER RELATED EXPENSES IN AND FOR THE CITY OF HOBOKEN AND APPROPRIATING $3,700,000 THEREFORE, AND PROVIDING FOR THE ISSUANCE OF $3,523,000 IN BONDS OR NOTES OF THE CITY OF HOBOKEN TO FINANCE THE SAME. DR-361

President Castellano 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 of which the heading was read in full.

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

Councilman Russo moved that the hearing be closed.
Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

Council President Castellano then instructed the City Clerk to call the Final Vote for the above Ordinance.
---DR-361 FAILED by the following vote: YEAS: 1 - NAYS: 7 - ABSTENTIONS: 1
---Yea: LaBruno.
---Nays: Council persons Cammarano, Cunningham, Giacchi, Mason, Russo, Zimmer and
President Castellano.
---Abstentions: Ramos.

08-165

PETITIONS AND COMMUNICATIONS

WHEREAS, the late Master Sergeant John J. Mullins, United States Army
was born and raised in Hoboken and was a highly decorated veteran of both World War II
and the Korean War;

WHEREAS, John, was the devoted husband of Eleanor Mullins (deceased) and is
survived by his sister, Margaret, “Peggy” Mullins Roselli; nieces Linda Corea, Eileen Roselli,
Rosemary Welsh; his devoted nephew in-law Kim Corea, a great niece, Alyssa Corea; five
grandchildren, including his grandson William who is a Navy SEAL, and two great-
grandchildren; and

WHEREAS, Master Sergeant Mullins, during his 25 year military career was
awarded the Purple Heart, a Silver Star, two Bronze Stars and five Battle Stars among other
citations, and was laid to rest at Arlington National Cemetery; and

WHEREAS, Master Sergeant Mullins, was stationed during World War II in
North Africa, Italy, France, Germany, and later Czechoslovakia and during the course of the
war fought at Angio Beachhead in Normandy and in the Battle of the Bulge; and

WHEREAS, John after the war was stationed in Landsberg, Germany with the
Army of Occupation, guarding war criminals, some of who were Nazi extermination camp
doctors; and

WHEREAS, John, subsequently attended the Army Language School in California
and the Military Intelligence School in Maryland where he studied the Cyrillic languages
including Russian, Ukrainian, Serbian and Belarusian and his assignments with military
units included interrogating prisoners of war; and

WHEREAS, Master Sergeant Mullins, during the Korean War stationed in
Inchon and Pusan, and after he retired from military service in 1962 served as an advisor to
the California National Guard and was a correctional officer at San Quentin Prison and a
member of American Legion Post 107 along with the Veterans of Foreign Wars;

NOW, THEREFORE, BE IT PROCLAIMED, THAT I, DAVID ROBERTS,
Mayor of the City of Hoboken, do hereby issue this proclamation posthumously, as we
approach Memorial Day, to one of our City’s most remarkable sons, Master Sergeant John
J. Mullins, United States Army, in honor of his heroic lifetime service to his country, a
man whose strength and commitment to duty is an inspiration to all citizens of the United
States of America.

--Received and filed.
Meeting of May 22, 2008

The above proclamation was read into the record by Council President Castellano prior to the budget hearing.

08-166

May 22, 2008

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

Dear Ladies and Gentlemen:

Pursuant to my authority under Chapter 44, Section 1-2 of the Hoboken Code, I hereby appoint Peter Belfiore of 161-11th Street Hoboken NJ 07030 as a member of the Planning Board to a four (4) year term to expire on December 31, 2010 in replacement of James Monaco.

Sincerely,

DAVID ROBERTS
Mayor
City of Hoboken

--Received and filed.

08-167

APPLICATIONS FOR MISCELLANEOUS LICENSES

Public Hack Drivers ------------------------------ 27
Limo/Livery Drivers------------------------------- 8
Taxi Ownership Transfer------------------------ 1
Taxi Owners-------------------------------------- 1
Raffles ------------------------------------------ 1
Vendors------------------------------------------ 2

---Councilman Russo moved that the licenses be granted.
---Motion duly seconded by Council President Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-168

REPORTS OF CITY OFFICERS
A report from City Clerk James Farina, regarding bids received on Friday, May 16, 2008 for FY 2008 NJDOT Trust Fund Resurfacing of Various Streets; Bid #08-18 (5 bids received).

---Received and filed.

08-169
A report from Municipal Tax Collector Louis Picardo for taxes collected: for the month ending April 30, 2008 - $969,344.70.

---Received and filed.

CLAIM RESOLUTIONS

08-170
The claims resolutions were withdrawn to be continued to the June 4, 2008 city council meeting.

PAYROLL RESOLUTIONS

08-171
By Councilman Russo:

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 24, 2008 TO MAY 7, 2008 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>Mayor's Office</td>
<td>8-01-20-110</td>
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<td>8-01-20-113</td>
<td>1,103.89</td>
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<td>Purchasing</td>
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<td>5,143.96</td>
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<td>Grants Management</td>
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<td>17,144.34</td>
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<td>8-01-20-122</td>
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<td>8-01-20-130</td>
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<td>Accounts / Controls</td>
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<td>Corporation Counsel</td>
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<td>Community Develop.</td>
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<td>1,683.60</td>
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<td>Emergency Mgmt</td>
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<td>4,761.10</td>
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<td>Envir. Ser. Dir. Office</td>
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<td>Streets &amp; Roads</td>
<td>8-01-26-291</td>
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Meeting of May 22, 2008
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<th>Department</th>
<th>Code</th>
<th>Budget</th>
<th>Actual</th>
<th>Total</th>
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<td>Board of Health</td>
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<td>669.12</td>
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<td>22,364.92</td>
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<td>Cops In School</td>
<td>8-01-25-241-015</td>
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<tr>
<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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<tr>
<td>Summer Lunch</td>
<td>G-02-44-701-316</td>
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<tr>
<td><strong>Other</strong></td>
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<td>Police GrantDE16-S701</td>
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<td>Police Outside Employ.</td>
<td>T-03-40-000-006</td>
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<td>Ped Safety Grant</td>
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<td>Fire Education Grant</td>
<td>T-13-10-000-000</td>
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<td>Police Housing Auth</td>
<td>8-01-25-241-017</td>
<td>24,390.00</td>
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</table>

**Grand Total**                    |                | 1,511,924.75| 31,571.14 | 87,531.98 | 1,631,027.87|

Meeting of May 22, 2008
Motion by Councilman Russo.
Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

RESOLUTIONS

Presented and Read

08-172
---By Councilman Russo:

RESOLUTION AUTHORIZING THE REFUND OF TAX OVER
PAYMENTS/INTEREST RECEIVED BY THE CITY OF HOBOKEN TAX APPEALS
WERE FILED HUDSON COUNTY TAX COURT AND STATE TAX COURT REFUNDS

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 $138,294.70.

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LT/UNIT</th>
<th>PROPERTY</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
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<td>Haoyu Shen</td>
<td>18/12/C0006</td>
<td>77-79 Jefferson St</td>
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<td>77-79 Jefferson St. #6</td>
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<td>77-79 Jefferson St</td>
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<tr>
<td>Hoboken, NJ 07030</td>
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</tr>
<tr>
<td>Countrywide Tax Service</td>
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</tr>
<tr>
<td>MS: SVW-24</td>
<td>261.04/1/CP097</td>
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<td>PO Box 10211</td>
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<tr>
<td>Van Nuys, CA 91410-0211</td>
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<tr>
<td>Mhairi Strachan</td>
<td>7/4/C002E</td>
<td>610 Newark St</td>
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<tr>
<td>610 Newark Street #2E</td>
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<td>Hoboken, NJ 07030</td>
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<td>Alison Corbat</td>
<td>254/16/C003C</td>
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<td>GMAC Mortgage</td>
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<td>Attn: Tax Refunds</td>
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<td>Ezra Hay</td>
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<td>21 Pease Avenue</td>
<td>Timothy Ryan</td>
<td>25/1/C007P</td>
<td>700 First St #7P</td>
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<td>Verona, NJ 07044</td>
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<td>700 First Street #7P</td>
<td>Nancy Colon</td>
<td>30/14.1/C0002</td>
<td>130 Adams St #1</td>
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<td>2 Sgt. Stoddard Ct.</td>
<td>Jason Ross</td>
<td>60/20/C002R</td>
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<td>Bedminster, NJ 07921</td>
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<td>127 S. Washington Ave.</td>
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<tr>
<td>Thu &amp; Michelle Pham</td>
<td>243/3/C001A</td>
<td>1105 Washington St</td>
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<td>West Orange, NJ 07052-4204</td>
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---Motion duly seconded by Council President Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-173
---By Councilwoman LaBruno:

RESOLUTION FOR HANDICAP PARKING ZONE REFUND

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</th>
<th>ADDRESS</th>
<th>AMOUNT</th>
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<tbody>
<tr>
<td>Raul Gomez</td>
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---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-174
---By Councilman Russo:

RESOLUTION AUTHORIZING THE HOBOKEN ITALIAN FESTIVAL, INC. TO CONDUCT ITS 82nd ANNUAL FEAST IN HONOR OF MADONNA DEI MARTIRI

WHEREAS, The Hoboken Italian Festival, 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 four consecutive days starting on Thursday, September 4, 2008 through and inclusive to Sunday, September 7, 2008 on Sinatra Drive and at Sinatra Park, and

WHEREAS, the Hoboken Italian Festival, Inc. has indicated its agenda and requirements to successfully conduct the Feast as follows:

(1) To solicit contributions from the general public, to be used solely to pay Feast expenses and for religious contributions.

(2) To have a procession with the statue of “Madonna Dei Martiri” – “Mother 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 4, 2008 through Sunday, September 7, 2008. The hours of live music will be limited to the following schedule: Thursday, September 4th from 5:00 pm to 10:00 pm, Friday, September 5th from 5:00 pm to 11:00 pm, Saturday, September 6th from 12:00 noon to 11:00 pm and Sunday, September 7th 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 a 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 7th, 2008.

(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 6, 2008 to begin at 10:00 am.

(8) On Saturday, September 6, 2008 at approximately 9:00 pm to hold a special pyrotechnic fireworks show on the riverfront at Pier A Park, subject to all required approvals including from the U.S. Coast Guard, Federal Aviation Administration and local fire officials.

(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, the Council of the City of Hoboken endorses the aforementioned program, provided that the Hoboken Italian Festival, Inc. secures all necessary permits and licenses and provides sufficient insurance to protect the City’s interests, in an amount and form to be approved by Corporation Counsel;

NOW THEREFORE, BE IT RESOLVED, that the Council hereby grants permission to the Hoboken Italian Festival, Inc. 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 requirements regarding permits, licenses and insurance and further subject to the approval of all outside agencies including the U.S. Coast Guard and Federal Aviation Administration; and,

BE IT FURTHER RESOLVED, that the City’s Signal and Traffic Division prepare all necessary traffic regulations to ensure that the Festival proceeds smoothly.

---Motion duly seconded by Council President Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-175
---By Councilwoman Mason:

RESOLUTION OF THE CITY CLERK OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY, AUTHORIZING THIS RELEASE OF DRAFT MINUTES OF CITY MEETINGS PRIOR TO THEIR APPROVAL BY THE CITY COUNCIL

WHEREAS, the city is required to keep reasonably comprehensible minutes of all meetings pursuant to the Open Public Meeting Act at N.J.S.A. 10:4-14; and
WHEREAS, the Governing Body has the right to approve the draft minutes prepared by the City Clerk as the official factual record of what occurred at the meeting; and

WHEREAS, it has been the practice of the City not to release draft minutes prior to consideration and approval by the Mayor and Council.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the city of Hoboken, they being the Governing Body thereof, as follows:

1. The City Clerk is authorized to release to the public unapproved minutes of meetings stamped by the Clerk as “Draft – unapproved meeting minutes” upon their availability.
2. The City Clerk shall take all appropriate steps to implement the intent and purpose of this Resolution.
3. This Resolution shall take effect immediately.

---Motion duly seconded by Council President Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-176
---By Councilman Russo:

RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE

WHEREAS, the City of Hoboken, acting as a mortgagee through the Community Development Agency, under the U.S. Department of Housing & Urban Development Rental Rehabilitation Program, entered into a Mortgage with Jerry and Beverly Altomare on October 11, 1984 for the rehabilitation of their property located at 313 Grand 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 in that the loan has 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 on said property at 313 Grand 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 Council President Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-177
---By Councilman Ramos:

RESOLUTION TO APPLY AND ACCEPT NEIGHBORHOOD PRESEVATION BALANCED HOUSING FUNDS

WHEREAS, MBS Housing Urban Renewal, LLC desires to apply for and obtain funds from the New Jersey Department of Community Affairs, Neighborhood Preservation Balanced Housing Program for an amount not to exceed the maximum amount allowed in accordance with the N.J.A. C. 5:43-1 and FF for the purpose and supportive housing in the MBS Housing Project.

BE IT THEREFORE RESOLVED, the City of Hoboken does hereby support this application for such funds to the New Jersey Department of Community Affairs, Neighborhood Preservation Balanced Housing Program and acknowledges that they are an eligible municipality in accordance with N.J.A. C. 5:43(b)(c)(d). The municipality also asks that a waiver of N.J.A. C. 5:43-13(a) as permitted under N.J.A.C. 5:43-1.6, be granted to allow the MBS Housing Urban Renewal, LLC, as permitted under N.J.A.C. 5:43-3.1(a)(1) to contract for this project, directly with the Department of Community Affairs.

---Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-178
---By Councilman Ramos:

RESOLUTION REFERRING PROPOSED AMENDED REDEVELOPMENT PLAN FOR THE PUBLIC WORKS GARAGE SITE TO PLANNING BOARD FOR A REPORT CONTAINING ITS RECOMMENDATIONS

WHEREAS, pursuant to a resolution adopted December 13, 2007, the City Council selected the proposal of the S. Hekemian Group, LLC for the purchase and redevelopment of the Public Works Garage property (Block 1, Lot 1) contingent upon the subsequent amendment of the Redevelopment Plan for the Public Works Garage adopted by the City Council on May 3, 2006 (“the Redevelopment Plan”), which site was previously designated as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and
WHEREAS, pursuant to said resolution, the City Council directed and authorized its planning consultant, Phillips Preiss Shapiro Associates, Inc., (PPSA) to prepare amendments to the Redevelopment Plan; and

WHEREAS, PPSA has prepared an amended version of the Redevelopment Plan, dated May 2008 (“the Amended Redevelopment Plan”); and

WHEREAS, the Redevelopment Plan, as amended, would allow for the same land uses and the same number of residential units (240) to be developed as the current Redevelopment Plan, and allow for building heights of 12 stories along Observer Highway and 8 stories on the balance of the property; and

WHEREAS, the Redevelopment Plan, as amended, would also include an affordable housing obligation and enhanced design requirements; and

WHEREAS, the City Council has introduced Ordinance #DR-362 for the adoption of the Amended Redevelopment Plan; and

WHEREAS, under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-7(e), prior to amendment of the Redevelopment Plan, the Planning Board of the City of Hoboken is required to transmit to the City Council, a report containing its recommendations concerning the amendments, including identification of any provisions thereof that are inconsistent with the Master Plan of the City of Hoboken, any recommendations concerning these inconsistencies, and any other matters the Planning Board deems appropriate.

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

1. The Amended Redevelopment Plan is hereby referred to the Planning Board of the City of Hoboken with the request that it shall transmit to the City Council a report containing its recommendations in accordance with the provisions of N.J.S.A. 40A:12A-7(e).

2. The City Clerk is authorized to take such actions as may be necessary to implement the provisions of this resolution including transmittal of a copy of same forthwith to the Secretary of the Planning Board.

Before the vote was taken the following spoke: Lane Bajardi, 70 Park Avenue.

---Motion duly seconded by Council President Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-179
---By Councilwoman Mason:
---Motion duly seconded by Council President Castellano.
RESOLUTION AMENDING THE CITY COUNCIL PROCEDURES REQUIRING THE DESIGNATION OF SPONSORS FOR PLACEMENT OF RESOLUTIONS AND ORDINANCES ON THE CITY COUNCIL AGENDA

WHEREAS, Resolutions and Ordinances require a member of the Council to be a sponsor and another member of the Council to be a second to be placed on the City Council Agenda for consideration; and

WHEREAS, members of the City Council and the public wish to identify and acknowledge those City Council members who are introducing each ordinance and resolution for consideration; and

WHEREAS, members of the City Council have the opportunity to introduce proposed legislation under the heading “new business” should a sponsor and a second not yet exist; and

WHEREAS, the Administration has the opportunity under Directors Reports to introduce legislation if a sponsor and a second are identified:

NOW, THEREFORE BE IT RESOLVED, all Ordinances and Resolutions must identify the sponsor and the second for the legislation prior to the placement on the City Council Agenda for consideration and the designation of sponsorship shall be identified on each piece of legislation prior to distribution and shall appear on the city council Agenda for the member of the Council and the public to identify.

NOW THEREFORE, BE IT FURTHER RESOLVED, that if a Resolution or Ordinance is sought by the Administration and a sponsor and a second have not been identified as of the time the Agenda closes, it may tentatively be placed on the Agenda provided that it is explicitly identified as such. If a sponsor and a second are not identified prior to the start of any meeting, the item shall be removed.

After discussion the above resolution was withdrawn.

08-180
---By Councilman Russo:

Authorizing additional temporary emergency appropriations to the SFY 2008 budget until such time as a formal budget is adopted (S&W only).

---Motion duly seconded by Council President Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: Cunningham.

On the above resolution, Councilman Cunningham voted NO “except for”:

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<td>Police Department S &amp; W</td>
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<td>Fire Department S &amp; W</td>
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<td>Solid Waste S &amp; W</td>
<td>8-01-26-305-010</td>
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On the above resolution, Councilwoman Mason voted **NO** on:

- **Mayor's Office S & W** 8-01-20-110-010 7,500.00
- **City Council S & W** 8-01-20-111-010 17,000.00

On the above resolution, Councilwoman Mason voted **ABSTAIN** on:

- **Business Admin S & W** 8-01-20-112-010 13,400.00
- **City Clerk's S & W** 8-01-20-120-010 17,500.00
- **Construction Office S & W** 8-01-22-195-010 25,000.00

08-181
---By Councilman Russo:

**THIS RESOLUTION AUTHORIZES THE ADMINISTRATION TO PAY HORIZON BLUE CROSS/BLUE SHIELD FOR EMPLOYEE HEALTHCARE IN THE AMOUNT OF $2,400,000.00.**

WHEREAS, the Council of the City of Hoboken, on 16 January 2008, approved a contract with Blue Cross/Blue Shield for the provision of healthcare to the current and eligible retirees of the City, and

WHEREAS, the final State Fiscal Year 2008 budget has yet to be adopted and the City of Hoboken has been and still is conducting its business through temporary appropriations, and

WHEREAS, the current appropriation line for group health care is insufficiently funded to meet the outstanding obligations for group health care,

NOW, THEREFORE, BE IT RESOLVED that $2,400,000 be temporarily appropriated to the group health care line in the Current Fund of the SFY 2008 budget and,

BE IT FURTHER RESOLVED, that the Administration should provide payment to Blue Cross/Blue Shield in accordance with their request for payment.

---Motion duly seconded by Council President Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-182
---By Councilman Ramos:
AN AMENDMENT TO THE RESOLUTION AWARDING A CONTRACT FOR THE INSTALLATION OF A H.V.A.C. SYSTEM AT THE HOBOKEN BOYS AND GIRLS CLUB BASED ON THE LOWEST RESPONSIBLE BIDDER.

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposals were received for the installation of a H.V.A.C. system at the Hoboken Boys and Girls Club for the City of Hoboken in accordance with the specifications set forth in City of Hoboken Bid 08-17. The original resolution had an incorrect total $ for the successful bidder. The correct figure is herewith shown and the incorrect is shown on the resolution (attached) of 16 April 2008.

Vendor    Base Bid $    Alternate #1 $    Total $
Envirocon, LLC  490 Schooley’s Mountain Road  $ 81,300.00 $ 17,000.00 $ 98,300.00
Hackettstown, NJ 07840

In-Line Air Conditioning Co., Inc.
85 East 21st Street   $ 100,200.00 $ 27,950.00 $ 128,150.00
Bayonne, NJ 07002

And, WHEREAS, the City of Hoboken’s Engineering firm for this project recommends the following,

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, contingent on all mandated requirements being met, for the above references goods and/or services based upon the following information:
   Envirocon, LLC
   490 Schooley’s Mountain Road
   Hackettstown, NJ 07840

---Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-183
---By Councilwoman LaBruno:

THIS RESOLUTION AUTHORIZES THE ADMINISTRATION TO PAY THE BELOW BILL FOR GOODS AND/OR SERVICES FOR HE UNCLASSIFIED DEPARTMENT OF THE CITY

WHEREAS, the Council of the City of Hoboken is currently operating without an adopted budget, and
WHEREAS, temporary appropriations for Other Expense line items have not been approved by the City Council, and

WHEREAS, the below listed vendor, who provides a necessary good and/or service to the City of Hoboken, has agreed to provide a required good or service,

NOW, THEREFORE, BE IT RESOLVED, that $40,000.00, be temporarily appropriated to the appropriate Division's line within the Department of Unclassified Accounts in the Current Fund of the SFY 2008 budget and,

BE IT FURTHER RESOLVED, that the Administration should provide payment to Exxon Mobile in accordance with their request for payment.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

ORDINANCES
Introduction and First Reading

08-184
DR-362
AN ORDINANCE AMENDING THE REDEVELOPMENT PLAN FOR THE PUBLIC WORKS GARAGE SITE LOCATED IN THE CITY OF HOBNOK PURSUANT TO N.J.S.A. 40A:12A-7. DR-362

WHEREAS, by Resolution adopted on March 27, 2006, the City Council of the City of Hoboken ("City Council") designated the Public Works Garage Site as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law ("Redevelopment Law"), N.J.S.A. 40A:12A-1 et seq. for reasons stated therein;

WHEREAS, by Ordinance adopted May 3, 2006, the City Council adopted a Redevelopment Plan dated April 19, 2006 ("the Redevelopment Plan") and prepared by Phillips Preiss Shapiro Associates, Inc. ("PPSA"), planning consultants, for the Public Works Garage Site (Block 1, Lots 1, 11, 12, 13 and 14) pursuant to the Redevelopment Law, N.J.S.A. 40A:12A-7;

WHEREAS, pursuant to a resolution adopted December 13, 2007, the City Council selected the proposal of the S. Hekemian Group, LLC for the purchase and redevelopment of the Public Works Garage property (Block 1, Lot 1) contingent upon the subsequent amendment of the Redevelopment Plan; and

WHEREAS, pursuant to said resolution, the City Council directed and authorized PPSA to prepare amendments to the Redevelopment Plan; and
WHEREAS, PPSA has prepared an amended version of the Redevelopment Plan, dated May 2008 (“the Amended Redevelopment Plan”), which is hereto attached; and

WHEREAS, the Redevelopment Plan, as amended, would allow for the same land uses and the same number of residential units (240) to be developed as the current Redevelopment Plan, and allow for building heights of 12 stories along Observer Highway and 8 stories on the balance of the property; and

WHEREAS, the Redevelopment Plan, as amended, would also include an affordable housing obligation and enhanced design requirements; and

WHEREAS, upon passage of this Ordinance, the Amended Redevelopment Plan shall amend and supersede the Redevelopment Plan, adopted on May, 3, 2006; and

WHEREAS, the City Council has reviewed and considered the recommendations of the Planning Board, as set forth in a resolution dated June 2008, which recommends the adoption the of the amendments to the Redevelopment Plan, as incorporated in the attached Amended Redevelopment Plan; and

WHEREAS, the attached Amended Redevelopment Plan meets the statutory requirements of, and can be adopted consistent with, the applicable provisions of the Redevelopment Law.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hoboken as follows:

Section 1. The City Council hereby adopts the amendments to the Redevelopment Plan adopted May 3, 2006, as incorporated in the attached Amended Redevelopment Plan dated May 2008 and prepared by PPSA for the Public Works Garage Site (Block 1, Lots 1, 11, 12, 13 and 14) pursuant to the Redevelopment Law, N.J.S.A. 40A:12A-7. A copy of the Amended Redevelopment Plan shall be maintained in the offices of the City Clerk.

Section 2. The Amended Redevelopment Plan shall amend and supersede the Redevelopment Plan adopted by the City Council on May 3, 2006 and applicable provisions of the Zoning Ordinance of the City of Hoboken. In all situations where zoning issues are not specifically addressed by the Amended Redevelopment Plan, the Zoning Ordinances of the City of Hoboken shall remain in full force and effect.

Section 3. Pursuant to N.J.S.A. 40A:12A-7(c), the City Zoning Map is hereby amended consistent with Section 1 above, so as to indicate that the Amended Redevelopment Plan applies to the redevelopment area depicted in the attached Redevelopment Plan, and which is further designated as Block 1, Lots 1, 11, 12, 13, and 14 on the Tax Map of the City of Hoboken.

Section 4. If any provision of this Ordinance shall be held invalid by any court of competent jurisdiction, the same shall not affect the other provisions of this Ordinance, except so far as the provision so declared invalid shall be separable from the remainder of any portion thereof.

Section 5. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed.

Section 6. This Ordinance shall take effect immediately upon adoption and publication according to law, and upon filing with the Hudson County Planning Board.

Meeting of May 22, 2008
---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 June 4, 2008 at 7:00 PM.

---Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-185
DR-363
AN ORDINANCE REQUIRING A PUBLIC HEARING AND CITY COUNCIL RECOMMENDATION FOR A CHANGE IN PURPOSE OR USE OF PARKLAND. DR-363

WHEREAS, the City of Hoboken has a deficit in available parkland;

WHEREAS, the public is entitled to participate in the decision making process that will determine how our scarce parkland will be allocated among competing uses;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hoboken as follows:

SECTION 1. Parkland Defined.

Parkland is defined to include all public parks, athletic fields, playgrounds, green areas, and outdoor areas within the city including city-owned vacant land and landscaping of city grounds as may be further defined, amended and supplemented under Section 58-20 of the Code of the City of Hoboken.

SECTION 2. Recreation Area Defined.

Recreation Area is defined as an athletic field. A field prepared for organized sport events such as baseball, football and soccer.


Any change in the recreation and conservation purpose or use of parkland, including, both initial development of lands for public outdoor recreation and changes made to existing Parkland, must be recommended by a resolution of the City Council, in accordance with the procedures set forth in Section 3 and Section 6 hereof.

SECTION 4. Public Hearing and Comment.

The City Council, together with the Office of the Mayor, shall hold at least one public hearing on the proposed change in purpose or use at least 30 days prior to final approval by the City Council of the change. The public hearing shall be held on a weekday in the evening. The meeting shall be either videotaped or transcribed, and said videotape or transcript shall be made available to the public on the City’s official website within 5 days.
after said hearing, and maintained there until 10 business days after final approval by the City Council.

(A) At least 30 days prior to the hearing, the City shall:

(1) Publish a legal notice of the hearing in the Jersey Journal and ad advertisement in the Hoboken Reporter;

(2) Post notice of the hearing on its official web site in the same manner as other public hearing notices are posted;

(3) Post and maintain in a legible condition until the final recommendation by the City Council of the proposed change in purpose or use, a sign on the Parkland that is the subject of the proposed change. Such sign shall advise the public of (i) the proposed change, (ii) the public hearing on the proposed change and (iii) the opportunity for public comment on the proposed change. Such sign shall be sufficient size and visibility and contain sufficient detail as to inform the general public of the proposed change and the method by which the public may obtain information about such proposed change.

The notices and advertisement required under (A) above shall include the following information:

(1) A general description of the proposed change of purpose or use;
(2) The street address (if available) tax map block and lot and size of the land(s) for which the change in purpose or use is proposed; and
(3) A statement inviting participation in the public hearing and notifying the public that, in the alternative, written comments on the proposed change may be submitted to the City. The statement shall provide an address for submittal of written comments;

SECTION 5. Definition of Change in Purpose or Use.

For the purposes of this Ordinance, a change in recreation and conservation purpose or use of Parkland shall include:

1. The construction of new recreation and conservation facilities, such in an athletic fields or playgrounds;

2. The removal of existing recreational and conservation facilities;

3. The replacement of natural grass with concrete, artificial turf or any other surface;

4. The addition of new landscaping or other obstacles that have a material delirious effect on an existing use;

5. The imposition of restrictions, through regulation, ordinance or other legal mechanism, intended to prohibit an existing use;

6. The replacement of existing recreation and conservation facilities with facilities for another recreation and conservation purpose or use;
7. The addition of lighting of Recreation Area that may be inconveniencing or interfering with the quiet enjoyment of the immediate neighborhood.

For purposes of this section, a change in recreation and conservation or use of Parkland shall not include:

1. The renovation or repair of existing facilities for an existing use;

2. The construction of additional support structures, such as bleachers, concession stands, picnic shelters within the boundary of an existing developed Recreation Area, in order to enhance the existing purpose or use of that area;

4. Use of Parkland for short-term events such as festivals, carnivals or parades;

SECTION 6. City Council Meeting

Following Public Comment and Hearings as stated above in Section 4, City Council’s Park and Recreation Subcommittee (or such other committee established by City Council and designated to carry out such recommendations) will meet to discuss public comments and recommendations, also open to the public. Said recommendations will be presented at the new business portion of Council agenda at the next regularly scheduled meeting. Said recommendations will be presented as a Recreation advising of same in accordance with Section 3 above.

SECTION 7. Consistency.

All ordinances of the City of Hoboken which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 8. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 9. Effective Date.

This ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

---Councilman Cunningham 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 18, 2008 at 7:00 PM.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
ADDITIONAL RESOLUTIONS ADDED AT THIS TIME

08-186
---By Councilman Cammarano:

WHEREAS, the City Council of the City of Hoboken is currently considering the proposed municipal budget for the fiscal year 2008; and

WHEREAS, adoption of a final version of the municipal budget for the fiscal year 2008 remains incomplete;

WHEREAS, there exists many variables, unknown quantities, and unpredictable financial developments for the City Council of the City of Hoboken to take into account before the municipal budget for the fiscal year 2008 can be finally adopted; and

WHEREAS, the City Council of the City of Hoboken seeks to impose fiscal discipline, and minimize the number of additional expenditures and liabilities that may be incurred for fiscal year 2008 before a final municipal budget is adopted; and

WHEREAS, the City Council of the City of Hoboken seeks an immediate halt, or “freeze” on any and all new hiring, promotion and/or increases in salary of municipal employees;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken that the City of Hoboken shall implement an immediate halt, “freeze,” of any and all new hiring of personnel as municipal employees; and

BE IT FURTHER RESOLVED, that the City of Hoboken shall implement an immediate halt, or “freeze,” of the promotion of any current municipal employee from one (1) title or position to another; and

BE IT FURTHER RESOLVED, that the City of Hoboken shall implement an immediate halt, or “freeze,” of the increase in pay or salary of any current municipal employee; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect within all departments, agencies, and offices of the Hoboken municipal government, including but not limited to the Department of Administration, Police Department, Fire Department, municipal court, Parking Utility, etc.; and

BE IT FURTHER RESOLVED, that this Resolution shall have immediate effect and indefinite duration; and

BE IT FURTHER RESOLVED, that this Resolution shall not affect increases in pay or salary that are mandated by the provisions of a collective bargaining agreement; and

BE IT FURTHER RESOLVED, that this Resolution shall continue in full force and effect unless and until the City Council of the City of Hoboken votes affirmatively to rescind this Resolution.

---Motion duly seconded by Councilman Cunningham.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

Councilman Giacchi left the meeting at 11:42 p.m.
Councilman Giacchi returned to the meeting at 11:47 p.m.

08-187
---By Councilman Ramos:

RESOLUTION OF THE CITY OF HOBOKEN MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:4-45.3.(cc), N.J.S.A. and N.J.S.A. 40A:4-45.46

WHEREAS, the City Council of the City of Hoboken in the County of Hudson, desires to make application to the Local Finance Board for its approval of a proposed mandated costs waiver pursuant to N.J.S.A. 40:4-45(cc) and a proposed property tax levy waiver pursuant to N.J.S.A. 40A:4-45,45, and,

WHEREAS, the City Council believes that:

(a) It is in the public interest to accomplish such purpose; and,

(b) The waivers are for the health, wealth, convenience or betterment of the inhabitants of the City of Hoboken; and,

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

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

Section 1. The application to the Local Finance Board is hereby approved, and the Chief Financial Officer, along with other representatives of the City of Hoboken are hereby authorized to prepare such application and to represent the City of Hoboken in matters pertaining thereto.

Section 2. The Municipal Clerk of the City of Hoboken is hereby directed to file a copy of the proposed mandated costs and property tax levy waiver with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

---Motion duly seconded by Councilwoman LaBruno.
---FAILED by the following vote: YEAS: 4 - NAYS: 5
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Ramos.
---Nays: Cunningham, Mason, Russo, Zimmer and President Castellano.
To conduct a special emergency budget meeting on May 28, 2008.

This resolution calls for the City Council to conduct a special emergency budget meeting with all city department heads and the city's financial advisors including the city auditor and bond consultants to determine the extent of the city's financial problems and an exploration of financing alternatives for current fiscal year 2008 and for SFY 2009.

WHEREAS, the City has a reported debt of millions of dollars in the current budget; and

WHEREAS, the City Council has been asked by Mayor David Roberts to support a plan to fill the budget hole by approving the sale of bonds not to exceed $19 million dollars to pay off a previous note and to fill this year's budget gap, and;

WHEREAS, Part of the City Council lacks sufficient information about the city's finances, including its debt and its capital spending plan, and

WHEREAS, the City Council lacks sufficient information about the City's finances, including its debt and its capital spending plan, and;

WHEREAS, the City Council has been given no information about the fiscal 2009 budget, and

WHEREAS, State Statute requires the City to hold public hearings for each department prior to formalizing the fiscal year;

WHEREAS, the City Council wishes to avoid a budget crisis that would result in a massive tax increase on residents or the failure of the city to meet its near-term financial obligations;

NOW THEREFORE BE IT RESOLVED, that the City Council does hereby agree to convene an emergency budget meeting within five business days to discuss the city’s financial condition. Present at that meeting shall be not only a quorum of the City Council, but also city department heads and the city's financial advisors including the city auditor and bond consultants and all other determined by the council president whose expertise will help guide the city council in its budget deliberations.

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Cammarano, Cunningham, Giacchi, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Abstentions: LaBruno.
All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Councilwoman Mason left the meeting at 11:57 p.m.; Councilman Ramos left the meeting at 11:57 p.m.; Speakers: Bill Noonan, 711 Garden Street; Councilman Cammarano left and returned at 11:58 p.m.; Councilwoman Mason returned to the meeting at 12:00 a.m.; Speakers continued: Lane Bajardi, 70 Park Avenue; Matt LaSorta, 521 Garden Street; Dave Axelrod, 76 Bloomfield Street; Councilman Ramos returned at 12:23 a.m.

President Castellano then adjourned the meeting at 12:26 a.m., Friday, May 23, 2008.

____________________________________
PRESIDENT OF THE COUNCIL

____________________________________
CITY CLERK
SPECIAL MEETING OF MAY 28, 2008

MINUTES OF A MEETING OF THE COUNCIL OF THE CITY OF HOBOoken, NEW JERSEY, HELD IN THE COUNCIL CHAMBERS, CITY HALL, HOBOken, NEW JERSEY, WEDNESDAY, MAY 28, 2008 AT 7:00 PM

At this time, 7:06 p.m., the Council President opened the meeting 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 Hoboken Reporter, The 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 May 23, 2008, into the record:

08-189

City Clerk James Farina
94 Washington Street
Hoboken, NJ 07030

Dear City Clerk Farina:

Please be advised that at the direction of a majority of the Hoboken City Council, I hereby call a Special Meeting of the Hoboken City Council for Wednesday, May 28, 2008 at 7:00 P.M. in the City Council Chambers, 94 Washington Street, First Floor, Hoboken, New Jersey, for the following purposes:

Answering of questions posed by the City Council to Department Heads and the City's financial advisors regarding the 2008 Fiscal Year budget.

Presentations by all City Department Heads to discuss requests for appropriations for the 2009 Fiscal Year.

No formal action will be taken at this meeting and no other subjects will be discussed. Please notice this meeting as required by the Open Public Meetings Act.

Very truly yours,

Theresa Castellano
Council President
cc: City Council Members
    Richard F. England, Jr., Business Administrator
    Steven W. Kleinman, Corporation Counsel
    Mayor David Roberts
    The Jersey Journal/Star Ledger/The Record

The City Clerk then called the roll:

PRESENT: Council persons Cammarano, Cunningham, Giacchi, Mason, Ramos, Russo, Zimmer and President Castellano.

ABSENT: LaBruno.

A note was submitted by Councilwoman LaBruno stating that she was unable to attend due to her daughter’s Baucclerate Mass.

Council President Castellano opened the meeting and an on-going discussion ensued amongst council members. Councilman Ramos excused himself at 7:48 pm and returned at 7:50 pm.

At this time the meeting was opened to members of the Public as follows: Maurice DeGennaro, 614 Hudson Street; Charles Mancini, 708 Willow Avenue; Richard Tremenditi, 2 Constitution Court; Bob DuVal, 303 Park Avenue; Councilman Ramos left the meeting at 9:50 p.m.; Don Pellicano, 1000 Hudson Street; Helen Hirsch, 98 Park Avenue; Councilman Ramos returned to the meeting at 10:01 p.m.; Ron Rosenberg, 127 Bloomfield Street; Margaret O'Brien, 54 11th Street; Angelo Valente, 1116 Bloomfield Street; Rachel Goldberg, 90 Adams Street; Carolyn Hickman, 1021 Grand Street; Mary O’ndreaka, 159 9th Street; Michael, Lenz, 408 Monroe Street; Daniel Tumpson, 230 Park Avenue; Councilwoman Mason left the meeting at 10:50 p.m. and returned at 10:54 p.m.

Council President Castellano then adjourned the meeting at 11:03 p.m.

_______________________________________________________________

PRESIDENT OF THE COUNCIL
At this time, 7:05 p.m., the Council President opened the meeting 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 Hoboken Reporter, The 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 May 28, 2008, into the record:

08-190

City Clerk James Farina
94 Washington Street
Hoboken, NJ 07030

Dear City Clerk Farina:

Please be advised that at the direction of a majority of the Hoboken City Council, I hereby call a Special Meeting of the Hoboken City Council for **Sunday, June 1, 2008 at 7:00 P.M.** in the City Council Chambers, 94 Washington Street, First Floor, Hoboken, New Jersey, for the following purposes:

- **Introduction of amendments to the Fiscal Year 2008 Budget.**
- **Adoption of resolution to make an application to the Local Finance Board pursuant to N.J.S.A. 40A:4-45.3 and N.J.S.A. 40A:4-45.4 (“cap waiver”).**
- **Determination of the meeting date for hearing and final adoption of the aforementioned budget amendments and final adoption of the budget.**

Action on the foregoing items may be taken at this meeting, but no other subjects will be discussed. Please notice this meeting as required by the Open Public Meetings Act.
Very truly yours,

Theresa Castellano
Council President

cc: City Council Members
    Richard F. England, Jr., Business Administrator
    Steven W. Kleinman, Corporation Counsel
    Mayor David Roberts
    The Jersey Journal/Star Ledger/The Record

The City Clerk then called the roll:

PRESENT: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.

ABSENT: None.

Council President Castellano opened the meeting and changed the items for discussion as per the Business Administrator’s request to: “Adoption of resolution to make an application to the Local Finance Board pursuant to N.J.S.A. 40A:4-45.3 and N.J.S.A. 40A:4-45.4 (“cap waiver”)” as the first item.

At this time members of the public spoke on the resolution as follows: Donald Pellicano, 1000 Hudson Street; Helen Hirsch, 98 Park Avenue; Maurice DeGennaro, 614 Hudson Street; Bob DuVal, 303 Park Avenue; Michael, Lenz, 408 Monroe Street; Charles Mancini, 708 Willow Avenue; Keith McCormick, 1300 Grand Street; Edward Leven, 109 Grand Street; Richard Tremenditi, 2 Constitution Court; Michael, Lenz, 408 Monroe Street spoke again. After discussion the vote on the resolution was taken as follows:

08-191
---By Councilman Giacchi:

RESOLUTION OF THE CITY OF HOBOKEN MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:4-45.3.(dd), N.J.S.A. 40A:45.3(ee) and N.J.S.A. 40A:4-45.46

WHEREAS, the City Council of the City of Hoboken in the County of Hudson, desires to make application to the Local Finance Board for its approval of a proposed budget cap waivers pursuant to N.J.S.A. a40:4-45.3(dd & ee) and a proposed property tax levy waiver pursuant to N.J.S.A. 40A:4-45,45, and,

WHEREAS, the City Council believes that:
(a) It is in the public interest to accomplish such purpose; and,

(b) The waivers are for the health, wealth, convenience or betterment of the inhabitants of the City of Hoboken; and,

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

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

Section 1. The application to the Local Finance Board is hereby approved, and the Chief Financial Officer, along with other representatives of the City of Hoboken are hereby authorized to prepare such application and to represent the City of Hoboken in matters pertaining thereto.

Section 2. The Municipal Clerk of the City of Hoboken is hereby directed to file a copy of the proposed budget cap waiver and property tax levy waiver with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

---Motion duly seconded by Councilman Ramos.
---FAILED by the following vote: **YEAS: 4 - NAYS: 5**
---Yeas: Council persons Cammarano, Giacchi, LaBruno, Ramos.
---Nays: Cunningham, Mason, Russo, Zimmer, Castellano.

On a motion by Councilman Russo, duly seconded by Councilman Ramos and a unanimous vocal vote in favor Council President Castellano adjourned the meeting at 9:14 p.m.

__________________________________________

PRESIDENT OF THE COUNCIL
At this time, 7:00 p.m., the Council President opened the meeting 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 Hoboken Reporter, The 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 May 28, 2008, into the record:

08-192

City Clerk James Farina
94 Washington Street
Hoboken, NJ 07030

Dear City Clerk Farina:

Please be advised that as Chairperson of the City Council’s Committee of the Whole, I hereby call a meeting of the Committee for Monday, June 2, 2008 at 7:00 P.M. in the City Council Chambers, 94 Washington Street, First Floor, Hoboken, New Jersey, for the following purpose:

A presentation by the Hoboken Municipal Hospital Authority regarding issues involving the Hoboken University Medical Center, and Committee discussion of same.

No formal action will be taken at this meeting and no other subjects will be discussed. Please notice this meeting (as a Special Meeting) as required by the Open Public Meetings Act.

Very truly yours,

Theresa Castellano
Council President

cc: City Council Members
   Richard F. England, Jr., Business Administrator
At this time Jim Caulfield, Chairman of the hospital board; of 814 Jefferson Street, addressed the City Council.

