President Giacchi 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, 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 OF THE CITY OF HOBOoken, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR VARIOUS ROAD IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE CITY OF HOBOoken AND APPROPRIATING $2,000,000 THEREFORE, AND PROVIDING FOR THE ISSUANCE OF $1,900,000 IN BONDS OR NOTES OF THE CITY OF HOBOken TO FINANCE THE SAME (will replace ordinance number DR-261). (DR-388)

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; 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.

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.

AN ORDINANCE OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR VARIOUS PARKING UTILITY IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE CITY OF HOBOKEN AND APPROPRIATING $2,200,000 THEREFORE, AND PROVIDING FOR THE ISSUANCE OF $2,200,000 IN BONDS OR NOTES OF THE CITY OF HOBOKEN TO FINANCE THE SAME (will replace ordinance number DR-338). (DR-389)

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: Donald Pellicano, 1000 Hudson Street; Eric Kurta, 214 Garden Street; 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.

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.

After discussion a motion was made to carry ordinance (DR-389) to the next meeting on Wednesday, February 4, 2009 by:
Councilwoman LaBruno moved that the ordinance be carried to next meeting.
Motion duly seconded by Councilman Cammarano.

This ordinance, DR-389, is carried to the next meeting on February 4, 2009
Petitions and Communications

WHEREAS, diseases of the heart are the nation’s leading cause of death and stroke is the third leading cause of death; and

WHEREAS, cardiovascular diseases (CVD) claim the lives of close to 460,000 American women (about one death per minute) each year; and

WHEREAS, each year, 53 percent of all cardiovascular disease deaths occur in females, as compared to 47 percent in men, and nearly 32,500 more females than males die from a stroke; and

WHEREAS, in 2008 the estimated direct and indirect cost of cardiovascular diseases and stroke in the United States is estimated at $431.8 billion; and

WHEREAS, more women die of cardiovascular disease than the next five leading causes of death combined, including all cancers and only 13 percent of women consider cardiovascular disease their greatest health risk; and

WHEREAS, February is designated as American Heart Month; and

WHEREAS, Go Red For Women is the American Heart Association’s national movement to make women aware of their risk for heart disease – the leading cause of death for women – and to empower women to take action to reduce that risk; and

WHEREAS, all women should learn their own personal risk for heart disease, using tools such as the American Heart Association’s Go Red for Women Heart Check Up and by talking to their healthcare provider;

NOW, THEREFORE, I DAVID ROBERTS, Mayor of the City of Hoboken, in recognition of the importance of the ongoing fight against heart disease and stroke, do hereby proclaim Friday, February 6, 2009 to be

“National Wear Red Day for Women”

in the City of Hoboken and urge all citizens to “Go Red” for the day and wear red on February 6, 2009 to call attention to the magnitude of cardiovascular disease in women and as a show of support to fight it, as well as in recognition of family, friends and neighbors who have suffered from cardiovascular disease.

--Received and filed.
09-401

APPLICATIONS FOR MISCELLANEOUS LICENSES

Raffles ----------------------------------------------- 1
Parking Facilities ----------------------------------- 1
Vendor----------------------------------------------- 1

---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.

09-402

RESOLUTIONS

Presented and Read

---By Councilman Russo:
---Motion duly seconded by Councilwoman Castellano.

WHEREAS, Chapter 58 of the Code of the City of Hoboken establishes the Department of Environmental Services; and

WHEREAS, Section 58-5 of the Code of the City of Hoboken establishes the position of Director of Environmental Services, who is appointed by the Mayor with the advice and consent of the City Council; and,

WHEREAS, upon the retirement of Director Joseph Peluso, a vacancy was created in this position; and,

WHEREAS, Mayor David Roberts has nominated James Ronga to succeed Joseph Peluso as Director of Environmental Services and has requested the Council’s affirmation of this appointment; and

WHEREAS, funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken hereby affirms and approves the appointment of James Ronga as Director of Environmental services pursuant to §58-5 of the Code of the City of Hoboken; and

BE IT FURTHER RESOLVED, that James Ronga is to be compensated at a salary of One Hundred Fifteen Thousand Dollars ($115,000.00) dollars per annum, plus any applicable longevity; and

BE IT FURTHER RESOLVED, that James Ronga shall serve during the term of Mayor David Roberts and until the appointment and qualification of his successor and shall
be subject to removal as provided by law.

   Speakers: Eric Kurta, 214 Garden Street.

At this time, a motion was made to suspend the order of business and supported unanimously by the entire City Council 9-0 to address this resolution later in the meeting after Closed (Executive) Session.