Councilman Cammarano arrived at 7:03 p.m.; all council members now present.

Mayor Roberts spoke on the record. He was followed by George Crimmins, 1111 Garden Street; Executive Director of the hospital. Packets were given out to the city council members in conjunction with a screen presentation for the public. George Crimmins introduced Harvey Holzberg, Pres/CEO of Hoboken Municipal Hospital Authority who addressed the council. Additionally, Ron DeVito, CFO answered council question. During the Public Portion Dennis Enwright, 136 Terrace Avenue, Jersey City, as a financial adviser also answered public questions.

At this time the meeting was opened to members of the Public as follows: John Carey, 836 Bloomfield Street; John Gordon, 1015 Washington Street; Helen Hirsch, 98 Park Avenue; Dorothy DeMuro, 814 Washington Street, Director of Volunteer Services; Bob DuVal, 303 Park Avenue; Maurice DeGennaro, 614 Hudson Street; Don Pellicano, 1000 Hudson Street; Lane Bajardi, 70 Park Avenue; Mirta Cairo, 534 45th Street, Union City; Eric Kurta, 214 Garden Street; Spiros Hatians, Jersey City.

Council President Castellano adjourned the meeting at 9:53 p.m.
SPECIAL MEETING OF JUNE 11, 2008

MINUTES OF A MEETING OF THE COUNCIL OF THE CITY OF HOBOKEN, NEW JERSEY, HELD IN THE COUNCIL CHAMBERS, CITY HALL, HOBOKEN, NEW JERSEY, WEDNESDAY, JUNE 11, 2008 AT 7:00 PM

At this time, 7:26 p.m., the Council President opened the meeting 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 Hoboken Reporter, The 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 June 5, 2008, into the record:

08-205

City Clerk James Farina
94 Washington Street
Hoboken, NJ 07030

Dear City Clerk Farina:

Please be advised that at the direction of a majority of the Hoboken City Council, I hereby call a Special Meeting of the Hoboken City Council for Wednesday, June 11, 2008 at 7:00 P.M. in the City Council Chambers, 94 Washington Street, First Floor, Hoboken, New Jersey, for the following purpose:

Adoption of a Resolution Authorizing the Issuance of Contract for Appraisal Services

Adoption of a Resolution Supporting Acquisition of Block 11 for Open Space and Parkland

Adoption of a Resolution Authorizing Additional Temporary Emergency Appropriations to the SFY 2008 Budget Until Such Time as a Formal Budget Is Adopted (for Legal Advertising)

Introduction/First Reading of an Ordinance Amending Chapter 196 of the Code of the City of Hoboken (Zoning) – Open and Recreational Space (DR-366)
Special Meeting of June 11, 2008  2

Action on the foregoing items may be taken at this meeting, but no other subjects will be discussed. Please notice this meeting as required by the Open Public Meetings Act.

Very truly yours,

Theresa Castellano
Council President

cc: City Council Members
Richard F. England, Jr., Business Administrator
Steven W. Kleinman, Corporation Counsel
Mayor David Roberts
The Jersey Journal/Star Ledger/The Record

The City Clerk then called the roll:

PRESENT: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.

ABSENT: None.

RESOLUTIONS

Presented and Read

08-206

---By Councilwoman Zimmer:

RESOLUTION SUPPORTING ACQUISITION OF BLOCK 11 FOR OPEN SPACE AND PARKLAND

WHEREAS, Hoboken’s Master Plan has identified an inadequate supply of open space as one of the issues that Hoboken needs to address in its future development decisions; and,

WHEREAS, that shortage is particularly acute in the City’s Southwest quadrant; and,

WHEREAS, the Master Plan identifies Block 11, together with various other properties located in the Southwest, as an appropriate location for a large park; and,

WHEREAS, the Hoboken City Council unanimously resolved on February 20, 2008 that the City apply for County Open Space funding to help facilitate the acquisition of various properties in the Southwest, including Block 11; and
WHEREAS, the City of Hoboken has filed an application for said County Open Space funding; and,

WHEREAS, it is in the best interests of the City of Hoboken to move forward with the acquisition of Block 11 as soon as possible, regardless of whether County Open Space Funds are currently available; and

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby requests the Hoboken Zoning Board of Adjustment postpone consideration of any and all applications concerning properties referenced in an Ordinance presented concurrently with this Resolution, “Amending Chapter 196 of the Code of the City of Hoboken (zoning) – Open and Recreational Space” (DR-366); and,

BE IT FURTHER RESOLVED, that it is the intent of the City Council to change the zoning status of other properties identified in the Master Plan as potential park space to open space zoning, and therefore the Zoning Board is directed to consider the intent of the Council in evaluating variance requests with respect to said properties, and to grant no variances that would hinder or make more costly the Council's ability to adopt such zoning; and,

BE IT FURTHER RESOLVED, that the City Council respectfully request that the Planning and Economic Development subcommittee promptly contact the owners of the Block 11 properties and attempt to negotiate an agreement to acquire those properties for use as open space, and further requests that the Planning and Economic Development Subcommittee immediately contact the Trust for Public Land (TPL), and if TPL is prepared without delay to assist the City Council in this matter, that the City Council work through the TPL to negotiate said acquisition; and

BE IT FURTHER RESOLVED, that in the event that the City is unable to reach agreements for the acquisition of Block 11, that the City consider the alternative of acquiring said properties through the use of its powers of eminent domain; and, including but not limited to the transfer of development rights.

BE IT FURTHER RESOLVED, that the City Council hereby calls on the Planning and Economic Development Subcommittee to provide an update to the Council within 30 days s to the progress of discussions with Block 11 property owners; and,

BE IT FURTHER RESOLVED, that all agreements and contracts for the acquisition of said properties shall be presented to the City Council for ratification within 30 days after the completion of negotiations; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be provided to Mayor David Roberts and Director Fred Bado.

The following spoke prior to the vote: Jim Doyle, 806 Park Avenue; Lane Bajardi, 70 Park Avenue; Andrew Darby, 84 Monroe Street; Debi Kapuscinski, 121 Willow Avenue; Renee Turonis, 220 Park Avenue; Eric Volpe, 109 Madison Street; Helen Hirsch, 98 Park Avenue; Ira Landgarten, 561 1st Street; Rami Pinchersky, 700 1st Street; Susan Rapuscinsky, 64 2nd Street; Leah Healey, 107 Monroe Street; Doug Snyder, Jim Vance, 107 Monroe Street; Lane Bajardi, 70 Park Avenue (2nd time); Leah Healey, 806 Park Avenue (2nd time); David Mellow, 700 1st Street.

---Motion duly seconded by Councilman Cunningham.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-207
---By Councilman Russo:

RESOLUTION AUTHORIZING CONTRACT FOR APPRAISAL SERVICES

WHEREAS, it is necessary to provide appraisals for the completion of the Hudson County Open Space Trust application approved and submitted as per Resolution # 10 dated February 20, 2008; and

WHEREAS, the City has conducted a Request for Qualification search for General Real Estate Appraisal services for this purpose; and

WHEREAS, McGuire Associates, LLC of Jersey City, NJ has submitted a response to this RFQ, and is qualified to perform said service, which is a professional service as defined by N.J.S.A. 40A:11-2(b) and as such, is exempt from public bidding requirements pursuant to N.J.S.A. 40A:11-5; and,

WHEREAS, McGuire Associates LLC also meets State of New Jersey Green Acres specifications and is a State of New Jersey approved vendor for application-related appraisal services:

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

1) McGuire Associates, located at 547 Summit Avenue, Jersey City, NJ 07306, is hereby awarded a professional service contract to perform an appraisal of I-2 (Industrial) sites in southwest Hoboken also known in the tax records of the City of Hoboken as: Block 9, Lots 1-4; Block 10, Lots 1, 8 and 27; Block 11, Lots 1-5, 8 and 9; Block 12, Lots 1, 7-16 and Block 14, Lot 1; additionally, for appraisal of the property known as the “Henkel-Cognis” site which is located at Block 103, Lots 7-25; and Block 107, Lot 1 and Block 113, Lot 1.

2) All appraisals should reflect the current real value of the properties as they currently exist and appraisal reports should be organized by owner or ownership group.
3) McGuire Associates shall be paid the hourly rates as set forth in its Request for Qualifications; however, this amount shall not exceed $50,000 unless approved by further resolution of the City Council.

4) This contract shall be executed no earlier than July 1, 2008 and no later than July 4th 2008 and be subject to the availability of funds as certified by the Chief Financial Officer of the City of Hoboken.

5) McGuire Associates is expected to deliver the appraisals, in hard copy and disc format, within six weeks of the contract award, unless otherwise approved by the City Council.

6) The City Clerk shall publish this resolution as required by law and keep a copy of the resulting contract on file in accordance with N.J.S.A. 40A:11-1 et. seq.

7) A certified copy of this resolution shall be provided to Mayor David Roberts for action in accordance therewith and to take any other actions necessary to complete and realize the intent and purpose of this resolution.

8) This resolution shall take effect immediately.

The following spoke prior to the vote: Ford Prigot, 206 Newark Street; Sara Stojowki, 167 11th Street; Lane Bajardi, 70 Park Avenue; Jim Vance, 107 Monroe Street.

---Motion duly seconded by Council President Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

08-208

---By Councilwoman Mason:

THIS RESOLUTION AUTHORIZES ADDITIONAL TEMPORARY EMERGENCY APPROPRIATIONS TO THE SFY 2008 BUDGET UNTIL SUCH TIME AS A FORMAL BUDGET IS ADOPTED.

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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---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 7 - NAYS: 2
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos and Zimmer.
---Nays: Russo, President Castellano.

**ORDINANCES**

Introduction and First Reading

08-209
DR-366

**AN ORDINANCE AMENDING CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN (ZONING) – OPEN AND RECREATIONAL SPACE (DR-366).**

WHEREAS, the City of Hoboken is the fourth most densely populated city in the most densely populated state in the United States, and is significantly deficient in open space to population at 0.8 acres per 1,000 residents vs. the national average for urban centers of 8.4 acres/1,000 residents and NYC standard of 2.5 acres/1,000 residents, and

WHEREAS, the City Council is committed to the protection of existing open space and the acquisition and development of additional open and recreational space for future generations, and

WHEREAS, the site locations detailed below are so designated by the Hoboken Master Plan and meet the qualifications as set forth in the New Jersey Municipal Land Use Law (MLUL); N.J.S.A. 40:55D-2 the purpose of which is “to encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, moral and general welfare,” and “to provide adequate light, air and open space,” and

WHEREAS, the voters of the City of Hoboken approved by overwhelming majority a referendum authorizing the creation of a Municipal Open Space, Recreation and Conservation Trust Fund, pursuant to which the City Council did establish, on January 2, 2008 via Ordinance DR-343, the “Trust Fund for Open Space Acquisition,” and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken, County of Hudson, and State of New Jersey that Chapter 196 of the Code of the City of Hoboken be amended and supplemented as follows:

**Section One**

Chapter 196-Zoning, Article III Zoning Districts Established of the Code of the City of Hoboken, New Jersey, is hereby amended to new read as follows:

**A. Section 196-7A of the Code of the City of Hoboken, New Jersey, is hereby amended to include Zoning districts:**

<table>
<thead>
<tr>
<th>OS</th>
<th>Open-Space</th>
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</table>

**The remainder of Section 196-7A shall remain unchanged.**
B. **Article III Zoning Districts Established** is hereby amended to include the following new section:

196-7C. Open Space, as defined in Article II: 196-6 of this document, constitutes sites established in fulfillment of the purposes of this chapter and are designed as follows:

(1) Pier A Park 2\textsuperscript{nd} and River Streets.

(2) Pier C Park, 4\textsuperscript{th} Street and Sinatra Drive.

(3) Waterfront Walkway, Lackawanna Plaza to Weehawken Cove.

(4) Sinatra Park, 5\textsuperscript{th} Street and Sinatra Drive.

(5) Castle Point, East side of Sinatra Drive under Castle Point.

(6) Maxwell House Park, East side of Sinatra Drive at 11\textsuperscript{th} Street.

(7) Shipyard Park, West side of Sinatra Drive between 12\textsuperscript{th} and 13\textsuperscript{th} Streets.

(8) Shipyard Piers, 13\textsuperscript{th} and 14\textsuperscript{th} Streets and Constitution Way.

(9) 16\textsuperscript{th} Street Pier, 16\textsuperscript{th} Street and Hudson River.

(10) Hoboken Cove, east of Park Ave. and north of 15\textsuperscript{th} Street to Weehawken border.

(11) 1600 Park, between Park Ave. and Willow Street and 16\textsuperscript{th} Street north to Weehawken.

(12) Stevens (a.k.a. Hudson Sq.) Park, between 4\textsuperscript{th} & 5\textsuperscript{th} Streets on Hudson Street.

(13) Elysian Park, 10\textsuperscript{th} and Hudson Streets.

(14) Church Square Park, between 4\textsuperscript{th} & 5\textsuperscript{th}, Garden and Willow Streets.

(15) Columbus Park, 9\textsuperscript{th} and Clinton Streets.

(16) JFK Stadium, 10\textsuperscript{th} and Jefferson Streets, adjacent to Columbus Park.

(17) Housing Authority Ball Fields, 4\textsuperscript{th} and Jackson Streets.

(18) Community Garden, 3\textsuperscript{rd} and Jackson Streets.

(19) Multi-Service Center, 2\textsuperscript{nd} and Adams Street.

(20) Newark St. Pocket Park, Newark Street at southwest entrance to City.

(21) Jackson Street Park, 116-118 Jackson Street.

(22) Madison Street Park, 300-304 Madison Street.

(23) Legion Park, 1221 Willow Street.
(24) Site currently known as Cognis-Henkel, Block 103 – Lots 7-25, Block 107-1, and Block 113-1.

(25) Site currently known as Southwest Six (SW6), Block 9-Lots 1-4, Block 10 – Lots 1, 8 and 27, Block 11 – Lots 1-5, 8 and 9, Block 12 – Lots, 1, 7-16 and Block 14 – Lot 1.

(26) Site currently known as Block 103- Lots 1-6, 28-32.

The remainder of Article III Zoning Districts Established shall remain unchanged.

C. **198-8 Zoning Map** must be amended to reflect the above designated zones. The remainder of Section 196-8 of the Code of the City of Hoboken, as last amended by Ordinance DR-210, adopted on November 14, 2005, is hereby re-adopted without change.

D. **Section 196-9 shall remain unchanged.**

**Section Two: Nunc Pro Tunc Application**

This ordinance shall apply to any and all presently pending construction activities and related administrative processes and or procedures in the City of Hoboken under which this ordinance may be applicable.

**Section Three: Referral to Planning Board**

In accordance with N.J.S.A. 40:55-64 and 26, subsequent to the introduction of this Ordinance, the Municipal Clerk shall refer this Ordinance to the Planning Board for review and consideration for a period of no longer than 35 days. Subsequent to the 35-day review period, this Ordinance shall be heard for second reading. In the event the Planning Board and may disapprove or change any recommendation by a vote of a majority of its full authorized membership and shall record in its minutes the reasons for not following such recommendations in accordance with the provisions of law.

**Section Four: Repeal of Inconsistent Provisions**

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 Five: 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 by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentence, 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 Six: Effective Date**

This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

**Section Seven: Codification**
This Ordinance shall be a part of the 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 Code.

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article, and/or Section number of the Code of the City of Hoboken in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing provisions not intended to be repealed.

---Councilman Russo moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on JULY 2, 2008 at 7:00 PM.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Cunningham, Giacchi, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.

At this time the meeting was opened to members of the Public as follows: Steve Cappiello, 532 Adams Street; Richard Tremitiedi, 2 Constitution Court; Maurice DeGennaro, 614 Hudson Street.

Council President Castellano adjourned the meeting at 9:05 p.m.
CITY CLERK
President Castellano 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 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 Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.

ABSENT: Giacchi, LaBruno.

SFY 2008 Municipal Budget Hearing Continued

One member of the public spoke at this time: Jon Gordon, 1015 Washington Street; Richard Tremitiiedi, 2 Constitution Court; Brian Wagner, 930 Hudson Street; Michael Lenz, 408 Monroe Street; Perry Belfiore, 161 11th Street; Don Pellicano, 1000 Hudson Street; Lane Bajardi, 70 Park Avenue.

Councilman Russo moved that the budget hearing be closed. Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi, LaBruno.

At this time Mayor Roberts addressed the City Council.
Council President Castellano allowed the following, brought in by Councilwoman Mason, to address the city council: William Roberti, 555 5th Avenue, St. Petersburg, Fla., of Alvarez & Marsal, NYC, Doug Lampert; Howard Safir, CEO Safir Rosetti, 415 Madison Avenue.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

Councilwoman Mason left the meeting at 8:18 p.m.

AN ORDINANCE TO AMEND CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN (ZONING). DR-357.

President Castellano 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 of which the heading was read in full.

The following spoke regarding the ordinance: Daniel Tumpson, 230 Park Avenue. No other person present desiring to be heard and no written protests or objections received, President Castellano asked for a motion to close the hearing.

Councilwoman Mason returned to the meeting at 8:20 p.m.

Councilman Russo moved that the hearing be closed. Motion duly seconded by Councilman Ramos.

---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi, LaBruno.

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

---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi, LaBruno.
RESOLUTIONS

Presented and Read

08-210
---By Councilman Ramos:

RESOLUTION REGARDING THE REVIEW BY THE PLANNING BOARD OF THE PROPOSED AMENDMENTS TO THE REDEVELOPMENT PLAN FOR THE PUBLIC WORKS GARAGE SITE

WHEREAS, in accordance with N.J.S.A. 40A:12A-7(e), the City Council of the City of Hoboken (“City Council”) referred to the Hoboken Planning Board for its review and recommendations, an amended version of the redevelopment plan entitled “Redevelopment Plan for the Public Works Garage Site,” prepared by the planning firm of Phillips Preiss Shapiro Associates, Inc. and dated May 2008 (“the Plan Amendments”);

WHEREAS, at its June 3, 2008 meeting, the Planning Board considered the Plan Amendments with input from its planner, Eileen Banyra, and the City Planner, Elizabeth Vandor;

WHEREAS, at said meeting, the Planning Board accepted the Plan Amendments in their entirety and without comment, finding the Plan Amendments to be consistent with the purposes of the Master Plan and beneficial to zoning in Hoboken; and

WHEREAS, the above action was confirmed by letter dated June 4, 2008, from the Planning Board Attorney, John R. Dineen, to Mayor David Roberts.

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

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

2. The Plan Amendments may be considered for adoption without further action by the City Council pursuant to N.J.S.A. 40A:12A-7(e).

Prior to the vote, Gordon Litwin, redevelopment counsel for the city of Hoboken, 60 Park Place, Newark, NJ, addressed the City Council.

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi, LaBruno.
PUBLIC HEARING and FINAL VOTE ON ORDINANCES CONTINUED

Second Reading / Public Hearing and Final Vote


President Castellano 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 of which the heading was read in full.

Prior to the vote to close the hearing, Diana Marsh of Phillips, Preiss, Shapirrio, 434 5th Avenue, NYC addressed the City Council; also members of the public spoke: Lane Bajardi, 70 Park Avenue; Diana Marsh spoke again in answer to question; Maurice DeGennaro, 614 Hudson Street; Kim Cardinal, 70 Park Avenue; Bob DuVal, 303 Park Avenue; also Gordon Litwin, counsel for the city of Hoboken spoke; public continued: Perry Belfiore, 161 11th Street; Daniel Tumpson, 230 Park Avenue. No other person present desiring to be heard and no written protests or objections received, President Castellano 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: 5 - NAYS: 2 - ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Ramos, Russo and President Castellano.
---Nays: Mason, Zimmer.
---Absent: Giacchi, LaBruno.

Final vote on DR-362, will be later in the meeting.

AN ORDINANCE REQUIRING A PUBLIC HEARING AND CITY COUNCIL RECOMMENDATION FOR A CHANGE IN PURPOSE OR USE OF PARKLAND. DR-363.

President Castellano 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 of which the heading was read in full.

The following spoke regarding the ordinance: Daniel Tumpson, 230 Park Avenue; Cheryl Fallick, 204 3rd Street; Mary O’ndreaka, 159 9th Street. No other person present desiring to be heard and no written protests or objections received, President Castellano asked for a motion to close the hearing.

Councilman Russo moved that the hearing be closed.
Council President Castellano then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi, LaBruno.

AN ORDINANCE GRANTING AN EASEMENT FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY AT 420 HUDSON STREET (LOT 13, BLOCK 215.1). DR-364

Councilwoman Mason left the meeting at this time.

President Castellano 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 of which the heading was read in full.

The following spoke regarding the ordinance: Lane Bajardi, 70 Park Avenue. No other person present desiring to be heard and no written protests or objections received, President Castellano 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: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Cammarano, Cunningham, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi, LaBruno, Mason.

Councilwoman Mason returned to the meeting at this time.

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

---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi, LaBruno.
AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED (PARKING FOR HANDICAPPED). Approval; 514 Park Avenue. DR-365

President Castellano 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 of which the heading was read in full.

No person present desiring to be heard and no written protests or objections received, President Castellano 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: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi, LaBruno.

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

---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi, LaBruno.

AN ORDINANCE AMENDING CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN (ZONING) – OPEN AND RECREATIONAL SPACE. DR-366

The above ordinance, DR-366, was introduced at a Special Meeting on 6/11/08 with an advertised public hearing date for July 2, 2008.

08-211

APPLICATIONS FOR MISCELLANEOUS LICENSES

Raffles ------------------------------- 3
Public Hack Drivers --------------------- 23
Limo/Livery Drivers ------------------- 18
Vendors------------------------------- 4

---Councilman Russo moved that the licenses be granted.
---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi, LaBruno.

REPORTS OF CITY OFFICERS

08-212
A report of the Municipal Court indicating receipts for the month of May 2008 as $289,699.27.
---Received and filed.

08-213
A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending May 31, 2008 - $743,435.64.
---Received and filed.

PAYROLL RESOLUTIONS

08-214
By Councilman Russo:

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 22, 2008 TO JUNE 4, 2008 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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<td>Recreation</td>
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<td>Parks</td>
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<td>22,933.47</td>
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<td>8-01-29-390</td>
<td>33,740.38</td>
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<td>8-01-43-495</td>
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<td>8-01-25-241-012</td>
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<td>Cops In School</td>
<td>8-01-25-241-015</td>
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<td>Civilian Hiring</td>
<td>8-01-25-241-016</td>
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<td>Minority Affairs</td>
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<td>Summer Fun</td>
<td>8-01-28-370-013</td>
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<td>Summer Lunch</td>
<td>G-02-44-701-316</td>
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**Other**

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<td>Police GrantDE16-S701</td>
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<td>Police Outside Employ.</td>
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<td>Ped Safety Grant</td>
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<td>Fire Education Grant</td>
<td>T-13-10-000-000</td>
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<td>Police Housing Auth</td>
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<td>24,360.00</td>
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**Grand Total**

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Councilwoman **Mason** voted to **ABSTAIN** due to litigation on the following payroll items:
Bus Administrator 8-01-20-112 13,337.03
City Clerk's Office 8-01-20-120 26,944.49
Corporate Counsel 8-01-20-155 15,978.63
Construction Code 8-01-22-195 25,829.68

Councilwoman Mason voted NO on the following payroll items:
Mayor’s Office 8-01-20-110 7,573.22
City Council 8-01-20-111 8,300.60
O/T Pay 47,075.00

Motion by Councilman Russo.
Seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi, LaBruno.

RESOLUTIONS CONTINUED

Presented and Read

08-215
---By Councilman Russo:

RESOLUTION AUTHORIZING THE 6% PENALTY CHARGED ON DELINQUENT TAXES TO BE REPEALED

WHEREAS, the rate of additional interest penalty on delinquent taxes and assessments on real property in excess of $10,000.00 is 6% if delinquent at the close of the fiscal year, and

WHEREAS, in accordance with NJSA 54:4-67 and previously adopted resolution of the City Council, the Tax Collector must begin to accrue said penalty as of June 30, 2008, and

WHEREAS, in accordance with NJSA 54:4-67, the City Council, recognizing that taxpayers face a significant tax increase in the 2008 taxes, desires to repeal the 6% penalty for Fiscal Year 2008.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, that the Tax Collector be and is hereby authorized to repeal the 6% penalty for fiscal year 2008.

---Motion duly seconded by Council President Castellano.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi, LaBruno.

08-216
---By Councilman Russo:

RESOLUTION AUTHORIZING THE CLOSURE OF A BANK ACCOUNT
AT THE RECOMMENDATION OF THE DIVISION OF REVENUE AND FINANCE

WHEREAS, The Division of Revenue and Finance of the City of Hoboken has recommended the closure of the following Bank Accounts which have been dormant:

City of Hoboken Block B Hoboken South Waterfront #3451517426

RESOLVED, that the Commerce Bank, which administer the accounts noted above shall be furnished with a certified copy of this resolution.

---Motion duly seconded by Council President Castellano.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi, LaBruno.

08-217
---By Council President Castellano:

RESOLUTION AUTHORIZING THE LOCATION OF THE HOBOKEN
FARMERS’MARKET ON TUESDAYS DURING THE MONTHS OF JUNE, JULY,
AUGUST, SEPTEMBER AND OCTOBER

WHEREAS, the Environment Committee of Hoboken and the City of Hoboken are sponsoring a farmers’ market along the east side of Washington Street between Newark Street and Observer Highway; and

WHEREAS, the Hoboken Farmers’ Market will take place every Tuesday, beginning June 24, 2008 and every Tuesday thereafter ending Tuesday October 28, 2008; and

WHEREAS, the Environment Committee of Hoboken and City of Hoboken request that the Council of the City of Hoboken suspend parking meter rules on that section of the East side of Washington Street just South of Newark Street so that the farmers can park their trucks to unload and 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 24, 2008 and ending Tuesday October 28, 2008.
4. The Police Division shall enforce this regulation.
5. A certified copy of this resolution is provided to Mayor David Roberts, Acting Business Administrator Richard England, Director Joseph Peluso, Police Chief Carmen LaBruno, Fire Chief John Cassesa, Superintendent Joseph Bucino, Central Garage Supervisor John Colegrove, Hoboken Parking Utility, and Hoboken Environment Committee President Cynthia Silber.

This Resolution is effective immediately.

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi, LaBruno.

08-218
---By Councilwoman Zimmer:

AUTHORIZING THE SUBMISSION OF A CENTERS OF PLACE APPLICATION TO THE NJ DEPARTMENT OF TRANSPORTATION FOR FUNDING THE CREATION AND INSTALLATION OF TRANSIT WAY-FINDING SIGNAGE

WHEREAS, the City of Hoboken has been invited to submit a Centers of Place funding application to the New Jersey Department of Transportation for transportation/transit related projects; and

WHEREAS, the City of Hoboken wishes to submit an application for the creation and installation of Way-finding signage to encourage the use of the Hoboken Light Rail System;

NOW, THEREFORE, the governing body resolves that Mayor is hereby authorized to:

(a) make application for 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 be it further –

RESOLVED BY THE Council of the City of Hoboken:
1. That, should funding be awarded, the Mayor is hereby authorized to execute a funding agreement;

2. That this resolution shall take effect immediately.

---Motion duly seconded by Councilman Cunningham.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi, LaBruno.

08-219
---By Councilman Russo:

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS/INTEREST

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

WHEREAS, Louis P. 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 appearing on the attached list totaling $52,892.10

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<tr>
<th>NAME</th>
<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
<th>AMOUNT</th>
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<td>AURORA LOAN SERV</td>
<td>238/12</td>
<td>933 HUDSON ST</td>
<td>$5,659.50</td>
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<tr>
<td>P.O. BOX 961233</td>
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<tr>
<td>FORT WORTH, TX 76161-0233</td>
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<td>HAVEN SAVINGS BK</td>
<td>212/6/C0001</td>
<td>117 WASHINGTON ST</td>
<td>$30,000.00</td>
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<td>621 WASHINGTON ST</td>
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<td>P.O. BOX 9701</td>
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<td></td>
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<tr>
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<tr>
<td>MATTHEW DECICCO</td>
<td>42/15/C0020</td>
<td>222 CLINTON ST</td>
<td>$6,589.12</td>
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<td>61 HEDGES AVENUE</td>
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<td>CHATHAM, NJ 07629</td>
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<tr>
<td>BRUCE PADULA</td>
<td>78/6/C002F</td>
<td>611-617 ADAMS ST</td>
<td>$188.15</td>
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<td>214 PARK AVENUE</td>
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<tr>
<td>TARA CANETTA</td>
<td>159/20.1/C003C</td>
<td>712-14 WILLOW AVE</td>
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<td>118 MILLERTOWN RD.</td>
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<td>BEDFORD, NEW YORK 10506</td>
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<td>TARA CANETTA</td>
<td>173/6/C1-03</td>
<td>1109-1121 WILLOWAVE</td>
<td>$1,497.60</td>
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Meeting of June 18, 2008

13
---Motion duly seconded by Council President Castellano.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi, LaBruno.

08-220
---By Councilman Cammarano:

CALANDER FOR JULY 2008 THROUGH JUNE 2009

RESOLVED, that the following dates and times listed below are adopted as the official meeting dates of the Hoboken City Council for July 2008 through June 2009, and be it further

RESOLVED, that in accordance with N.J.S.A. 10:4-8(d) and 10:4-18 (Open Public Meetings Act, within seven (7) days of passage of this Resolution, in at least one location at City Hall reserved for similar announcements; (b) mail, telephone, telegram or hand deliver this Resolution to all of the official newspapers of the City of Hoboken

RESOLVED, that this Resolution be advertised in two of the City's official newspapers within (7) days of passage.
---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi, LaBruno.

08-221
---By Councilman Russo:

RESOLUTION AUTHORIZING THE RATE OF INTEREST TO BE CHARGED ON DELINQUENT TAXES

WHEREAS, the rate of interest for delinquent taxes and assessments on real property in the City of Hoboken, is currently 8% per annum on the first $1500.00 of the delinquency and 18% per annum thereafter, and

WHEREAS, in accordance with NJSA 54:4-67 and previously adopted resolution of the City Council, the Tax Collector must begin to accrue said interest, for the May 2008 installment 25 days after mailing of the bill, and

WHEREAS, in accordance with NJSA 54:4-67, the City Council, recognizing that taxpayers face a significant tax increase in the May 2008 billing, desires to extend the period in which taxes can be paid without interest accruing.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, that the Tax Collector be and is hereby authorized to reduce the rate of interest to be charged on the May 2008 tax billing to .00000001% for a period of 20 days passed the required 25 days after mailing.

The following spoke on the resolution: Helen Hirsch, 98 Park Avenue.
---Motion duly seconded by Council President Castellano.  
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2  
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.  
---Nays: None.  
---Absent: Giacchi, LaBruno.  

08-222  
---By Councilwoman Zimmer:  

AUTHORIZING THE SUMISSION OF A SAFE STREETS TO TRANSIT APPLICATION TO THE NJ DEPARTMENT OF TRANSPORTATION FOR FUNDING THE IMPROVEMENT/EXTENSION OF A RAILING SYSTEM AT THE PATH AREA TO PROHIBIT PEDESTRIANS FROM CROSSING MID-BLOCK AT HUDSON PLACE

WHEREAS, the City of Hoboken has been invited to submit a Safe Streets to Transit funding application to the New Jersey Department of Transportation for safety improvements at transportation/transit related facilities; and

WHEREAS, the City of Hoboken wishes to submit an application for the improvement/extension of a railing system at the Path area to prohibit pedestrians from crossing mid-block at Hudson Place;

NOW, THEREFORE, the governing body resolves that Mayor is hereby authorized to:

(a) make application for 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 be it further –

RESOLVED BY THE Council of the City of Hoboken:

1. That, should funding be awarded, the Mayor is hereby authorized to execute a funding agreement;

2. That this resolution shall take effect immediately.

---Motion duly seconded by Councilman Cunningham.  
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2  
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.  
---Nays: None.  
---Absent: Giacchi, LaBruno.  

08-223  
---By Council President Castellano:
AUTHORIZING THE SUBMISSION OF A HISTORIC SITE MANAGEMENT GRANT APPLICATION TO THE NEW JERSEY HISTORIC TRUST FOR THE COMPLETION OF A HISTORIC ASSESSMENT AND PRESERVATION PLAN FOR THE RESTORATION AND PRESERVATION OF THE ASSEMBLY OF EXEMPT FIREMEN STRUCTURE AT 213 BLOOMFIELD STREET

WHEREAS, the City of Hoboken has been invited to submit a Historic Site Management Grant Application to the New Jersey Historic Trust for completion of a historic assessment and preservation plan for a designated historic site; and

WHEREAS, the City of Hoboken wishes to submit such application for the assessment/preservation plan for the Assembly of Exempt Firemen historic structure located at 213 Bloomfield Street, Hoboken;

NOW, THEREFORE, the governing body resolves that Mayor is hereby authorized to:

(a) make application for such a grant in the amount of $50,000

(b) make assurances of an available City match in the amount of $12,500 (required match - for every $3.00 of grant awarded, $1.00 of City matching funds is required). Amount of match to be included in the SFY 2009 Budget.

(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 be it further -

RESOLVED BY THE Council of the City of Hoboken:

1. That, should funding be awarded, the Mayor is hereby authorized to execute a funding agreement;

2. That this resolution shall take effect immediately.

The following spoke on the resolution: Maurice DeGennaro, 614 Park Avenue.

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi, LaBruno.

08-224
---By Councilman Russo:
STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES RESOLUTION AUTHORIZING AMENDMENT TO MULTI-PARKS
PROJECT AGREEMENT

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 $_341,000__ and/or a
grant of $_1,459,000.00 from the State to fund the following project(s): _Multi-Parks
Development_; and

WHEREAS, the State and the _City of Hoboken_ intends 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 _Hoboken City Council_

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 $ 4,000,000, and; [Note:
Please authorize only one official to sign the project agreement on behalf of the
local government or nonprofit.]
2. That the applicant has its matching share of the project, if a match is required, in the
amount of $18,000,000 (Port Authority of NY/NJ)_.
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. The applicant agrees to comply with all applicable federal, state, and local laws, rules,
and regulations in its performance of the project.
5. That this resolution shall take effect immediately.

The following spoke on the resolution:  Mary O’ndreaka, 159 9th Street; Daniel Tumpson, 230
Park Avenue.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and
President Castellano.
---Nays: None.
---Absent: Giacchi, LaBruno.

08-225
---By Council President Castellano:

RESOLUTION DESIGNATING THE CORNER ON 12th STREET AND
WILLOWAVENUE AS “DOROTHY BUONCUORE CORNER”

WHEREAS, the Mayor and the City Council deem it appropriate to honor the
contributions made to our great City by the late Dorothy Buoncuore, who among other
things, worked as a Crossing Guard in Hoboken for more than 15 years stationed on the corner of Wallace School; and

**WHEREAS**, Dottie, (as her friends knew her), after raising her family took up employment with the City of Hoboken as a Crossing Guard reporting to the Police Department; and

**WHEREAS**, Dorothy was born on March 16, 1929 to William and Josephine Klotzberger and later married and raised her family in Hoboken; and

**WHEREAS**, Dorothy was married to William Buoncuore for 52 years and was the proud mother of five sons: Matthew, Michael, William, Robert and David, three of whom are currently members of the Hoboken Fire Department; and

**WHEREAS**, we honor Dottie's contributions to our City by dedicating the corner of 12th and Willow in her memory.

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and the City Council hereby designate the corner of 12th Street and Willow Avenue as “Dorothy Buoncuore” corner.

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi, LaBruno.

**FINAL VOTE ON ORDINANCE DR-362 CONTINUED FROM EARLIER IN MEETING**

**AN ORDINANCE AMENDING THE REDEVELOPMENT PLAN FOR THE PUBLIC WORKS GARAGE SITE LOCATED IN THE CITY OF HOBOKEN PURSUANT TO N.J.S.A. 40A:12A-7. DR-362.**

Corporation Counsel Kleinman read the amendments to the attached plan, not the actual ordinance, into the record.

Council President Castellano then instructed the City Clerk to call the Final Vote for the above ordinance, DR-362.

---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi, LaBruno.
ORDINANCES

Introduction and First Reading

08-226
DR-367

AN ORDINANCE GRANTING AN EASEMENT FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY AT 158 14th Street (LOT 1, BLOCK 255). DR-367

WHEREAS, the applicant, Larry Bijou, Architect, has petitioned the City of Hoboken for the granting of a certain easement over municipal lands at 158 14th Street, Hoboken, New Jersey, ("the premises") which premises is more particularly described as Lot 1, Block 255, on the Tax Map of the City of Hoboken, New Jersey, in order to maintain an encroachment on municipal lands for the purpose to construct an access hatch to be located in the existing areaway as outlined in the attached drawing. The easements are described as follows:

METES AND BOUNDS
(PROPOSED FRANCHISE EASEMENT EASEMENT CANOPY ON WESTERN FACE OF BUILDING)

All that certain lot, parcel or tract of land, situate and lying 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 southeasterly line of Garden Street, and the northeasterly line of Fourteenth Street;

THENCE  N-24°-00'-E, along the southeasterly line of Garden Street, a distance of 95.00 feet to a point;

THENCE  N-66°-00'-W, a distance of 3.00 feet to a point;

THENCE S-24°-00'-W, a distance of 95.00 feet to a point;

THENCE  S-66°-00'-E, a distance of 3.00 feet to a point, said point being the point or place of beginning.

Known as Lot 1, Block 255 as shown on the official tax assessment map for the City of Hoboken, Hudson County, New Jersey, and more commonly known as 158 14th 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 158 14th Street, THE AFOREMENTIONED EASEMENT SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:

1. The above recitals are incorporated herein as though 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 that 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 insured’s.

5. These easements shall run with the land and insure 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 the 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.

---Councilwoman LaBruno moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on JULY 2, 2008 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi, LaBruno.

Councilman Ramos left the meeting at 10:55 p.m.
Councilman Ramos returned to the meeting at 11:03 p.m.
All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Maurice DeGennaro, 614 Hudson Street; Eric Kurta, 214 Garden Street; David Axelrod, 76 Bloomfield Street; Lane Bajardi, 70 Park Avenue; Richard Tremitiedi, 2 Constitution Court.

08-227
---By Councilman Russo:

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:

Litigation:
- Courtesy Airport case (taxicab ordinance challenge)
- Western Edge (Monroe Street) (Hoboken Parks organization)
- United Textile Fabricators

Councilwoman Mason left the meeting at 12:01 a.m.
Councilwoman Mason returned to the meeting at 12:03 a.m.

BE IT RESOLVED, that the City Council shall at this time (approximately) 11:45 pm, June 18, 2008, enter into Executive Session to discuss the matters as outlined above, and-

BE IT FURTHER RESOLVED, that it can be disclosed to the public as follows:

Upon final disposition of the matter.

---Motion duly seconded by Councilwoman Mason.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi, LaBruno.

On a motion by Councilman Russo and duly seconded by Councilman Ramos and voted on unanimously the City Council came out of executive session at 12:46 a.m.
President Castellano then adjourned the meeting at 12:46 a.m., Thursday, June 19, 2008.

____________________

PRESIDENT OF THE COUNCIL

____________________

CITY CLERK
At this time, 6:08 p.m., the Council President opened the meeting 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 Hoboken Reporter, The 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 June 27, 2008, into the record:

08-228
City Clerk James Farina
94 Washington Street
Hoboken, NJ 07030

Dear City Clerk Farina:

Please be advised that pursuant to my authority as the Mayor of Hoboken, and at the direction of the New Jersey Department of Community Affairs, I hereby call a Special Meeting of the Hoboken City Council for Monday, June 30, 2008 at 6:00 P.M. in the City Council Chambers, 94 Washington Street, First Floor, Hoboken, New Jersey for the purpose:

Adoption of the FY 2008 budget (and any other action required by law in order to adopt said budget).

Action on the foregoing item may be taken at this meeting, but no other subjects will be discussed. Please notice this meeting as required by the Open Public Meetings Act.

Very truly yours,

Mayor David Roberts

cc: City Council Members
The City Clerk then called the roll:

PRESENT: Council persons Cammarano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.

ABSENT: Giacchi.

Prior to any vote being taken the following spoke on the record: Helen Hirsch, 98 Park Avenue; Michael Lenz, 408 Monroe Street; Richard Triemediti, 2 Constitution Court; Don Pellicano, 1000 Hudson Street; Maurice DeGennaro, 614 Hudson Street; Lane Bajardi, 70 Park Avenue; Judy Tripodi, Assistant Director of the Division of Local Government Services (New Jersey); Jon Gordon, 1015 Washington Street.

08-229
---By Councilwoman LaBruno:

AMENDMENTS TO THE RESOLUTION AUTHORIZING ADOPTION OF THE SFY 2008 BUDGET

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Castellano.
---Nays: None.
---Absent: Giacchi.

08-230
---By Councilwoman LaBruno:

RESOLUTION AUTHORIZING ADOPTION OF THE SFY 2008 BUDGET

WHEREAS, the local municipal budget for the fiscal year 2008 was approved upon introduction on the 21st day of November 2007 and

WHEREAS, it is desired to adopt said budget, as attached and distributed.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken County of Hudson, that the fiscal year 2008 budget be adopted:
Recorded Vote

AYES       NAYS       ABSENT
Zimmer     Castellano Giacchi
Cunningham Russo Mason
Cammarano
La Bruno
Ramos

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 adopted.

It is hereby certified that this is a true copy of a resolution adopting the budget, adopted by the governing body on the 30th day of June 2008.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Cammarano, Cunningham, LaBruno, Ramos, Zimmer.
---Nays: Mason, Russo, President Castellano.
---Absent: Giacchi.

08-231
---By Councilwoman Cunningham:

CALLING FOR THE RESIGNATION MAYOR ROBERTS AND RICHARD ENGLAND, PURCHASING AGENT.

WHEREAS, due to the administrative failure to follow state statute 2C:30-4

THEREFORE BE KNOWN that this council calls for the resignation of Mayor Roberts and Richard England, Purchasing Agent.

---Motion duly seconded by Council Present Castellano and Councilman Russo.
---Adopted by the following vote: YEAS: 5 - NAYS: 0 - PRESENT: 3: - ABSENT 1
---Yeas: Council persons Cunningham, Ramos, Russo, Zimmer, President Castellano.
---Nays: None.
---Present: Cammarano, LaBruno, Mason.
---Absent: Giacchi.

Before the meeting ended the following members of the public spoke in a public portion:
Michael Lenz, 408 Monroe Street; Richard Tricmediti, 2 Constitution Court; Lane Bajardi, 70 Park Avenue; Melissa Blanco, 1112 Park Avenue.
Council President Castellano then adjourned the meeting at 8:09 p.m.

____________________________________________________________

PRESIDENT OF THE COUNCIL

____________________________________________________________

CITY CLERK
President Castellano opened the meeting at 7:09 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 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 Cammarano, Cunningham, Giacchi, LaBruno, Mason, Russo, Zimmer and President Castellano.

ABSENT: Ramos.

RESOLUTIONS

Presented and Read

08-232
---By Councilwoman Castellano:

RESOLUTION APPOINTING A COUNCIL PRESIDENT

RESOLVED, that A. Nino Giacchi be and is hereby appointed President of the Hoboken City Council for a one year term expiring June 30, 2009.

Before the vote was taken the following spoke: Maurice DeGennaro, 614 Hudson Street.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, Giacchi, LaBruno, Mason, Russo and Zimmer.
---Nays: None.
---Absent: Ramos.

The City Clerk administered the Oath of Office to Councilman Giacchi as President.

08-233
---By Councilman Russo:

RESOLUTION APPOINTING A VICE PRESIDENT

RESOLVED, that Terry LaBruno be and is hereby appointed Vice-President of the Hoboken City Council for a oneyear term expiring June 30, 2009.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Ramos.

The City Clerk administered the Oath of Office to Councilwoman LaBruno as Vice-President.

08-234
---By Councilman Cunningham:

RESOLUTION APPOINT A REPRESENTATIVE TO THE PLANNING BOARD

Appointing Elizabeth Mason as the City Counsel representative to the Hoboken Planning Board; term to expire June 30, 2009.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Ramos.

The City Clerk administered the Oath of Office to Councilwoman Mason as City Council Representative to the Planning Board.

Communications

08-235
A communication from Susan Jacobucci, Director of the Division of Local Government Services. Read into the record by Steven Kleinman, Hoboken Corporation Counsel.
PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote


The above ordinance was carried over until a time when the Planning Board can hear it and also allow the notice requirement to take place.

AN ORDINANCE GRANTING AN EASEMENT FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY AT 158 14th Street (LOT 1, BLOCK 255). DR-367

President Giacchi 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 of which the heading was read in full.

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

Councilwoman LaBruno moved that the hearing be closed. Motion duly seconded by Councilman Russo.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yea: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Ramos.

Council President Giacchi 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
---Yea: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Ramos.

08-236

APPLICATIONS FOR MISCELLANEOUS LICENSES

<table>
<thead>
<tr>
<th>License Type</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Raffles</td>
<td>3</td>
</tr>
<tr>
<td>Public Hack Drivers</td>
<td>10</td>
</tr>
<tr>
<td>Limousine Owners</td>
<td>1</td>
</tr>
<tr>
<td>Limo/Livery Drivers</td>
<td>7</td>
</tr>
<tr>
<td>Vendor</td>
<td>1</td>
</tr>
</tbody>
</table>

Meeting of July 2, 2008
---Councilwoman LaBruno moved that the licenses be granted.
---Motion duly seconded by Councilman Cunningham.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Ramos.

REPORTS OF CITY OFFICERS

08-237
A report of Municipal Clerk James J. Farina indicating bids received on Friday, June 27, 2008 for Roadway Improvements; bid #08-18 (2 bids received).

---Received and filed.

RESOLUTIONS CONTINUED

Presented and Read

08-238
---By Councilman Russo:

RESOLUTION DESIGNATING DEPOSITORIES FOR THE CITY OF HOBOKEN FUNDS

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 DFY 2009:

Bank of America
Capital One
Commerce Bank
HSBC
JP Morgan Chase Bank
Provident Savings Bank
TD Banknorth
Wachovia
Wells Fargo

BCB Community Bank
Citi Bank
First Americano
Havens Savings Bank
PNC Bank
Sovereign Bank
Valley National Bank
Washington Mutual

Now, therefore, be it

RESOLVED, that said legally designated depositories be and they are hereby requested, authorized and directed to honor checks, drafts, or other orders for the payment of money drawn in the corporate name of the City of Hoboken, including those payable to the individual order of any person or persons whose names appear thereon as signer or signers thereof, when bearing or purporting to bear the facsimile signature or signatures of any of the following:

David Roberts, Mayor
George DeStefano, CMFO
Richard England, Business Administrator
Louis Picardo, Tax Collector
And, be it further

RESOLVED, that said legal depositories as above stated shall be entitled to honor and charge to the specified accounts of the City of Hoboken such checks, drafts, or other regardless of by whom or by what means the actual or purported facsimile signature thereon may have been affixed thereto if such signature or signatures resemble the facsimile specimens duly certified to or filed with the depositories; and, be it further

RESOLVED, that all previous authorizations for the signing and honoring of checks, drafts, and other orders for the payment of money drawn on said City of Hoboken and signed by

David Roberts, Mayor
George DeStefano, CMFO
Richard England, Business Administrator
Louis Picardo, Tax Collector
are hereby ratified and confirmed and are hereby continued in full force and effect as amplified hereby; and, be it further

RESOLVED, that all previous authorization for the signing and honoring of checks, drafts and other orders for the payment of money drawn on said City of Hoboken are hereby continued in full force and effect as amplified hereby; and, be it further

RESOLVED, that the banks mentioned in the first paragraph hereof be furnished with a certified copy of this resolution.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Ramos.

08-239
---By Councilman Russo:

RESOLUTION AUTHORIZING VARIOUS CITY DEPARTMENTS TO MAINTAIN PETTY CASH AND CHANGE FUNDS

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of petty cash and change funds in any county or municipality by application and resolution; and

WHEREAS, various petty cash and change funds were previously established by resolution of the City Council and approval of the Director of Division of Local Government Services; and

WHEREAS, various departments wish to continue the use of petty cash and change funds under the supervision of the Chief Financial Officer.
NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken, County of Hudson, State of New Jersey that the following petty cash and change funds be and are hereby authorized for use during the fiscal year 2009;

<table>
<thead>
<tr>
<th>Department</th>
<th>Amount</th>
<th>Use</th>
<th>Custodian</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental Services</td>
<td>$150.00</td>
<td>Miscellaneous Director/Environmental Services</td>
<td></td>
</tr>
<tr>
<td>Solid Waste</td>
<td>$150.00</td>
<td>Miscellaneous Director/Environmental Services</td>
<td></td>
</tr>
<tr>
<td>Central Garage</td>
<td>$500.00</td>
<td>Miscellaneous Director/Environmental Services</td>
<td></td>
</tr>
<tr>
<td>Library</td>
<td>$150.00</td>
<td>Miscellaneous Director/Library</td>
<td></td>
</tr>
<tr>
<td>Police Department</td>
<td>$500.00</td>
<td>Miscellaneous Police Chief</td>
<td></td>
</tr>
<tr>
<td>Tax Collector</td>
<td>$200.00</td>
<td>Change Fund Tax Collector</td>
<td></td>
</tr>
</tbody>
</table>

---Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Ramos.

08-240
---By Councilman Cammarano:

RESOLUTION FIXING THE INTEREST RATE CHARGES ON NON-PAYMENT OF TAXES

WHEREAS, the maximum rate permitted is eight (8%) per annum on the first One Thousand Five Hundred ($1,500.00) Dollars of any delinquency and eighteen (18%) percent per annum on any amount in excess of One Thousand Five Hundred ($1,500.00) Dollars, said amount to be calculated from the date that actual payment to the lien holder will be next authorized; now, therefore, be it -

RESOLVED, that in accordance with NJSA 54:4-67 the rate of interest shall be chargeable for non-payment of taxes and assessments on real property in the City of Hoboken on or before the date when they would become delinquent; and, be it further

RESOLVED, that the rate of interest of non-payment of taxes and assessments on real property in the said City of Hoboken, on or before the date when they would become
delinquent, shall be eight (8%) percent per annum on the first One Thousand Five Hundred ($1,500.00) Dollars of the delinquency and Eighteen (18%) percent per annum on any amount thereof in excess of said $1,500.00, provided, however, that no interest shall be charged if payment of any installment is made with ten (10) days after the expiration of the grace period herein granted shall bear interest from the due date of the installments; and be it further

RESOLVED, that the provisions of this resolution shall be effective with respect to all payments of taxes and assessments and interest upon the delinquent installments thereon, which shall be assessed from the date of this resolution, and be it further

RESOLVED, that any resolution heretofore adopted with respect to the payments of interest by reason of nonpayment of delinquent installments upon taxes and assessments inconsistent herewith is rescinded.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Ramos.

08-241
---By Councilman Russo:

RESOLUTION RESCINDING A RESOLUTION AUTHORIZING THE RATE OF INTEREST TO BE CHARGED ON DELINQUENT TAXES

WHEREAS, the rate of interest for delinquent taxes and assessments on real property in the City of Hoboken, is currently 8% per annum on the first $1500.00 of the delinquency and 18% per annum thereafter, and

WHEREAS, in accordance with NJSA 54:4-67 and previously adopted resolution of the City Council, the Tax Collector must begin to accrue said interest, for the May 2008 installment 25 days after mailing of the bill, and

WHEREAS, in accordance with NJSA 54:4-67, the City Council, anticipated that taxpayers would face a significant tax increase in the May 2008 billing and therefore extended, by resolution, the period in which taxes can be paid without interest accruing for an additional 20 days passed the required 25 days after mailing, and
WHEREAS, pursuant to a directive issued on June 25, by the Director of the Division of Local Government Services, taxpayers will not receive a significant tax increase in the May 2008 billing.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, that the resolution, adopted June 18, 2008, allowing an additional 20 day grace period passed the required 25 days after mailing be and is hereby rescinded.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yea: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.
---Nay: None.
---Absent: Ramos.

08-242
---By Councilman Russo:

RESOLUTION AUTHORIZES THE ADMINISTRATION TO ADVERTISE FOR ANY GOODS AND/OR SERVICES WHEN THE NEED ARISES. FINAL APPROVAL WILL BE MADE BY THE CITY COUNCIL.

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 according to that law; and

WHEREAS, the Purchasing Agent is responsible for such purchases;

NOW, 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 2009.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yea: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.
---Nay: None.
---Absent: Ramos.
08-243
---By Councilman Russo:

RESOLUTION DESIGNATING LEGAL ADVERTISING

RESOLVED, that The Jersey Journal, The Newark Star Ledger, and The Record are hereby designated as the official newspapers of the City of Hoboken for all legal advertising and official notices.

Before the vote was taken the following spoke: Helen Hirsch, 98 Park Avenue; Jim Vance, 107 Monroe Street.

---Motion duly seconded by Councilwoman Mason.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Ramos.

08-244
---By Councilman Russo:

RESOLUTION ADOPTING THE FISCAL YEAR 2009 CASH MANAGEMENT PLAN FOR THE CITY OF HOBOKEN

WHEREAS, NJSA 40A:5-14of the Local Fiscal Affairs Law Requires that every local unit shall adopt a “Cash Management Plan”, and,

WHEREAS, the City must deposit its funds pursuant to the plan;

NOW, THEREFORE, BE IT RESOLVED that the City of Hoboken, County of Hudson, State of New Jersey, hereby adopts the following “Cash Management Plan” to be utilized by the City of Hoboken for the fiscal year 2009; and,

BE IT FURTHER RESOLVED that certified copies of this resolution shall be filed with the Director of the Division of Local Government Services and the Chief Finance Officer of the City of Hoboken (Hudson County).

CASH MANAGEMENT PLAN OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY

I. STATEMENT OF PURPOSE

This Cash Management Plan (the “Plan”) is prepared pursuant to the provisions of N.J.S.A. 40A: 5-14 in order to set forth the basis of deposits (“Deposits”) and investments (“Permitted Investments”) of certain public funds of the City of Hoboken, pending the use of such funds for the intended purposes.
The Plan is intended to ensure that all public funds identified herein are deposited in Interest bearing instruments or otherwise invested in Permitted Investments herein after
referred to.

The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity, (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. DEFINITIONS

“Arbitrage” refers to the rules and regulations governing the issuance of bonds or notes and the reinvestment of the proceeds at higher yield. These regulations are promulgated by the Internal Revenue Service, Regulation 1.103.

“Certificate of Eligibility” is the certification issued by the New Jersey Department of Banking and Insurance, Division of Banking, that a Public Depository is eligible to act as a depository for public funds and qualifies as a participant in the New Jersey Governmental Unit Deposit Protection Act, GUDPA.

“GUDPA” requires a bank that accepts public funds to be a public depository. A “Public Depository” is defined as a state bank, a national bank, a savings bank or association which is located in the State of New Jersey, the deposits of which are insured by the Federal Deposit Insurance Corporation, and which received or holds public funds on deposit. A local unit may make deposits in, or purchase certificates of deposit from, banks which are located in New Jersey and which meet the requirements of the GUDPA.

“The New Jersey Cash Management Fund.” The New Jersey Division of Investment is authorized pursuant to N.J.S.A. 52—18A-90.4 to establish, maintain and operate, with the approval of the State Investment Council and the State Treasurer, a common trust fund known as the State of New Jersey-New Jersey Cash Management Fund (“the Fund”). The Fund is authorized to accept deposits from all Local Units of government. The Fund is a “common trust” fund pursuant to the statute that created such funds within the jurisdiction of the Division of Investment. According to the enabling legislation, monies of Local Units deposited in the Fund must be invested in obligations and bonds that meet the investment requirements of the statute. These obligations include, among other things, evidences of indebtedness of U.S. corporations. These obligations are less secure that those permitted to Local Units under the Act. Thus, the Fund is riskier than direct investments in federal securities or GUDPA-protected deposits by Local Units.

III. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN

A) The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the City.

Current Fund
Grant Fund
Trust Assessment Fund
General Trust Fund
Animal Control Fund
Unemployment Insurance Trust Fund  
Serial Bonds Refunding Trust Fund  
General Capital Fund  
Parking Utility Operating Fund  
Parking Utility Capital Fund  
Public Assistance Fund  
Bond & Interest Fund  
Affordable Housing Trust Fund  
Open Space Trust Fund  
Acquisition and Preservation of Historical Structures Account  
Green Acres Trust Account  
Employee Payroll Deduction Account  
Municipal Court General Account  
Municipal Court Bail Account  
Tax Collectors Revenue Account  
Tax Collectors PILOT Account  
Tax Collector’s Lien Redemption Account  
Payroll Account  
Workers Compensation Account  
Claims Account  
Developers Escrow Account

B) The Plan is not intended to cover the deposit and/or investment of the following Funds and Accounts of the City

1. Petty Cash Funds

2. Cash drawn from a Federal Agency under a letter of credit which cash has to be paid out within 5 working days to a vendor.

3. Deposit, retainer, or amounts posted by way of bond, held by the City for such things as faithful performance, if the City would be required by law to pay back any interest earned to the provider of the deposit, except where the City is required by law or court decision to invest the fund.

4. Amounts derived from the sale of bonds or notes, only to the extent that a specific written opinion of counsel states that the earning of (full) interest would result in the bonds or notes being classified as an arbitrage (not Federally Tax Exempt) issue pursuant to federal regulations. To the extent that some interest is allowable, it shall be deposited at the most favorable rate obtainable.

IV. DESIGNATION OF OFFICIALS OF THE CITY OF HOBOKEN AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS

The Chief Financial Officer, and The City Administrator, (The “Designated Officials”) are hereby authorized and directed to deposit and/or invest the Funds referred to in the Plan.

V. STANDARDS OF CARE

1. The Designated Officials involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions.
2. The Designated Officials shall disclose any material interests in the financial institutions with which business is conducted and they shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the City.

3. The Chief Financial Officer, under the direction of the City Administrator, is responsible for establishing and maintaining internal control. The controls should ensure that the assets of the City are protected from loss, theft or misuse.

VI. PROCEDURES FOR THE RECEIPT OF MONIES

A. Department Procedures

1. A receipt shall be issued in duplicate for all transactions involving the receipt of money. A copy of the receipt shall be given to the paying party and the duplicate shall be maintained by the receiving department. All payments and receipts must be recorded.

2. All monies collected or received from any source by or on behalf of the City shall be deposited within forty eight (48) hours of receipt to the designated bank pursuant to N.J.S.A. 40A: 5-15.

3. All monies received shall be placed in a secured place until forwarded for deposit.

4. No department, division or agency shall engage in the practice of cashing checks with public funds. Cashing of employee pay checks is prohibited.

B. Chief Financial Officer (Designated Official)

1. The Chief Financial Officer shall:

   a. Deposit all monies collected or received from any source by or on behalf of the City within forty eight (48) hours of receipt to the designated bank pursuant to N.J.S.A. 40A: 5-15.

   b. Ensure that all monies deposited are in interest bearing accounts.

   c. Make recommendations of legal public depositories to the City Council who shall by resolution designate said depositories a the first meeting of the fiscal year.

   d. Ensure that each of the various accounts for which there is a separate bank statement is reconciled with that bank statement before the end of the following month.

   e. Verify that designated official depositories submit to the Chief Financial Officer a copy of the State of New Jersey, Department of Banking and Insurance, Governmental Unit Deposit Protection Act notification of Certificate of Eligibility, which must be filed semi-annually in the Department of Banking as of 06/30 and 12/31 of each year.

VII. DESIGNATION OF DEPOSITORIES
The City Council approved a resolution on July 2, 2008, which designated the following banks and financial institutions as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposits which are not otherwise invested in “Permitted Investments” as provided for in the this Plan:

BANK OF AMERICA
CAPITAL ONE
COMMERCE BANK
HSBC
JP MORGAN CHASE
PROVIDENT
TD BANKNORTH
WACHOVIA
WELLS FARGO
BCB COMMUNITY
CITIBANK
FIRST AMERICANO
HAVENS SAVINGS
PNC
SOVEREIGN
VALLEY NATIONAL
WASHINGTON MUTUAL

VIII. AUTHORIZED INVESTMENTS

Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

1. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America

2. Government Money Market Mutual Funds

3. Any obligations that a Federal Agency or a Federal Instrumentality has issued in accordance with an Act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor.

4. Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located.

5. Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units.

6. Local Government Investment pools. (removed by amendment) 7/2/08

7. Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c. 281 (C.52:18A-90.4) or

8. Agreements for the repurchase of fully collateralized securities if:
a. The underlying securities are permitted investments pursuant to paragraphs “1” and “3” of this subsection a;

b. The custody of collateral is transferred to a third party;

c. The maturity of the agreement is not more than 30 days;

d. The underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (c.17:9-41); and

e. A master repurchase agreement providing for the custody and security of collateral is executed.

For purposes of the above language, the terms “Government Money Market Mutual Fund” and “Local Government Investment Pool” shall have the following definitions:

**GOVERNMENT MONEY MARKET MUTUAL FUND**

An Investment company or Investment Trust:

a. Which is registered with the Securities and Exchange Commission under the “Investment company Act of 1940,” 15 U.S.C. Sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec. 270. 2a-7.

b. The portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270. 2a-7 and repurchase agreements that are collateralized by such U.S. Government Securities; and

d. Which has:

(i) Attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or

(ii) Retained an investment advisor registered or exempt from registration with the security and exchange commission pursuant to the “Investment Advisors Act of 1940,” is U.S.C. Sec 8 06-1 et seq., with experience investing in U.S. Government Securities for at least the most recent past 60 months and with assets under management in excess of $500 million.

**“Local Government Investment Pool”. (removed by amendment) 7/2/08**

An investment pool:

a. Which is managed in accordance with 17 C.F.R. sec. 270.2a-7;

b. Which is rated in the highest category by a nationally recognized statistical rating organization;
c. Which is limited to U.S. Government securities that meet the definition of eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that collateralized by such U.S. Government securities.

d. Which is in compliance with rules adopted pursuant to the “Administrative Procedure Act,” P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments.

e. Which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and

f. Which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a National or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9(C.49:3-56) and has at least $25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in an borrowing on such U.S. Government securities.

IX. SAFEKEEPING CUSTODY PAYMENT

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the City of Hoboken, then such instrument or security shall be covered by all custodial agreements with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a “delivery versus payment” method to insure that such Permitted Investments are either received by the City of Hoboken or by a third party custodian prior to or upon the release of the City of Hoboken’s funds.

XI. CITY AUDITOR

The City’s investment practices (including compliance with N.J.S.A. 40A:5-14) and the agreement for banking services and compensation thereof shall be reviewed by the City Auditor as part of the annual audit, as required by N.J.S.A. 40A:5-4. Where a conflict exists between this Cash Management Plan and State Statute, the applicable State Statute shall apply.

XII. SURETY BONDS

a. The Chief Financial Officer shall be covered by a surety bond. During the annual audit, the City Auditor shall examine said bonds to determine that proper coverage has been obtained.
b. City employed staff members of the Chief Financial officer’s office shall be covered by a public employee’s faithful performances bond in the minimum amount of $10,000.

XIII. TERM OF PLAN

This Plan shall be in effect from July 1, 2008 to June 30, 2009. Attached to this Plan is a resolution of the City Council of the City of Hoboken approving this plan for such period of time. To the extent that any amendment is adopted by the Council, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

Before the vote was taken the following spoke: Maurice DeGennaro, 614 Hudson Street.

---Motion duly seconded by Councilwoman Mason.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yees: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Ramos.

ORDINANCES

Introduction and First Reading

08-245
DR-368
AN ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOKEN, CHAPTER 59A ENTITLED “DEPARTMENT OF PUBLIC SAFETY”. DR-368

WHEREAS, the Council for the City of Hoboken should ensure that the proper level of personnel are being maintained within the Department of Public Safety; and

WHEREAS, there is currently a matter pending in the New Jersey Merit System Board in which an individual employed with the Hoboken Police Department is appealing a demotion from lieutenant to sergeant; and

WHEREAS, this individual has also filed civil litigation against the City of Hoboken relating to his employment with the City and the Department, which is currently pending in Superior Court, Hudson County, and

WHEREAS, the parties have agreed to an amicable resolution of all disputes between them, and a part of this resolution the City has agreed to no longer seek this individual’s demotion; and

WHEREAS, as the Police Department Table of Organization at the rank of Lieutenant is currently full, and must be temporarily expanded by (1) member to effectuate the terms of this settlement, from seventeen (17) to eighteen (18); and,

WHEREAS, this action is in furtherance of the public safety and efficient operations of the Police Department, and it is therefore necessary and in order for the Council of the City of Hoboken to take this action; and
WHEREAS, the City of Hoboken, in order to reduce the cost of public safety, wishes to eliminate the positions of Chief, both in the Fire Division and Police Division; and

WHEREAS, the Director of Public Safety has the powers and duties pursuant to the code of the City of Hoboken (59A-6) to supervise both the Fire Division and the Police Division; and

WHEREAS, this will immediately reduce the cost of Public Safety by approximately $500,000;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hoboken as follows:

SECTION I

ARTICLE II
Division of Police

Section 59A-8 of the Hoboken Code shall be amended to read as follows:

§59A-8 Establishment of Division.

A. Division of Police in the Department of Public Safety is hereby established in and for the City of Hoboken, which shall not exceed the following force:

<table>
<thead>
<tr>
<th>Rank/Position</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Captain</td>
<td>6</td>
</tr>
<tr>
<td>(change)</td>
<td></td>
</tr>
<tr>
<td>Lieutenant from (17) to</td>
<td>18*</td>
</tr>
<tr>
<td>Sergeant</td>
<td>33</td>
</tr>
<tr>
<td>Police Officer</td>
<td>120</td>
</tr>
<tr>
<td>Administrative Secretary</td>
<td>1</td>
</tr>
</tbody>
</table>

*The position of Police Lieutenant shall be Section 59A-9 of the Hoboken Code shall be deleted and increased from seventeen (17) to eighteen (18) effective immediately upon the adoption of this Ordinance. It shall thereafter be reduced back to seventeen (17) upon the retirement, promotion or separation of service of any incumbent holding the position of Police Lieutenant at the time this Ordinance is adopted, and shall remain at that number until such time as the Table of Organization is further amended.

The remainder of Section 59A-8 shall remain unchanged.

Section 59A-9 entitled Police Chief of the Hoboken Code shall be deleted.

SECTION II

ARTICLE IV
Division of Fire

Section 59A-30 entitled Fire Chief of the Hoboken Code shall be deleted.

§59A-31 Staff.
A. The staff of the Division of Fire shall not exceed the following force, within budgetary constraints established by the Council:

<table>
<thead>
<tr>
<th>Rank/Position</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deputy Chief</td>
<td>1-0</td>
</tr>
<tr>
<td>Battalion Chief</td>
<td>9</td>
</tr>
<tr>
<td>Captain</td>
<td>32</td>
</tr>
<tr>
<td>Training Officer/Captain</td>
<td>1</td>
</tr>
<tr>
<td>Hazmat Captain</td>
<td>1</td>
</tr>
<tr>
<td>Fire Marshall/Captain</td>
<td>1</td>
</tr>
<tr>
<td>Arson Investigator/Captain</td>
<td>1</td>
</tr>
<tr>
<td>Maintenance Officer</td>
<td>1</td>
</tr>
<tr>
<td>Fire Fighters</td>
<td>92</td>
</tr>
<tr>
<td>Fire Alarm Operator</td>
<td>8</td>
</tr>
</tbody>
</table>

The remainder of Section 59A-31 shall remain unchanged

SECTION III

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

SECTION IV

All Ordinances or part of Ordinances inconsistent herewith and hereby repealed to the extent of such inconsistency.

SECTION V

This Ordinance shall take effect upon publication.

---Councilman Russo moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on JULY 16, 2008 at 7:00 PM.

---Motion duly seconded by Councilwoman Mason.
---Adopted by the following vote: YEAS: 6 - NAYS: 2 - ABSENT: 1
---Yeas: Council persons Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer.
---Nays: Cammarano, President Giacchi.
---Absent: Ramos.
All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Maurice DeGennaro, 614 Hudson Street; Richard Tremitiedi, 2 Constitution Court; Charles Mancini, 708 Clinton Street; Gary Holtzman, 80 Bloomfield Street; Helen Hirsch, 98 Park Avenue; Vince Lombardi, 100 Manhattan Avenue, Union City NJ; Anton Peskens, 510 Jemco Place, Ridgewood, NJ; Jim Vance, 107 Monroe Street; Councilwoman Mason left the meeting at 9:28; Ken Ferrante, 1 Marine View Plaza.

President Giacchi then adjourned the meeting at 9:35 p.m.
President Giacchi 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 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 Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.

ABSENT: Ramos.

_____________________________________________________

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE AMENDING CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN (ZONING) - OPEN AND RECREATIONAL SPACE. DR-366 Introduced at a Special Meeting on 6/11/08 with an advertised public hearing date of July 2, 2008 and continued. Removed - Pending review by DLGS

The above ordinance is still awaiting the Planning Board’s review and recommendation.

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOKEN, CHAPTER 59A ENTITLED “DEPARTMENT OF PUBLIC SAFETY”. DR-368 Removed - Pending review by DLGS
Councilman Russo spoke on the above ordinance, saying that is on hold awaiting the New Jersey State’s review.

08-246

APPLICATIONS FOR MISCELLANEOUS LICENSES

<table>
<thead>
<tr>
<th>LICENSE TYPE</th>
<th>NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Raffles</td>
<td>1</td>
</tr>
<tr>
<td>Public Hack Drivers</td>
<td>4</td>
</tr>
<tr>
<td>Limo/Livery Drivers</td>
<td>10</td>
</tr>
<tr>
<td>Mechanical Amusement Devices</td>
<td>1</td>
</tr>
</tbody>
</table>

---Councilwoman LaBruno moved that the licenses be granted.
---Motion duly seconded by Councilwoman Zimmer.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Ramos.

RESOLUTIONS

Presented and Read

08-247

---By Councilwoman LaBruno:

RESOLUTION FOR HANDICAP PARKING ZONE

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>ADDRESS</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adelaide Levine</td>
<td>804 Willow Avenue Apt. 105</td>
<td>$125.00</td>
</tr>
</tbody>
</table>

Approved for City Council review by DLGS

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.
A RESOLUTION APPROVING PARTICIPATION WITH THE NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY.
WHEREAS, the City of Hoboken is interested in participating with the N.J. Division of Highway Traffic Safety and supporting their Over the Limit Under Arrest 2008 Statewide Crackdown, and
WHEREAS, 28% of motor vehicle fatalities in New Jersey are alcohol related, and
WHEREAS, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year, and
WHEREAS, the end of summer season is traditionally a time of social gatherings which often include alcohol an enforcement crackdown is planned to combat impaired driving, and
WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the Over the Limit Under Arrest 2008 Statewide Crackdown from August 15 through September 1, 2008 in an effort to increase impaired driving enforcement, and
WHEREAS, a further increase in the awareness of the dangers of drinking and driving in New Jersey will save lives on our roadway
NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that;

1) The Mayor or his designee is authorized to execute the above reference 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 Over the Limit Under Arrest 2008 Statewide Crackdown both locally and nationally from August 15 through September 1, 2008 and pledges to increase awareness of the dangers of drinking and driving.

Approved for City Council review by DLGS

---Motion duly seconded by Councilwoman Zimmer.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Ramos.

**08-249**
---By Councilman Russo:

**RESOLUTION AUTHORIZES TEMPORARY APPROPRIATIONS FOR THE SFY 2009 BUDGET**

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 2009 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the total appropriations for the current fund in the fiscal year 2008, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance, is the sum of $84,871,828.20 and for the Parking Utility is the sum of $10,796,331.00; and

WHEREAS, twenty six and one quarter percent (26.25%) of the total appropriations of the current fund in the fiscal year 2008 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvements fund, public assistance and public utilities in said fiscal year 2008 budget is the sum of $22,278,854.90 and for the Parking Utility is the sum of $2,834,036.88; 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, 2008 to June 30, 2009, inclusive, on sundry bonds issued and outstanding; and

WHEREAS, the temporary appropriations in the fiscal year 2009 budget for interest and debt redemptions charges are requested to be $8,154,638.59 for the current fund and $2,670,000.00 for the Parking Utility; and

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the City of Hoboken that the following appropriations which total $20,086,037.59 for the current fund including debt service and $5,497,000.00 for the Parking Utility including debt service be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his/her records:

Approved for City Council review by DLGS

Before the vote was taken the following spoke:  Michael Lenz, 408 Monroe Street; Richard Tremitiedi, 2 Constitution Court; Maurice DeGennaro, 614 Hudson Street.

Prior to the vote being taken on the above resolution an amendment was made to change the total amount from $30,086,037.59 to $20,086,037.59 on a motion by Councilman Russo and seconded by Councilwoman Castellano and then the vote was taken on the amended resolution as follows:
---Motion duly seconded by Council President Giacchi.
---Adopted by the following vote: YEAS: 7 - NAYS: 1 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Russo, Zimmer and President Giacchi.
---Nays: Mason.
---Absent: Ramos.

08-250
---By Councilman Russo:

BY THIS RESOLUTION THE HOBOKEN CITY COUNCIL AUTHORIZES FINANCIAL GUARANTEE TO PRESERVE THE “MEALS ON WHEELS” PROGRAM OF THE NORTH HUDSON REGIONAL COUNCIL OF MAYORS

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 if 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 the 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 “Meals on Wheels” program; and

BE IT FURTHER RESOLVED that the amount to be provided, by the City of Hoboken, for the fiscal year 2009 shall be in the amount of $56,692.26; 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.

Approved for City Council review by DLGS

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Ramos.

08-251
---By Councilwoman Mason:
---Motion duly seconded by Council President Giacchi.
RESOLUTION DIRECTING THE CITY COUNCIL TO REVIEW ALL REQUESTS
FOR QUALIFICATIONS AND PROPOSALS FOR THE FISCAL YEAR 2009

WHEREAS, the City Council of the City of Hoboken finds itself compelled to become
further involved in the selection of professionals; and

WHEREAS, there is a desire for transparent process for this selection; and

WHEREAS, Request for Qualifications (RFQ’s) of experts and professionals should
be reviewed by the City Council and not left to the action of others as one step towards the
further assurance that the City’s past financial issues will not be repeated; and

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

1. After advertising for requests for the following positions the receipt of all
   information generated by Requests for Qualifications (RFQ) and proposals shall be
   forwarded to the City Council to be reviewed by the City Council prior to
   appointments, including but not limited to:
      “Workers Compensation Third-Party Administrator”
      “Special Counsel-to ABC”
      “Auditor” for the City of Hoboken
      “Special Counsel – Bond to the City of Hoboken
      “City Planner” for the City of Hoboken
      “Engineer – General” to the City of Hoboken
      “Financial Services” to the City of Hoboken
      “Short Hand Reporter” to the City of Hoboken
      “Special Counsel – Labor” to the City of Hoboken
      “Media Consultant” – Hoboken Parking Utility”
      “Parking Consultant – Hoboken Parking Utility”
      “Special Counsel – Real Estate and Development”
      “Special Counsel – Rent Control”
      “Special Counsel – Rent Control Litigation”
      “Special Counsel – Redevelopment” to the City of Hoboken
      “Special Counsel – General” to the City of Hoboken
      “Special Counsel - Workers Compensation”
      “Special Counsel – Conflicts Counsel”
      “Financial and Management Consulting Services” to the City of Hoboken

2. In the event any additional requests for RFQ’s are received by the City those too
   shall be forwarded to the Council prior to taking any action.

3. The Council, shall to the extent permitted by law assure that the process shall be
   open to the public.

4. The Council, in its discretion, may establish a subcommittee for initial review to
   report to the Council prior to taking any action.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to all
personnel and departments involving soliciting, obtaining and reviewing requests for
qualifications.
Pending review by DLGS

Council President Giacchi stated that the above resolution is carried to another meeting.

08-252
---By Councilwoman Mason:
---Motion duly seconded by Councilman Russo.

RESOLUTION FREEZING ALL PROMOTIONS UNTIL FINAL APPROVAL OF THE MUNICIPAL AND PARKING UTILITY BUDGET FOR THE FISCAL YEAR 2009

WHEREAS, the City Council of the City of Hoboken finds itself with deferred charges in excess of $8 million from SFY 2008; and

WHEREAS, there is a desire to limit, to the extent possible, any significant future tax increase; and

WHEREAS, the current administration offered early retirement packages and sought to workforce reduction through attrition with the intent to reduce city appropriations;

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

Seeks to support that effort by eliminating expenditures for all positions where personnel have left, unless there is an emergency need which shall be voted on by the council, until a full understanding of the City's current financial situation is established and a fully executed SFY 2009 budget for the City of Hoboken that includes the Parking Utility has been approved;

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Mayor and all personnel and departments involved in personnel and have ability to promote personnel.

Pending review by DLGS

Council President Giacchi stated that the above resolution is carried to another meeting.

ORDINANCES

Introduction and First Reading

08-253
DR-369
AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF
THE CITY OF HOBNOK ENTITLED (PARKING FOR HANDICAPPED) Approvals: 606
Clinton Street; 127 Jackson Street; 79 Monroe Street; 260 11th Street) DR-369 Approved for
City Council review by DLGS

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

Handicap Spaces

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

Peter Lisa 606 Clinton Street: west side of Clinton Street, beginning at a point of 78 feet
from the curbline of Second Street and extending 22 feet northerly therefrom.

Phillip Mongiello 127 Jackson Street: east side of Jackson Street, beginning at a point of
90 feet from the southerly curbline of Fifth Street and extending 22 feet southerly therefrom.

Kathleen Hairsine 79 Monroe Street: east side of Monroe Street, beginning at a point
255 feet from the southerly curbline of First Street
and extending 22 feet northerly therefrom.

Maureen Ciriac 601-11th Street: north side of Eleventh Street, beginning at a point of 60
feet from the easterly curbline of Willow Avenue and
extending 22 feet 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 this ordinance codified and incorporated in the official copies of
the Hoboken Code. This ordinance shall take effect as provided by law.

---Councilwoman LaBruno 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 13, 2008 at 7:00 PM.

---Motion duly seconded by Councilwoman Zimmer.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo,
Zimmer and President Giacchi.
---Nays: None.
---Absent: Ramos.

08-254
DR-370

ORDINANCE RATIFYING EXECUTION OF A PURCHASE AND SALE
AGREEMENT AND A REDEVELOPER'S AGREEMENT WITH SHG HOBNOKEN
WHEREAS, the City of Hoboken has previously designated certain properties in the City of Hoboken known as the “Public Works Garage Site Redevelopment Area” as an area in need of redevelopment in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“the Redevelopment Law”); and

WHEREAS, by Ordinance, the City has adopted and amended a Redevelopment Plan for the Public Works Garage Site Redevelopment Area (the “Redevelopment Plan”), which sets forth the plans for the redevelopment of Block 1, Lot 1 (“the Garage Property”), which is located within said redevelopment area; and

WHEREAS, the City of Hoboken leases the Garage Property and holds a right of repurchase from the record owner, NWF Leasing, Inc.; and

WHEREAS, after two (2) failed rounds of soliciting proposals for the sale and redevelopment of the Garage Property, the City Council authorized, by resolution dated August 20, 2007, a third round of solicitations by way of a publicly advertised request for proposals (“the 2007 RFP”); and

WHEREAS, by resolution dated December 13, 2008, the City Council selected the proposal of The S. Hekemian Group, LLC, which selection was contingent upon (i) the subsequent amendment of the Redevelopment Plan to allow for a 12-8-8 story building on the Garage Property, and (ii) the negotiation, execution and subsequent ratification by the City Council of a Purchase and Sale Agreement and a Redeveloper’s Agreement in material conformance with the forms of such agreements contained in the 2007 RFP; and

WHEREAS, in the December 13, 2008 resolution, the City Council further directed and authorized the Mayor and the Director of Community Development, with the assistance of Special Redevelopment Counsel, to negotiate and execute a Purchase and Sale Agreement and a Redeveloper’s Agreements in material conformance with the forms of such agreements contained in the 2007 RFP; and

WHEREAS, by Ordinance adopted June 18, 2008, the Redevelopment Plan has been amended in satisfaction of the former contingency; and

WHEREAS, the City Council has been furnished with copies of fully executed copies of a Purchase and Sale Agreement and a Redeveloper’s Agreement with SHG Hoboken Urban Renewal Associates, LLC (a limited dividend company formed by the S. Hekemian Group and herein referred to as “SHG”) in satisfaction of the latter contingency; and

WHEREAS, upon execution, SHG has deposited $2.55 million to secure its obligations under the Purchase and Sale Agreement, and has further paid the City Fee of $200,000 as required by the Redeveloper’s Agreement; and

WHEREAS, the Purchase and Sale Agreement has been countersigned by NWF Leasing, Inc. to acknowledge its consent and agreement to the contemplated transaction between the City of Hoboken and SHG; and
WHEREAS, both the Purchase and Sale Agreement and the Redeveloper’s Agreement remain subject to ratification by the City Council and upon such ratification shall become effective; and

WHEREAS, the City Council is authorized to ratify the Purchase and Sale Agreement under the Redevelopment Law, N.J.S.A. 40A:12A-8(g), which expressly authorizes the City Council, as the redevelopment entity of the City of Hoboken, to sell and convey the Garage Property in furtherance of the Redevelopment Plan; and

WHEREAS, the City Council is authorized to ratify the Redeveloper’s Agreement under the Redevelopment Law, N.J.S.A. 40A:12A-8(f), which expressly authorizes the City Council, as the redevelopment entity of the City of Hoboken, to contract for the redevelopment of the Garage Property in accordance with the Redevelopment Plan; and

WHEREAS, it is in the bests interests of the City of Hoboken that the City proceed with the sale and redevelopment of the Garage Property in accordance with the terms and provisions of said agreements.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hoboken as follows:

Section 1. The above recitals are hereby incorporated by reference.

Section 2. The fully executed Purchase and Sale Agreement by and between the City of Hoboken and SHG Hekemian Urban Renewal Associates, LLC dated June 30, 2008, is hereby ratified.

Section 3. The fully executed Redeveloper’s Agreement by and between the City of Hoboken and SHG Hekemian Urban Renewal Associates, LLC dated June 30, 2008, is hereby ratified.

Section 4. The Mayor and the Director of Community Development, with the assistance of Special Redevelopment Counsel, are hereby authorized and directed to notify SHG Urban Renewal Associates, LLC of this ratification within five (5) business days hereof, and to take such other actions as they determine to be necessary or appropriate under the Purchase and Sale Agreement and/or the Redeveloper’s Agreement.

Section 5. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed.

Section 6. This Ordinance shall take effect upon adoption and publication according to 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 AUGUST 13, 2008 at 7:00 PM.

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Ramos.

At this time, a Submission of the SFY '09 Spending Plan of Mayor David Roberts was presented to the City Council by Katherine Kinney of Donohue, Gironda, & Doria.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Charles Mancini, 708 Willow Avenue; Michael Lenz, 408 Monroe Street; Brian Wagner, 930 Hudson Street; Helen Hirsch, 98 Park Avenue; Richard Tremitiedi, 2 Constitution Court; Eric Kurta, 214 Garden Street; Maurice DeGennaro, 614 Hudson Street; Christopher Gizzi, 132 Monroe Street; Tom Newman, 225 Garden Street; Lane Bajardi, 70 Park Avenue; Jim Doyle, 806 Park Avenue.

At this time, 9:58 p.m., the City Council entered into a closed (executive) session as follows:

08-255
---By Councilman Russo:

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:

Jacobucci v. City of Hoboken

BE IT RESOLVED, that the City Council shall at this time (approximately) 10:00 pm, July 16, 2008, 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:

---Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 7 - NAYS: 1 - ABSENT: 1
---Yeas: Council persons Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.
---Nays: Cammarano.
---Absent: Ramos.
Councilwoman Mason excused herself at 10:32 p.m.
The City Council came out of closed (executive) session, at 10:34 p.m., on a motion by Councilman Russo, seconded by Councilwoman LaBruno and voted on unanimously by all in attendance.
President Giacchi then adjourned the meeting at 10:35 p.m.

________________________________________
PRESIDENT OF THE COUNCIL

________________________________________
CITY CLERK
MEETING OF AUGUST 13, 2008

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, AUGUST 13, 2008 AT 7:00 PM

President Giacchi opened the meeting at 7:08 p.m. and stated, “I would like to advise all those present that notice of this meeting has been provided to the public in accordance with the provisions of the Open Public Meeting Act, and that notice was furnished to The Jersey Journal and The Hoboken Reporter, The 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, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.

ABSENT: Cammarano.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE AMENDING CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN (ZONING) - OPEN AND RECREATIONAL SPACE. DR-366 Introduced at a Special Meeting on 6/11/08 with an advertised public hearing date of July 2, 2008 and continued. Pending Planning Board report

Councilman Russo stated that the above ordinance is removed.

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED (PARKING FOR HANDICAPPED) Approvals: 606 Clinton
President Giacchi 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 of which the heading was read in full.

No person present desiring to be heard and no written protests or objections received, President Giacchi 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 Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Cammarano.

Council President Giacchi 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, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Cammarano.