_The vote on the above resolution will be taken later in the meeting._ (see Resolution #09-408)

---By Councilwoman Mason:

**09-403**

**THIS RESOLUTION AUTHORIZES THE CITY OF HOBOKEN TO ENTER INTO AN AGREEMENT WITH FLETCHER CREAMER & SON, INC. FOR EMERGENCY SNOW REMOVAL.**

   WHEREAS, the City of Hoboken is desirous of removing heavy snow from its streets following winter storms; and
   WHEREAS, the City of Hoboken is short-handed with regard to qualified heavy equipment drivers and the labor force associated with said heavy snow removal; and
   WHEREAS, Fletcher Creamer & Son, Inc. has agreed to stand ready to offer assistance to the City for its removal of greater than 6 inches of snow accumulation; and
   WHEREAS, Fletcher Creamer & Son, Inc. does not require any down payment or escrow account funding and will only charge the going hourly rate for equipment and drivers used during this removal; and
   WHEREAS, Fletcher Creamer & Son, Inc. has listed the following rates:

   4 Mason Dump Trucks with plow @ $155.00 per hour x 12 hours = $ 7,440.00
   4 Single Axle Dump Trucks with plow @ $145.00 per hour x 12 hrs = $6,960.00

   NOW THEREFORE BE IT RESOLVED as follows:

   a. This resolution shall be known and may be cited as the Excessive Snow Fall Removal 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 excessive snow removal agreement with Fletcher Creamer & Son, Inc..
   c. This resolution shall take effect immediately upon passage.

---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.
RESOLUTION AUTHORIZING HOBOKEN TO LEVERAGE WITH HUDSON COUNTY FOR PURPOSES OF THE 2009-2010 PARIS APPLICATION

WHEREAS, on behalf of the City of Hoboken, the County of Hudson, with funding from the PARIS Grant Program, has completed a Needs Assessment which has been approved by the New Jersey Division of Archives Management (NJDARM); and

WHEREAS, the City of Hoboken has been contacted by NJDARM and is aware of the opportunity to apply directly for 2009/2010 Grant Funds or to leverage with Hudson County and be included in the Hudson County 2009/2010 application; and;

WHEREAS, the City of Hoboken wishes to take advantage of the County of Hudson’s manpower and expertise in the area of Public Archives and Records Infrastructure Support (PARIS) matters; now therefore –

BE IT RESOLVED, that the Council of the Mayor and Council of the City of Hoboken hereby approves the attached notification to the County of Hudson as to its desire to leverage our opportunity for grant funding with the County of Hudson; and be it –

FURTHER RESOLVED, that the Mayor of the City of Hoboken, or his designee, is hereby authorized and directed to immediately inform the County of Hudson of this intent; and be it –

FURTHER RESOLVED, that the Mayor is hereby authorized to:

(a) provide additional information and furnish such documents as may be required by the County of Hudson
(b) act as the authorized correspondent of the City of Hoboken

---Motion duly seconded by Councilwoman Mason.
---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.

RESOLUTION GRANTING PERMISSION TO MCI TO INSTALL TELECOMMUNICATIONS FACILITIES ALONG, UNDER THE PUBLIC RIGHT-OF WAY OF THE CITY OF HOBOKEN

WHEREAS, MCI is a telecommunications carrier authorized to provide service by the New Jersey Board of Public Utilities (BPU)

WHEREAS, MCI, as a public utility and common carrier, has requested approval to install telecommunications facilities in Hoboken rights-of-way, as specifically set forth in the December 29, 2008 letter from Robert Miklosi of MCI to the Hoboken Corporation Counsel,
which is attached hereto and made a part hereof; and,

WHEREAS, the Hoboken City Council wishes to set forth the terms and conditions required to allow MCI to perform the work.

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

1. Permission and authority are hereby granted to MCI to install telecommunications facilities, or lease or obtain for such telecommunications facilities existing conduit space in the public right-of-way in the City of Hoboken in order to provide telecommunications services to the public, and to operate, maintain and repair said facilities, subject to the following:

   A. The facilities shall be installed in underground conduit and/or on to existing utility poles in the public right-of-way.

   B. MCI, its successors and assigns, shall adhere to all applicable Federal, State, and Local laws regarding safety requirements for the use of the public right-of-way.

   C. MCI, its successors and assigns, shall comply with all Federal, State and Local laws requiring permits prior to beginning installation and/or construction.

   D. Such permission be and is hereby given upon the condition and provision that MCI, its successors and assigns, not only indemnify and save harmless the City of Hoboken, its officers, agents and servants from any claims whatsoever arising from or in any way connected to the acts or omissions of MCI in use of the public right-of-way but shall agree on behalf of the City to defend any action at law or equity which may be brought against the City upon such claims or from claims arising during the construction period, excluding in all instances claims arising out of gross negligence or willful misconduct on the part of the City.