ORDINANCE RATIFYING EXECUTION OF A PURCHASE AND SALE AGREEMENT AND A REDEVELOPER'S AGREEMENT WITH SHG HOBOKEN URBAN RENEWAL ASSOCIATES, LLC FOR THE PUBLIC WORKS GARAGE PROPERTY (BLOCK 1, LOT 1) PURSUANT TO DR-370 Approved for City Council review by DLGS, 1st reading only

President Giacchi 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 of which the heading was read in full.

The following spoke on the ordinance: Richard Tremediti, 2 Constitution Court; Daniel Tumpson, 230 Park Avenue; Gordon Litwin, Special Redevelopment Counsel; Cheryl Fallick, 204 3rd Street; Leah Healey, 806 Park Avenue; Michael Lenz, 408 Monroe Street. No other person present desiring to be heard and no written protests or objections received, President Giacchi asked for a motion to close the hearing.

Councilman Russo moved that the hearing be closed.
Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Cammarano.
Council President Giacchi 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, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Cammarano.

PETITIONS AND COMMUNICATIONS

08-256

August 13, 2008

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

Dear Ladies and Gentlemen:

Pursuant to my authority under Chapter 48, Section 2 of the Hoboken Code, I hereby reappoint Ms. Joanne Serrano, 1246 Bloomfield Street, Hoboken, NJ to serve as a Trustee of the Hoboken Public Library for a term of five (5) years to expire on June 30, 2013.

Sincerely,

DAVID ROBERTS
Mayor
City of Hoboken

cc/James J. Farina, City Clerk
Steve Kleinman, Corporation Counsel
Arturo Martinez, President, Library Board of Trustees

--Received and filed.

08-257

Communication from Mayor Roberts regarding his commitment to the U.S. Mayor's Climate Protection Agreement and Solar Alternatives to the Honorable Nino Giacchi and Members of the Hoboken City Council

Dear Council President and Members of the City Council:

__________________________________________
Meeting of August 13, 2008
As you are aware, my Administration and I are seeking out a number of environmentally friendly alternatives that will continue to improve the quality of life in our community. In this regard, it is my pleasure to inform my esteemed colleagues on the City Council that we are examining a host of solar power alternatives for the City of Hoboken. The City is looking into different types of state, federal and private gateway programs, such as PSE&G Solar and the Clean Power Markets, Inc. programs which include tax incentives for homeowners and cost reductions for municipal budgets. We are actively pursuing two programs that are being offered from the New Jersey Solar Renewable Energy Certificate (SREC) Program and The Core Rebates Program – which provide financial incentives to reduce overall cost on renewable generation systems and enable customers to participate in the SREC market.

In addition, the City is currently in contact with representatives from the Bayonne Board of Education which installed a solar project on their high school which is expected to save more than $500,000 yearly on energy costs. The project was created due to $5.4 million solar equipment and installation credits from the state’s Clean Energy Program. We are confident that the City of Hoboken can also acquire such assistance for facilities or schools in our community. My continued commitment to the U.S. Mayor’s Climate Protection Agreement which I recently signed includes investigating and implementing “green” alternatives such as solar projects.

Rest assured, just as we have introduced seven new hybrid taxis to the City’s fleet to reduce carbon dioxide gases, added three-wheeled security bikes powered by electric batteries to the police force, promoted sustainable building practices using the U.S. Green Building Council’s LEED program or similar systems and opened the Hoboken Boathouse for environmentally friendly recreational use by our neighbors, we are committed to adding solar projects to our City. Hoboken was recently recognized by CNN/Money Magazine as one of the top ten cities in the country for saving on fuel costs and that is a direct result of our City being an eco-friendly urban community. We are very proud of this recognition and plan on doing even more to add to the quality of life in Hoboken.

--Received and filed.

08-258
A report from the Hoboken Planning Board regarding the consistency review of ordinance DR366.

--Received and filed.

08-259

APPLICATIONS FOR MISCELLANEOUS LICENSES

<table>
<thead>
<tr>
<th>License Type</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Hack Drivers</td>
<td>4</td>
</tr>
<tr>
<td>Limo/Livery Drivers</td>
<td>3</td>
</tr>
<tr>
<td>Limousine Owners</td>
<td>2</td>
</tr>
<tr>
<td>Raffles</td>
<td>2</td>
</tr>
<tr>
<td>Vendors</td>
<td>1</td>
</tr>
<tr>
<td>Mechanical Amusement Devices</td>
<td>10</td>
</tr>
</tbody>
</table>
---Councilman Russo moved that the licenses be granted.
---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yea: Council persons Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent Cammarano.

REPORTS OF CITY OFFICERS

08-260
Report(s) of the Municipal Court indicating receipts for the month of June 2008 as $292,259.63 and the month of July 2008 as $281,908.28.

---Received and filed.

08-261
An affidavit of the tax bill mailing from Municipal Tax Collector Louis Picardo for 4th installments for tax year 2008 was completed on July 2, 2008.

---Received and filed.

RESOLUTIONS

Presented and Read

08-262
---By Councilwoman LaBruno:

RESOLUTION AWARDING A CONTRACT FOR THE SFY 2008 ROADWAY IMPROVEMENT PROJECT BASED ON THE LOWEST RESPONSIBLE BIDDER.

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposals were received for the SFY 2008 Roadway Improvement Project for the City of Hoboken in accordance with the specifications set forth in City of Hoboken Bid 08-18.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Base Bid</th>
<th>Alt. #A</th>
<th>Alt. #B</th>
<th>Total $</th>
</tr>
</thead>
<tbody>
<tr>
<td>English Paving</td>
<td>$251,088.00</td>
<td>$13,512.72</td>
<td>$110,375.60</td>
<td>$374,976.32</td>
</tr>
<tr>
<td>1087 Edgewater Ave.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ridgefield, NJ 07657</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Star of the Sea Concrete Co.</td>
<td>$270,533.25</td>
<td>$19,397.50</td>
<td>$126,300.30</td>
<td>$416,221.05</td>
</tr>
<tr>
<td>448 Marlboro Rd.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Old Bridge, NJ 08857</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 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 an agreement, contingent on all mandated requirements being met, for the above referenced goods and/or services with the following vendor, who has provided the lowest responsible bid:

   English Paving
   1087 Edgewater Ave
   Ridgefield, NJ 07657

Approved for City Council review by DLGS - Please see executive summary.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Cammarano.

08-263
---By Councilman Russo:

RESOLUTION AUTHORIZING THE TAX COLLECTOR TO ADJUST HIS RECORDS FOR BLOCK 186, LOT 13, KNOWN AS 76-78 BLOOMFIELD STREET, HOBOKEN, NEW JERSEY

WHEREAS, a delinquency exits on Block 186, lot, 13, known, as 76-78 Bloomfield Street and is owned by Columbian Towers Development, and,

WHEREAS, said delinquency is in the principal amount of $283.14 and an interest amount of $58.69, for a total delinquency of $341.83 and,

WHEREAS, said delinquency dates back to August 26, 2004 and the validity of this charge has been contested by the property manager for the past four years, and

WHEREAS, the Tax Collector must have the Governing Body’s approval to adjust his records to reflect the removal of his delinquency.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, County of Hudson, State of New Jersey that the Tax Collector be and is hereby authorized to remove the principal delinquency of $283.14 and any interest delinquency to date on Block 183, Lot 13, known as 76-78 Bloomfield Street, Hoboken, NJ

Please see executive summary.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Cammarano.

08-264
---By Councilwoman LaBruno:

RESOLUTION FOR HANDICAP PARKING ZONE

WHEREAS, THEREFORE, IT BE 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>
</tr>
</thead>
<tbody>
<tr>
<td>Adelaide Levine</td>
<td>804 Willow Avenue Apt. 105 $125.00</td>
</tr>
</tbody>
</table>

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Cammarano.

08-265
---By Councilman Russo:

RESOLUTION DIRECTING THE SECRETARY OF THE DEPARTMENT OF HOMELAND SECURITY TO DEVELOP AND ADMINISTER A NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)

WHEREAS, in Homeland Security Presidential Directive (HSPD) 5, the President directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State and Local governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, the 9-11 Commission recommended adoption of a standardized Incident Command System; and

WHEREAS, it is necessary that all Federal, State, and Local emergency management agencies and other public safety agencies coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, to facilitate the most efficient and effective incident management is critical that Federal, State and Local organizations utilize standard terminology, standardized organizational structures, uniform personnel qualification standards, uniform
standards for planning, training, and exercising comprehensive resource management and designated incident facilities during emergencies or disasters; and

**WHEREAS**, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the ability to utilize State, County and Local Municipalities, including all public safety and emergency response organizations training programs; and

**WHEREAS**, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the State, County and Local Municipalities, including all public safety and emergency response organizations training programs; and

**WHEREAS**, over fifty Federal grant programs mandate that NIMS be adopted as a prerequisite for obtaining these grants.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Town of Hoboken, County of Hudson, hereby mandates that the National Incident Management System (NIMS) be utilized for all incident management in the Town of Hoboken.

**BE IT FURTHER RESOLVED**, that all municipalities within the County of Hudson be sent a copy of this resolution and are requested to adopt a similar resolution.

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Cammarano.

**08-266**
---By Councilman Ramos:

**RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE FOR 309 MONROE STREET, HOBOKEN, NJ**

**WHEREAS**, the City of Hoboken acting as a mortgagee through the Department of Community Development (formerly known as the Department of Planning and Community Development) entered into a Mortgage (with funds available through a Rental Rehabilitation Program and the Community Development Block Grant Program of the U.S. Department of Housing and Urban Development) on June 21, 1991 with Michael Arciuolo for improvements to property located at 309 Monroe Street, Hoboken, New Jersey 07030; and

**WHEREAS**, the Department of Community Development of the City of Hoboken has reviewed the Mortgage documents and has determined that all obligations of the Mortgage and program agreements were met as of June 2003; now therefore

**BE IT RESOLVED**, that the Mayor of the City of Hoboken or his designee is hereby
authorized to execute a Discharge of Mortgage on said property located at 309 Monroe Street, Hoboken, NJ 07030 and be it

FURTHER RESOLVED, by the Council of the City of Hoboken in the County of Hudson, that the City Clerk of the City of Hoboken authorized to attest and affix the Seal of the City of Hoboken thereto.

Approved for City Council review by DLGS.

---Motion duly seconded by Councilman Russo.
--- Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
--- Yeas: Council persons Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
--- Nays: None.
--- Absent: Cammarano.

08-267
--- By Councilman Russo:

RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE COUNTY OF HUDSON CONCERNING COUNTY ROADS WITHIN HOBOKEN

WHEREAS, many roads within the City of Hoboken are owned by the County of Hudson, including parts or all of Garden Street, Newark Street, Observer Highway, Park Avenue, Willow Avenue, First Street, Fourteenth Street, Fifteenth Street, and Sixteenth Street; and

WHEREAS, the Administration has been discussing with the county issues concerning the appropriate maintenance of County roads located within Hoboken, and

WHEREAS, pursuant to the Interlocal Services Act, (“Act”), N.J.S.A. 40:8A 1 et seq municipalities and counties within the State of New Jersey are both permitted to enter into agreements for the joint provision of services; and

WHEREAS, the County and the Administration have agreed in principle to an Interlocal Agreement that will have the County resurface a minimum of three (3) County roads, of their choosing, per year, and in exchange the City will perform the necessary inspection of any permitted street opening on any County road, with the City retaining any generated fees associated with the street opening permit.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that it does hereby authorize an Interlocal Agreement between the City of Hoboken and the County of Hudson, on the general terms set forth above;

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to take any other actions necessary to complete and realize the intent and purpose of this resolution and to ensure full compliance with the technical requirements of the Act.

BE IT FURTHER RESOLVED, that this Interlocal Agreement will take effect upon
Meeting of August 13, 2008

the adoption of appropriate resolutions by all parties to the Agreement and the execution of appropriate contract documents.

---Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Cammarano.

08-268
---By Councilman Russo:

RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SALE OF TAX ANTICIPATION NOTES OF THE CITY OF HOBOKEN IN THE COUNTY OF HUDSON, NEW JERSEY

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

SECTION 1. In anticipation of the collection of taxes for the fiscal year that commenced July 1, 2008, whether levied or to be levied in such fiscal year, and in anticipation of other revenues for such fiscal year, the City of Hoboken, in the County of Hudson, New Jersey (the “City”) hereby authorizes and determines to issue, from time to time, negotiable Tax Anticipation Notes of the City in an aggregate principal amount not to exceed $48,950,000, in accordance with the Local Budget Law. Each such Tax Anticipation Note shall be designated “Tax Anticipation Note of 2008”, together with such other designation as may be determined by the Chief Financial Officer of the City. The proceeds of the sale of such Tax Anticipation Notes, unless used to pay outstanding notes issued in anticipation of the collection of taxes of the same fiscal year, shall be applied only to the purposes provided for in the budget or for which taxes are levied or to be levied for such fiscal year, and shall not be applied to any other purpose.

SECTION 2. The amount of Tax Anticipation Notes outstanding at any one time shall not exceed $48,950,000, which is within the gross borrowing power (as certified by the Chief Financial Officer) of the City, and the amount of Tax Anticipation Notes authorized hereby is within the net borrowing power (as certified by the Chief Financial Officer) of the City. On August 13, 2008, the Chief Financial Officer executed a certificate setting forth the gross borrowing power and the net borrowing power of the City on accordance with N.J.S.A. 40A:4-66. Such certificate has been filed in the office of the Clerk of the City, and a copy thereof is attached hereto as Exhibit A and is hereby incorporated herein in its entirety.

SECTION 3. All Tax Anticipation Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that all such Tax Anticipation Notes and any renewals thereof shall mature within 120 days after the beginning of the next succeeding fiscal year. The Chief Financial Officer shall determine all matters in connection with the Tax Anticipation Notes issued pursuant to this resolution, and the Chief Financial Officer's signature upon the Tax Anticipation Notes shall be
conclusive evidence as to all such determinations. All Tax Anticipation Notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:4-67. The Chief Financial Officer is hereby authorized to sell part or all of the Tax Anticipation Notes from time to time, at no less than par and accrued interest, at private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price plus accrued interest from their date to the date of delivery thereof.

SECTION 4. 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 Tax Anticipation notes pursuant to this resolution is made, the amount, the description, the interest rate and the maturities of the Tax Anticipation Notes sold, the price obtained and the name of the purchaser, and such report shall be entered in full on the minutes of such meeting.

SECTION 5. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the Tax Anticipates Notes authorized by this resolution. The Tax Anticipation Notes shall be direct, unlimited obligations of the City. The power and obligation of the City to pay any Tax Anticipation Notes issued pursuant to this resolution and the Local Budget Law shall be unlimited and the City shall have the power and be obligated to levy ad valorem taxes upon all taxable property within the City for the payment of such Tax Anticipation Notes and interest thereon, without limitation of rate of amount.

SECTION 6. All Tax Anticipation Notes issued pursuant to this resolution shall be executed by the Chief Financial Officer and the Mayor of the City, and shall be under the seal of the City and attested by the Clerk of the City. Such officers are hereby authorized to execute and deliver all documents necessary or convenient in connection with the issuance, sale and delivery of the Tax Anticipation Notes.

SECTION 7. A certified copy of this resolution shall be filed with the Director of Local Government Services in the Department of Community Affairs, State of New Jersey.

SECTION 8. This resolution shall take effect immediately.

Approved for City Council review by DLGS - Please see executive summary.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Cammarano.
---By Councilwoman LaBruno:

RESOLUTION AUTHORIZING A RATE CHANGE FOR BUSINESS AND VISITOR PARKING PERMITS ISSUED BY THE HOBOKEN PARKING UTILITY

WHEREAS, the Council of the City of Hoboken believes that the rates charged for business and visitor parking permits should be regularly adjusted to reflect the current parking situation within the City; and

WHEREAS, the Hoboken Parking Utility has authorized, pursuant to its authority under Section 141-12 of the Code of the City of Hoboken, that the rate for a visitor permit (Code §141-112 of the Code of the City of Hoboken, that the rate for a visitor permit (Code §141-4) be raised from $3.00 per day to $5.00 per day; and that the rate for a business permit (Code §141-5) be raised from $75.00 per year/$50.00 per six months/$35.00 per one month to a flat fee of $200.00 per year;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken that it acknowledges and accepts the Hoboken Parking Utility's revised rate schedule for business and visitor permits; specifically, that the fee for a visitor permit shall be $5.00 per day, and the rate for business permit shall be a flat fee of $200,000 per year;

BE IT FURTHER RESOLVED, that the Parking Utility and City Clerk shall make available for public inspection during regular business hours a revised schedule of fees reflecting this change; and

BE IT FURTHER RESOLVED, that the Parking Utility take any steps necessary to realize the intent and purpose of this resolution; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Before the vote was taken the following spoke: Jim Vance, 107 Monroe Street.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 7 - NAYS: 1 - ABSENT: 1
---Yeas: Council persons Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: Castellano.
---Absent: Cammarano.

08-270
---By Councilman Ramos:

RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE FOR 1110 PARK AVENUE, HOBOKEN, NJ

WHEREAS, the City of Hoboken acting as a mortgagee through the Department of Community Development (formerly known as the Department of Planning and Community Development) entered into a Mortgage (with funds available through a Rental Rehabilitation Program and the Community Development Block Grant Program of the U.S.
WHEREAS, the Department of Community Development of the City of Hoboken has reviewed the Mortgage documents and has determined that all obligations of the program agreements have been met and the loan is paid in full;

NOW THEREFORE BE IT RESOLVED, that the Mayor of the City of Hoboken or his designee is hereby authorized to execute a Discharge of Mortgage on said property located at 1110 Park Avenue, Unit 5L, Hoboken, NJ 07030 and be it

FURTHER RESOLVED, by the Council of the City of Hoboken in the County of Hudson, that the City Clerk of the City of Hoboken authorized to attest and affix the Seal of the City of Hoboken thereto.

Approved for City Council review by DLGS.

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Cammarano.

08-271
---By Councilman Russo:

AUTHORIZING SUBMITTAL OF AN APPLICATION FOR A GRANT FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND FOR JACKSON STREET PARK REMEDIATION FUNDS

WHEREAS, the City of Hoboken has a number of abandoned or potentially underutilized facilities and properties scheduled for conservation that have the potential for environmental liability associated with historic soil and/or groundwater contamination and the New Jersey Department of Environmental Protection and the New Jersey Economic Development Authority has a grant program available known as the Hazardous Discharge Site Remediation Fund that provides grants to municipalities to perform environmental investigations of these sites; and

WHEREAS, the Jackson Street site, Block 26, Lots 27 & 28, is a site eligible to receive a grant from the Fund; now therefore,

BE IT RESOLVED, that a copy of this Resolution be forwarded to the New Jersey Economic Development Authority.

Approved for City Council review by DLGS.

Before the vote was taken the following spoke: Lane Bajardi, 70 Park Avenue.
---Motion duly seconded by Councilwoman Zimmer.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Cammarano.

08-272
---By Councilman Russo:

**JACKSON STREET PARK REMEDIATION FUNDS**

WHEREAS, the Governing Body intends to redevelop for conservation the property known as Jackson Street Park, including Block 26, Lots 27 & 28; and

WHEREAS, the Governing Body has determined that there has been, or it suspects that there has been a discharge of hazardous substances or a hazardous waste on the property; and

WHEREAS, the City of Hoboken holds title to the property known as Block 26, Lots 27 & 28, and

WHEREAS, the City of Hoboken is applying to the Hazardous Discharge Site Fund for funding for the assessment and investigation of the Jackson Street Park site in order to remediate any contamination at the site; now therefore,

BE IT RESOLVED, by the Mayor and Council of the City of Hoboken, County of Hudson, State of New Jersey, that Hoboken is committed to the redevelopment and conservation of the Jackson Street Park site in accordance with the City of Hoboken’s conservation plans, of which this site is a part of and finds that a realistic opportunity exists for the redevelopment and conservation of the Jackson Street Site within a three year period after the completion of the remediation of this site.

**Approved for City Council review by DLGS.**

---Motion duly seconded by Councilwoman Zimmer.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Cammarano.

08-273
---By Councilman Ramos:

**1600 PARK AVENUE REMEDIATION FUNDS**
WHEREAS, the Governing Body intends to redevelop for conservation the property known as 1600 Park Avenue, including Block 256, Lots 1-8 (Hoboken) and Block 11, Lots 1, 2 & 3 (Weehawken); and

WHEREAS, the Governing Body has determined that there has been, or it suspects that there has been a discharge of hazardous substances or a hazardous waste on the property; and

WHEREAS, the City of Hoboken holds title to the property known as Block 256, Lots 1-8 (Hoboken) and Block 11, Lots 1, 2, & 3 (Weehawken), and

WHEREAS, the City of Hoboken is applying to the Hazardous Discharge Site Fund for funding for the assessment and investigation of the 1600 Park Avenue site in order to remediate any contamination at the site; now therefore,

BE IT RESOLVED, by the Mayor and Council of the City of Hoboken, County of Hudson, State of New Jersey, that Hoboken is committed to the redevelopment and conservation of the 1600 Park Avenue site in accordance with the City of Hoboken’s conservation plans, of which this site is a part of and finds that a realistic opportunity exists for the redevelopment and conservation of the 1600 Park Avenue site as parkland within a three year period after the completion of the remediation of this site.

Approved for City Council review by DLGS.

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Cammarano.

08-274
---By Council members Zimmer, Cunningham and LaBruno:

A RESOLUTION CALLING FOR BICYCLING TO BE INTEGRATED INTO THE COUNTRY'S TRANSPORTATION, CLIMATE, ENERGY AND HEALTH POLICY INITIATIVES.

WHEREAS, bicycling can provide multiple and cross-cutting benefits in U.S. policy initiatives that seek to address transportation needs, limit climate change and energy consumption and improve public health; and,

WHEREAS, we now live in a nation with 300 million people, and that number is expected to grow to 365 million by 2030 and to 420 million by 2050 with the vast majority of that growth occurring in congested urban areas where there are significant limitations on accommodating increased motor vehicle travel; and

WHEREAS, since 1980, the number of miles Americans drive has grown three times faster than the U.S. population and,
WHEREAS, a national transportation system that invests in and is conducive to bicycling reduces traffic congestion in our most heavily congested urban areas while promoting an overall improved quality of life that is valuable for the Nation; and

WHEREAS, more than 200 cities throughout the U.S., representing more than 35 million people have committed to implementing bicycle friendly action plans to make their communities more bicycle friendly; and

WHEREAS, the greatest potential for increased bicycle usage is in our major urban areas where 40 percent of trips are two miles or less and 28 percent are less than one mile; and

WHEREAS, surveys show that a majority of people want to ride more but are dissuaded by concern over traffic danger and other barriers, and case studies have shown that when those barriers to bicycling area removed, people start riding; and;

WHEREAS, a national network of interconnected urban and rural bikeways can provide valuable community benefits, including low or no-cost recreation and alternative transportation options for people of all ages and abilities; and

WHEREAS, the transportation section contributes one-third of the greenhouse gas emissions, in the United States and passenger automobiles and light trucks alone contribute 21 percent; and,

WHEREAS, ten percent of global oil production goes solely toward fueling America’s cars and trucks and the U.S. could save 462 millions of gallons of gasoline a year by increasing cycling from one percent to one and a half percent of all trips; and

WHEREAS, bicycle commuters annually save on average $1,825 in auto-related costs, reduce their carbon emissions by 128 pounds, conserve 145 gallons of gasoline, and avoid 50 hours of gridlock traffic; and

WHEREAS, over 800 of our Nation’s Mayors have signed onto the Climate Protection Agreement of the United States Conference of Mayors urging the Federal Government to enact policies and programs to meet or exceed a greenhouse gas emission reduction target of a seven percent reduction from 1990 levels by 2012; and

WHEREAS, Mayor David Roberts and the Hoboken City Council have unanimously endorsed the U.S. Mayors Climate Protection Agreement, whereby a key component is to implement climate-friendly land-use policies and invest in public transportation and bicycle and pedestrian infrastructure.

WHEREAS, the Center for Disease Control estimates that if all physically inactive Americans became active, we would save $77 billion in annual medical costs; and

WHEREAS, the United States is challenged by an obesity epidemic in which 65 percent of U.S. adults are either overweight or obese, and 13 percent of children and adolescents are overweight, due in large part to a lack of regular activity; and,

WHEREAS, the percentage of U.S. children who walk or bike to school has dropped by 70 percent since 1969 such that only 15 percent of students were walking or biking to school in 2001 while the rate of childhood obesity has tripled in recent years.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken,
County of Hudson, and State of New Jersey believes that achieving increased levels of bicycling use as a mode of transportation;

BE IT FURTHER RESOLVED, that the Council encourages the development and implementation of a coordinated national bicycling strategy aimed to increase safe bicycle use as a mode of transportation.

BE IT FURTHER RESOLVED, that the Council encourages the development of federal transportation, environmental and public health policies that recognize increased and safe bicycle usage for transportation is in the national interest and that we further urge Congress in the next federal transportation reauthorization to establish policies and funding mechanisms that will aim to reduce the number of motor vehicle miles traveled (VMT), improve safety conditions for bicyclists, collect transportation and safety data needed to monitor progress, and, provide incentives for state and local governments to adopt and implement Complete Street policies designed to accommodate all users;

BE IT FURTHER RESOLVED, that even absent federal incentives, our State leadership should embrace Complete Streets policies that acknowledge the contributions of bicycles as a means to reduce vehicle miles by integrating bicycle use into standard street design;

BE IT FURTHER RESOLVED, that the Council call on all Mayors that sign into the Climate Protection Agreement to develop and implement action plans to incorporate bicycling programs and policies as a key component in reducing greenhouse gas emissions 80 percent by 2050;

BE IT FURTHER RESOLVED, that a certified copy of this resolution be provided to our 33rd District State Legislators, Congressman Albio Sires, Senator Frank Lautenberg and Robert Menendez, and Governor Jon Corzine.

Before the vote was taken the following spoke: JD Capuano, 1100 Bloomfield Street; Jim Vance, 107 Monroe Street.

---Motion duly seconded by Council members Zimmer, Cunningham and LaBruno.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Cammarano.

08-275
---By Councilman Ramos:
---Motion duly seconded by Councilwoman LaBruno.

RESOLUTION AUTHORIZING THE PLANNING BOARD OF THE CITY OF HOBOKEN TO CONDUCT A PRELIMINARY INVESTIGATION OF CERTAIN PROPERTIES LOCATED IN BLOCK 212.1 IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW AND TO PROVIDE
RECOMMENDATIONS TO THE CITY COUNCIL

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 Hoboken are in need of redevelopment in accordance with N.J.S.A. 40A:12-6; and

WHEREAS, the City Council desires that the Planning Board conduct a preliminary investigation, hold a public hearing, and make recommendations to the City Council as to the need for redevelopment of the certain properties located within the area bounded by Second Street to the North, Hudson Street to the East, First Street to the South and Court Street to the West and designed on the official City tax map as:

<table>
<thead>
<tr>
<th>BLOCK</th>
<th>212.1</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOTS:</td>
<td>4-7, 8.1, 8.2, 8.3, 9, 10.1, 10.2, 11-14, 15.1, 15.2</td>
</tr>
</tbody>
</table>

as further shown on the attached map as “the Block 212.1 Study Area”.

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

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

2. The Planning Board of the City of Hoboken is hereby authorized and directed to complete its preliminary investigation, hold a public hearing and make a recommendation to the City Council as to whether the Block 212.1 Study Area, as set forth above and on the attached map, or any portion thereof, is an area in need of redevelopment.

3. This Resolution shall take effect immediately.

The following spoke on the resolution: Maurice DeGennaro, 614 Hudson Street; Perry Belfiore, 161 11th Street; Daniel Tumpson, 230 Park Avenue; Cheryl Fallick, 204 3rd Street; Lane Bajardi, 70 Park Avenue.

The above resolution was withdrawn; NO vote taken.

ORDINANCES

Introduction and First Reading

08-276
DR-371
AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN, ENTITLED “VEHICLES AND TRAFFIC.” DR-371

WHEREAS, the City Council of the City of Hoboken deems it necessary to amend and revise the penalties for violating certain sections of the Hoboken City Code, in order to deter and prevent such violations in the future;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hoboken that Chapter 190 of the Code of the City of Hoboken is hereby amended as follows:

ARTICLE XXXI
Penalties

§190-44 Violations and Penalties

Section 1: The Ordinance is hereby amended to raise the fine for Overtime Meter (§190-29) from $20.00 to $30.00.

Section 2: The Ordinance is hereby amended to raise the fine for No Parking Taxi Stand (§190-12) from $25.00 to $37.50.

Section 3: The Ordinance is hereby amended to raise the fine for No Parking Commercial Vehicle Overnight (§190-05) from $50.00 to $75.00.

Section 4: The Ordinance is hereby amended to raise the fine for No Parking School Zone (§190-31) from $20.00 to $30.00.

Section 5: The Ordinance is hereby amended to raise the fine for No Parking Loading Zone (§190-11) from $30.00 to $45.00.

Section 6: The Ordinance is hereby amended to raise the fine for Prohibited Parking All Times (§190-03) from $30.00 to $45.00.

Section 7: The Ordinance is hereby amended to raise the fine for Prohibited Parking Certain Hours (§190-04) from $30.00 to $45.00.

Section 8: The Ordinance is hereby amended to raise the fine for Permit Parking Only (§190-06.2) from $45.00 to $67.50.

Section 9: The Ordinance is hereby amended to raise the fine for No Parking Bus Stop (§190-13) from $35.00 to $52.50.

Section 10: The Ordinance is hereby amended to raise the fine for Alternate Side Street Parking (§190-28) from $30.00 to $45.00.

Section 11: The Ordinance is hereby amended to raise the fine for No Stopping or Standing (§190-06) from $30.00 to $45.00.

Section 12: The Ordinance is hereby amended to raise the fine for No Parking Private Property (§190-19) from $20.00 to $30.00.
Section 13: The Ordinance is hereby amended to raise the fine for Emergency/Temporary Parking (§190-26) from $25.00 to $37.50.

Section 14: The Ordinance is hereby amended to raise the fine for No Parking Snow Emergency Street (§190-36) from $51.00 to $76.50.

Section 15: All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Section 16: This ordinance shall be a part of the Code of the City of Hoboken as though codified and fully set forth therein. The City Clerk shall have the ordinance codified and incorporated in the official copies of the Code. The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken 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.

Section 17: This Ordinance shall take effect as provided by law.

Section 18: Upon adoption a copy of this Ordinance shall be immediately forwarded to the Administrator of the Municipal Court and the Municipal Judge, and the Administration shall take any other action necessary to implement this Ordinance.

---Councilwoman LaBruno 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 3, 2008 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---FAILED introduction by the following vote: YEAS: 3 - NAYS: 5 - ABSENT: 1
---Yea: Council persons LaBruno, Ramos, Zimmer.
---Nays: Castellano, Cunningham, Mason, Russo and President Giacchi.
---Absent: Cammarano.

08-277
AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE CODE OF THE CITY OF THE CITY OF HOBOKEN, ENTITLED “VEHICLES AND TRAFFIC,” AND CHAPTER 141 ENTITLED “PARKING PERMITS.” DR-372

WHEREAS, the City of Hoboken has the authority to designate parking areas on City streets as “time-limit parking locations,” and,
WHEREAS, the Administration and the Hoboken Parking Utility have recommended that additional locations in certain commercial areas and in the vicinity of mass transportation be so designated due to their high use by transient parkers; and

WHEREAS, in order to ensure that sufficient free parking is available to City residents, additional streets in the vicinity of the new “time-limit” parking locations shall be re-designated as “resident permit only” parking;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hoboken as follows:

SECTION ONE:

There is hereby created a new §190-29A of the Code of the City of Hoboken, which shall read as follows:

§190-29A Additional Time Limit Parking Locations and Fees/Resident Grace Period.

1. **Locations.** In accordance with the provisions of this §190-29A, no person shall park or stand a vehicle for longer than the time limits posted on any of the herein described streets or parts of streets, except as specifically authorized herein:

<table>
<thead>
<tr>
<th>Street Location</th>
<th>Side</th>
<th>Hours/Time Limit</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vezzetti Way</td>
<td>Both</td>
<td>9 A.M. – 9 P.M.</td>
<td>$0.25/15 min</td>
</tr>
<tr>
<td>(adjacent to Observer Hwy)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sinatra Drive</td>
<td>East</td>
<td>9 A.M. – 9 P.M.</td>
<td>$0.25/15 min</td>
</tr>
<tr>
<td>From 5th Street to end</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Washington Street</td>
<td>Both</td>
<td>9 A.M. – 9 P.M.</td>
<td>$0.25/15 min</td>
</tr>
<tr>
<td>from 8th Street to 14th Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>River Terrace</td>
<td>East</td>
<td>9 A.M. – 9 P.M.</td>
<td>$0.25/15 min</td>
</tr>
<tr>
<td>from 5th Street to 7th Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fifth Street</td>
<td>North</td>
<td>9 A.M. – 9 P.M.</td>
<td>$0.25/15 min</td>
</tr>
<tr>
<td>from Hudson to Sinatra Dr.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fifteenth Street</td>
<td>South</td>
<td>9 A.M. – 9 P.M.</td>
<td>$0.25/15 min</td>
</tr>
<tr>
<td>From Sinatra Drive to Bloomfield Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hudson Street</td>
<td>Both</td>
<td>9 A.M. – 9 P.M.</td>
<td>$0.25/15 min</td>
</tr>
<tr>
<td>From 14th Street to 15th St</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Monroe Street</td>
<td>West</td>
<td>9 A.M. – 9 P.M.</td>
<td>$0.25/15 min</td>
</tr>
<tr>
<td>From 7th Street to 11th St</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jackson Street</td>
<td>East</td>
<td>9 A.M. – 9 P.M.</td>
<td>$0.25/15 min</td>
</tr>
<tr>
<td>From 8th Street to 9th Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Harrison Street</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Whereas, the Council of the City of Hoboken declares it to be in the best interest of public health, safety and welfare of the City to ensure that all businesses of whatsoever kind and whatsoever nature be inspected and licensed to the fullest extent available for these purposes and to generate funds to further those ends; and

WHEREAS, pursuant to Chapter 128 of the Code of the City of Hoboken a fee schedule has been established for all such licenses; and

WHEREAS, the fee for a general mercantile license has been established at $50.00 for many years, despite the increased costs to the City relating this subject, and therefore the Council deems it necessary increase the cost of an annual license to $100.00;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hoboken that Chapter 128 of the Code of the City of Hoboken is hereby amended as follows:

SECTION ONE:

Section 128-6 of the Code of the City of Hoboken is amended (in part) as follows:

§128-6 Licenses issued by City Clerk

Licenses issued by the Municipal Clerk are as follows:

<table>
<thead>
<tr>
<th>Licenses</th>
<th>Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mercantile License</td>
<td>$100.00 (change from $50.00)</td>
</tr>
</tbody>
</table>

The remainder of §128-6 shall remain unchanged.
SECTION TWO:

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

SECTION THREE:

This ordinance shall be a part of the 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 this Code. The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken 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.

SECTION FOUR:

This Ordinance shall take effect as provided by law.

---Council President Giacchi moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on SEPTEMBER 3, 2008 at 7:00 PM.

---Motion duly seconded by Councilwoman LaBruno.
---ADOPTED for introduction by the following vote: YEAS: 7 - NAYS: 1 - ABSENT: 1
---Yeas: Council persons Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: Castellano.
---Absent: Cammarano.

08-279
DR-374
ORDINANCE TO ESTABLISH THE CITIZEN SERVICE ACT TO INCREASE OPENNESS AND TRANSPARENCY IN THE HOBOKEN MUNICIPAL APPOINTMENT PROCESS AND ENCOURAGE CITIZEN INVOLVEMENT. DR-374

WHEREAS, the Mayor and the City Council for the City of Hoboken wishes to foster openness in government within the City of Hoboken;

WHEREAS, the Mayor and City Council wish to provide a process to encourage citizens to become involved;

WHEREAS, the City of Hoboken wishes to affirmatively support through its actins the Executive Order signed by Governor Corzine in January 2007;

BE IT RESOLVED, that the following outlines what is to be called the “Citizens Service Act”;

Section 1-1-2; Definitions.
The following terms as used in this Ordinance shall have the meaning set forth below unless the context within which the term is used clearly provides for a different meaning:

a. Appointing Authority - The official or body which by virtue of statutory law or by Ordinance or Resolution is given the authority to appoint a person to hold a particular Appointed Municipal Position.

b. Appointed Municipal Position. Any appointed position within the city government, which is created either by statutory law or by Ordinance or Resolution. Examples of such positions are Municipal Historian, member of any board, commission, agency, council or committee of the municipality.

Section 1-1-3 Registry of Appointed Municipal Positions.

The Municipal Clerk shall cause a register of Appointed Municipal Positions to be prepared and maintained. Such register shall be made available on the City’s website and at the Municipal Hall and shall set forth at least the following:

a. Title of each Appointed Municipal Position

b. Brief description of the positions’ powers and duties

c. Any special credentials or qualifications required to hold the position

d. The length of term for the position

e. The name of the person currently holding the position, the expiration date of his or her term, and the number of vacant seats on the board or commission

f. The dates/times and frequency of any meetings which the holder of the position must attend

g. The Appointing Authority for each board or commission, and who confirms each appointment.

Section 1-1-4: Vacancies

The Municipal Clerk shall maintain current updated listings of all existing vacancies for each Appointed Municipal Position within the municipality. Such list shall be made available free of charge at the Municipal Clerk's Office and shall, in addition, be posted by the Municipal Clerk on a bulletin board maintained for public announcement in the Municipal Building.

Section 1-1-5: Filling Vacancies.

Unless essential for the proper functioning and/or carrying on of business of the local agency upon the vacancy has occurred, a vacancy shall not be filed for a period of 30 days from its posting in order to allow interested persons time to submit applications as provided in Section 1-1-6 below.

Section 1-1-6: Application for Citizen Service.
The Municipal Clerk shall maintain an application form to be completed by any person interested in serving in an Appointed Municipal Position. Such application shall, at a minimum, contain the following information:

a. Name  
b. Address  
c. Telephone number (Please note if unlisted)  
d. E-Mail address  
e. Appointed Municipal Position(s) sought  
f. Qualifications/experience for position(s)  
g. List of boards and commissions for applicant to indicate desired boards and commissions to serve on  
h. Certification

**Section 1 – 1-7: Application Public Record.**

An Application for Citizen Service filed for Appointment to an Appointed Municipal Position shall be deemed a public record. Telephone numbers that are unlisted must be identified as such. A person applying shall have the option of keeping e-mail addresses confidential by checking a box designated for such purpose on the application form.

**Section 1-1.8: Filing Applications.**

Any person interested in serving an appointed Municipal Position may file an application for such positions with the Municipal Clerk. Such application(s) may be filed at any time.

**Section 1-1.9: Maintaining Applications.**

The Municipal Clerk shall maintain all filed applications in a file or binder, segregated for each board or commission.

**Section 1-1.10 Filling Voluntary Municipal Position.**

Prior to filling any Appointed Municipal Position, the appropriate Appointed Municipal Position, the appropriate Appointing Authority shall review each application filed for that position. Each person having submitted an application for an Appointed Municipal Position under consideration to be filled shall be notified of said vacancy. The Appointing Authority shall conduct such review, investigation and/or interviews as the Appointing Authority deems necessary or advisable, in its discretion. After a decision is reached to fill a vacant Appointed Municipal Position, all those who had submitted an application for that position shall be notified of the appointing decision.

**Section 2.**

All Ordinances and parts of Ordinances inconsistent here with are hereby repealed.

**Section 3. 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 4. Effective Date:

This ordinance shall become effective on _____________________.

---Councilwoman Mason 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 3, 2008 at 7:00 PM.

---Motion duly seconded by Councilwoman Castellano.
---ADOPTED for introduction by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Cammarano.

AN ORDINANCE TO PROTECT HOBOKEN RESIDENTS AND TAXPAYERS BY REDUCING CONFLICTS OF INTEREST AND PAYMENTS FOR MUNICIPAL SALARIES AND MULTIPLE BENEFITS.

The above item was removed; NO vote taken.

HOBOKEN UNIFIED LAND DEVELOPMENT ORDINANCE.

The above item was removed; NO vote taken.

AN ORDINANCE IMPLEMENTING RECYCLING FEES TO COMMERCIAL ESTABLISHMENTS FOR GLASS PICK-UPS. No document was ever received

The above item was removed; NO vote taken.

AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN PURSUANT TO N.J.S.A. 40A:12A-7 FOR THE WESTERN EDGE REDEVELOPMENT AREA IN THE CITY OF HOBOKEN.

The above item was removed; NO vote taken.

Councilman Ramos left the meeting at 9:40 p.m.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Ann Graham, 1021 Grand Street; Richard Tremediti, 2 Constitution Court; Councilman Ramos returned to the meeting at 9:45 p.m.; Keith Furman, 1200 Grand Street; Councilwoman LaBruno left the meeting at 9:50 p.m.; Sandy Rinardi, 1200 Grand Street; Perry Belfiore, 191 11th Street; Councilwoman LaBruno left the meeting at 9:55 p.m.; Maurice DeGennaro, 614 Hudson Street; Mary Ondreaka, 159, 9th Street; Cheryl Falllick, 204 3rd Street; Daniel Tumpsion, 230 Park Avenue; Bob DuVal, 303 Park Avenue; Helen Hirsch, 98 Park Avenue; Lane Bajardi, 70 Park Avenue; Jim Vance, 107 Monroe Street; Leah Healey, 806 Park Avenue; Steve Cappiello, 530 Adams Street.
CLOSED SESSION RESOLUTION

08-280
---By Councilman Russo:

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:

Litigation: Jacabucci v. City of Hoboken
temporary app

BE IT RESOLVED, that the City Council shall at this time (approximately) 10:50 pm, AUGUST 13, 2008, enter into Executive Session to discuss the matters as outlined above, and-

BE IT FURTHER RESOLVED, that it can be disclosed to the public as follows:

Upon final disposition of the matter.

---Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Cammarano.

At 11:42 p.m.; on a motion by Councilman Russo and duly seconded by Councilwoman LaBruno and voted on unanimously the City Council came out of Executive (Closed) Session and resumed the meeting to the public as follows:

RESOLUTIONS CONTINUED

08-281
---By Councilman Russo:

THIS RESOLUTION AUTHORIZES TEMPORARY APPROPRIATIONS FOR THE SFY 2009 BUDGET
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 2009 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the total appropriations for the current fund in the fiscal year 2008, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance, is the sum of $84,871,828.20; and

WHEREAS, twenty six and one quarter percent (26.25%) of the total appropriations of the current fund in the fiscal year 2008 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvements fund, public assistance and public utilities in said fiscal year 2008 budget is the sum of $22,278,854.90; 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, 2008 to June 30, 2009, inclusive, on sundry bonds issued and outstanding; and

WHEREAS, the temporary appropriations in the fiscal year 2009 budget for interest and debt redemptions charges are requested to be $3,450,106.64 for the current fund.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the City of Hoboken that the following appropriations which total $20,086,037.59 for the current fund including debt service be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his/her records:

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<td><strong>$21,173,399.0</strong></td>
<td><strong>$13,926,548.9</strong></td>
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<td>O/S</td>
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<tr>
<td>Library</td>
<td>$728,000.00</td>
<td>$222,768.21</td>
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<td>Bond Principal</td>
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<td>BAN Principal</td>
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<td>Int on Bonds</td>
<td>$2,161,738.00</td>
<td>$1,694,127.75</td>
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<td>$846,000.00</td>
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<td>Int on TAN</td>
<td>$610,000.00</td>
<td>$383,749.98</td>
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<td>Loan Repayment-Green Acres</td>
<td>$192,683.00</td>
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<td>UST Loan</td>
<td>$24,474.00</td>
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<td>Garage Sale Int</td>
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<td>Police Car Loan</td>
<td>$86,000.00</td>
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<td>Summer Food</td>
<td>$30,000.00</td>
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<tr>
<td>Multi Parks Loan-Green Acres</td>
<td>$8,743.59</td>
<td>$8,743.59</td>
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<tr>
<td>Consol. Police &amp; Fire Pension</td>
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<td>$31,613.76</td>
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<td>Salary Settlements</td>
<td>$2,000,000.00</td>
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<td>Energy Efficiency Study (Grant)</td>
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<td>$400,000.00</td>
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<td>Road Improvements Grant</td>
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<td><strong>$8,912,638.59</strong></td>
<td><strong>$6,159,488.61</strong></td>
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**TOTAL**

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<td>$30,086,037.5</td>
<td>$20,086,037.5</td>
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(revised pursuant to 07/16/09 meeting) **Please see executive summary**

---Motion duly seconded by Council President Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Cammarano.

On the above resolution, Councilman **Cunningham** voted **NO** on **Mayor S & W**
On the above resolution, Councilman **Cunningham** voted **NO** on **Council S & W**

On the above resolution, Councilwoman **Mason** voted **NO** on **Mayor S & W**
On the above resolution, Councilwoman Mason voted NO on Council S & W

President Giacchi then adjourned the meeting at 11:53 p.m.

________________________________________

PRESIDENT OF THE COUNCIL

________________________________________

CITY CLERK
President Giacchi opened the meeting at 7:08 p.m. and stated, “I would like to advise all those present that notice of this meeting has been provided to the public in accordance with the provisions of the Open Public Meeting Act, and that notice was furnished to The Jersey Journal and The Hoboken Reporter, The 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 Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.

ABSENT: None.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE AMENDING CHAPTER 196 OF THE CODE OF THE CITY OF HOBKOKEN (ZONING) - OPEN AND RECREATIONAL SPACE. DR-366 Introduced at a Special Meeting on 6/11/08 with an advertised public hearing date of July 2, 2008 and continued. Planning Board report reviewed 8/13/08. Referred to Council Committee. NO VOTE TAKEN

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 128 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBKOKEN, ENTITLED “LICENSES”. DR-373
President Giacchi 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 of which the heading was read in full.

The following spoke on the ordinance: Maurice DeGennaro, 614 Hudson Street; Richard Tremediti, 2 Constitution Court. No other person present desiring to be heard and no written protests or objections received, President Giacchi asked for a motion to close the hearing.

Councilman Ramos moved that the hearing be closed.
Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

Council President Giacchi then instructed the City Clerk to call the Final Vote for the above Ordinance.
---Adopted by the following vote: YEAS: 7 - NAYS: 2
---Yeas: Council persons Cammarano, Cunningham, LaBruno, Mason, Ramos, Zimmer and President Giacchi.
---Nays: Castellano, Russo.

ORDINANCE TO ESTABLISH THE CITIZEN SERVICE ACT TO INCREASE OPENNESS AND TRANSPARENCY IN THE HOBOKEN MUNICIPAL APPOINTMENT PROCESS AND ENCOURAGE CITIZEN INVOLVEMENT. DR-374

President Giacchi 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 of which the heading was read in full.

The following spoke on the ordinance: Lane Bajardi, 70 Park Avenue; Michael Lenz, 408 Monroe Street; Inez Garcia Keim, 1103 Washington Street, Eric Kurta, 214 Garden Street. No other person present desiring to be heard and no written protests or objections received, President Giacchi 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: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

Council President Giacchi 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 Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

PETITIONS AND COMMUNICATIONS

08-282

Communication to City Council President A. Nino Giacchi and Members of the Hoboken City Council

September 3, 2008

Dear Council President Giacchi & Council Members:

Pursuant to my authority under Chapter 62, Section 2 of the Hoboken Code, I hereby make the following re-appointments/appointments to the Hoboken Shade Tree Commission:

Re-appointments

Fred Moret, 804 Willow Avenue, to a five year term to expire on December 31, 2011
Marie Luizzi, 902 Bloomfield Street, to a five year term to expire December 31, 2012
Cassandra Wilday, 603 Bloomfield Street, to a five year term to expire December 31, 2012
William DeAngelo, 1014 Bloomfield Street, to a three year term to expire December 31, 2010

Appointments

David Calamoneri, 63 Eleventh Street, to a five year term to expire on December 31, 2011
Rocco Ricciardi, 303 Jefferson Street, to a four year term to expire on December 31, 2009

Sincerely,

DAVID ROBERTS
Mayor

--Received and filed.

08-283

COMMUNICATION TO COUNCIL PRESIDENT A. NINO GIACCHI AND MEMBERS OF THE HOBOKEN CITY COUNCIL

September 3, 2008

Dear Council President Giacchi and Members of City Council:

As we approach the seventh anniversary of 9/11, I am here to communicate to the City Council that will be bonding to ensure the creation and completion of the Hoboken September 11th Memorial. Your support for this important endeavor is greatly appreciated as we move forward in creating a lasting monument to honor the lives of those lost on that
day. As you are will aware, Hoboken lost many neighbors on 9/11. The Hoboken Memorial we are collaborating on will pay tribute to the citizens of our community who died on that day for generations to come.

In addition, I would like to appraise the City Council about plans for an Inter-Faith Memorial Service to be held at Pier A Park in Hoboken on Thursday, September 11, 2008 at 6 p.m. to honor those who lost their lives from our community. Family members of the victims will be attending along with many of our neighbors. We welcome your participation in this memorial service and any suggestions you have regarding the plans for this event.

Sincerely,

Mayor David Roberts

--Received and filed.

08-284
A communication from George De Stefano, CFO, stating that the Annual Debt Statement for SFY 2008 has been approved by DLGS.

--Received and filed.

08-285
A communication from Joseph Pojanowsky, Acting Corporation Counsel, regarding the Enterprise Rental Agreement.

--Received and filed.

08-286
COMMUNICATION TO COUNCIL PRESIDENT A. NINO GIACCHI AND MEMBERS OF THE HOBOKEN CITY COUNCIL

September 3, 2008

Dear Council President Giacchi and Members of City Council:

It is with great pleasure that we take this opportunity to acknowledge the recognition Hoboken High School received in the recent issue of New Jersey Monthly Magazine as the 2nd most improved high school in the State of New Jersey. The magazine says, “...things are looking up. Hoboken High School's graduation rate is up to more than 95 percent...” The great improvements at Hoboken High School since the magazine's last survey in 2006 are laudable.

We would like to share our congratulations with Superintendent Jack Raslowsky, Hoboken High School Principal Lorraine Cella, the staff at Hoboken High School, the Board of Education, the parents of our children at the high school and throughout the district, the students who worked so hard to achieve such great results and all others who are working to improve the quality of education in our community.

As we continue to strive to improve the schools in Hoboken, it is important to take this moment and acknowledge the good work already occurring throughout our schools.
Congratulations to all those who helped Hoboken High School be recognized as “On the Move” and earn an “A” for improvements from New Jersey Monthly Magazine.

Sincerely,

Mayor David Roberts
City of Hoboken

--Received and filed.

08-287

APPLICATIONS FOR MISCELLANEOUS LICENSES

Vendors--------------------------------------------------------------- 1
Public Hack Drivers -------------------------------------------------- 7
Limo/Livery Drivers-------------------------------------------------- 13
Music Machines------------------------------------------------------ 3
Pool Tables---------------------------------------------------------- 2

---Councilman Russo moved that the licenses be granted.
---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

REPORTS OF CITY OFFICERS

08-288

A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending June 30, 2008 - $478,864.78.

---Received and filed.

RESOLUTIONS

Presented and Read
---By Councilman Russo:

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS/INTEREST

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

WHEREAS, Louis P. 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 appearing on the attached list totaling $71,175.92

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>LISA POMPER</td>
<td>34/1/C001A</td>
<td>101 WILLOW AVE.</td>
<td>$7,884.17</td>
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<td>101 Willow Ave. #1A</td>
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<td></td>
<td></td>
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<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>OMNI TITLE AGENCY</td>
<td>249/26</td>
<td>1134 BLOOMFIELD ST.</td>
<td>$3,327.00</td>
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<tr>
<td>36 Farview Terrace</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>PO Box 1007</td>
<td></td>
<td></td>
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<tr>
<td>Paramus, NJ 07653-1007</td>
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<tr>
<td>ROY &amp; REBECCA WEATHERS</td>
<td>268.1/2/C007R</td>
<td>1500 WASHINGTON ST.</td>
<td>$2,724.89</td>
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<td>1500 Washington St. #7R</td>
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<td>Hoboken, NJ 07030</td>
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<tr>
<td>TAMARA &amp; VITALY ZVRKOVSKY</td>
<td>213.1/11/C001B</td>
<td>224 HUDSON ST.</td>
<td>$2,211.44</td>
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<td>224 Hudson St. #1B</td>
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<tr>
<td>MARY SCIANCEPORE</td>
<td>246/15</td>
<td>1120 WASHINGTON ST.</td>
<td>$  164.19</td>
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<td>317 Washington St.</td>
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<tr>
<td>MARY SCIANCEPORE</td>
<td>249/7</td>
<td>162 ELEVENTH ST.</td>
<td>$ 111.89</td>
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<td>317 Washington St.</td>
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<tr>
<td>SEAN &amp; NICOLE MAHONEY</td>
<td>95/21/C0305</td>
<td>920 JEFFERSON ST</td>
<td>$1,641.26</td>
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<td>920 Jefferson St. #305</td>
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<td>Hoboken, NJ 07030</td>
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<tr>
<td>ERIC &amp; PATRICIA PAWLOWSKI</td>
<td>16/11/C004C</td>
<td>83 MONROE ST.</td>
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<td>83 Monroe Street #4C</td>
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<td>Hoboken, NJ 07030</td>
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<td>Name</td>
<td>Address</td>
<td>Payment Amount</td>
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<td>MICHAEL N. KARP. ESQ.</td>
<td>1008 GARDEN ST.</td>
<td>$1,096.58</td>
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<td>AFFINITY TITLE AGENCY</td>
<td>131-33 GARDEN ST.</td>
<td>$ 579.95</td>
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<td>LLORENS &amp; ASSOCIATES</td>
<td>1106 WASHINGTON ST</td>
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<td>RAY RODGERS</td>
<td>63 MADISON ST.</td>
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<td>RAY RODGERS</td>
<td>83 MONROE ST.</td>
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<td>PRASHANT PATEL &amp; SEJAL VORA</td>
<td>713 ADAMS ST.</td>
<td>$1,922.98</td>
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<td>MUP 2000 INVESTMENTS</td>
<td>330 MADISON ST.</td>
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<td>KENNETH F. CRIMMINS</td>
<td>1027 WILLOW AVE.</td>
<td>$ 200.36</td>
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<td>MARY KNAPP</td>
<td>647 GARDEN ST.</td>
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<td>LEE WIGDEN</td>
<td>901 MADISON ST.</td>
<td>$2,956.00</td>
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<td>LEE WIGDEN</td>
<td>901 MADISON ST.</td>
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<td>GARY MILOSCIA</td>
<td>920 JEFFERSON ST.</td>
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<td>KEVIN HUDY</td>
<td>1301 ADAMS ST.</td>
<td>$ 173.16</td>
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---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Abstentions: Cammarano.

08-290
---By Councilman Russo:

THIS RESOLUTION AUTHORIZES THE ADMINISTRATION TO ADVERTISE FOR AN AUCTION OF ABANDONED/SURPLUS VEHICLES ON 19 September 2008.

WHEREAS, the Purchasing Agent, Department of Administration requests authorization of the Council to dispose of abandoned/surplus vehicles, that are in the possession of the Hoboken Police Department, Department of Environmental Services, 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, 19 September 2008, at 11:00 A.M., in the City Hall, Court Room, 94 Washington Street, the vehicles set forth on the attached list pursuant to law.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

08-291
---By Councilman Ramos:
---Motion duly seconded by Councilman Cammarano.

REAPPOINTING ANGEL ALICEA TO THE HOBOKEN HOUSING AUTHORITY FOR A FIVE YEAR TERM TO EXPIRE ON MAY 8, 2013.

WHEREAS, pursuant to the Code of the City of Hoboken 38-1, the City of Hoboken has established a Housing Authority; and

WHEREAS, the Code of the City of Hoboken 38-2 provides for seven (7) members to serve on the Housing Authority; and
WHEREAS, New Jersey law gives authority to the City Council to appoint five (5) members serving on the Housing Authority; and

WHEREAS, the expiration date for the term of office for the position held by Commissioner Angel Alicea was May 3, 2008, creating a vacancy;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby reappoints Angel Alicea of 717 Monroe Street, Hoboken, to serve as a member of the Hoboken Housing Authority for a term of five (5) years to expire on May 3, 2013.

TABLED AFTER DISCUSSION

One member of the public spoke on this and the following resolution; Perry Belfiore, 161 11th Street.

The above resolution was removed on a Motion to be TABLED by Councilman Russo and duly seconded by Councilwoman Manson and voted on as follows:

--- TABLED by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.

---Nays: None.

08-292
---By Councilman Giacchi:
---Motion duly seconded by Councilman Ramos.

RESOLUTION REAPPOINTING PHILIP SALINARDI, JR. TO THE CITY OF HOBOKEN ALCOHOLIC BEVERAGE CONTROL BOARD

BE IT RESOLVED by the City Council that Philip Salinardi, Jr., 506 Bloomfield 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 (3) year term to expire June 30, 2011.

RESOLVED, that a certified copy of this resolution be forwarded to the State of New Jersey Division of Alcoholic Beverage Control, along will a copy of Mr. Salinardi’s acceptance of his appointment.

TABLED AFTER DISCUSSION

The above resolution was removed on a Motion to be TABLED by Councilman Russo and duly seconded by Councilwoman Manson and voted on as follows:

--- TABLED by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

---By Councilman Russo:

RESOLUTION AUTHORIZING AN APPLICATION BY THE HOBOKEN MUNICIPAL ALLIANCE COMMITTEE AGAINST ALCOHOL AND DRUG ABUSE

WHEREAS, The City Council of The City of Hoboken, New Jersey, County of Hudson, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, The City Council of The City of Hoboken further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, The City of Hoboken Municipal Alliance Committee Against Alcohol and Drug Abuse has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Hudson;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken, County of Hudson, State of New Jersey, hereby recognizes the following:

1. The City Council of the City of Hoboken does hereby authorize submission of an application by the Hoboken Municipal Alliance Committee Against Alcohol and Drug Abuse for a grant for calendar year 2009 in the amount of $40,261.00.

2. The City Council of the City of Hoboken acknowledges the terms and conditions for administering the Municipal Alliance grant, including a $10,066.00 City Cash Match, the administrative compliance and audit requirements.

One member of the public spoke on this resolution; Tony Amabile

---Motion duly seconded by Councilman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

---By Councilman Cunningham:

---Nays: None.
RESOLUTION OF THE CITY OF HOBOKEN REQUESTING RECALCULATION OF MAYOR'S 2009 FISCAL YEAR TAX INCREASE TO INCLUDE DEFERRED PAYMENTS FROM FISCAL YEAR 2008

WHEREAS, the City Council of the City of Hoboken in the County of Hudson desires show the true impact of this year's spending plan presented by the Mayor’s Office reflect over $10 million in deferred payments from 2008. To further ensure that such deferments are consider within the 2009 Fiscal year budget cap.

WHEREAS:

(a) The City Council of the City of Hoboken initially failed to pass a budget due to inaccurate budget numbers from the Administration, and

(b) The City of Hoboken realized that the 2008 Fiscal Year Budget was over spent by over $10 million, and

(c) The City Council of the City of Hoboken finally passed its 2008 Fiscal Year Budget accepting $10 million in deferred charges as mandated by the New Jersey Division of Community Affairs, and

(d) The Mayor of the City of Hoboken has delivered to the City Council its 2009 Fiscal Year spending plan, and

(e) Said 2009 spending plan calculates an increase in property taxes of 7%

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

That the Mayor's spending plan does not include the deferred payment in the true calculation of the City’s tax burden for Fiscal Year 2009, and that the City of Hoboken must consider the consequences of such spending in Fiscal Year 2008, thus such over spent amount exceeding $10 million should be factored into the Mayor's spending plan and should furthermore be considered within the 2009 Fiscal Year Cap.

Councilmembers Cunningham / Zimmer

The following members of the public spoke on this resolution; Maurice DeGennaro, 614 Hudson Street; Forde Prigot, 206 Newark Street.

---Motion duly seconded by Councilwoman Zimmer.
---Adopted by the following vote: YEAS: 6 - NAYS: 1 - ABSTENTIONS: 2
---Yeas: Council persons Cammarano, Castellano, Cunningham, Mason, Russo, Zimmer.
---Nays: LaBruno.
---Abstentions: Ramos, President Giacchi.
Approving filed minutes of Regular Meetings of 4/16; 5/7; 5/22; 6/4; 6/18; and Special Meetings of 6/1; 6/2; 6/11; 6/30 2008. REMOVED from the agenda and sent to committee.

---By Councilman Ramos:

AUTHORIZATION TO SUBMIT APPLICATION TO GREEN ACRES FOR ADDITIONAL FUNDING FOR THE DEVELOPMENT OF 1600 PARK AVENUE
State Of New Jersey Department Of Environmental Protection Green Acres Enabling Resolution

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 $600,000 from the State to fund the following project(s): Development of 1600 Park Avenue as parkland at a cost of $2,000,000;

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

(a) make application for such a loan and/or such a grant,
(b) provide additional application information and furnish such documents as may be required, and
(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 the 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 FURTHER 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 Development of 1600 Park Avenue Park;
2. That the applicant has its matching share of the project, if a match is required, in the amount of $300,000 (Hudson County Open Space Trust Fund); $1,100,000 (previous Green Acres award) any additional match required or funds required to complete project will be contributed through City funds or bonding ___;
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;
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.

One member of the public spoke on this resolution (and the next two resolutions): Helen Hirsch, 98 Park Avenue.

---Motion duly seconded by Councilwoman Zimmer.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

08-297
---By Councilman Ramos:

AUTHORIZATION TO SUBMIT APPLICATION TO GREEN ACRES FOR ADDITIONAL FUNDING FOR THE DEVELOPMENT OF HOBOKEN COVE PARK
State Of New Jersey Department Of Environmental Protection GREEN ACRES ENABLING RESOLUTION

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 $600,000 from the State to fund the following project(s) Development of Hoboken Cove Park at a cost of $2,600,000;

NOW, THEREFORE, the governing body/board resolves that David Roberts or the successor to the office of Mayor is hereby authorized to:
(a) make application for such a loan and/or such a grant,
(b) provide additional application information and furnish such documents as may be required, and
(d) 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 the 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 FURTHER 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 Development of Hoboken Cove Park:
2. That the applicant has its matching share of the project, if a match is required, in the amount of $1,000,000 (Toll Brothers Contribution); $1,000,000 (previous Green Acres award); any additional match required or funds required to complete project will be contributed through City funds or bonding;
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;
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

---Motion duly seconded by Councilwoman Zimmer.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

08-298
---By Councilman Ramos:

AUTHORIZATION TO SUBMIT APPLICATION TO GREEN ACRES FOR THE RECONSTRUCTION OF THE CASTLE POINT WATERFRONT WALKWAY

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 $268,375 from the State to fund the following project(s) Reconstruction of Castle Point Waterfront Walkway (damaged by storm) at a cost of $536,750;

NOW, THEREFORE, the governing body/board resolves that David Roberts or the successor to the office of Mayor is hereby authorized to:
   (a) make application for such a loan and/or such a grant,
   (b) provide additional application information and furnish such documents as may be required, and
   (e) 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 the 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 FURTHER 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 Reconstruction of Castle Point Waterfront Walkway;
2. That the applicant has its matching share of the project, if a match is required, in the amount of $100,000 (Hudson County Open Space Trust Fund; $168,375 City funds or bonding);
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;
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.

---Motion duly seconded by Councilwoman Zimmer.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

08-299
---By Councilman Ramos:
---Motion duly seconded by Councilwoman LaBruno.

RESOLUTION AUTHORIZING THE PLANNING BOARD OF THE CITY OF HOBOKEN TO CONDUCT A PRELIMINARY INVESTIGATION OF CERTAIN PROPERTIES LOCATED IN BLOCK 212.1 IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW AND TO PROVIDE RECOMMENDATIONS TO THE CITY COUNCIL

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 Hoboken are in need of redevelopment in accordance with N.J.S.A. 40A:12A-6; and

WHEREAS, the City Council desires that the Planning Board conduct a preliminary investigation, hold a public hearing, and make recommendations to the City Council as to the need for redevelopment of the certain properties located within the area bounded by Second Street to the North, Hudson Street to the East, First Street to the South and Court Street to the West, and designed on the official City tax map as:

<table>
<thead>
<tr>
<th>Block:</th>
<th>212.1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lots:</td>
<td>4-7, 8.1, 8.2, 8.3, 9, 10.1, 10.2, 11-14, 15.1, 15.2</td>
</tr>
</tbody>
</table>

as further shown on the attached map as “the Block 212.1 Study Area”.

Meeting of September 3, 2008
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOBKOKEN:

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

2. The Planning Board of the City of Hoboken is hereby authorized and directed to complete its preliminary investigation, hold a public hearing and make a recommendation to the City Council as to whether the Block 212.1 Study Area, as set forth above and on the attached map, or any portion thereof, is an area in need of redevelopment.

3. This Resolution shall take effect immediately.

The following members of the public spoke: Maurice DeGennaro, 614 Hudson Street; Cheryl Fallick, 204 3rd Street; Mary Ondreaka, 159 9th Street; Dan Tumpson, 230 Park Avenue; Lane Bajardi, 70 Park Avenue; Perry Belfiore, 161 11th Street; Michael Lenz, 408 Monroe Street.

The above resolution was REMOVED AFTER DISCUSSION, NO VOTE TAKEN

08-300
---By Councilwoman Mason:

RESOLUTION DIRECTING THE CITY COUNCIL TO REVIEW ALL REQUESTS FOR QUALIFICATIONS AND PROPOSALS FOR THE FISCAL YEAR 2009

WHEREAS, the City Council of the City of Hoboken finds itself compelled to become further involved in the selection of professionals; and

WHEREAS, there is a desire for transparent process for this selection; and

WHEREAS, Request for Qualifications (RFQ’s) of experts and professionals should be reviewed by the City Council and not left to the action of others as one step towards the further assurance that the City’s past financial issues will not be repeated; and

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

1. After advertising for requests for the following positions the receipt of all information generated by Requests for Qualifications (RFQ) and proposals shall be forwarded to the City Council to be reviewed by the City Council prior to appointments, including but not limited to:

“Workers Compensation Third-Party Administrator”
“Special Counsel-to ABC”
“Auditor” for the City of Hoboken
“Special Counsel – Bond to the City of Hoboken
“City Planner” for the City of Hoboken
“Engineer – General” to the City of Hoboken
“Financial Services” to the City of Hoboken
“Short Hand Reporter” to the City of Hoboken
“Special Counsel – Labor” to the City of Hoboken
“Media Consultant” – Hoboken Parking Utility”
“Parking Consultant – Hoboken Parking Utility”
“Special Counsel – Real Estate and Development”
“Special Counsel – Rent Control”
“Special Counsel – Rent Control Litigation”
“Special Counsel – Redevelopment” to the City of Hoboken
“Special Counsel – General” to the City of Hoboken
“Special Counsel - Workers Compensation”
“Special Counsel – Conflicts Counsel”
“Financial and Management Consulting Services” to the City of Hoboken

2. In the event any additional requests for RFQ’s are received by the City those too shall be forwarded to the Council prior to taking any action.

3. The Council, shall to the extent permitted by law assure that the process shall be open to the public.

4. The Council, in its discretion, may establish a subcommittee for initial review to report to the Council prior to taking any action.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to all personnel and departments involving soliciting, obtaining and reviewing requests for qualifications.

The following members of the public spoke: Donald Pellicano, 1000 Hudson Street; Michael Lenz, 408 Monroe Street.
---Motion duly seconded by Councilman Cunningham.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

ORDINANCES

Introduction and First Reading

AN ORDINANCE CONCERNING THE PICKUP OF COMMERCIAL WASTE AND RECYCLABLES ON MUNICIPAL STREETS ON WEEKENDS AND HOLIDAYS AND TO AMEND CHAPTER 110 ARTICLE V CHAPTER 110-29 TO ADD PARAGRAPH “B” TO THE REVISED ORDINANCES OF THE CITY OF HOBOKEN.

The above item was removed; NO vote taken.

08-301
DR-375
AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 101 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBNOK, ENTITLED “FIRE PREVENTION”. DR-375

WHEREAS, the Council of the City of Hoboken declares it to be in the best interest of public health, safety and welfare of the City to ensure that all businesses and commercial enterprises that are considered non-life-hazard uses be annually inspected by the Office of the Fire Marshal; and,

WHEREAS, pursuant to Chapter 101 of the Code of the City of Hoboken a fee schedule has been established to cover the cost of these annual inspections; and,

WHEREAS, the Fire Marshal and Acting Fire Chief have advised that the fee schedule has not been updated in several years and recommend that it should be increased to cover the costs of providing this service; and,

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hoboken that Chapter 101 of the Code of the City of Hoboken is hereby amended as follows:

SECTION ONE:

Section 101-23.2 of the Code of the City of Hoboken is amended (in part) as follows:

§101-23.2. Non-life-hazard use registration fees. [Added 2-6-2002 by Ord. No. DR-27]

A. Each owner of a business or commercial enterprise determined by the Fire Marshal to be a non-life-hazard use shall be responsible for paying to the City of Hoboken a non-life-hazard use fire registration fee to cover the costs of the annual inspections conducted pursuant to §101-23.1, Annual inspections. [NO CHANGE]

B. Such fees will be calculated on a gross interior square-foot basis and will be as follows:

<table>
<thead>
<tr>
<th>Gross Interior Area (square feet)</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 1,000</td>
<td>$50.00 (change from 25.00)</td>
</tr>
<tr>
<td>1,001 to 3,000</td>
<td>$100.00 (change from $50.00)</td>
</tr>
<tr>
<td>3,001 to 6,000</td>
<td>$200.00 (change from $100.00)</td>
</tr>
<tr>
<td>6,001 to 10,000</td>
<td>$300.00 (change from $150.00)</td>
</tr>
<tr>
<td>10,001 and over</td>
<td>$400.00 (change from $200.00)</td>
</tr>
</tbody>
</table>

The remainder of §101-23.2 shall remain unchanged.

SECTION TWO:

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

SECTION THREE:

This ordinance shall be a part of the Code of the City of Hoboken as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and

Meeting of September 3, 2008 19
incorporated in the official copies of the Code. The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken 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.

SECTION FOUR:

This Ordinance shall take effect as provided by law.

---Councilman Cammarano 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 17, 2008 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

AN ORDINANCE REGARDING EMINENT DOMAIN.

The above item was removed; NO vote taken.

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN, ENTITLED “VEHICLES AND TRAFFIC.” FAILED Introduction on 8/13/08; Referred to Council Committee.

The above item was removed; NO vote taken.

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE CODE OF THE CITY OF HOBOKEN, ENTITLED “VEHICLES AND TRAFFIC,” AND CHAPTER 141 ENTITLED “PARKING PERMITS.” FAILED Introduction on 8/13/08; Referred to Council Committee.

The above item was removed; NO vote taken.

AN ORDINANCE TO PROTECT HOBOKEN RESIDENTS AND TAXPAYERS BY REDUCING CONFLICTS OF INTEREST AND PAYMENTS FOR MUNICIPAL SALARIES AND MULTIPLE BENEFITS. Referred to Council Committee on 8/13/08.

The above item was removed; NO vote taken.
HOBOKEN UNIFIED LAND DEVELOPMENT ORDINANCE. **Referred to Council Committee on 8/13/08.**

The above item was removed; NO vote taken.

AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN PURSUANT TO N.J.S.A. 40A:12A-7 FOR THE WESTERN EDGE REDEVELOPMENT AREA IN THE CITY OF HOBOKEN. **Referred to Council Committee on 8/13/08.**

The above item was removed; NO vote taken.

Councilman Ramos left the meeting at 10:04 p.m.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Ronan Peled, 1 Castle Point on the Hudson; Councilman Ramos returned to the meeting at 10:13 p.m.; Charles Mancini, 708 Willow Avenue; Maurice DeGennaro, 614 Hudson Street; Rosie Grogan, 814 Washington Street; Councilman Cunningham left the meeting at 10:33 p.m.; Helen Hirsch, 98 Park Avenue; Councilman Cunningham returned to the meeting at 10:34 p.m.; Perry Belfiore, 161 Park Avenue; Lane Bajardi, 70 Park Avenue; Gary Holtzman, 80 Bloomfield Street; Michael Lenz, 408 Monroe Street; Flynn Belfin, 119 Washington Street; Councilwoman Mason left the meeting at 11:06 p.m.; Hani Ahmed, 1105 Grand Street; Councilwoman Mason returned to the meeting at 11:09 p.m.

**CLOSED SESSION**

**08-301**

---By: Councilperson LaBruno

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:

Personnel matter:  Lazzaro Mascis
People for Open Government v. City of Hoboken

BE IT RESOLVED, that the City Council shall at this time (approximately) 11:15 pm, SEPTEMBER 3, 2008, enter into Executive Session to discuss the matters as outlined above, and-

BE IT FURTHER RESOLVED, that it can be disclosed to the public as follows:

Upon final disposition of the matter.

---Motion duly seconded by Councilwoman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

At 11:28 p.m., Councilwoman Mason recused herself from the Executive (Closed) Session of the meeting regarding “People for Open Government v. City of Hoboken”.

At 11:43 p.m., on a motion by Councilman Russo and duly seconded by Councilman Cammarano and voted on unanimously by those in attendance, the City Council came out of Executive (Closed) Session and resumed the meeting to the public as follows:

RESOLUTIONS CONTINUED

08-302
---By Councilwoman LaBruno:

RESOLUTION APPROVING APPLICATION FOR INVOLUNTARY ORDINARY DISABILITY RETIREMENT FOR LAZZARO MASCIS

WHEREAS, Lazzaro Mascis, an employee of the City of Hoboken holding the current title of Omnibus Operator, has submitted to two fitness-for-duty examinations to determine his ability to perform his job; and

WHEREAS, these examinations were conducted by Dr. Peter Blumenthal, MD, MPH in November 2007 and April 2008; and

WHEREAS, based upon these examinations Dr. Blumenthal has determined that Mr. Mascis is permanently unable to perform any gainful employment for the City of Hoboken;
and

WHEREAS, as a result of the conclusion of Dr. Blumenthal with respect to the inability of Mr. Mascis to perform his duties as a City employee now and in the future, the City Council has determined that it is in the best interest of the City to seek the involuntary ordinary disability retirement of Mr. Mascis.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken that the Council finds that Lazzaro Mascis is unable to perform the duties of omnibus operator with the City of Hoboken and the City shall file an involuntary ordinary disability retirement application for Mr. Mascis pursuant to N.J.S.C. 17:1-7.8 with the Public Employees’ Retirement System (“PERS”) pursuant to N.J.S.A. 43:15A-42;

BE IT FURTHER RESOLVED, that the Corporation Counsel and or his designee is directed to take all steps necessary to effectuate the purpose of this Resolution.

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

President Giacchi then adjourned the meeting at 11:45 p.m.

__________________________
PRESIDENT OF THE COUNCIL

__________________________
CITY CLERK
President Giacchi 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 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 Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.

ABSENT:  None.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 101 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOoken, ENTITLED “FIRE PREVENTION”. DR-375

President Giacchi 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 of which the heading was read in full.

No person present desiring to be heard and no written protests or objections received, President Giacchi 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 Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
Council President Giacchi 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 Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

PETITIONS AND COMMUNICATIONS

08-304

PROCLAMATION FROM MAYOR ROBERTS DESIGNATING OCTOBER AS NATIONAL BREAST CANCER AWARENESS MONTH IN THE CITY OF HOBOKEN FOR THE 2008 “TIE A RIBBON FOR CURE CAMPAIGN.”

WHEREAS, the City of Hoboken values the health of all its citizens; and

WHEREAS, the City of Hoboken supports awareness of certain diseases, such as Breast Cancer, which touches millions of lives and is diagnosed every day in our community and further, without a cure, 1 in 8 women in the United States will continue to be diagnosed with breast cancer – a devastating disease with physical, emotional, psychological and financial pain – that can last a lifetime; and

WHEREAS, October is National Breast Cancer Awareness Month; and

WHEREAS, as part of Breast Cancer Awareness Month, the City of Hoboken, in conjunction with the Hudson Perinatal Consortium, the Hudson County Cancer Coalition, the Susan G. Komen Breast Cancer Foundation “Tie a Ribbon” campaign and the Hoboken University Medical Center, will be tying pink ribbons around trees outside City Hall on September 26, 2008; and

WHEREAS, the pink ribbons are a symbol of courage, support and hope for a cure and honor those who have been touched by the disease, as well as a way to raise awareness and remind women to do their monthly self exams, schedule a clinical exam and get their mammogram; and

WHEREAS, the pink ribbons are a symbol of courage, support and hope for a cure and honor those who have been touched by the disease, as well as way to raise awareness and remind women to do their monthly self exams, schedule a clinical exam and get their mammogram; and

WHEREAS, the City of Hoboken will proudly join TIE A RIBBON FOR THE CURE campaign on September 26, 2008;
NOW, THEREFORE, I DAVID ROBERTS, Mayor of the City of Hoboken, do hereby proclaim October as National Breast Cancer Awareness Month in Hoboken, New Jersey, to be marked by the tying of pink ribbons around Hoboken City Hall located at 94 Washington Street for the period of September 26, 2008 through October 31, 2008 for the 2008 **TIE A RIBBON FOR THE CURE CAMPAIGN.**

--Received and filed.

**08-305**

**PROCLAMATION FROM MAYOR ROBERTS DECLARING THE MONTH OF OCTOBER AS THE MONTH OF THE YOUNG ADOLESCENT IN THE CITY OF HOBOKEN.**

WHEREAS, the period of early adolescence (10 to 15 year olds) is a distinct, developmental period between childhood and full adolescence; and

WHEREAS, this period has been little understood nor its importance recognized; and

WHEREAS, youth between the ages of approximately 10 to 15 years undergo more extensive physical, mental, social, moral and emotional changes, with the possible exception of infancy, than at any other time of life; and

WHEREAS, the attitudes and values young adolescents develop during these formative years largely determine their later behavior; and

WHEREAS, parents continue a primary models and guides, even as young adolescents give increased attention to peer groups; and

WHEREAS, the community itself is also a “classroom” in which young adolescents learn many lessons; and

WHEREAS, much valuable information and research about this important age group now exists and should be circulated;

NOW, THEREFORE, I DAVID ROBERTS, Mayor of the City of Hoboken do hereby proclaim October 2008 to be declared the Month of the Young Adolescent in the City of Hoboken and do further proclaim that all those in the City of Hoboken join the celebration by extending their knowledge about these critical years and undertaking actions that will support the healthy development of young adolescents.

--Received and filed.

**08-306**

**APPLICATIONS FOR MISCELLANEOUS LICENSES**
---Councilwoman LaBruno moved that the licenses be granted.
---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

REPORTS OF CITY OFFICERS

08-307
Reports from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending
July 31, 2008 - $26,260,278.00 and for the month ending August 31, 2008 - $1,074,621.70.

---Received and filed.

08-308
A report of the Municipal Court indicating receipts for the month of August 2008 as
$281,169.56.

---Received and filed.

08-309
From George DeStefano, Chief Financial Officer, a copy of the Annual Financial Statement
for the State Fiscal Year 2008 (Unaudited).

---Received and filed.

RESOLUTIONS

Presented and Read

08-310
---By Councilman Ramos:

REAPPOINTING ANGEL ALICEA TO THE HOBOKEN HOUSING AUTHORITY
FOR A FIVE YEAR TERM TO EXPIRE ON MAY 8, 2013.

WHEREAS, pursuant to the Code of the City of Hoboken 38-1, the City of Hoboken
has established a Housing Authority; and
WHEREAS, the Code of the City of Hoboken 38-2 provides for seven (7) members to serve on the Housing Authority; and

WHEREAS, New Jersey law gives authority to the City Council to appoint five (5) members serving on the Housing Authority; and

WHEREAS, the expiration date for the term of office for the position held by Commissioner Angel Alicea was May 3, 2008, creating a vacancy;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby reappoints Angel Alicea of 717 Monroe Street, Hoboken, to serve as a member of the Hoboken Housing Authority for a term of five (5) years to expire on May 3, 2013.

The following spoke at this time: Marcelina Biart, 415 Marshall Drive; Perry Belfiore, 161 11th Street; Hector Claveria, 917 Clinton Street.

---Motion duly seconded by Councilman Cammarano.
---FAILED by the following vote: YEAS: 4 - NAYS: 5
---Yeas: Council persons Cammarano, LaBruno, Ramos and President Giacchi.
---Nays: Castellano, Cunningham, Mason, Russo, Zimmer.

Prior to the vote on the above resolution, 08-308, a motion was made, seconded and voted on as follows:

---By Councilwoman Zimmer:

A motion to consider a five (5) year appointment to the Hoboken Housing Authority next to Mr. Alicea’s resolution for a (5) year reappointment.

---Motion duly seconded by Councilman Cunningham.
---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Castellano, Cunningham, Mason, Russo, Zimmer.
---Nays: Cammarano, LaBruno, Ramos, President Giacchi.

08-311
---By Council President Giacchi:

RESOLUTION REAPPOINTING PHILIP SALINARDI, JR. TO THE CITY OF HOBOKEN ALCOHOLIC BEVERAGE CONTROL BOARD

BE IT RESOLVED by the City Council that Philip Salinardi, Jr., 506 Bloomfield 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 (3) year term to expire June 30, 2011.

Meeting of September 17, 2008
RESOLVED, that a certified copy of this resolution be forwarded to the State of New Jersey Division of Alcoholic Beverage Control, along will a copy of Mr. Salinardi’s acceptance of his appointment.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 7 - NAYS: 2
---Yeas: Council persons Cammarano, Castellano, LaBruno, Mason, Ramos, Russo and President Giacchi.
---Nays: Cunningham, Zimmer.

08-312
---By Councilwoman Zimmer:

APPOINTING HECTOR CLAVERIA TO THE HOBOKEN HOUSING AUTHORITY FOR A FIVE YEAR TERM TO EXPIRE ON MAY 8, 2013.

WHEREAS, pursuant to the Code of the City of Hoboken 38-1, the City of Hoboken has established a Housing Authority; and

WHEREAS, the Code of the City of Hoboken 38-2 provides for seven (7) members to serve on the Housing Authority; and

WHEREAS, New Jersey law gives authority to the City Council to appoint five (5) members serving on the Housing Authority; and

WHEREAS, the expiration date for the term of office for the position held by Commissioner Angel Alicea was May 3, 2008, creating a vacancy;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby appoints Hector Claveria of 917 Clinton Street, Apt. 4B, Hoboken, to serve as a member of the Hoboken Housing Authority for a term of five (5) years to expire on May 3, 2013.

---Motion duly seconded by Councilman Cunningham.
---FAILED by the following vote: YEAS: 4 - NAYS: 5
---Yeas: Council persons Castellano, Cunningham, Russo, Zimmer.
---Nays: Cammarano, LaBruno, Mason, Ramos and President Giacchi.

ORDINANCES

Introduction and First Reading

08-313
DR-376
AN ORDINANCE CONCERNING THE PICKUP OF RECYCLABLES MATERIALS ON MUNICIPAL STREETS ON WEEKENDS AND HOLIDAYS AND TO AMEND CHAPTER 151 OF THE CODE CITY OF THE CITY OF HOBOKEN. DR-376

WHEREAS, the City of Hoboken provides regular trash and recycling collection services to its residents during non-holiday weekdays as a municipal service in order to promote the health and safety of its residents; and

WHEREAS, the City of Hoboken has a vibrant commercial business arising out of its numerous eating and drinking establishments which are very popular on Friday and Saturdays, which businesses generate approximately 667 tons of glass and 620 tons of garbage on an annual basis on weekends alone; and

WHEREAS, the City of Hoboken for many years has provided an additional service to these commercial establishments, specifically, the collection and disposal of their recyclable materials, including glass bottles and metal cans, on both Saturday and Sunday mornings, as well as on the mornings following numerous weekday holidays, at a cost to the taxpayer of at least $384,000 per year; and

WHEREAS, the governing body of the City of Hoboken believes it is unfair for the vast majority of the taxpayers of the City of Hoboken to subsidize those commercial enterprises which due to the nature of their business, generate large amounts of additional recyclables which are required to be collected and disposed of on holiday weekdays and on weekends; and

WHEREAS, the governing body believes that the City should no longer be responsible for providing weekend and holiday recycling collection and disposal service, and that the commercial entities generating these recyclables should be responsible for handling this issue themselves, subject to appropriate regulation; and

WHEREAS, this Ordinance shall not be construed to limit or abrogate the requirement that restaurants or other places of business selling food for consumption dispose of their garbage and refuse on a daily basis;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOBOKEN that Chapter 151 of the Code of the City of Hoboken shall be amended, and a new section added, to read as follows:

Weekend and Holiday Collection of Recyclables by Commercial Entities Serving Food And/Or Beverages

A. All commercial establishments that are licensed to serve food and/or beverages and which generate recyclable materials shall dispose of these recyclables on a regular basis, on a schedule established by the Director of Environmental Services, in order to promote the health and safety of the Citizens of the City of Hoboken.

B. As of the effective date of this Ordinance, the City of Hoboken shall no longer provide regular weekend and holiday recycling collection and disposal service to any location within the City.
C. Nowithstanding any other provisions of this Chapter, those commercial entities that are licensed to serve food and/or beverages and generate recyclable materials shall be permitted to use private contractors or other means to dispose of these materials on weekends and holidays, and shall be permitted to place said recyclable materials at curbside to be collected between the hours of 3:00A.M. and 7:00 A.M. on Saturday and Sunday mornings, and on mornings following any federally-recognized holiday.

D. Any such entity that is found to have placed recyclable materials at curbside, or in any other unsecured location, at any time except as specifically set forth in this Ordinance, or fails to remove or dispose of the materials within the time frame established by this Ordinance, shall be found to be in violation of this Ordinance. Any such materials may be removed by the City of Hoboken, and the violating entity shall be responsible to pay the City for the full cost of collection and disposal, which shall be in addition to any penalty imposed by law.

E. Any such entity that intends to dispose of its own recyclable materials shall Notify the Recycling Coordinator prior to doing so, and also shall provide the Recycling Coordinator with the name, address and phone number of the vendor or individual responsible for such disposal.

F. Any such entity that disposes of its own recyclable materials shall be abide by the provisions of Section 151-5 of the Code of the City of Hoboken with respect to the yearly verification of the tonnages and markets of material recycled.

BE IT FURTHER ORDAINED, that Section 151-10 of the Code of the City of Hoboken, “Violations and Penalties,” shall be amended to increase the maximum penalty for a violation of Chapter 151 from one thousand dollars ($1,000) to two thousand dollars ($2,000), and to further provide that any person who is convicted of violating any provision of Chapter 151 within one (1) year of the date of a previous violation of the same provision shall be sentenced to an additional fine as a repeat offender, as provided by N.J.S.A. a40:69A-29; and,

BE IT FURTHER ORDAINED that the Mayor or his designee is authorized to promulgate appropriate regulations to further the purposes of this Ordinance; and

BE IT FURTHER ORDAINED, that this Ordinance shall be a part of the Code of the City of Hoboken as though codified and fully set forth herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken 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.

BE IT FURTHER ORDAINED in the event that any portion of this Ordinance is deemed illegal or unconstitutional it shall not affect the remaining portions of this Ordinance;
BE IT FURTHER ORDAINED that this Ordinance shall take effect as provided by law after final passage and publication.

---Councilman Russo 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 1, 2008 at 7:00 PM.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

08-314
DR-312

AN ORDINANCE DESIGNATING BICYCLE LANES ON CERTAIN STREETS IN THE CITY OF HOBOKEN. (DR-377)

WHEREAS, bicycling and walking contribute to the health of the residents of the City of Hoboken and also reduces the use of motor vehicles thereby lessening the impact of traffic, noise and air pollution; and

WHEREAS, bicycling has become an increasingly desirable means of transportation and exercise in the City of Hoboken; and

WHEREAS, the governing body of the City of Hoboken encourages bicycling and walking as a beneficial and viable means of transportation in the City of Hoboken due to its flat terrain, compact size; and neighborhood destinations;

WHEREAS, in order to encourage the use of bicycles in Hoboken the City Council deems it is in the best interest of residents to designate certain streets in the City of Hoboken, to be shared with motor vehicles for the purpose of bicycling and other forms of wheeled transportation; and

WHEREAS, research has shown that the more cyclists on the road the lower the rate of accidents, and the safer cycling is perceived to be, the more people are prepared to cycle, according to Dr. Julie Hatfield, an expert on cycling safety.

WHEREAS, in order to facilitate this goal the governing body of the City of Hoboken declares it necessary to authorize the creation of bike lanes on certain streets in the City of Hoboken and to impose restrictions in order to protect the users of these bike lanes.

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the City of Hoboken that the City Council designates that Madison Street and Grand Streets from Observer Highway and Newark Avenue, respectively, to 15th Street in the City of Hoboken shall have five (5) foot bicycle lanes on the left side of each street; these lanes shall include
standard bicycle symbols painted on the street within the bike lanes to notify drivers that they need to share the road with bicyclists;

BE IT FURTHER ORDAINED no cars shall be permitted to either travel or park in these lanes; and

BE IT FURTHER ORDAINED, that motorized vehicles must yield to bicycle riders in these lanes, and that bicycle riders shall yield to pedestrians at all crosswalks; and

BE IT FURTHER ORDAINED in addition to bicycle riders, individuals using roller blades, motorized wheelchairs with an orange safety flag at least five (5) feet above street level, and bicyclers with attached trailers for children will also have the same orange safety flag attached to the rear of the portage vehicle, shall also be permitted to use the bike lanes; and

BE IT FURTHER ORDAINED, in the event that any individual violates the terms of this ordinance he/she shall be subject to a fine in the Municipal Court of the City of Hoboken in an amount of $100.00 for the first offense and $200.00 per violation for any subsequent offenses.

BE IT FURTHER ORDAINED, that this Ordinance shall be a part of the Code of the City of Hoboken as though codified and fully set forth herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken 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.

BE IT FURTHER ORDAINED in the event that any portion of this Ordinance is deemed illegal or unconstitutional it shall not affect the remaining portions of this Ordinance; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect as provided by law after final passage and publication.

---Councilwoman Zimmer 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 1, 2008 at 7:00 PM.

---Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Elaine DePinto, 59 13th Street; Maurice DeGennaro, 614 Hudson Street; Helen Hirsch, 98 Park Avenue; Jon Gordon, 1015 Washington Street; Jim Vance, 107 Monroe Street; Gary Holtzman, 80 Bloomfield Street; Michael Lenz, 408 Monroe Street; Perry Belfiore, 161 11th Street; Charlie Mancini, 708 Willow Avenue; Eric Kurta, 214 Garden Street; John Branciforte, 1020 Garden Street; Councilwoman Mason left the meeting at 9:10 p.m.; Councilwoman Mason returned to the meeting at 9:12 p.m.; Nick Callacano, 501 Marshall Drive.

President Giacchi then adjourned the meeting at 9:16 p.m.

________________________________________

PRESIDENT OF THE COUNCIL

________________________________________

CITY CLERK
President Giacchi 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 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 Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.

ABSENT: None.

Council President Giacchi asked for a moment of silence for a fire fatality victim, Paula Otero, who died this morning in a fire (1202 Hudson Street).

Council President Giacchi wished all the Jewish Community A Happy Rosh Hashanah.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE CONCERNING THE PICKUP OF RECYCLABLE MATERIALS ON MUNICIPAL STREETS ON WEEKENDS AND HOLIDAYS AND TO AMEND CHAPTER 151 OF THE CODE OF THE CITY OF HOBOKEN. DR-376
President Giacchi 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 of which the heading was read in full.

The following spoke on the ordinance: Jon Gordon, 1015 Washington Street; Richard Tremitiedi, 2 Constitution Court; Jim Vance, 107 Monroe Street. No other person present desiring to be heard and no written protests or objections received, President Giacchi asked for a motion to close the hearing.

Councilman Russo moved that the hearing be closed. Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

Council President Giacchi 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 Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

AN ORDINANCE DESIGNATING BICYCLE LANES ON CERTAIN STREETS IN THE CITY OF HOBOKEN. DR-377

President Giacchi 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 of which the heading was read in full.

The following spoke on the ordinance: Juan Melli, 807 Clinton Street; Maurice DeGennaro, 614 Hudson Street. No other person present desiring to be heard and no written protests or objections received, President Giacchi 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: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

Council President Giacchi 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 Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
PETITIONS AND COMMUNICATIONS

08-315

WHEREAS, the arts and humanities enhance and enrich the lives of all Americans; and

WHEREAS, the arts and humanities positively affect every aspect of life in America including the economy, social service delivery job creation, education, creativity, and community livability; and

WHEREAS, the nation’s 23,000 cultural organizations, the National Endowment for the Arts, the National Endowment for the Humanities, the Institute of Museum and Library Services, the nation’s 3,800 local arts agencies, the arts and humanities councils of the 56 states and U.S. jurisdictions, and the president of the United States are encouraged to participate in this celebration; and

WHEREAS, the month of October has been designated as National Arts and Humanities Month;

NOW, THEREFORE, BE IT RESOLVED, THAT I, DAVID ROBERTS, Mayor of the City of Hoboken, do hereby declare October 2008 as “National Arts and Humanities Month” and call upon the citizens of Hoboken to participate in and celebrate the cultural riches Hoboken has to offer.

--Received and filed.

08-316

APPLICATIONS FOR MISCELLANEOUS LICENSES

<table>
<thead>
<tr>
<th>Type of License</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Hack Drivers</td>
<td>4</td>
</tr>
<tr>
<td>Limo/Livery Drivers</td>
<td>3</td>
</tr>
<tr>
<td>Vendors</td>
<td>2</td>
</tr>
</tbody>
</table>

---Councilman Russo moved that the licenses be granted.
---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: LaBruno.

RESOLUTIONS

Presented and Read
08-317
---By Councilman Russo:

**THIS RESOLUTION RATIFIES THE AUCTION OF SEVENTEEN (17) ABANDONED/SURPLUS VEHICLES HELD ON 19 SEPTEMBER 2008.**

WHEREAS, pursuant to the resolution of the Council of the City of Hoboken, a car auction was held 19 September 2008 in the Court Room in City Hall, and

WHEREAS, three (3) bids were received for the bulk sale of ten (17) cars. The high bid submitted was: $3,600.00.

WHEREAS, said high bidder, Jersey One Auto Sales tendered cash in full payment, for the bulk sale, in the amount of Three Thousand Six Hundred Dollars ($3,600.00). Said payment was deposited in the City Finance Department for disposition in the City bank account, now therefore be it

RESOLVED, that the City Council of Hoboken hereby ratifies and approves said resolution.

Before the vote was taken the following spoke: Forde Prigot, 337 Bloomfield Street.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

08-318
---By Councilman Ramos:
---Motion duly seconded by Councilman Russo.

Before the resolution was withdrawn the following spoke: Helen Hirsch, 98 Park Avenue.

**AUTHORIZATION TO AWARD A CONTRACT TO ENTERPRISE NETWORK RESOLUTIONS-CONTRACTING, LLC (ENR, LLC) FOR SITE REMEDIATION AT HOBOKEN COVE (FORMER TODD SHIPYARDS) SITE PERBID NUMBER 09-06**

WHEREAS, the City of Hoboken wishes to develop Hoboken Cove as parkland for the benefit of the residents of Hoboken; and

WHEREAS, on September 16, 2008, the City of Hoboken accepted proposals for such work; as follows:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enterprise Network Resolutions-Contracting, LLC ENR, LLC) 874 Piney Hollow Road, PO Box 70 Winslow, NJ 08095</td>
<td>$1,295,451</td>
</tr>
</tbody>
</table>

Meeting of October 1, 2008
WHEREAS, the project engineer, Birdsa ll Engineering, has reviewed the proposals and recommends the project be awarded to the low bidder Enterprise Network Resolutions-Contracting, LLC (ENR, LLC) (recommendation attached now therefore be it

RESOLVED, that a remedial action clean up contract be awarded to Enterprise Network Resolutions-Contracting, LLC, (ENR, LLC) 874 Piney Hollow Road, PO Box 70, Winslow, NJ 08095, in the amount of ONE MILLION TWO HUNDRED NINETY FIVE THOUSAND FOUR HUNDRED FIFTY ONE DOLLARS ($1,295,451); and be it

FURTHER RESOLVED, that the contract will be funded through a Hazardous Discharge Site Remediation Fund (HDSRF) grant through the New Jersey Departmental Protection in the amount of $877,193 with the necessary balance being funded through existing City of Hoboken Bond Funds; and be it

FURTHER RESOLVED, by the Council of the City of Hoboken in the County of Hudson, that:

1. The Mayor is hereby authorized to execute a contract with ENR Engineering LLC on behalf of the City of Hoboken and to take any other actions necessary to complete and realize the intent and purpose of this resolution.

2. A copy of this resolution shall be published according to law and the City Clerk shall keep a copy of the resulting contract on file.

3. This resolution shall take effect immediately.

The above resolution was withdrawn by sponsor - Councilman Ramos
08-319
---By Councilman Ramos:
---Motion duly seconded by Councilman Russo.

AUTHORIZATION TO AWARD A CONTRACT TO TTI ENVIRONMENTAL, INC.
FOR SITE REMEDIATION AT 1600 PARK AVENUE SITE PER BID NUMBER 09-07

WHEREAS, the City of Hoboken wishes to develop 1600 Park Avenue a parkland for the benefit of the residents of Hoboken; and

WHEREAS, it has been determined though a remedial investigation that remediation of the site is necessary to address base/neutral and priority pollutant metal contamination as a result of historic industrial usage of the site; and

WHEREAS, on September 16, 2008, the City of Hoboken accepted proposals for such work; as follows

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Proposal</th>
<th>Alternate</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>TTI Environmental Inc.</td>
<td>$369,500</td>
<td>$72,000</td>
<td>$441,500</td>
</tr>
<tr>
<td>1253 North Church St</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Moorestown, NJ 08057</td>
<td></td>
<td></td>
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<tr>
<td>Barbella Construction</td>
<td>$494,400</td>
<td>$64,000</td>
<td>$558,400</td>
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<tr>
<td>24 Tannery Road</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sommerville, NJ 08876</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aurora Environmental Inc.</td>
<td>$672,140</td>
<td>$57,600</td>
<td>$729,740</td>
</tr>
<tr>
<td>1102 Union Avenue</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Union Beach, NJ 07735</td>
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<td></td>
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</tr>
</tbody>
</table>

WHEREAS, the project engineer, Birdsall Engineering, has reviewed the proposals and recommends the project be awarded to the low bidder TTI Environmental, Inc. 1253 North Church Street, Moorestown, NJ 08057 in the amount of FOUR HUNDRED FORTY-ONE THOUSAND FIVE HUNDRED DOLLARS ($441,500) (recommendation attached now therefore be it

RESOLVED, that a remedial action clean up contract be awarded to TTI Environmental, Inc. 1253 North Church Street, Moorestown, NJ 08057, in the amount of FOUR HUNDRED FORTY-ONE THOUSAND FIVE HUNDRED DOLLARS (441,500); and be it

FURTHER RESOLVED, that the contract will be funded through a Hazardous Discharge Site Remediation Fund (HDSRF) grant through the New Jersey Departmental Protection in the amount of $323,252 with the necessary balance being funded through existing City of Hoboken Bond Funds; and be it

FURTHER RESOLVED, by the Council of the City of Hoboken in the County of Hudson, that:

1. The Mayor is hereby authorized to execute a contract with TTI Environmental,
Inc. on behalf of the City of Hoboken and to take any other actions necessary to complete and realize the intent and purpose of this resolution.

2. A copy of this resolution shall be published according to law and the City Clerk shall keep a copy of the resulting contract on file.

3. This resolution shall take effect immediately.

The above resolution was withdrawn by sponsor - Councilman Ramos

---By Councilman Russo:


WHEREAS, the New Jersey Tort Claims Act, N.J.S.A. 59:8-6, provides that a public entity may adopt a form to be completed by claimants seeking to file a Notice of Tort Claim against the public entity; and

WHEREAS, the City of Hoboken is a public entity covered by the provisions of the New Jersey Tort Claims Act; and,

WHEREAS, the Council of the City of Hoboken deems it advisable, necessary and in the public interest to adopt a Notice of Tort Claim form in the form attached hereto and made a part hereof.

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Hoboken that the attached Notice of Tort Claim form be and hereby is adopted as the official Notice of Tort Claim form for the City of Hoboken; and,

BE IT FURTHER RESOLVED, that all persons making claims against the City of Hoboken, pursuant to the New Jersey Tort Claims Act, N.J.S.A. 59:8-1, et seq., be required to complete the form herein adopted as a condition of compliance with the notice requirement of the New Jersey Tort Claims Act.

---Motion duly seconded by Council President Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

---By Councilman Russo:
RESOLUTION APPROVING OF CONCEPT PLAN FOR THE REDEVELOPMENT OF THE PUBLIC WORKS GARAGE SITE

WHEREAS, by Ordinance adopted August 13, 2008, the City Council ratified a Redeveloper’s Agreement with SHG Hoboken Urban Renewal Associates, LLC (“SHG”) under the Redevelopment Law, N.J.S.A. 40A:12A-8(f), which authorizes the City Council, as the redevelopment entity of the City of Hoboken, to contract for the redevelopment of the Public Works Garage property (Block1, Lot 1) (“the Garage Property”) in accordance with the Public Works Garage Site Redevelopment Area (the “Redevelopment Plan”), and

WHEREAS, pursuant to said Redeveloper’s Agreement, SHG has submitted a set of architectural renderings and plan details prepared by Dean Marchetto Architects, P.C. and dated September 25, 2008 (the “Concept Plan”) for the redevelopment of the Garage Property to the City Council for concept plan review; and

WHEREAS, the Concept Plan is for the creation of a mixed-use building of 12 stories along Observer Highway and 8 stories on the balance of the property, and containing 240 residential units (including 31 affordable units), 199 parking spaces, and retail and public art studio units, as provided for in the Redevelopment Plan; and

WHEREAS, the City’s planning consultant, Phillips Preiss Shapiro Associates, Inc has reviewed the Concept Plan and finds it to be consistent with the Redevelopment Plan, and the project as described in the Redeveloper's Agreement, and otherwise recommends its approval by the City Council; and

WHEREAS, the Redevelopment Committee of the City Council has reviewed the Concept Plan and recommended same be presented to the City Council.

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

1. The Concept Plan is hereby approved as being in conformity with the Redevelopment Plan and the Redeveloper’s Agreement.

2. SHG is advised to proceed with the preparation and submission of its preliminary site plan application in accordance with the Redeveloper’s Agreement.

Before the vote was taken the following spoke: Gordon Litwin, Esq.; Diane Marsh, Planner, Phillips, Price, Shaparrio; Douglas Cohen; Dean Marchetto, Architect; Daniel Tumpson, 230 Park Avenue; Cheryl Fallick, 204 3rd Street; Mary O’ndrejka, 159 9th Street; Helen Hirsch, 98 Park Avenue; Lane Bajardi, 70 Park Avenue; Tony Soares, 551 Observer Highway.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

08-322
---By Councilman Russo:
APPROVING AN AFFORDABLE HOUSING PROGRAM FOR METRO STOP REDEVELOPMENT SITE.

WHEREAS, the City Council of the City of Hoboken designated MetroStop, LLC as the redeveloper of the site known as 800 Jefferson Street (Block 86 Lot 1-16); and

WHEREAS, the City Council of the City of Hoboken on October 9, 2003 executed a Redeveloper’s Agreement with Metro Stop Enterprises, LLC which included the requirement of the developer to dedicate five (5) 3-bedrooms units in the condominium project known as “Metro Stop” for affordable housing, and,

WHEREAS, the City of Hoboken made the determination to include these five (5) 3-bedroom units in its affordable housing program and further determined that these units would be sold to municipal workers, including policemen, firemen teachers, and employees of the Hoboken Housing Authority through a program which would be created by the City of Hoboken; and

WHEREAS, William Snyder, is a housing consultant who has over twenty years of experience in the creation, development, management, and sale of affordable housing an individual who has also served as the executive director of a number of housing authorities in the State of New Jersey, was asked by the City of Hoboken to prepare a Hoboken Affordable Housing Program for the sale of these (five (5) condominium units; and

WHEREAS, there are five 3-bedroom units available, subject to eligibility requirements, which include (but are not limited to) the following:

Application process shall consist of two steps. The first step will be the completion of a preliminary application and the second step will be the completion of a final application.

After review, eligible applicants will be placed into a lottery that will be conducted at City Hall. The lottery will be open to the public.

Applications will be randomly drawn and placed on a waiting list in the order selected.

Preference on the waiting list shall be given to families with between four (4) to six (6) members and first-time homebuyers.

Eligible applicants must have total household incomes that are no less than 80% (eighty percent) of the area median income, but not more than 120% (one hundred twenty percent) of the area median income.

Applicants must be pre-approved for a mortgage.

Owners required to utilize the unit as their principal residence.

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

1. The attached Hoboken Affordable Housing Program of the City of Hoboken as follows:
2. The firm of Execu-Tech, Inc. 101 Willow Grove Drive, Lincroft, New Jersey 07738 (William Snyder) is hereby approved to implement and operate the Hoboken Affordable Housing Program and to be awarded a contract to effectuate the intent of this resolution, with said contract not to exceed the bid threshold established by the Local Public Contracts Law.

Before the vote was taken the following spoke: Bill Snyder, President, Execu-Teck, Inc., Daniel Tumpson, 230 Park Avenue; Cheryl Fallick, 204 3rd Street; Mary O'ndrejka, 159 9th Street; Forde Prigot, 337 Bloomfield Street; Bill Noonan, 711 Garden Street; Lane Bajardi, 70 Park Avenue; Tony Soares, 551 Observer Highway; Lou Riccio.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Abstentions: Mason.

The City Council took a brief recess at 9:39 p.m.
The meeting was resumed at 9:49 p.m.

08-323
---By Councilwoman Zimmer:

SUPPORTING A GRANT APPLICATION TO NJTPA TO STUDY WAYS TO IMPROVE CONNECTIVITY BETWEEN HOBOKEN AND JERSEY CITY

WHEREAS, the County of Hudson and City of Jersey City have presented the first stage of an application to the New Jersey Transportation Planning Authority (NJTPA) for a grant to study ways to improve connectivity between Hoboken and Jersey City; an

WHEREAS, the support of Hoboken, as shown through the passage of this resolution, is a necessary component of the final grant application to the NJTPA; and

WHEREAS, the study area proposed is by Palisade Ave and Franklin Street (in Jersey City to the west, Paterson Plank Road and 2nd Street to the North, Willow Avenue to the east, and 18th Street (in Jersey City) to the south; and

WHEREAS, Paterson Plank Road carries traffic with a destination outside of Hoboken;

WHEREAS, thru traffic traveling on Paterson Plank Road must make a series of awkward turns through Hoboken, adding to quality gridlock from the heavy volume of traffic; and,

WHEREAS, drivers at the traffic light for the intersection of Marshall Street and
Paterson Plank Road experience large signal delay due to complex signal phasing necessary to accommodate the Hudson-Bergen Light (HBLR) crossing, and significant volumes of traffic on Paterson Plank Road; and

WHEREAS, Hoboken’s Master Plan expressly supports the rerouting of Paterson Plank Road; and

WHEREAS, rerouting Paterson Plank Road will help facilitate the creation of much needed active park space in the Southwest neighborhood; and,

WHEREAS, New Jersey Transit is preparing plans to develop on Observer Highway from Jefferson Street east to the train station which will significantly increase traffic demands in Hoboken’s Southwest area; and

WHEREAS, the study area in Hoboken and Jersey City has potential for redevelopment which may include a shift from current light industrial and commercial uses to predominantly residential uses; and

WHEREAS, the anticipated development may increase demands for mass transit, pedestrian and bicyclist access between Hoboken, Jersey City, and surrounding communities.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken that it expressly supports the application being prepared by the County of Hudson, and City of Jersey City to the North Jersey Transportation Planning Authority (NJTPA) for the funding of a study of ways to improve connectivity between Hoboken and Jersey City, including an analysis of ways to improve road connections, such as rerouting Paterson Plank Road, improvements in mass transit, and pedestrian and bicyclist access; and

BE IT FURTHER RESOLVED, that as a demonstration of the City's commitment, the Governing Body of the City of Hoboken requests that if the proposal is approved by the NJTPA, that the Administration provide support and assistance by providing appropriate personnel and professional staff on an in-kind basis to help manage the study, which is anticipated to include at least four public sessions for Hoboken residents.

Before the vote was taken the following spoke: Rami Pirchersky, 700 1st Street.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

08-324
---By Councilwoman Zimmer:

RESOLUTION TO SUPPORT THE CITY OF HOBNOKEN'S GRANT APPLICATION TO THE BOARD OF PUBLIC UTILITIES TO FUND A MUNICIPAL ENERGY AUDIT AND CALLING FOR IMMEDIATE ENERGY SAVING ACTIONS BY THE CITY.

WHEREAS, the Hoboken City Council has passed a resolution to participate in the Cities for Climate Protection Campaign and the U.S. Mayors Climate Protection Agreement; and,

WHEREAS, Mayor Roberts has signed the Climate Protection Agreement; and

WHEREAS, the City Council has appropriated $25,000 for a municipal energy audit as part of the grant application process with the New Jersey Board of Public Utilities, which if approved will allow the City to receive for most or all of the cost of the audit; and,

WHEREAS, this resolution expressly supports the grant application to the Board Public Utilities; and

WHEREAS, the Board of Public Utilities is still in the process of finalizing its list of approved energy audit vendors; and,

WHEREAS, the U.S. Mayor’s Climate Protection Agreement lists the activities to be undertaken such as:

1. Inventory global warming emissions in City operations and in the community, set reduction targets and create an action plan.
2. Adopt and enforce land-use policies that reduce sprawl, preserve open space, and create compact, walkable urban communities;
3. Promote transportation options such as bicycle trails, commute trip reduction programs, incentives for car pooling and public transit;
4. Increase the use of clean, alternative energy by, for example, investing in “green tags”, advocating for the development of renewable energy resources, recovering landfill methane for energy production, and supporting the use of waste to energy technology;
5. Make energy efficiency a priority through building code improvements, retrofitting city facilities with energy efficient lighting and urging employees to conserve energy and save money;
6. Purchase only Energy Star equipment and appliances for City use;
7. Practice and promote sustainable building practices using the U.S. Green Building Council’s LEED program or a similar system;
8. Increase the average fuel efficiency of municipal fleet vehicles; reduce the number of vehicles; launch an employee education program including anti-idling messages; convert diesel vehicles to bio-diesel;
9. Evaluate opportunities to increase pump efficiency in water and wastewater systems; recover wastewater treatment methane for energy production;
10. Increase recycling rates in City operations and in the community;
11. Maintain healthy urban forests; promote tree planting to increase shading and to absorb CO2; and
12. Help educate the public, schools, other jurisdictions, professional associations, business and industry about reducing global warming pollution.
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken that the City commits to include all of its facilities, including without limitation City Hall, all fire and police stations, the Multi-Service Center, and the municipal garage in a municipal energy audit within the parameters of the $25,000 figure, and based on a contract with an approved Board of Public Utilities vendor; and

BE IT FURTHER RESOLVED, that the City Council commits to expeditiously review energy audit vendor companies once they are approved by the Board of Public Utilities for the municipal energy audit grant program; and

BE IT FURTHER RESOLVED, that the City Council calls on the Administration to begin simple energy saving techniques immediately, such as raising the temperature of the air conditioning levels in all facilities to 70 degrees or higher throughout all its facilities, and turning off computers fully at night; and

BE IT FURTHER RESOLVED, that City Council commits to, and calls upon Mayor Roberts and the directors to commit to, implementing simple energy savings in their workplace and home, and to try to use alternative modes of transportation or public transportation to commute to work one day per week or as much as possible.

Before the vote was taken the following spoke: Maurice DeGennaro, 614 Hudson Street; Jim Vance, 107 Monroe Street; JD Capuano, 1100 Bloomfield Street.

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

08-325
---By Councilman Russo:

A RESOLUTION APPROVING PARTICIPATION WITH THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION THROUGH THE NEW JERSEY DIVISION OF HIGHWAY SAFETY.

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 $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 Divisions 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 authorize 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 Councilwoman Zimmer.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

08-326
---By Councilman Russo:

RESOLUTION APPROVING PARTICIPATION WITH THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION THROUGH THE NEW JERSEY DIVISION OF HIGHWAY SAFETY.

WHEREAS, the City of Hoboken is interested in participating in a program with the N.J. Division of highway Traffic Safety, “Put the Brakes on Fatalities Day” declared for October 10, 2008, and

WHEREAS, Across the nation, traffic crashes caused more than 41,000 fatalities in 2007; and are the leading cause of death for young people age 15 through 34, and

WHEREAS, In New Jersey, 724 individuals lost their lives in traffic crashes in 2007; and

WHEREAS, Alcohol-related crashes accounted for 28 percent of the State’s traffic fatalities, while 25 percent of all fatal crashes involved traveling at unsafe speeds, and

WHEREAS, Motorcyclists, bicycle riders and pedestrians face increased risks on New Jersey's roadways, as people opt for alternatives modes of transportation, and

WHEREAS, 78 motorcyclists, 12 bicyclists and 144 pedestrians were killed in New Jersey in traffic-related crashes in 2007, and

WHEREAS, Safer driving behaviors such as buckling up every ride; obeying posted speed limits; avoiding aggressive driving behaviors and aggressive drivers; never drinking and driving; wearing proper safety gar when riding a motorcycle or bicycle; and focusing solely on driving by avoiding distractions, can dramatically reduce the number of traffic-related injuries and deaths; and
NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that: I Mayor David Roberts, City of Hoboken, County of Hudson, do hereby proclaim October 10,2008, “Put the Brakes on Fatalities Day” and call upon everyone to put these lifesaving behaviors into practice to improve safety on the roadways in our community and throughout the State.

---Motion duly seconded by Councilwoman Zimmer.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

08-327
---By Councilman Russo:

APPOINTING A FISCAL MONITOR FOR THE CITY OF HOBOKEN PURSUANT TO THE STATE SUPERVISION ACT.

WHEREAS, on September 10, 2008, the Local Finance Board of the Division of Local Finance in the New Jersey Department of Community Affairs (“Board”) placed the City of Hoboken under its supervision pursuant to the terms of the “State Supervision Act” N.J.S.A. 52:27BB-54 et. seq; and

WHEREAS, the Local Finance Board specifically placed into effect in the City of Hoboken the provisions of N.J.S.A. 52:27BB-80, which provides for the mandatory appointment of a “fiscal control officer” by the governing body; and,

WHEREAS, this statute further provides that the Local Finance Board submit (3) names of individuals who have been found by the Board to be qualified to perform the duties of “fiscal control officer” for the municipality; and

WHEREAS, the Board has submitted the names of three individuals it has found to be so qualified, Judith Tripodi, Dean Kaplan and Dorothy Johnson, and has directed that the City Council name one of these individuals to the position of “fiscal control officer” at the Council meeting to be held on October 1, 20087; and,

WHEREAS, the Board has further directed that the “fiscal control officer” be paid out of the funds of the municipality in an amount by the governing body and approved by the Board.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Hoboken hereby appoints Judith Tripodi, to serve as the Fiscal Control Officer for the City of Hoboken, pursuant N.J.S.A. 52:27BB-81; and

BE IT FURTHER RESOLVED, that the individual be compensated at an annual amount of $130,000; and
BE IT FURTHER RESOLVED, that this appointment shall continue until his or her services are terminated by the governing body, with the consent of the Board, or the City is no longer subject to the “State Supervision Act;” and

BE IT FURTHER RESOLVED, that the bond requirement N.J.S.A. 52:27BB-80 is waived, subject to the approval of the Board.

Before the vote was taken the following spoke: Richard Tremitiedi, 2 Constitution Court; Lane Bajardi, 70 Park Avenue.

---Motion duly seconded by Councilman Ramos and Councilman Cunningham.
---Adopted by the following vote: YEAS: 7 - NAYS: 1 - ABSTENTIONS: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Ramos, Russo and President Giacchi.
---Nays: Mason.
---Abstentions: Zimmer.

ORDINANCES

Introduction and First Reading

08-328
DR-378

AN ORDINANCE AMENDING CHAPTER 20A OF THE CODE OF THE CITY OF HOBOKEN, “PROFESSIONAL SERVICES CONTRACTS”. DR-378

WHEREAS, in 2004 the voters of the City of Hoboken adopted, by referendum, an ordinance regulating campaign contributions by professional business entities, which is now codified at §20A-5 thorough §20A-10 of the Code of the City of Hoboken; and

WHEREAS, in 2007 the Council of the City of Hoboken adopted Ordinance #DR-297, the “Public Contracting Reform Ordinance,” now codified §20A-11 through §20A-21 of the Code of the City of Hoboken, to further regulate political contributions from those seeking or performing certain contracts with the City; and

WHEREAS, the Council of the City of Hoboken has determined that the 2004 Ordinance should be deleted in its entirety to avoid any potential confusion as to which ordinance applies to this subject-matter; and

WHEREAS, the Council of the City of Hoboken has determined that Ordinance #DR-297 can be further improved and strengthened by creating the position of “Pay-to-Play Compliance Officer,” who will receive and investigate complaints alleging violations of DR-297, as well as the “Redevelopment Pay-to-Play Reform Ordinance,” #DR-298, and will also maintain accurate and publicly-available records relating to this subject;
NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hoboken, County of Hudson, State of New Jersey a follows:

SECTION ONE:

Ordinance #DR-297, the “Public Contracting Reform Ordinance.” Which is now codified at §20A-11 through §20A-21 of the Code of the City of Hoboken, is hereby amended to add a new section, which shall state as follows:

A. There is hereby established the position of “Compliance Officer,” who shall be responsible for enforcement of the “Public Contracting Reform Ordinance” and “Redevelopment Pay-to-Play Reform Ordinance.”

B. The Compliance Officer shall create and update monthly a list of business entities engaged in professional services contracts or extraordinary service contracts as defined in Section 1 (a) of the Public Contracting Reform Ordinance. Included on the list will be the names of any partners, officers, and/or any person who owns 10% or more of the equity or ownership or income interests of each business entity. The Compliance Officer shall provide an updated list to the City Council each month and shall make the list available to the public at the City Clerk’s office and on the City’s official website.

C. The Compliance Officer shall create and update monthly a list of redevelopers with redevelopment agreements with the City as defined in Section 1© of the Redevelopment Pay-to-Play Reform Ordinance. Included on the list will be the names of any partners, officers, and/or any person who owns 10% or more of the equity or ownership or income interests of each business entity. The Compliance Officer shall provide an updated list to the City Council each month and shall make the list available to the public at the City Clerk’s office and on the City’s official website.

D. The City shall request that all candidates for local municipal office in Hoboken submit to the Compliance Officer copies of all campaign financial activity reports they file with the New Jersey Election Law Enforcement Commission (ELEC) concurrently with the filing of those reports with ELEC. If a candidate does not submit the reports to the Compliance Officer, the Compliance Officer shall obtain copies of the reports from ELEC at such time as they become available.

E. The Compliance Officer shall inspect all copies of campaign financial activity reports submitted by candidates or obtained from ELEC for Compliance with the Public Contracting Reform Ordinance and Redevelopment Pay-to-Play Reform Ordinance.

F. The Compliance Officer shall be the designated official for receiving complaints alleging violations of the Public Contracting Reform Ordinance or Redevelopment Pay-to-Play Reform Ordinance.

G. The Compliance Officer shall submit quarterly reports to the City Council and the Mayor regarding all complaints of violations of the Public Contracting Reform Ordinance or Redevelopment Pay-to-Play Reform Ordinance. The reports shall include the following for each such complaint: the status of the investigation of the complaint; the outcome of the investigation if it has been completed; and, the actions, if any, taken as a result of the investigation.
report shall also include the same information of any investigation taken by the Compliance Officer based upon his own review of campaign financial activity reports. The Compliance Officer shall create and make available to the public at the City Clerk’s office and on the City’s official website all final determinations made with respect of any complaints.

SECTION TWO:

The Ordinance entitled “Campaign Contributions by Professional Business Entities,” Approved by referendum by the voters of the City of Hoboken at the General Election of November 2, 2004, and now codified at §20A-5 through §20A-10 of the Code of the City of Hoboken, is hereby repealed in its entirety.

SECTION THREE: Repeal of Inconsistent Provisions

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 FOUR: 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 by a court of competent, jurisdiction, such decision shall not effect the validity of the remaining section, 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 FIVE: Effective Date

This Ordinance shall take effect upon passage and publication as provided by law.

SECTION SIX: Codification

This ordinance shall be a part of the 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 Code.

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken 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.

At this time Councilwoman Mason recused herself.

---Council President Giacchi moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on OCTOBER 15, 2008 at 7:00 PM.

---Motion duly seconded by Councilman Cunningham.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSTENTIONS: 1 - RECUSED: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Abstentions: LaBruno.
---Recused: Mason.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Jon Gordon, 1015 Washington Street; Tom Newman, 225 Garden Street; Richard Tremitiedi, 2 Constitution Court; Maurice DeGennaro, 614 Hudson Street; Helen Hirsch, 98 Park Avenue; Jim Vance, 107 Monroe Street; Councilwoman Castellano left the meeting at 11:35 p.m.; Forde Prigot, 337 Bloomfield Street; Councilwoman Castellano returned to the meeting at 11:40 p.m.

President Giacchi then adjourned the meeting at 11:42 p.m.
MEETING OF OCTOBER 15, 2008

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, OCTOBER 15, 2008 AT 7:00 PM

Vice-President LaBruno 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 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 Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer.

ABSENT: President Giacchi.

Vice President LaBruno said President Giacchi is at an important meeting and will be here as soon as possible.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE AMENDING CHAPTER 20A OF THE CODE OF THE CITY OF HOBOKEN, “PROFESSIONAL SERVICES CONTRACTS”. DR-378

Councilwoman Mason recused herself at this time, 7:03 p.m., and left the meeting.

Vice-President LaBruno 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 of which the heading was read in full.
Speakers: Eric Kurta, 214 Garden Street, Michael Lenz, 408 Monroe Street. No other person present desiring to be heard and no written protests or objections received, President Giacchi 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: 7 - NAYS: 0 - RECUSED: 1 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Ramos, Russo, Zimmer.
---Nays: None.
---Recused: Mason.
---Absent: President Giacchi.

Vice-President LaBruno then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 6 - NAYS: 0 - RECUSED: 1 - ABSTENTIONS: 1 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, Ramos, Russo, Zimmer.
---Nays: None.
---Recused: Mason.
---Abstentions: LaBruno.
---Absent: President Giacchi.

Councilwoman Mason returned to the meeting and voted on Miscellaneous Licenses as follows.

**08-329**

**APPLICATIONS FOR MISCELLANEOUS LICENSES**

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<tr>
<td>Raffles</td>
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<td>Vendors</td>
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<tr>
<td>Mechanical Amusement Devices</td>
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---Councilman Russo moved that the licenses be granted.
---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 7 - NAYS: 1 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, Mason, Ramos, Russo, Zimmer.
---Nays: LaBruno.
---Absent: President Giacchi.
REPORTS OF CITY OFFICERS

08-330

---Received and filed.

08-331
A report of the Municipal Court indicating receipts for the month of September 2008 as $296,541.10.

---Received and filed.

RESOLUTIONS

Presented and Read

08-332
---By Councilwoman Mason:

URGING THE PORT AUTHORITY TRANS-HUDSON SYSTEM TO INCREASE EVENING, WEEKEND AND HOLIDAY TRAIN SERVICE

WHEREAS, the City of Hoboken is a community served by the PATH train system; and

WHEREAS, the City of Hoboken has many visitors and tourists who travel between New York City and Hoboken and thus are a critical part of the economic viability of Hoboken; and

WHEREAS, the PATH system is a reliable mass transportation system that operates with great frequency during the workday and serves thousands of City of Hoboken residents on a daily basis, and the looming prospect of congestion pricing in New York City is likely to increase the reliance on the PATH system; and

WHEREAS, the development of housing in the City of Hoboken will also add to the growing need for more and better PATH service.

WHEREAS, there is a desire to increase the use of public transportation to reduce traffic congestion, need for parking, pollution, pressure to drive while under the influence, and travel costs for our residents and guests; and

WHEREAS, the PATH system schedules are dramatically reduced in the evening, on weekends and on holidays, meaning that users of the system are frustrated by long waits for service during non-peak times, which has the ability to reduce the incentive for using mass transportation; and

WHEREAS, without convenient service, many City of Hoboken resident and visitors will avoid using the system to travel between Hoboken and New York City, Newark, and
Jersey City and use their private vehicles which runs contrary to the purposes of this public entity; and

WHEREAS, the Municipal Council of the City of Hoboken calls upon the PATH train system to increase evening, weekend and holiday service to promote and maintain the public use and reliance on the train as a safe, convenient and reliable mass transportation system.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Hoboken does hereby urge the PORT AUTHORITY TRANS HUDSON system to increase their evening, weekend and holiday train service; and

BE IT FURTHER RESOLVED, that the City Council requests that the City Clerk forward certified copies of this resolution to the cities of New York, Jersey City, Newark and Harrison and request that their governing bodies take similar action; and

BE IT FURTHER RESOLVED, that certified copy of this resolution also be transmitted to the Executive Director and Chairperson of the Port Authority.

Mason / Zimmer / Castellano

The following spoke at this time: Ford Prigot, 337 Bloomfield Street; Gary Holtzman, 80 Bloomfield Street.

---Motion duly seconded by Councilwoman Zimmer and Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer.
---Nays: None.
---Absent: President Giacchi.

08-333

---By Councilman Russo:

RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS FOR THE SFY 2009 BUDGET

WHEREAS, the City of Hoboken is expected to enter into contracts, commitments or payments prior to the adoption of the SFY 2009 budget and no adequate provision has been made in the SFY 2009 temporary budget for the aforesaid purposes, and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose, and

WHEREAS, the total emergency appropriation resolutions adopted in SFY 2009 pursuant to the provisions of N.J.S.A. 40A:4-20 including this resolution total $23,371,830.98 for Current Expenses and $812,000.00 for the Parking Utility.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, County of Hudson, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:
1) Emergency temporary appropriations be and the same are hereby made in the amount of 
$23,371,830.98 for Current Expenses and $812,000.00 for the Parking Utility as follows:

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Parking Utility S&W            | $812,000.00  | $812,000.00|
Authorizing emergency temporary appropriations for the SFY 2009 budget. **FAILED**

The following spoke at this time: Ford Prigot, 337 Bloomfield Street; Maurice DeGennaro, 614 Hudson Street; Jon Gordon, 1015 Washington Street; Richard Tremediti, 2 Constitution Court; Donna Antonucci, 1027 Washington Street; Michael Lenz, 408 Monroe Street.

--- Motion duly seconded by Councilwoman LaBruno.
--- **FAILED** by the following vote: YEAS: 4 - NAYS: 4 - ABSENT: 1
--- Yeas: Council persons Cammarano, LaBruno, Ramos, Russo.
--- Nays: Castellano, Cunningham, Mason, Zimmer.
--- Absent: President Giacchi.

The City Council recessed at 7:50 p.m. and then resumed to the meeting as follows:

**08-334**
--- By Councilman Cunningham:

**ADDITIONAL, AMENDED VERSION OF THE ABOVE RESOLUTION**
Authorizing emergency temporary appropriations for the SFY 2009 budget. **FAILED**

--- Motion duly seconded by Councilwoman Zimmer.
--- **FAILED** by the following vote: YEAS: 3 - NAYS: 5 - ABSENT: 1
--- Yeas: Council persons Castellano, Cunningham, Zimmer.
--- Nays: Cammarano, LaBruno, Mason, Ramos, Russo.
--- Absent: President Giacchi.

**08-335**
--- By Councilman Russo:

**RESOLUTION AWARDING A CONTRACT FOR THE SFY 2009 AUDIT BASED ON THE LOWEST RESPONSIBLE BIDDER.**

WHEREAS, after public advertising the following proposals were received for the SFY 2009 Audit for the City of Hoboken in accordance with the specifications set forth in City of Hoboken.

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<td>Ferraioli, Wielkotz, Cerullo, &amp; Cuva, P.A.</td>
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<td>Garbarini &amp; Co, P.C.</td>
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Samuel Klein & Company $ 95,000.00
Hutchins, Farrel, Meyer, & Allison, P.A. $ 95,000.00
Mercadian Group $99,240.00

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

1. Steven D. Wielkotz of Ferraioli, Wielkotz, Cerullo & Cuva, P.A. is awarded the contract for the SFY 2009 Audit, in an amount not to exceed $ 92,975.00.

2. The Mayor, or his designee is hereby authorized 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. George DeStefano, Chief Financial Officer, has executed the attached certification of the availability of funds for this contract.

The following spoke at this time: Michael Lenz, 408 Monroe Street.

---Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 7 - NAYS: 1 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Ramos, Russo, Zimmer.
---Nays: Mason.
---Absent: President Giacchi.

08-336
--- NO SPONSOR ON THE FOLLOWING RESOLUTION
--- NO SECOND ON THE FOLLOWING RESOLUTION
--- NO VOTE TAKEN

RESOLUTION AUTHORIZING ESTIMATED TAX BILLS FOR FIRST QUARTER 2007

WHEREAS, the SFY 2006 budget has not yet been adopted; and

WHEREAS, the City of Hoboken is attempting to find alternative revenue sources to lessen the burden of taxes on the City’s taxpayers and residents;
WHEREAS, the City of Hoboken is in need of revenues to maintain normal cash flow operations;

WHEREAS, the Tax Collector of the City of Hoboken is hereby authorized to issue estimated tax bills.

NOW, THEREFORE, BE IT RESOLVED, that deadline for receipt of First Quarter 2007 taxes and the grace Period for the collection of those taxes be determined according to P.L. 1994. c.72 (R.S. 54:4-67)

NO SPONSOR, NO SECOND, NO VOTE TAKEN

The following spoke at this time: Ford Prigot, 337 Bloomfield Street; Maurice DeGennaro, 614 Hudson Street; Jon Gordon, 1015 Washington Street; Richard Tremitiedi, 2 Constitution Court; Michael Lenz, 408 Monroe Street; Lane Bajardi, 70 Park Avenue.

Council President Giacchi arrived at the meeting at 8:54 p.m. and assumed the chair as City Council President.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Ellen LoPresto, 400 First Street; Steve Cappiello, 530 Adams Street; Richard Tremitiedi, 2 Constitution Court; at 9:41 p.m., Councilmembers La Bruno, Mason and Ramos left the meeting; speakers continued: Mary Ondrejka, 159 9th Street; at 9:44 p.m. Councilwoman Mason returned; at 9:45 p.m. Councilwoman LaBruno returned; speakers continued: Maurice DeGennaro, 614 Hudson Street; at 9:47 p.m. Councilman Ramos returned; speakers continued: Daniel Tumpson, 230 Park Avenue; Jon Gordon, 1015 Washington Street; David Axelrod, 76 Bloomfield Street; Michael Lenz, 408 Monroe Street; Jessica Coco, 320 Jackson Street; JD Capuano. 1100 Bloomfield Street; Scott De Lea, 1120 Clinton Street; Jim Doyle, 806 Park Avenue.
President Giacchiethen adjourned the meeting at 10:24 p.m.

________________________________________

PRESIDENT OF THE COUNCIL
President Giacchi opened the meeting at 7:08 p.m. and stated, "I would like to advise all those present that notice of this meeting has been provided to the public in accordance with the provisions of the Open Public Meeting Act, and that notice was furnished to The Jersey Journal and The Hoboken Reporter, The 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 Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.

ABSENT: None.

PETITIONS AND COMMUNICATIONS

08-337

PROCLAMATION FROM MAYOR ROBERTS DESIGNATING NOVEMBER 14, 2008 AS “PANCREATIC CANCER AWARENESS DAY” IN THE CITY OF HOBOKEN IN SUPPORT OF PANCREATIC CANCER ACTION NETWORK IN NEW JERSEY.

WHEREAS, pancreatic cancer is the deadliest cancer and the fourth leading cause of cancer death in the United States; and

WHEREAS, there is no cure for pancreatic cancer and there have been no significant improvements in early detection, treatment methods, or survival rates in the last twenty-five years; and

WHEREAS, over 37, 680 people will be diagnosed with pancreatic cancer this year in the United States and 34, 290 will die from the disease, with approximately 1,060 deaths occurring in New Jersey; and
WHEREAS, the incidence of pancreatic cancer is 20 to 30 percent higher in men than in women and 40 to 50 percent higher in African Americans than in other ethnic groups; and

WHEREAS, the good health and well being of the citizens of the City of Hoboken are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes and effective treatment; and

WHEREAS, the Pancreatic Cancer Action Network is the first and only national patient advocacy organization serving the pancreatic cancer community nationwide by focusing its efforts on public policy, research funding, patient services and public awareness and education related to developing effective treatments and a cure for pancreatic cancer;

NOW, THEREFORE, I DAVID ROBERTS, Mayor of the City of Hoboken do hereby issue this proclamation on behalf of the City of Hoboken and its citizens designating November 14, 2008 “Pancreatic Cancer Awareness Day” in the City of Hoboken in support of the Pancreatic Cancer Action Network and its affiliates in New Jersey who support all those patients currently battling pancreatic cancer and are committed to nothing less than a cure.

--Received and filed.

08-338

APPLICATIONS FOR MISCELLANEOUS LICENSES

<table>
<thead>
<tr>
<th>Service</th>
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<tbody>
<tr>
<td>Taxi Cab Owners</td>
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<tr>
<td>Transfer Taxicab</td>
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<tr>
<td>Public Hack Drivers</td>
<td>2</td>
</tr>
<tr>
<td>Limo/Livery Drivers</td>
<td>7</td>
</tr>
</tbody>
</table>

---Councilman Ramos moved that the licenses be granted.
---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: LaBruno.

REPORTS OF CITY OFFICERS

08-339

A report of the Municipal Court indicating receipts for the month of October 2008 as $328,103.27.

---Received and filed.
ORDINANCES

Introduction and First Reading

08-340
DR-379

STATE FISCAL YEAR 2009 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14). (DR-379)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the City Council of the City of Hoboken in the County of Hudson finds it advisable and necessary to increase its SFY 2009 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the City Council hereby determines that a 3.5% increase in the budget for said year, amounting to $ 787,126.42 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the City Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Hoboken in the County of Hudson, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the SFY 2009 budget year, the final appropriations of the City of Hoboken shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to $ 787,126.42, and that the SFY 2009 municipal budget for the City of Hoboken be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,
BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

---Councilman Russo 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 MONDAY, NOVEMBER 24, 2008 at 7:00 PM.

---Motion duly seconded by Council President Giacchi.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Councilpersons Cammarano, Castellano, LaBruno, Ramos, Russo and President Giacchi.
---Nays: Cunningham, Mason, Zimmer.

RESOLUTIONS

Presented and Read

Before the vote was taken on the following eight (8) resolutions one (1) member of the public spoke: Gary Holtzman, 80 Bloomfield Street.

08-341
---By Councilman Ramos:

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE FUNDING AGREEMENT WITH DAY CARE 100

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 $25,000 out of available Community Development funds and $5,508 out of available 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 of the City of Hoboken, or his designee, 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 Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

---By Councilman Ramos:

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE FUNDING AGREEMENT WITH MILE SQUARE DAY CARE

Whereas, the Board of Directors of Mile Square Day Care, located at 301 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 $25,000 out of available Community Development funds and $57,818 out of available Miscellaneous Program Income funds to operate said program within the City of Hoboken; now therefore, be it -

Resolved, that the Council of the Mayor and Council of the City of Hoboken hereby approves the attached Subrecipient Agreement and accepts the obligations under the aforesaid Agreement, and be it --

Further Resolved, that the Mayor of the City of Hoboken, or his designee, 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 Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

---By Councilman Ramos:
RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE FUNDING AGREEMENT WITH HOPES HEAD START

Whereas, the Board of Directors of HOPES Head Start, located at 301 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 $25,000 out of available Community Development funds and $25,531 out of available 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 of the City of Hoboken, or his designee, is hereby authorized and directed to execute said Agreement between the City of Hoboken and HOPES Head Start, and the City Clerk is hereby authorized to attest same and to affix the City Seal.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

08-344
---By Councilman Ramos:

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE FUNDING AGREEMENT WITH HOBOKEN FAMILY PLANNING

Whereas, the Board of Directors of 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 $20,000 out of available Community Development funds and $3,000 out of available Miscellaneous Program Income funds to operate said program within the City of Hoboken; now therefore, be it –

Resolved, that the Council of the Mayor and Council of the City of Hoboken hereby approves the attached Subrecipient Agreement and accepts the obligations under the aforesaid Agreement, and be it –

Further Resolved, that the Mayor of the City of Hoboken, or his designee, is hereby authorized and directed to execute said Agreement between the City of Hoboken and
Hoboken Family Planning, and the City Clerk is hereby authorized to attest same and to affix the City Seal.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

08-345
---By Councilman Ramos:

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE FUNDING AGREEMENT WITH NUESTROS NINOS DAY CARE

Whereas, the Board of Directors of Nuestros Ninos Day Care, located at 301 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 $25,000 out of available Community Development funds and $11,143 out of available Miscellaneous Program Income Funds to operate said program within the City of Hoboken; now therefore, be it –

Resolved, that the Council of the Mayor and Council of the City of Hoboken hereby approves the attached Subrecipient Agreement and accepts the obligations under the aforesaid Agreement, and be it –

Further Resolved, that the Mayor of the City of Hoboken, or his designee, is hereby authorized and directed to execute said Agreement between the City of Hoboken and Nuestros Ninos Day Care, and the City Clerk is hereby authorized to attest same and to affix the City Seal.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

08-346
---By Councilman Ramos:

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE FUNDING AGREEMENT WITH UNITED CEREBRAL PALSY
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 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 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 of the City of Hoboken, or his designee, 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 Cammarano.
--- Adopted by the following vote: YEAS: 9 - NAYS: 0
--- Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
--- Nays: None.

08-347
--- By Councilman Ramos:

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE FUNDING AGREEMENT WITH BOYS & GIRLS CLUB OF HUDSON COUNTY (HOBOKEN UNIT)

Whereas, the Board of Directors of the Boys & Girls Club of Hudson County (Hoboken Unit), located at 119 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 Recreation 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 $10,000 out of available Community Development funds and $2,000 out of available 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 of the City of Hoboken, or his designee, is hereby authorized and directed to execute said Agreement between the City of Hoboken and the Boys & Girls Club of Hudson County (Hoboken Unit), and the City Clerk is hereby authorized to attest same and to affix the City Seal.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

08-348
---By Councilman Ramos:

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE FUNDING AGREEMENT WITH THE JUBILEE CENTER

Whereas, the Board of Directors of The Jubilee Center, located at 601 Jackson 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 After School and Summer Programs 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 $50,000 out of available Community Development funds to operate said program within the City of Hoboken; now therefore, be it -

Resolved, that the Council of the Mayor and Council of the City of Hoboken hereby approves the attached Subrecipient Agreement and accepts the obligations under the aforesaid Agreement, and be it--

Further Resolved, that the Mayor of the City of Hoboken, or his designee, is hereby authorized and directed to execute said Agreement between the City of Hoboken and The Jubilee Center, and the City Clerk is hereby authorized to attest same and to affix the City Seal.
Councilwoman Mason abstained on the above resolution because she contributes to The Jubilee Center.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Abstentions: Mason.

08-349
---By Councilman Russo:
RESOLUTION ESTABLISHING A PETTY CASH FUND FOR THE HOBKVEN FIRE DEPARTMENT

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any county or municipality by application and resolution; and

WHEREAS, it is the desire of the City Council of the City of Hoboken, County of Hudson, State of New Jersey to establish such a fund for the Hoboken Fire Department in the amount of $500.00; and

WHEREAS, the custodian for this fund will be Acting Chief Richard Blohm, who is bonded for the amount of $1,000.00 and shall maintain records for this fund in a manner conducive to proper accounting and auditing procedures;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hoboken hereby authorizes such action and that two copies of this resolution and the required application be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

The following spoke on the above resolution: Maurice DeGennaro, 614 Hudson Street; Helen Hirsch, 98 Park Avenue.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Castellano, Cunningham, LaBruno, Ramos, Russo and President Giacchi.
---Nays: Cammarano, Mason, Zimmer.

08-350
---By Council President Giacchi:

APPROVING CITY COUNCIL CALENDAR FOR MEETINGS FROM NOVEMBER THROUGH JUNE 2009.

RESOLVED, that the following dates and times listed below are adopted as the official meeting dates of the Hoboken City Council for July 2008 through June 2009, and be it further

RESOLVED, that in accordance with N.J.S.A. 10:4-8(d) and 10:4-18 (Open Public Meetings Act, within seven (7) days of passage of this Resolution, in at least one location at City Hall reserved for similar announcements; (b) mail, telephone, telegram or hand deliver this Resolution to all of the official newspapers of the City of Hoboken

RESOLVED, that this Resolution be advertised in two of the City’s official newspapers within (7) days of passage.

CITY COUNCIL MEETINGS, COUNCIL CHAMBERS
CITY, HALL HOBKVEN, NJ

NOTICE OF DATES AND TIMES FOR JULY 2008 THROUGH JUNE 2009
---Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

08-351
---By Councilman Russo

RESOLUTION AUTORIZING THE DETERMINATION OF THE RESERVE FOR UNCOLLECTED TAXES APPROPRIATION, FOR THE SFY 2009 BUDGET, TO BE BASED ON THE PREVIOUS THREE YEARS RATE OF TAX COLLECTIONS AND PETITION FOR A PERCENTAGE INCREASE TO 97% OF TAX COLLECTION

WHEREAS, N.J.S.A. 40A:4-41 et. seq (local budget law) provides for the determination of the reserve for uncollected taxes appropriation utilizing the average of the last three (3) fiscal years rates of tax collections upon authorization of the Governing body and prior to budget introductions, and

WHEREAS, the determination of the reserve for uncollected taxes appropriation utilizing the average of the last three (3) fiscal years rates of tax collections results in an appropriation of $8,675,068.00 vs. an appropriation of $25,597,527.97 utilizing only SFY 08 rate of tax collection.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, in the County of Hudson, State of New Jersey, that the Chief Financial Officer be and is hereby authorized to determine the SFY 09 reserve for uncollected taxes appropriation utilizing the average of the last three (3) years rates of tax collection, and

BE IT FURTHER RESOLVED, that the Director of the Division of Local Government Services, be and is hereby petitioned to allow the permitted percentage of tax
collection be increased to 97% thus giving $4,717,296.37 of direct tax relief to the citizens of Hoboken, during this difficult economic time.

The following spoke on the above resolution: Maurice DeGennaro, 614 Hudson Street; Donna Antonucci, 1027 Washington Street; Richard Tremietiedi, 2 Constitution Court.

---Motion duly seconded by Councilman Cunningham.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

The following SFY '09 Municipal Budget Introduction was submitted by Fiscal Monitor Judith Tripodi.

---There was no City Council Sponsor for this SFY '09 Municipal Budget Introduction:

08-352

INTRODUCTION OF THE SFY '09 MUNICIPAL BUDGET (sheet #2 of the budget document)

REFER TO SHEET # 2 OF THE BUDGET DOCUMENT

The following spoke on the above resolution: Maurice DeGennaro, 614 Hudson Street; Donna Antonucci, 1027 Washington Street; Richard Tremietiedi, 2 Constitution Court; Lane Bajardi, 70 Park Avenue; Chris Bionco, 1025 Maxwell (Lane); Ford Prigot, 337 Bloomfield Street; Mathew Conn, 163 14th Street; Charles Mancini, 708 Willow Avenue.

---There was no City Council Sponsor and/or Second for this SFY '09 Municipal Budget Introduction.
---FAILED by the following vote: YEAS: 0 - NAYS: 9
---Yeas: None.
---Nays: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.

Although the above SFY '09 Municipal Budget Introduction FAILED the City Council vote (YEAS: 0 - NAYS: 9), it is the working introduced budget due to the fact that it was submitted by Fiscal Monitor Judith Tripodi and Ms. Tripodi, in her authority, overrode the City Council’s Amended Budget.

At this time, a motion was made to Suspend the Agenda by Councilman Cammarano and the motion was duly seconded by Councilwoman LaBruno and supported unanimously.
YEAS: 9 - NAYS: 0 ---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi. ---Nays: None.

08-353
---By entire City Council:

AS AMENDED
INTRODUCTION OF THE SFY '09 MUNICIPAL BUDGET
(sheet #2 of the budget document).

REFER TO SHEET # 2 OF THE BUDGET DOCUMENT.

---Motion duly seconded by entire City Council.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

Although the above AMENDED SFY '09 Municipal Budget Introduction PASSED the City Council with a vote of (YEAS: 9 - NAYS: 0), it is NOT the working introduced budget due to the fact that it was OVERRIDDEN by Fiscal Monitor Judith Tripodi and Ms. Tripodi, in her authority, overrode the City Council's Amended Budget.

08-354
---By Councilman Cunningham:

SUPPORTING THE ANNETTE ILLING MEMORIAL AT PIER A PARK
(TREE PLANTING MEMORIAL)

WHEREAS, Annette Iling was a known and respected activist in Hoboken, fighting for the right side of many causes, especially Pier A Park; and

WHEREAS, the community has come together to pay tribute by proposing a memoriam in her name in Pier A Park; and

WHEREAS, funding for the Annette Iling memorial will be paid for with private donations at no cost to the taxpayer; and

WHEREAS, it will not commence until fully funded;

WHEREAS, this memorial is considered a change under the City of Hoboken’s Parkland Ordinance requiring that the procedures under the Ordinance be followed; and

WHEREAS, the required official public meetings have been held in accordance with the above-referenced ordinance to hear concerns the citizens of Hoboken might have in regards to placement, type and funding of her memorial; and
WHEREAS, the Council’s Parks and Recreation Subcommittee has met and reviewed said plans with the community and proposes said changes in Pier A Park and recommends said changes to the whole Council; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken fully supports and recommends said changes to Pier A Park to provide the friends of Annette Illing access to Pier A Park to build said memoriam in accordance with their plans attached herewith; and

BE IT FURTHER RESOLVED, that the Administration take all actions necessary to realize the intent and purpose of this resolution.

---Motion duly seconded by Councilwoman Mason and Councilman Russo.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

ORDINANCES

Introduction and First Reading Continued

08-355
DR-380
AN ORDINANCE TO REDUCE OPERATING COSTS, IMPROVE ENERGY EFFICIENCY AND PROMOTE ENVIRONMENTAL HEALTH WITHIN CIVIC BUILDINGS BY ESTABLISHING CHAPTER 35 – TO THE CODE OF THE CITY OF HOBOKEN ENTITLED: CIVIC GREEN BUILDINGS. (DR-380)

WHEREAS, the City Council has previously resolved to participate in the Cities for Climate Protection Campaign by following the activities adopted in the U.S. Mayors’ Climate Protection Agreement and as a participant, pledged to take a leadership role in promoting public awareness about the causes and impacts of climate change; and,

WHEREAS, Mayor David Roberts signed the U.S. Mayors Climate Protection Agreement on April 16, 2008 and has pledged the City of Hoboken to create and implement a plan that will reduce carbon dioxide (CO2) emissions in the city by 2020; and,

WHEREAS, it is the responsibility of the City Council and Administration to promote the health, safety and productivity of city residents, workers and visitors; and,

WHEREAS, it is critical to both the economic and environmental health of the city that its government provide leadership to both the private and public sectors in the arena of energy efficiency and “green” construction, and the most immediate and meaningful way to do this is to include energy efficiency and green building elements in as many public buildings as feasible; and,
WHEREAS, “green” building design, construction and remodeling of public buildings will produce both environmental and cost savings benefits to the city, and these benefits can be passed along to taxpayers through environmentally friendly, cheaper-to-operate building.

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

SECTION ONE:

The Code of the City of Hoboken is hereby amended to include a new chapter, entitled “Civic Green Buildings,” which shall read as follows (code chapter to be determined upon adoption and codification):

Chapter xx: CIVIC GREEN BUILDINGS

§ xx-1. Purpose and Findings

§ xx-2. Definitions

§ xx-3. Applicability

§ xx-4. Implementation

§ xx-5. Compliance

§ xx-6. Exemptions

§ xx-1. Purpose and Findings

The City Council of the City of Hoboken finds that:

A. The design, construction, and maintenance of buildings and structures within the city can have a significant impact on the city’s environmental sustainability, resource usage and efficiency, waste management, and the health and productivity of residents, workers and visitors.

B. “Green” building design, construction, and operation can have a significant positive effect on energy and resource efficiency, waste and pollution generation, and the health and productivity of a building’s occupants for the life of the building.

C. Green building design and construction decisions made by the city in the construction and remodeling of public buildings result in environmental benefits and cost savings to the city over the life of the buildings. By calling on the city to include green building measures in its own facilities, the City Council provides taxpayers a benefit through environmentally friendly, cheaper-to-operate buildings while simultaneously helping to develop markets for recycled, recyclable and environmentally sound materials.
D. Green building benefits are spread throughout the system and features of the building. Building “green” can include, among other things, the use of certified sustainable wood products; aggressive use of high-recycled-content products; recycling of waste that occurs during deconstruction, demolition, and construction; enhancement of indoor air quality by selection and use of construction materials that do not have chemical emissions that are toxic or irritating to building occupants; modification of heating, ventilation, and air conditioning systems to provide energy efficiency and improved indoor air; use of water conserving methods and equipment; and installation of alternative energy methods for supplemental energy production.

E. In recent years, green building design, construction and operational techniques have become increasingly widespread. Many homeowners, businesses and building professionals have voluntarily sought to incorporate green building techniques into their projects. A number of local and national systems have been developed to serve as guides to green building practices. The U.S. Green Building Council, developer of the Leadership in Energy and Environmental Design (LEED™) Commercial Green Building Rating System and LEED™ Reference Guide, has become a leader in promoting and guiding green building.

F. Requiring certain city projects to incorporate LEED™ green building measures is necessary and appropriate to achieve the benefits of green building.

G. It is critical to both the economic and environmental health of the city that the city provides leadership to both the private and public sectors in the arena of energy efficiency and “green” construction. The most immediate and meaningful way to do this is to include energy efficiency and green building elements in as many public buildings as feasible.

H. It is in the public interest to address the appropriateness of mandating green building requirements for private projects separately from, and subsequent to, applying such requirements to city projects. Accordingly, unless and until the City Council determines otherwise, the provisions of this chapter shall not apply to private sector development.

§ xx-2. Definitions

As used in this chapter, the following terms shall have the meanings indicated:

BUILDINGS – means any structure used or intended for supporting or sheltering any use or occupancy as defined in the New Jersey Municipal Land Use Law (NJ-MLUL).

CITY PROJECT – means new construction or renovation primarily funded by the city, conducted on city-owned property, or managed by city personnel from design through construction, and any buildings constructed for the city’s use under a build-to-suit program. “City project” shall not include traditional public works projects (defined below), and joint ventures between the city and a private developer.
COMPLIANCE OFFICIAL – means the city’s community development director or his/her designee who is responsible for enforcing this chapter for any given city project.

CONSTRUCTION – means the building of any building or structure or any portion thereof.

GREEN BUILDING PRACTICES – means a whole system approach to the design, construction and operation of buildings and structures that help mitigate the environmental, economic, and social impacts of construction, demolition, and renovation. Green building practices such as those described in the LEED™ rating system, recognize the relationship between natural and built environments and seek to minimize the use of energy, water and other natural resources and provide a healthy, productive environment.

HISTORICAL STRUCTURE – means any building or structure listed on or eligible for listing on the national, state or local register of historic resources, or identified in the Code of the City of Hoboken; Chapter 196 Article III; §196-7.B. Historic Sites.

INITIATED – means officially identified and fully funded to offset all the costs associated with the project as found in the capital improvement program or city budget.

LEED™ RATING SYSTEM – means the most recent version of the Leadership in Energy and Environmental Design (LEED™) Commercial Green Building Rating System™, or other related LEED™ rating system, approved by the U.S. Green Building Council.

RENOVATION – means:
1. A structural change to the foundation, roof, floor or exterior of load-bearing walls of a facility, or the extension of an existing facility to increase its floor area; or
2. Alteration of an existing facility, such as to significantly change its function, even if such renovation does not include any structural change to the facility.

STRUCTURE – means that which is built or constructed, an edifice of building of any piece of work artificially built or composed of parts joined together in some definite manner and permanently attached to the ground, as defined in the NJ-MLUL.

TRADITIONAL PUBLIC WORKS PROJECTS – means heavy construction projects, such as pump stations, flood control improvements, roads, bridges, traffic lights, sidewalks, bike paths and associated infrastructure on city-owned and/or maintained property.

§ xx-3. Applicability

This chapter shall apply to all city projects as defined above.

§ xx-4. Implementation

All city projects initiated on or after the effective date of the ordinance codified in this chapter, except traditional public works projects, shall meet minimum LEED™ “Silver”
rating under the LEED™ rating system. The green building compliance official shall be responsible for verifying the appropriate green building rating.

§ xx-5. Compliance

The green building compliance official shall promulgate any rules and regulations necessary of appropriate to achieve compliance with the green building practices stated in this chapter. The rules and regulations promulgated by the green building compliance official under this section shall provide for at least the following:

A. The incorporation of green building practices of this chapter into the appropriate design and construction contract documents prepared for the applicable city projects.

B. Standards specifying how contractor bids or responses to requests for proposals must indicate plans for meeting all applicable LEED™ standards required under this chapter. All projects following the LEED™ rating system shall be required to have a LEED™ accredited professional on the project team.

C. The green building compliance official shall administer and monitor compliance with the green building practices set forth in this chapter and with any rules or regulations promulgated hereunder, and to make recommendations to the City Council concerning the granting of waivers or exemptions from the requirements of this chapter. At a minimum the compliance official shall require: (1) a green building project checklist be submitted; (2) that all building plans indicate in the general notes or individual detail drawings, where feasible, the green building measures to be used to attain the applicable LEED™ rating.

§ xx-6. Exemptions

Compliance with the provisions of this chapter may be waived in unusual circumstances where the City Council has, by resolution, found and determined that the public interest would not be served by complying with such provisions. Historic structures are exempt from the requirements of this chapter. City projects in historic structures will incorporate as many of the green building measures as feasible from the LEED™ commercial rating system without compromising the historical integrity of the structure.

SECTION TWO:

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

SECTION THREE:

This ordinance shall be a part of the 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 Code. The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken 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.
SECTION FOUR:

This Ordinance shall take effect as provided by law.

---Councilwoman Mason 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 MONDAY, NOVEMBER 24, 2008 at 7:00 PM.

---Motion duly seconded by Councilman Russo and Councilwoman-at-Large LaBruno.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

RESOLUTIONS CONTINUED
(added at the meeting)

08-356
---By Councilwoman Zimmer, Councilman Cunningham and Councilman Russo:

CALL FOR ACCOUNTING OF ALL MONEY OWNED TO THE CITY OF HOBOKEN

WHEREAS, Hoboken taxpayers face a 47 percent increase in the 1st and 2nd quarter taxes for 2008.

WHEREAS, this tax burden represents a severe financial hardship for many residents.

WHEREAS, the Council is extremely concerned about reducing the burden to Hoboken taxpayers as much as possible.

NOW, THEREFORE, BE IT RESOLVED that the City Council calls on George DeStefano and Steve Kleinman, to develop a list of all funds owned to the City and the date in which they occurred.

NOW, THEREFORE, BE IT RESOLVED that the City Council asks for an update and action plan to be presented to the council for collection of such funds.

---Motion duly seconded by Councilwoman Zimmer, Councilman Cunningham and Councilman Russo.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

The above resolution was OVERRIDDEN by Fiscal Monitor Judith Tripodi and therefore it is NOT ADOPTED.
CALL FOR ALL DIRECTORS TO DEVELOP PLAN FOR 25 PERCENT REDUCTION IN OPERATING BUDGET

WHEREAS, the City of Hoboken needs to reduce its expenses significantly to alleviate the tax burden for Hoboken residents.

WHEREAS, the Directors know the operations for their departments firsthand.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Hoboken calls on all Directors to provide an analysis and written report on how they could reduce the costs for each of their departments by 25 percent.

NOW, THEREFORE, BE IT RESOLVED that all Directors be prepared to provide written reports to all Council members 1 ½ weeks from the passage of this resolution.

NOW, THEREFORE, BE IT RESOLVED that all Directors are hereby requested to prepare a presentation to the Council to discuss how they could cut their budget by 25 percent going forward for the fiscal 2009 year.

---Motion duly seconded by Councilwoman Zimmer, Councilman Cunningham and Councilman Russo.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

The above resolution was OVERRIDDEN by Fiscal Monitor Judith Tripodi and therefore it is NOT ADOPTED.

RESOLUTION AUTHORIZING ISSUANCE OF SUBPOENAS TO TESTIFY BEFORE THE HOBOKEN CITY COUNCIL

WHEREAS, the Council of the City of Hoboken is authorized to issue subpoenas for the sworn testimony of municipal officials pursuant to N.J.S.A. 40A;69-1 et. seq. (Faulkner Act) and more specifically N.J.S.A. 40A;69-37(a); and

WHEREAS, the City of Hoboken overspent its budget by approximately $10 million during SFY 2008; and
WHEREAS, Hoboken taxpayers are concerned about the high increase in their taxes; and

WHEREAS, the Council believes in the urgent need for accountability in the Administration’s operations; and

WHEREAS, the Council believes new policies and procedures must be established to prevent future over expenditures; and

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Hoboken authorizes the issuance of subpoenas pursuant to its investigative authority to the following municipal officials: Parking Utility Director John Corea; Parking Utility Employee Anthony Riccardi; and Tax Collector Louis Picardo, all to appear before the Council at a meeting of the Committee of the Whole to be held in the City Council chambers on Monday, November 17th, 2008 at 7:00 PM; and

BE IT FURTHER RESOLVED, that subpoenas shall also be issued to Chief Financial Officer Geoge DeStefano, Director Fred Bado, Director John Pope, Director William Bergin and Director Joseph Peluso, Former Business Administrator Richard England and Mayor David Roberts for a date and time to be determined by the Council, but no less than 10 days after the date of issuance of the subpoena; and

BE IT FURTHER RESOLVED, that Corporation Counsel is authorized to prepare the appropriate form of subpoena and that said subpoena shall be served by any police officer or constable of the municipality forthwith.

---Motion duly seconded by Councilwoman Zimmer.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

The above resolution was OVERRIDDEN by Fiscal Monitor Judith Tripodi and therefore it is NOT ADOPTED.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Councilwoman Mason left the meeting at 9:45 p.m.; Helen Hirsch, 98 Park Avenue; Councilwoman LaBruno left the meeting at 9:46 p.m.; Councilwoman Mason returned at 9:48 p.m.; Councilwoman LaBruno returned at 9:49 p.m.; Councilwoman Zimmer left the meeting at 9:50 p.m.; Maurice DeGennaro, 614 Hudson Street; Councilwoman Zimmer returned at 9:55 p.m.; Richard Tremediti, 2 Constitution Court; Lane Bajardi, 70 Park Avenue; Councilman Ramos left the meeting at 10:06 p.m.; Bill Noonan, 711 Garden Street; Eric Kurda, 214 Garden Street; Councilwoman Zimmer left the meeting at 10:11 p.m.; Councilwoman Zimmer returned at 10:14 p.m.

At 10:16 p.m. the city council entered into a recess.

At 10:27 p.m. the city council resumed the meeting.
At 10:36 p.m. the city council entered into a closed session.

08-359
---By Councilwoman LaBruno:

CLOSING SESSION.

WHEREAS, the Council of the City of Hoboken is authorized pursuant to the Open Public Meetings Act (OPMA) to enter into closed session for the reasons set forth in this statute; and

WHEREAS, the Council has determined that there is need to go into closed session to discuss certain personnel matters, which is permissible under the OPMA;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Hoboken shall enter into closed session to discuss said personnel matters; and

---Motion duly seconded by Council President Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

At 10:43 p.m. the City Council on a motion by Councilwoman LaBruno; duly seconded by Councilman Russo and voted on unanimously the City Council came out of closed session.

President Giacchi then adjourned the meeting at 10:45 p.m.

______________________________
PRESIDENT OF THE COUNCIL
President Giacchi 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 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 Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.

ABSENT: None.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

STATE FISCAL YEAR 2009 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14). (DR-379)

President Giacchi 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 of which the heading was read in full.

The following spoke on the ordinance: Maurice DeGennaro, 614 Hudson Street; Donna Antonucci, 1027 Washington Street; John Leppert, 524 Jefferson Street; Ray Lavoie, 512 Garden Street. No other person present desiring to be heard and no written protests or objections received, President Giacchi asked for a motion to close the hearing.
Councilwoman LaBruno moved that the hearing be closed.
Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

Council President Giacchi 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 Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

AN ORDINANCE TO REDUCE OPERATING COSTS, IMPROVE ENERGY EFFICIENCY AND PROMOTE ENVIRONMENTAL HEALTH WITHIN CIVIC BUILDINGS BY ESTABLISHING CHAPTER 35 – TO THE CODE OF THE CITY OF HOBOKEN ENTITLED: CIVIC GREEN BUILDINGS. (DR-380)

President Giacchi 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 of which the heading was read in full.

The following spoke on the ordinance: Helen Hirsch, 98 Park Avenue. No other person present desiring to be heard and no written protests or objections received, President Giacchi asked for a motion to close the hearing.

Councilwoman LaBruno moved that the hearing be closed.
Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

Council President Giacchi 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 Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

08-360
APPLICATIONS FOR MISCELLANEOUS LICENSES

Vendors------------------------------------------------------------------- 3
---Councilman Russo moved that the licenses be granted.
---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

RESOLUTIONS

Presented and Read

08-361
---By Councilman Russo:

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS/INTEREST
FOR TAX APPEALS GRANTED BY THE HUDSON COUNTY BOARD OF TAXATION
AND/OR THE NEW JERSEY STATE TAX COURT

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

WHEREAS, Louis P. Picardo, Collector of Revenue recommends that refunds be made;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, County of Hudson, State of New Jersey, that warrants be drawn and made payable in the amount of $65,107.97 as follows.

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>ELIZABETH KENEAGY</td>
<td>196/11/C000B</td>
<td>921 GARDEN ST</td>
<td>$1,892.20</td>
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<tr>
<td>921 GARDEN ST. Apt.B</td>
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<td></td>
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<tr>
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<td></td>
</tr>
<tr>
<td>JOHN DUISGIAN</td>
<td>52/17/C0003</td>
<td>331 GRAND ST</td>
<td>$ 996.06</td>
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<td>331 GRAND ST #3</td>
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<td>HOBOKEN, NJ 07030</td>
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<td>COUNTRYWIDE TAX SERVICE</td>
<td>58/24/C0001</td>
<td>402 MADISON ST</td>
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<tr>
<td>P.O. BOX 10211-SV3-24</td>
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<tr>
<td>VAN NUYS, CA 91410-0211</td>
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<tr>
<td>KELLY DOLAN</td>
<td>7/4/C005E</td>
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<td>610 NEWARK ST #5E</td>
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<td>ELAIRES CORPORATION</td>
<td>160/15</td>
<td>800-812 WILLOW AVE</td>
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<tr>
<td>P.O. BOX 6098</td>
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---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
08-362
---By Councilman Russo:

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS/INTEREST

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

WHEREAS, Louis P. Picardo, Collector of Revenue recommends that refunds be made; now, therefore, be it-

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, County of Hudson, State of New Jersey, that warrants be drawn and made payable in the amount of $27,538.76 as follows.

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<td>LISA POMPER</td>
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<td>HUGO SMULDERS</td>
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<td>FIRST AMERICAN</td>
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<td>FORT WORTH, TX 76161-0230</td>
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<td>VAN NUYS, CA 91410-0211</td>
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<td>LAS LLC</td>
<td>85/2</td>
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<tr>
<td>PAUL DERNAVICH</td>
<td>83/13/C003A</td>
<td>729 MADISON ST</td>
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<td>729 MADISON STREET #3A</td>
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<td>ERE FURBINO</td>
<td>159/15/C0008</td>
<td>728 WILLOW AVE</td>
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<td>728 WILLOW AVE. #4R</td>
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<tr>
<td>CHASE HOME</td>
<td>2/5/C005C</td>
<td>415 NEWARK ST</td>
<td>$1,607.01</td>
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Meeting of November 24, 2008
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<tr>
<th>Name</th>
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<th>Address</th>
<th>Amount</th>
</tr>
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<tr>
<td>FINANCE LLC</td>
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</tr>
<tr>
<td>DANNA COLON</td>
<td>30/14.1/C0001</td>
<td>130 ADAMS ST #1</td>
<td>$ 46.50</td>
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<tr>
<td>VNB MORTGAGE SERVICES, INC.</td>
<td>175/15/C005S</td>
<td>74 GARDEN ST</td>
<td>$1,065.33</td>
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<td>TBI MORTGAGE CO.</td>
<td>268.1/3/C005O</td>
<td>1500 HUDSON ST</td>
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<td>KENNITH HEISSLER</td>
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<td>83 MONROE ST</td>
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<td>418 MADISON LLC</td>
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<td>416-418 MADISON ST</td>
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<td>DE MARCO &amp; DE MARCO</td>
<td>170/5/C004L</td>
<td>809 WILLOW AVE. #4L</td>
<td>$1,261.46</td>
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<td>DANIEL DECAVAIGNAC</td>
<td>217.1/13.1</td>
<td>636 HUDSON ST</td>
<td>$ 179.61</td>
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<td>ROBERT A. SILBER, ESQ.</td>
<td>268.1/2/C002U</td>
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<tr>
<td>KATHLEEN KENNY</td>
<td>185/34/C0001</td>
<td>1020 GARDEN ST</td>
<td>$ 94.99</td>
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<tr>
<td>DONNA ADANUNCIO PARKS</td>
<td>176/7.1/C05-A</td>
<td>99 PARK AVE</td>
<td>$150.24</td>
</tr>
</tbody>
</table>
---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

08-363
---By Councilwoman LaBruno:

RESOLUTION AWARDING A CONTRACT FOR THE ANNUAL RENTAL OF THIRTY SEVEN (37) PARKING SPACES IN MUNICIPAL GARAGE “B”.

WHEREAS, and after public advertising, the following proposal was received for the annual rental of thirty seven (37) parking spaces in municipal garage “B” for the City of Hoboken in accordance with the specifications set forth in City of Hoboken Bid 09-05.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enterprise Rent A Car</td>
<td>$115,140.00 annually</td>
</tr>
<tr>
<td>1430 Park Avenue</td>
<td></td>
</tr>
<tr>
<td>Hoboken, N.J. 07030</td>
<td></td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED, by City Council of the City of Hoboken, County of Hudson, State of New Jersey 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, contingent on all mandated requirements being met, for the above references goods and/or services based upon the following information:

   Enterprise Rent A Car
   1430 Park Avenue
   Hoboken, N.J. 07030

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

08-364
---By Councilman Russo:

RESOLUTION APPOINTING CMX ENGINEERING TO PERFORM SPECIAL ENVIRONMENTAL ENGINEERING SERVICES FOR THE CITY OF HOBOKEN

WHEREAS, the City of Hoboken has entered into a contract with S. Hekemian Group for the sale of the Hoboken Public Works Garage; and

WHEREAS, as a condition of closing on this $25.5 million transaction, the City with respect to the Public Works Garage Site for the last several years, this firm has gained special expertise and knowledge of this property that will allow it to provide these services for the City in the most efficient and cost-effective manner; and

WHEREAS, as CMX has services as consulting engineers to the City with respect to the Public Works Garage Site for the last several years, this firm has gained special expertise and knowledge of this property that will allow it to provide these services for the City in the most efficient and cost-effective manner; and

WHEREAS, this special expertise and knowledge provides a basis for waiving the competitive negotiation provisions of Hoboken Ordinance #DR-154 (codified as §20A-1. et. seq. of the Code of the City of Hoboken), as permitted by the Ordinance, but CMX Engineering shall still be required to fully abide by the anti “pay-to-play” requirements of the Hoboken Public Contracting Reform Ordinance, #DR-154 (codified as §20A-11 et. seq. of the Code of the City of Hoboken); and

WHEREAS, this type of work constitutes a professional service as defined by N.J.S.A. 40A:11-2(b) and as such, is exempt from public bidding requirements pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, funds for this agreement are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken (a majority vote of the full Council concurring) does hereby authorize a contract between the City of Hoboken and CMX Engineering to provide professional engineering services as set forth above;

BE IT FURTHER RESOLVED, that the Council of the City of Hoboken in the County of Hudson, that:

1. A contract for Special Environmental Engineer for the City of Hoboken shall be prepared and executed with the following vendor:

   CMX Engineering
   Justin Corporate Center
   200 State Highway Nine
   P.O. Box 900
   Manalapan, NJ 07726-0900

   Such firm to be paid a total amount not to exceed $65,185.00 for the services as set forth in its proposal attached hereto and made a part hereof.
2. This Agreement shall be effective November 1, 2008 and terminate November 30, 2009.

3. The Mayor is hereby authorized to execute a contract with CMX Engineering for professional engineering services on behalf of the City of Hoboken and to take any other actions necessary to complete and realize the intent and purpose of this resolution.

4. The City Clerk shall publish notice of this resolution 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) and shall keep a copy of the resulting contract on file in accordance with N.J.S.A. 40A:11-1 et seq.

5. This resolution shall take effect immediately.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

08-365
---By Councilwoman Castellano:


The following spoke on the resolution: Ray Lavoie, 512 Garden Street.

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Cammarano, Castellano, LaBruno, Ramos, Russo and President Giacchi.
---Nays: Cunningham, Mason, Zimmer.

08-366
---By Councilman Ramos:

REAPPOINTING ANGEL ALICEA TO THE HOBOKEN HOUSING AUTHORITY FOR A FIVE YEAR TERM TO EXPIRE ON MAY 8, 2013.

WHEREAS, pursuant to the Code of the City of Hoboken §38-1, the City of Hoboken has established a Housing Authority; and,
WHEREAS, §38-2 of the Code of the City of Hoboken provides for seven (7) members to serve on the Housing Authority; and

WHEREAS, New Jersey law gives authority to the City Council to appoint five (5) members serving on the Housing Authority; and

WHEREAS, the expiration date for the term of office for the position held by Commissioner Angel Alicea was May 3, 2008, and he is currently serving in a holdover capacity; and

WHEREAS, the City Council has followed the process contemplated by the “Citizens Service Act,” in that it has sought applications for the position for a period of 30 days, and reviewed all of the applications for the position, and Mr. Alicea has timely submitted his application to the Clerk of the City of Hoboken;

NOW THEREFORE IT BE RESOLVED, that the Council of the City of Hoboken hereby reappoints Angel Alicea of 717 Monroe Street, Hoboken, to serve as a member of the Hoboken Housing Authority for a term of five (5) years to expire on May 3, 2013.

The following spoke on the resolution: Nick Calicciano, 501 Marshall Drive; Margie Biart, 455 9th Street; Linda Petrozelli, 455 8th Street; Donna Antonucci, 1027 Washington Street; Walter Brown, 311 13th Street; Marianne Camporeale, 311 13th Street; Perry Belfiore, 161 11th Street; after the City Council spoke, one female member of the public spoke; Clareria, 917 Clinton Street.

---Motion duly seconded by Councilwoman LaBruno and Councilman Cammarano.
---FAILED by the following vote: YEAS: 4 - NAYS: 5
---Yeas: Council persons Cammarano, LaBruno, Ramos and President Giacchi.
---Nays: Castellano, Cunningham, Mason, Russo, Zimmer.

08-367
---By Councilwoman Zimmer:

APPOINTING HECTOR CLAVERIA TO THE HOBOKEN HOUSING AUTHORITY FOR A FIVE YEAR TERM TO EXPIRE ON MAY 8, 2013.

WHEREAS, pursuant to the Code of the City of Hoboken §38-1, the City of Hoboken has established a Housing Authority; and,

WHEREAS, §38-2 of the Code of the City of Hoboken provides for seven (7) members to serve on the Housing Authority; and

WHEREAS, New Jersey law gives authority to the City Council to appoint five (5) members serving on the Housing Authority; and

WHEREAS, the expiration date for the term of office for the position held by Commissioner Angel Alicea was May 3, 2008, and he is currently serving in a holdover capacity; and

WHEREAS, the City Council has followed the process contemplated by the “Citizens
Service Act, “in that it has sought applications for the position for a period of 30 days, and reviewed all of the applications for the position, and Mr. Alicea has timely submitted his application to the Clerk of the City of Hoboken;

NOW THEREFORE IT BE RESOLVED, that the Council of the City of Hoboken hereby appoints Hector Claveria of 917 Clinton Street, Hoboken, to serve as a member of the Hoboken Housing Authority for a term of five (5) years to expire on May 3, 2013.

The following spoke on the resolution: Perry Belfiore, 161 11th Street.

---Motion duly seconded by Councilman Cunningham.
---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yea: Council persons Castellano, Cunningham, Mason, Russo, Zimmer.
---Nay: Cammarano, LaBruno, Ramos, President Giacchi.

At 8:38 p.m. the City Council entered into a recess.
At 8:48 p.m. the City Council resumed the meeting.

08-368
---By Councilman Russo:

RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS FOR THE SFY 2009 BUDGET

WHEREAS, the City of Hoboken is expected to enter into contracts, commitments or payments prior to the adoption of the SFY 2009 budget and no adequate provision has been made in the SFY 2009 temporary budget for the aforesaid purposes, and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose, and

WHEREAS, the total emergency appropriation resolutions adopted in SFY 2009 pursuant to the provisions of N.J.S.A. 40A:4-20 including this resolution total $46,432,968.57 for Current Expenses and $2,737,000.00 for the Parking Utility.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, County of Hudson, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1) Emergency temporary appropriations be and the same are hereby made in the amount of $2,975,100.00 for Current Expenses and $0.00 for the Parking Utility as follows:
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**SUB-TOTAL**

$13,926,548.9

$18,082,147.9

$2,975,100.0

---

**O/S CAP**

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<td>Energy Efficiency Study (Grant)</td>
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Road Improvements

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<td><strong>Total</strong></td>
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Parking Utility S&W  $ 812,000.00  $ 812,000.00  0.00
Parking Utility OE  $ 1,925,000.00  $0.00  0.00

**Total**  $ 2,737,000.00

The following spoke on the resolution: Ray Lavoie, 512 Garden Street; Donna Antonucci, 1027 Washington Street; James Fisher, 2 Marine View Plaza; Maurice DeGennaro, 614 Hudson Street; Scott Delea, 1120 Clinton Street.

At 9:08 p.m. Councilman Ramos left the meeting.

---Motion duly seconded by Council President Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Ramos.

**ORDINANCES**

**Introduction and First Reading**

**08-369**
**DR-381**

**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. (DR-381)**

**THE COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS**
(Newark Street & Willow Avenue)

**ARTICLE IV**

**STOP STREETS**

190-Stop Streets Designated

Section 1: Pursuant to the N.J.S.A. 39:4-140, the intersection described is hereby designated as a ALL WAY STOP intersection. Stop signs and all way supplemental plaques shall be **installed in accordance with the Manual on Uniform Traffic Control Devices**
<table>
<thead>
<tr>
<th>Intersection</th>
<th>Stop Sign Locations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Newark Street and Willow Avenue</td>
<td>Right side of all approaches</td>
</tr>
</tbody>
</table>

Section 2: 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.

Section 3: A copy of this ordinance shall be sent to the New Jersey Department of Transportation. This Ordinance shall take effect as provided by law.

---Councilwoman LaBruno 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 17, 2008 at 7:00 PM.

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Ramos.

08-370
DR-382

AN ORDINANCE GRANTING AN EASEMENT FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY AT 720 HUDSON STREET (LOT 18, BLOCK 218 ON THE TAX MAP). (DR-382)

WHEREAS, the applicant, Anthony Leonard and Jane Leonard, by and through their architect, Peter Johnston NJ License AI O 13073, have petitioned the City of Hoboken for the granting of a certain easement over municipal lands at 720 Hudson Street, Hoboken, New Jersey, (“the premises”) which premises is more particularly described as Lot 18, Block 218, on the Tax Map of the City of Hoboken, New Jersey, in order to maintain an encroachment on municipal lands for the purposed modification of the front yard area of the above property, specifically for the refurbishment of the front garden, and the installation of steps to a basement entrance, and

WHEREAS, the easements are described as follows:

METES AND BOUNDS
(Front Yard Improvements)

All that certain lot, parcel or tract of land, situate and lying 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 right of way line of Hudson Street therein distant 216.00 feet street from the corner formed by the intersection of the said line of Hudson Street with the northerly right of way of Seventh Street; thence

1) North 13 degrees 04 minutes 00 seconds East, a distance of 20.00 feet to a point; thence

2) North 76 degrees 56 minutes 00 seconds West, a distance of 100.00 feet to a point; thence

3) South 13 degrees 04 minutes 00 seconds West, a distance of 20.00 feet to a point; thence

4) South 76 degrees 56 minutes 00 seconds East, a distance of 100.00 feet to the point and place of beginning.

Known as Lot 18, Block 218 as shown on the official tax assessment map for the City of Hoboken, Hudson County, New Jersey, and more commonly known as 256 7th 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 256 7th Street, THE AFOREMENTIONED EASEMENT SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:

1. The above recitals are incorporated herein as though 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 that 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 form 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 insured's.

5. These easements shall run with the land and insure 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 the 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 Giacchi moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on DECEMBER 17, 2008 at 7:00 PM.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Ramos.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Helen Hirsch, 98 Park Avenue; Maurice DeGennaro, 614 Hudson Street; Richard Tremediti, 2 Constitution Court; Jim Vance, 107 Monroe Street; Ray Lavoie, 512 Garden Street; at 10:24 p.m. Councilwoman Zimmer left the meeting; at 10:25 Councilwoman Zimmer returned to the meeting; John Leppert, 524 Jefferson Street.

President Giacchi then adjourned the meeting at 10:27 p.m.
President Giacchi 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 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 Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo and President Giacchi.

ABSENT: Zimmer.

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 HOBOoken ENTITLED VEHICLES AND TRAFFIC, ADOPTED SEPTEMBER 4, 1991 AS ORDINANCE #2278. (DR-381)

The hearing on the above ordinance is scheduled for the December 17, 2008 meeting to allow sufficient time for legal advertising.

AN ORDINANCE GRANTING AN EASEMENT FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY AT 720 HUDSON STREET (LOT 18, BLOCK 218 ON THE TAX MAP). (DR-382)
The hearing on the above ordinance is scheduled for the December 17, 2008 meeting to allow sufficient time for legal advertising.

**APPLICATIONS FOR MISCELLANEOUS LICENSES**

Vendors--------------------------------------------------------------- 2

---Councilman Russo moved that the licenses be granted.
---Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo and President Giacchi.
---Nays: None.
---Absent: Zimmer.

**RESOLUTIONS**

**Presented and Read**

Councilwoman Zimmer arrived at 7:10 p.m.

**A RESOLUTION APPROVING PARTICIPATION AND SUPPORT OF THE NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY'S OVER THE LIMIT UNDER ARREST YEAR END CRACKDOWN**

**WHEREAS,** the City of Hoboken and the N.J. Division of Highway Traffic Safety are supporting the Over the Limit Under Arrest 2008 Statewide Year End Crackdown, and

**WHEREAS,** 28% of motor vehicle fatalities in New Jersey are alcohol related, and

**WHEREAS,** impaired drivers on our nation=s roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year, and

**WHEREAS,** the season at the end of the year is traditionally a time of social gatherings which often include alcohol; an enforcement crackdown is planned to combat impaired driving, and
WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the Over the Limit Under Arrest 2008 Statewide Year End Crackdown from December 8, 2008 through January 2, 2009 in an effort to increase impaired driving enforcement and awareness, and

WHEREAS, a further increase in the awareness of the dangers of drinking and driving in New Jersey will save lives on our roadway

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

As a matter of public policy, the City of Hoboken wishes to participate to the fullest extent possible with the Over the Limit Under Arrest 2008 Statewide Year End Crackdown both locally and nationally from December 8, 2008 through January 2, 2009; and pledges to increase awareness of the dangers of drinking and driving.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo and President Giacchi.
---Nays: None.
---Abstentions: Zimmer.

08-373
---By Councilman Russo:

THIS RESOLUTION AUTHORIZES THE CITY OF HOBOKEN TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT WITH THE HUDSON COUNTY COOPERATIVE PURCHASING SYSTEM.

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Hudson County Purchasing Cooperative System, hereinafter referred to as the ALead Agency@ has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and/or services; and

WHEREAS, on 3 December 2008 the governing body of the City of Hoboken, County of Hudson, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and/or services:

NOW THEREFORE BE IT RESOLVED as follows:

A. This resolution shall be known and may be cited as the Cooperative Pricing Resolution of the City of Hoboken.
B. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor or his agent is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.
C. The Lead Agency shall be responsible for complying with the provisions of
D. This resolution shall take effect immediately upon passage.

Before the vote was taken the following spoke: Maurice DeGennaro, 614 Hudson Street; Richard Tremediti, 2 Constitution Court; Helen Hirsch, 98 Park Avenue.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

ORDINANCES

Introduction and First Reading

08-374
DR-383
AN ORDINANCE GRANTING AN EASEMENT FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY AT 256 7TH STREET (LOT 42, BLOCK 169 ON THE TAX MAP). (DR-383)

WHEREAS, the applicant, Ana Sanches, Architect, has petitioned the City of Hoboken for the granting of a certain easement over municipal lands at 256 7th Street, Hoboken, New Jersey, (“the premises”) which premises is more particularly described as Lot 42, Block 169, on the Tax Map of the City of Hoboken, New Jersey, in order to maintain an encroachment on municipal lands for the purpose to repair and replacement of the existing front retaining wall. Petitioner is proposing to correct a situation by removing a barrier, relocating the steps to the west side of the property and installing a trench drain that will be connected to a sump pump as outlined in the attached drawing. The easements are described as follows:

METES AND BOUNDS
(PROPOSED RELOCATION OF STEPS)

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

BEGINNING at a point on the northerly street line of 7th Street (50 feet wide), which point is distant westerly 83.00 feet along the same from its intersection with the westerly street line of Park Avenue (65 feet wide); thence from said Point of Beginning:

THENCE N 76 - 56' W, along the said street line of 7th Street, 17.00 feet to a point;

THENCE N 13 – 04’ E, 60.00 feet to a point;

THENCE S 76 – 56’ E, 17.00 to a point;
THENCE S 13 – 04’ W, 60.00 feet to a point on the northerly street line of 7th Street and the point or place of beginning.

Known as Lot 42, Block 169 as shown on the official tax assessment map for the City of Hoboken, Hudson County, New Jersey, and more commonly known as 256 7th 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 256 7th Street, THE AFOREMENTIONED EASEMENT SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:

1. The above recitals are incorporated herein as though 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 that 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 form 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 insured’s.

5. These easements shall run with the land and insure 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 the 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 Giacchi moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on DECEMBER 17, 2008 at 7:00 PM.

---Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

08-375
DR-384

AN ORDINANCE FOR DETERMINING ELIGIBILITY FOR THE POSITIONS DEFINED BENEFIT CONTRIBUTION PROGRAM. (DR-384)

WHEREAS, the State Legislature recently adopted Chapter 92 of the Laws of 2007 (N.J.S.A. 43:15C-1 et seq.) to create the Defined Contribution Retirement Program to provide retirement benefits to various county and municipal officials; and,

WHEREAS, N.J.S.A. 43:15C-2 requires the governing body of each county, municipality, and other local entity to adopt, as appropriate, either a resolution or ordinance to determine the positions that are substantially similar in nature to the advice and consent of the Senate for appointments by the Governor of the State, pursuant to guidelines or policy that shall be established by the Local Finance Board in the Department of Community Affairs, and for which officials appointed to such positions shall be eligible for and shall participate in the Defined Contribution Retirement Program, subject to the provisions of law; and,

WHEREAS, the Council of the City of Hoboken has considered the guidelines issues by the Local Finance Board;

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

Section One:

A. Pursuant to N.J.S.A. 43:15C-2, the following positions are deemed to be eligible for and shall participate in the Defined Contribution Retirement Program, unless employed pursuant to a Professional Services Agreement:

(1) Business Administrator
(2) Department Heads
(3) Corporation Counsel
(4) City Engineer
(5) Municipal Prosecutor
(6) Municipal Court Judge
(7) City Council Members and Mayor

B. Individuals serving in the following positions are exempt from Defined Contribution Retirement program membership pursuant to N.J.S.A. 43:15C-
2: (1) Certified Health Officer
(2) Tax Collector
(3) Chief Financial Officer
(4) Construction Code Official
(5) Qualified Purchasing Agent
(6) Tax Assessor
(7) Municipal Planner
(8) Registered Municipal Clerk
(9) Licensed Uniform Subcode Inspector
(10) Certified (Principal) Public Works Manager

C. If an individual is appointed to one of the positions listed in Section A and the individual is not serving in a position as described in Section B above, the Pension Certifying Officer of the municipality may determine that the individual is not required to join the Defined Contribution Retirement Program if that individual:

(1) Was an active participant in the Public Employee Retirement System on July 1, 2007 and continuously since that time; or
(2) Has been appointed pursuant to a valid promotional process; or
(3) Is appointed on a temporary, interim, or “acting” basis to a position requiring State Certification as set forth in Section B herein, and is in pursuit of the required certification; or
(4) Meets such other exceptions that may be approved by the Local Finance Board or the Division of Pensions and Benefits.

Section Two:

This ordinance shall be implemented, construed and subject to the aforesaid Chapter 92 of the Laws of 2007 (N.J.S.A. 43:15C-1 et seq.) as amended from time to time, and any regulations or guidance documents from the Local Finance Board or the Division of Pensions and Benefits.

Section Three: Filing of Ordinance with the State of New Jersey

A copy of this ordinance shall be filed with the Director of the Division of Pensions & Benefits of the New Jersey Department of the Treasury.

Section Four: Repeal of Inconsistent Provisions

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.

This Ordinance shall also supersede any inconsistent provisions contained in any resolution previously adopted by the City Council, including, but not limited to, the Employee Handbook adopted by resolution of the City Council on October 15, 2003.

Section Five: 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 by a court of competent jurisdiction, 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 Six: Effective Date

This Ordinance shall take effect upon passage and publication as provided by law.

Section Seven: Codification

This ordinance shall be a part of the 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 Code.

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken 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 Russo 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 17, 2008 at 7:00 PM.

---Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Angel Alicea, 717 Monroe Street; Helen Hirsch, 98 Park Avenue; Maurice DeGennaro, 614 Hudson Street; Councilwoman LaBruno left the meeting at 7:57 p.m.; Richard Tremitied, 2 Constitution Court; Councilwoman Castellano left the meeting at 8:00 p.m.; Councilwoman Castellano returned to the meeting at 8:01 p.m.; Perry Belfiore, 161 11th Street; Councilman LaBruno left the meeting at 8:07 p.m.; Councilman Ramos left the meeting at 8:07 p.m.; Scott Delea, 1120 Clinton Street; Helen Hirsch, 98 Park Avenue; Jim Doyle, 806 Park Avenue; Donna Antonucci, 1027 Washington Street; Dave Magnone; 1315 Washington Street.

President Giacchi then adjourned the meeting at 8:25 p.m.
PRESIDENT OF THE COUNCIL

CITY CLERK
President Giacchi 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 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 Cammarano, Castellano, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.

ABSENT: Cunningham.

Councilman Cunningham arrived at 7:09 p.m.

At this time on a motion from Councilman Cammarano, duly seconded by Councilwoman Castellano and supported by the council they changed the changed the cored. Mayor David Roberts spoke on the agenda – budget.

Speakers for the budget: Greg Ribot, 1201 Garden Street; Richard Tremediti, 2 Constitution Court; Steve Cappiello, 530 Adams Street; Helen Hirsch, 98 Park Avenue; Maurice DeGennaro, 614 Hudson Street; Ford Prigot, 337 Bloomfield Street; Lane Bajardi, 337 Bloomfield Street; Richard Pascarely, 932 Hudson Street; Toni Tomarazzo, 518 Park Avenue; Donna Antonucci, 1027 Washington Street; John Leport, 524 Jefferson Street; Donna Antonucci, 1027 Washington Street. After discussion by the council members and on a motion by Councilwoman LaBruno;
duly seconded by Councilwoman Castellano and supported unanimously the council recessed at 9:26 p.m.

At 9:40 p.m. the meeting resumed.

**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. (DR-381) continued to the December 17, 2008 meeting to allow sufficient time for legal advertising**

President Giacchi 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 of which the heading was read in full.

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

Councilman Russo moved that the hearing be closed.
Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Ramos.

Council President Giacchi 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 Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Ramos.

Councilman Ramos returned.

**AN ORDINANCE GRANTING AN EASEMENT FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY AT 720 HUDSON STREET (LOT 18, BLOCK 218 ON THE TAX MAP). (DR-382) continued to the December 17, 2008 meeting to allow sufficient time for legal advertising**
President Giacchi 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 of which the heading was read in full.

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

Councilman Russo moved that the hearing be closed.
Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

Council President Giacchi 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 Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

AN ORDINANCE GRANTING AN EASEMENT FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY AT 256 7TH STREET (LOT 42, BLOCK 169 ON THE TAX MAP). (DR-383)

President Giacchi 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 of which the heading was read in full.

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

Councilman Russo moved that the hearing be closed.
Motion duly seconded by Councilwoman Mason.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

Council President Giacchi 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 Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
AN ORDINANCE FOR DETERMINING ELIGIBILITY FOR THE POSITIONS DEFINED
BENEFIT CONTRIBUTION PROGRAM. (DR-384)

President Giacchi 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 of which the heading was read in full.

No person present desiring to be heard and no written protests or objections received,
President Giacchi 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: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos,
Russo, Zimmer and President Giacchi.
---Nays: None.

Council President Giacchi 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 Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos,
Russo, Zimmer and President Giacchi.
---Nays: None.

PETITIONS AND COMMUNICATIONS

08-376

WHEREAS, the City of Hoboken is not only the birthplace of baseball, but also has deep ties
to the sports of football; and

WHEREAS, Hoboken has won numerous football championships at a various scholastic
levels and is also the home to the quarterback of the NFL Champions New York Giants; and

WHEREAS, on November 9, 2008, the Hoboken Light Weight Football Team played
undefeated Union City for the 2008 Hudson County championship game;

WHEREAS, the Hoboken Light Weight Football Team gritty defeated Union City by
the Score of 13 to 7 at the Championship game played at Bruin Stadium; and

NOW, THEREFORE, BE IT PROCLAIMED, THAT I, DAVID ROBERTS, Mayor of the City
of Hoboken, congratulate Head Coach Randy Johnson, Assistant Coaches Tank
Broderick, Danny Clifford, Sammy Cotto, P.A.L. Director Bobby Gohde, Charlie
Rozzi and the Hoboken Light Weight Football Team Members: Alfredo Vera #60,
Baltazar Gonzalez #56, Eddie Broderick #77, Erijah Neelon #9, Rickey Colon #51,
Jimmy Rosa #2, Keith Boyd #74, Kyeise Lopez #10, Xavier Posse #81, Jeremiah
Campoverde #50, Ayan Castro #82, Cesar Flores #55, Jacob Mirlas #34, Lenny
Roman #31, Noah Mercado, #5, Marin Perez #20, Amir Goodwin #7, Nasir Colon #6, Michael Nieves #42, Michael Mangual #8, Zhayre “Snoop” Gaddis #3, Seth McLaughlin #52, Asiah Palmisano #72 and Trevon Minick #15 for bringing this honor and championship back to Hoboken.

--Received and filed.

08-377

APPLICATIONS FOR MISCELLANEOUS LICENSES

<table>
<thead>
<tr>
<th>License Type</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Raffles</td>
<td>3</td>
</tr>
<tr>
<td>Bingo</td>
<td>2</td>
</tr>
<tr>
<td>Parking Facilities</td>
<td>1</td>
</tr>
<tr>
<td>Vendor</td>
<td>1</td>
</tr>
<tr>
<td>Livery/Limo Drivers</td>
<td>4</td>
</tr>
<tr>
<td>Taxi Drivers</td>
<td>2</td>
</tr>
<tr>
<td>Livery Owners</td>
<td>2</td>
</tr>
</tbody>
</table>

Councilwoman Mason abstained on the two (2) United Synagogue of Hoboken items (raffles).

---Councilman Russo moved that the licenses be granted.
---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

REPORTS OF CITY OFFICERS

08-378

A report of the Municipal Court indicating receipts for the month of November 2008 as $298,549.74.

---Received and filed.

RESOLUTIONS

Presented and Read

08-379

---By Councilman Russo:

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS/INTEREST, ERRONEOUS PAYMENTS, CREDIT PAYMENTS.

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

Meeting of December 17, 2008
WHEREAS, Louis P. 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 $48,236.25 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>Craig Cetta</td>
<td>114/1/C0504</td>
<td>1300 Grand St.</td>
<td>$93.70</td>
</tr>
<tr>
<td>1300 Adams St. #504</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Eugenio Hernandez</td>
<td>218/20.2</td>
<td>714 Hudson St.</td>
<td>$13,446.39</td>
</tr>
<tr>
<td>614 Garden St.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, N. J. 07030</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GreenPoint Mortgage</td>
<td>42/14.1</td>
<td>231 Grand St.</td>
<td>$3,043.39</td>
</tr>
<tr>
<td>c/o LandAmerica</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1123 S. Parkview Dr.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Covina, CA 91724</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>117 Bloomfield St</td>
<td>200/8</td>
<td>117 Bloomfield St.</td>
<td>$910.58</td>
</tr>
<tr>
<td>Condo Association</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>117 Bloomfield Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, N.J. 07030</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>John Feury</td>
<td>193/26</td>
<td>645 Garden St.</td>
<td>$2,355.65</td>
</tr>
<tr>
<td>1218 Garden St</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mattleman, Weinroth</td>
<td>178/7/</td>
<td>223 Willow Ave.</td>
<td>$3,534.25</td>
</tr>
<tr>
<td>&amp; Miller, PC</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>401 Rt. 70 East, Suite 100</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cherry Hill, NJ 08034</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Washington Mutual</td>
<td>25/1/C0130Q</td>
<td>700 First St.</td>
<td>$1,975.57</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>Lise Harman</td>
<td>33/13/C0004</td>
<td>127 Clinton St.</td>
<td>$188.25</td>
</tr>
<tr>
<td>127 Clinton St. #1</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>Christopher Linton</td>
<td>75/4</td>
<td>611 Monroe St.</td>
<td>$1,292.51</td>
</tr>
<tr>
<td>611 Monroe St. #1</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Hoboken, NJ 07030</td>
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<td></td>
<td></td>
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<tr>
<td>Edward DeFranco</td>
<td>220/27</td>
<td>928 Hudson St.</td>
<td>$812.62</td>
</tr>
<tr>
<td>933 Bloomfield St.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cosmo Sancillio</td>
<td>208/31</td>
<td>916 Washington St</td>
<td>$2,947.76</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>
---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

**08-380**
---By Councilwoman Mason:

**RESOLUTION SUPPORTING STATE SENATE BILL S-445 “TRANSPARENCY IN GOVERNMENT ACT” ESTABLISHING A STATE PUBLIC FINANCE WEBSITE**

WHEREAS, there is a national movement to increase transparency in government,

WHEREAS, the people for the City of Hoboken are concerned about waste, fraud and abuse of public funds,
WHEREAS, transparency in government is necessary to provide the people with the ability to oversee state spending and how their tax dollars are being used,

WHEREAS, technology and search engines have made it possible to develop a user-friendly website that can retain and display data and information on the State’s annual revenues, expenditures and total bonded indebtedness,

WHEREAS, such a website would empower the people of Hoboken and the State of New Jersey to oversee government spending,

WHEREAS, State Senate Bill S-445 “Transparency in Government Act” would establish the Public Finance Transparency Committee which would facilitate the development and maintenance of a state public finance website,

NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of Hoboken supports efforts to make government transparent and thus supports Bill S-445, the Transparency in Government Act”, and that a certified copy of this resolution shall be sent to Governor Corzine, Senate President J. Codey, and Minority Leader Tom Kean.

Speakers: Maurice DeGennaro, 614 Hudson Street; Helen Hirsch, 98 Park Avenue; Lane Bajardi, 70 Park Avenue.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

08-381
---By Councilwoman Mason:

CLERK FOR THE CITY OF HOBOKE TO REQUEST COPIES OF ALL CONTRACTS ESTABLISHING PILOTS OR OTHER SPECIAL TAX AGREEMENTS CONSIDERED IN EFFECT WITH THE CITY OR ITS AFFILIATED AUTHORITIES, BOARDS OR OTHER ENTITIES.

WHEREAS, contracts must exist between the City of Hoboken and the owner of any properties receiving special tax considerations; and

WHEREAS, a form of consideration is recorded in Payment in Lieu of Tax (PILOT) agreements that are considered public records; and

WHEREAS, public records must be available for public inspection by members of the Administration, the City Council and the public at large at any time, and

WHEREAS, it has been identified that certain PILOT agreements are missing and are not accessible by the City Clerk; and
WHEREAS, such documents are required for the proper and efficient conduct of the
city's business in order for the city to confirm such pilots exist.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken that
the City Clerk is hereby required to issue certified letters to all owners of properties which
are considered holders of such PILOTS agreements and all amendments and request
notarized copies of all signed contracts establishing the existence of PILOTS agreements.
Copies shall be sent via certified mail to the City Clerk at 94 Washington Street, Hoboken
NJ 07030 within 10 days of receipt of the letter.

Speakers: Maurice DeGennaro, 614 Hudson Street; Helen Hirsch, 98 Park Avenue; Lane
Bajardi, 70 Park Avenue; Ford Prigot, 237 Bloomfield Street; Toni Tomarazzo, 518 Park
Avenue.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos,
Russo, Zimmer and President Giacchi.
---Nays: None.

08-382
---By Councilwoman Mason:

AUTHORIZING THE REVIEW OF RECORDS OTHERWISE EXEMPT FROM
RELEASE UNDER THE OPEN PUBLIC RECORDS ACT

WHEREAS, the Council of the City of Hoboken is authorized to conduct legislative
inquiries pursuant to N.J.S.A. 40A:69-1 et. seq. (Faulkner Act) and more specifically
N.J.S.A. 40A:69-36; and

WHEREAS, in order to properly conduct said inquiries the Council must have the
ability to review relevant City records; and,

WHEREAS, issues have been raised in the City of Hoboken regarding the use of City-
issued cell phones, and Council wishes to determine whether in fact said cell phones were
properly utilized by employees of the City of Hoboken and whether and how cell phone costs
can be reduced; and

WHEREAS, certain portions of the City's cell phone records are exempt from release
pursuant to the Open Public Records Act and rulings of the Superior Court of New Jersey;
and

WHEREAS, by adopting this resolution, the Council will have the authority to review
said records, in un-redacted form, with the understanding that it must maintain the
confidentiality of such information to the extent required by law; and,
WHEREAS, Corporation Counsel of the City has opined that this procedure is the proper way for members of the Council to receive information that would otherwise be exempt from release under law.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken directs that the Administration promptly provide any and all cell phone records, in unredacted form, for review upon the request of any member of the Hoboken City Council.

BE IT FURTHER RESOLVED, that any such member shall maintain the confidentiality of such information to the extent required by law.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

ORDINANCES

Introduction and First Reading

08-383
DR-385

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN, ENTITLED “VEHICLES AND TRAFFIC”. (DR-385)

WHEREAS, the City Council of the City of Hoboken deems it necessary to amend and revise the penalties for violating certain sections of the Hoboken City Code, in order to deter and prevent such violations in the future;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hoboken that Chapter 190 of the Code of the City of Hoboken is hereby amended as follows:

ARTICLE XXXI
Penalties

§190-44 Violations and Penalties

Section 1: The Ordinance is hereby amended to raise the fine for Overtime Meter (§190-29) from $20.00 to $30.00.

Section 2: The Ordinance is hereby amended to raise the fine for No Parking Taxi Stand (§190-12) from $25.00 to $38.00.

Section 3: The Ordinance is hereby amended to raise the fine for No Parking Commercial Vehicle Overnight (§190-05) from $50.00 to $75.00.
Section 4: The Ordinance is hereby amended to raise the fine for No Parking School Zone (§190-31) from $20.00 to $30.00.

Section 5: The Ordinance is hereby amended to raise the fine for No Parking Loading Zone (§190-11) from $30.00 to $45.00.

Section 6: The Ordinance is hereby amended to raise the fine for Prohibited Parking All Times (§190-03) from $30.00 to $45.00.

Section 7: The Ordinance is hereby amended to raise the fine for Prohibited Parking Certain Hours (§190-04) from $30.00 to $45.00.

Section 8: The Ordinance is hereby amended to raise the fine for Permit Parking Only (§190-06.2) from $45.00 to $68.00.

Section 9: The Ordinance is hereby amended to raise the fine for No Parking Bus Stop (§190-13) from $35.00 to $53.00.

Section 10: The Ordinance is hereby amended to raise the fine for Alternate Side Street Parking (§190-28) from $35.00 to $45.00.

Section 11: The Ordinance is hereby amended to raise the fine for No Stopping or Standing (§190-06) from $30.00 to $45.00.

Section 12: The Ordinance is hereby amended to raise the fine for No Parking Private Property (§190-19) from $20.00 to $30.00.

Section 13: The Ordinance is hereby amended to raise the fine for Emergency/Temporary Parking (§190-26) from $25.00 to $38.00.

Section 14: The Ordinance is hereby amended to raise the fine for No Parking Snow Emergency Street (§190-36) from $51.00 to $77.00.

Section 15: All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Section 16: This ordinance shall be a part of the Code of the City of Hoboken as though codified and fully set forth therein. The City Clerk shall have the ordinance codified and incorporated in the official copies of the Code. The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken 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.

Section 17: This Ordinance shall take effect as provided by law.

Section 18: Upon adoption a copy of this Ordinance shall be immediately forwarded to the Administrator of the Municipal Court and the Municipal Judge, and the Administration shall take any other action necessary to implement this Ordinance.
---Councilwoman LaBruno 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 7, 2009 at 7:00 PM.
---Motion duly seconded by Councilman Cammarano.
---FAILED INTRODUCTION by the following vote: **YEAS: 2 - NAYS: 7**
---Yeas: Council persons Cammarano, LaBruno.
---Nays: Castellano, Cunningham, Mason, Ramos, Russo, Zimmer and President Giacchi.

08-384
DR-386
AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE CODE OF THE CITY OF HOBOKEN, ENTITLED “VEHICLES ABD TRAFFIC,” AND CHAPTER 141 OF THE CODE ENTITLED “PARKING PERMITS”. (DR-386)

WHEREAS, the City of Hoboken has the authority to designate parking areas on City streets as “time-limit parking locations”, and,

WHEREAS, the Administration and the Hoboken Parking Utility have recommended that the east side of Sinatra Drive be so designated due to its high use by transient parkers; and

WHEREAS, in order to ensure that sufficient free parking is available to City residents, the west side of Sinatra Drive shall be re-designated as “resident permit only” parking;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hoboken as follows:

SECTION ONE:

Section 190-29 of the Code of the City of Hoboken is amended, in part, as follows:

§190-29. Time-limit parking locations and fees.

In accordance with the provisions of this §190-29, no person shall park or stand a vehicle for longer than the time limits posted on any of the herein described streets or parts of streets:

<table>
<thead>
<tr>
<th>Street Location</th>
<th>Side</th>
<th>Hours</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sinatra Drive</td>
<td>East</td>
<td>9 AM-9PM</td>
<td>$0.25/15 min.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>12.0 hours for vehicle with resident permits only</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>9 AM-6 PM</td>
<td></td>
</tr>
</tbody>
</table>

All other streets listed in Section §190-29 remain unchanged.

SECTION TWO:

Section 141-2 of the Code of the City of Hoboken is amended, in part as follows;

141-2. Resident Permits.

<table>
<thead>
<tr>
<th>Name of Street</th>
<th>Side</th>
<th>Limits</th>
<th>Locations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sinatra Drive</td>
<td>West</td>
<td>24 Hours</td>
<td>Beginning at the northernmost</td>
</tr>
</tbody>
</table>
curbline of Fifth Street and extending to its end at the intersection of Eleventh Street and Hudson Street

All other streets listed in Section 141-2 shall remain unchanged.

SECTION THREE:

Until parking meters or other devices to enforce the time limits are installed and operative at a particular location, that location, if currently designated a “permit parking only” zone pursuant to §141-1 of the Code of the City of Hoboken, shall remain as such, except that those locations that have been re-designated as “resident parking only” pursuant to Section Two of this ordinance shall become effective upon the effective date of this ordinance.

SECTION FOUR:

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

SECTION FIVE:

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION SIX:

This Ordinance shall take effect according to law.

---Councilwoman LaBruno 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 7, 2009 at 7:00 PM.

---Motion duly seconded by Councilman Cammarano.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Cammarano, LaBruno, Ramos, Russo, Zimmer and President Giacchi.
---Nays: Castellano, Cunningham, Mason.

08-385
DR-387

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 141 OF THE CODE OF THE CITY, ENTITLED “PARKING PERMITS” TO ESTABLISH A “SPECIAL RESIDENTIAL PARKING ZONE” AND A “COMMUTER PARKING ZONE”. (DR-387)

FAILED INTRODUCTION Yeas 4  Nays 5
WHEREAS, the City believes that in certain, limited locations on the perimeter of the City, it is appropriate to create long-term parking zones, for the convenience of its residents; and,

WHEREAS, the City believes that in certain, limited locations in close proximity to mass transportation facilities it is appropriate to create commuter parking zones for the convenience of the general public; and,

WHEREAS, the revenue derived from the fees charged in these resident parking zones will help fund parking and transportation improvements in other areas of the City;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hoboken as follows:

SECTION ONE:

Section 141 of the Code of the City of Hoboken is amended to create a new section as follows:

§141-2.1 Special Resident Parking Permits

A. There is hereby created a “Special Resident Parking Zone” in the following location: Vezzetti Way (both sides) from the westernmost side of Willow Avenue to the easternmost side of Hendersen Street.

B. Only those motor vehicles owned by a resident of Hoboken with a gross weight of no more than two and one half (2.5) tons shall be eligible to receive a special resident parking permit.

C. The Executive Director of the Hoboken Parking Utility is authorized to design and issue a special resident parking permit in a number that will ensure all permit holders will be able to readily find a space in the special resident parking zone.

D. Only vehicles with current special resident parking permits may park in a special resident parking permit only area. Unless otherwise posted, other vehicles shall not park in any such area at any time or for any reason.

E. Proof of residency by the owner of the vehicle must be presented when applying for a permit identical to that required for a regular parking permit.

F. Appropriate signage shall be placed indicating the special resident parking zone.

G. Special resident parking permits shall be issued by the Parking Utility in a manner demonstrating transparency and fairness to all those seeking a permit.

H. The fee for a special resident parking permit shall be set by the Parking Utility in its reasonable discretion and subject to the veto of the City Council.

SECTION TWO:
Section 141 of the Code of the City of Hoboken is amended to create a new section as follows:

§141-2.2 Commuter Parking Permits

A. There is hereby created a “Commuter Parking Zone” in the following location: Vezzetti Way (both sides) from the westernmost side of Washington Street to the easternmost side of Willow Avenue.

B. Only those motor vehicles with a gross weight of no more than two and one half (2.5) tons shall be eligible to receive a commuter parking permit.

C. The Executive Director of the Hoboken Parking Utility is authorized to design and issue a commuter parking permit in a number that will ensure all permit holders will be able to readily find a space in the commuter parking zone.

D. Only vehicles with current commuter parking permits may park in a commuter parking permit only area between the hours of 6:00 A.M. through Friday except for New Year’s Day, July 4th, Thanksgiving Day, and Christmas Day. At all other times, any vehicle with a valid resident parking permit shall be allowed to park in a commuter parking zone.

E. Appropriate signage shall be placed indicating the special resident parking zone.

F. Commuter parking permits shall be issued by the Parking Utility in a manner demonstrating transparency and fairness to all those seeking a permit.

G. The fee for a commuter parking permit shall be set by the Parking Utility in its reasonable discretion and subject to the veto of the City Council.

SECTION THREE:

Section 141-1 of the Code of the City of Hoboken is amended as follows:

At all times, the streets of Hoboken will be designated “permit parking only” with the exception of metered parking, those areas designated “resident permit parking only” as defined in Section 141-2, “special resident permit parking only” as defined in Section 141-2.1, “commuter parking only” as defined in Section 141-2.2 as indicated by local signage.

SECTION FOUR:

Section 141-2 of the Code of the City of Hoboken is amended to delete Vezzetti Way as a “resident parking only” location.

SECTION FIVE:

Section 141-7 of the Code of the City of Hoboken is amended as follows:

Special resident permits, resident permits, commuter permits and business permits will expire annually or in accordance with a schedule promulgated by the Parking Utility.

SECTION SIX:
Section 141-8 of the Code of the City of Hoboken is amended as follows:

A. (no change)
B. (no change)
C. (no change)

D. (new section) Any vehicle parked on a street posted as special resident parking only, without a valid special resident parking permit, shall be subject to a parking fine, as provided by ordinance, a vehicle boot, and after proper notice, towing of the vehicle to a lot as designated by the Parking Utility.

E. (new section) Any vehicle parked on a street posted as commuter parking only without a valid commuter parking permit, except as otherwise permitted by Section 141-2.2, shall be subject to a parking fine, as provided by ordinance, a vehicle boot, and after proper notice, towing of the vehicle to a lot as designated by the Parking Utility.

SECTION SEVEN:

Section 141-9 of the Code of the City of Hoboken is amended as follows:

A. (no change)

B. There is no grace period for resident parking only area, special resident parking only area or commuter parking area.

SECTION EIGHT:

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

SECTION NINE:

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION TEN:

This Ordinance shall take effect according to law.

SECTION ELEVEN:

This ordinance shall be a part of the 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 Code.

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section of the Code of the City of Hoboken 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.

---Councilwoman LaBruno 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 7, 2009 at 7:00 PM.

---Motion duly seconded by Councilman Cammarano.

---FAILED INTRODUCTION by the following vote: YEAS: 4 - NAYS: 5
---Yeas: Council persons Cammarano, Cunningham, LaBruno, Ramos.,
---Nays: Castellano, Mason, Russo, Zimmer and President Giacchi.

AN ORDINANCE REDUCING THE SALARIES OF THE MEMBERS OF THE CITY COUNCIL BY TEN PERCENT. Castellano/Russo

REMOVED FROM AGENDA – NOT INTRODUCED

AN ORDINANCE REDUCING THE SALARIES OF THE MAYOR AND MEMBERS OF THE CITY COUNCIL BY FIFTEEN PERCENT. Zimmer/Cunningham

REMOVED FROM AGENDA – NOT INTRODUCED

AN ORDINANCE REDUCING THE SALARIES OF DEPARTMENT HEADS BY FIFTEEN PERCENT. Zimmer/Cunningham

REMOVED FROM AGENDA – NOT INTRODUCED

AN ORDINANCE AMENDING THE TERMS AND CONDITIONS OF THE ELIGIBILITY FOR HEALTH INSURANCE BENEFITS BY HOBOKEN ELECTED OFFICIALS. Zimmer/Cunningham

REMOVED FROM AGENDA – NOT INTRODUCED

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Councilwoman Mason left the meeting at 10:38 p.m.; speakers: Perry Belfiore, 161 11th Street; Councilwoman Mason returned at 10:42 p.m.; Gary Holtzman, 80 Bloomfield Street; Helen Hirsch, 98 Park Avenue; Councilman Ramos left at 10:56 p.m.; Maurice DeGennaro, 614 Hudson Street; Lane Bajardi, 70 Park Avenue.
At 11:08 p.m. after the corporation counsel spoke, the city council enter into closed (executive) session on the following as follows:

08-386

RESOLUTION AUTHORIZING EXECUTIVE SESSION - LITIGATION

WHEREAS, the Council of the City of Hoboken is authorized to go into closed executive session for the reasons set forth in the Open Public Meetings Act, pursuant to N.J.S.A. 10:4-12; and;

WHEREAS, one of these reasons is to discuss pending litigation in which the public entity is a party; and

WHEREAS, the Council has determined that it is necessary to go into closed executive session for the purpose of discussing ongoing litigation; namely, the matter of 100 Paterson Realty LLC v. City of Hoboken and City Council of the City of Hoboken, HUD-L-5661-08;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken that it enter into closed session to discuss the issues as herein set forth; and

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

At 11:45 p.m. on a motion by Councilwoman LaBruno and duly seconded by Councilman Ramos and supported unanimously the city council came out of closed (executive) session.

President Giacchi then adjourned the meeting at 11:46 p.m.