   E. In addition to the aforesaid indemnity agreement, MCI its successors and assigns shall at its own cost and expense procure and keep at all times in full force and effect paid up policies for Comprehensive General Liability Insurance in favor of the City, in the amount of at least $5,000,000, inclusive of umbrella coverage, bodily injury and property damage arising out of any one accident. Proof of said coverage, naming the City as an insured and including the indemnification clause in Section D shall be filed with the City Clerk prior to the installation of any plant. The City shall have the right to increase the amount of Comprehensive General Liability Insurance and to alter the terms of insurance called for under this section. Said insurance shall not be subject to cancellation or change until (30) days after the City Clerk has received written notice thereof as evidenced by return receipt of certified or registered letter.
F. Such permission be and is hereby given upon the further condition that in the use of the public right-of-way MCI, its successors and assigns, shall become subject to any lawful Ordinance or Resolution or hereafter adopted by the City.

G. Such permission be and is hereby given upon the condition that MCI shall obtain all applicable permits which may be required by the City. MCI shall comply with all City motor vehicle and pedestrian traffic control measures applicable to MCI's installation activities and pay all costs and fees related to same, including without limitation costs for police supervision.

H. MCI shall be responsible for the repair of damage to paving, existing utility lines, or any surface or subsurface installations, etc., arising from the construction, installation or maintenance of said plant. If any digging, trenching or other construction activity is required within the public right-of-way, MCI shall obtain all applicable street-opening permits and post sufficient security in the form of a performance bond, letter of credit, or other security satisfactory to the City prior to commencing such activity.

I. Notwithstanding any provision contained herein, neither the City nor MCI shall be liable to the other for consequential, incidental, exemplary or punitive damages on account of any activity pursuant to this instrument.

J. This instrument shall be adopted on behalf of the City by the City Council and attested to by the City Clerk who shall affix the City Seal thereto. Said execution, approval, and filing shall constitute the existence of public notification.

K. The permission and authority hereby granted shall be a period of 50 years. However, after 15 years from the date of this agreement, the City shall have the right to terminate permission and authority, by Resolution with a minimum one-year notice to MCI to sell or liquidate its local facilities on the City rights-of-way. Conversely, MCI shall be allowed to terminate permission and authority, by request of Resolution with a minimum of one year from passage of such Resolution to sell or liquidate its local facilities in the public right-of-way.

L. The permission and authority hereby granted is conditioned upon MCI's agreement to pay any reasonable costs incurred by the City of Hoboken pursuant to N.J.S.A. 54:30A-124 or other applicable statute or regulation for actual services provided by the City to MCI. Such amount shall be agreed upon prior to MCI commencing any construction and/or instillation activity.

2. The Mayor is hereby authorized to take any actions necessary to complete and realize the intent and 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.

ORDINANCES

Introduction and First Reading

09-406
DR-390

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE ADMINISTRATION CODE OF THE CITY OF HOBOKEN, ENTITLED “VEHICLES AND TRAFFIC”. (DR-390)

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 $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 $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 $66.00.

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 February 4, 2009 at 7:00 PM.

---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.
AN ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOKEN TO ESTABLISH A DEPARTMENT OF REVENUE AND FINANCE. *This item withdrawn from the agenda to go to committee.*

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Donna Antoinucci, 1027 Washington Street; Richard Tremediti, 2 Constitution Court; Maurice DeGennaro, 614 Hudson Street; Scott Segal, 206 Hudson Street; Councilwoman Mason left the meeting at 9:02 p.m.; Councilwoman Mason returned to the meeting at 9:08 p.m.; Eric Kurta, 214 Garden Street; Councilman Ramos left the meeting at 9:09 p.m.; Scott Delay, 1120 Clinton Street; Councilman Ramos returned to the meeting at 9:24 p.m.; Helen Hirsch, 98 Park Avenue; Council President Giacchi left the meeting at 9:26 p.m.; Donald Pellicano. 1000 Hudson Street; Michael Stepano, 150 14th Street; Toni Tamarazo, 518 Park Avenue; Cheryl Fallick, 204 3rd Street; Charles Mancini, 708 Willow Avenue.

At this time, 10:16 p.m., on a motion by Councilman Russo; duly seconded by Councilwoman LaBruno and voted on unanimously, the City Council entered into closed (executive) session.

09-407

CLOSED SESSION

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. 20:4-12; and;

WHEREAS, one of these enumerated reason is to discuss personnel matters and another such enumerated reason is for the Council to receive advice from its attorney; and,

WHEREAS, the Council has determined that it is necessary to go into closed executive session for the purpose of discussing a personnel matter involving City employee James Ronga and to receive advice from its attorney regarding same;

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.

After coming out of closed (executive) session, at 10:55 p.m., and returning to the meeting the City Council returned to the following resolution from earlier in the meeting:

09-408
---By Councilman Russo:

WHEREAS, Chapter 58 of the Code of the City of Hoboken establishes the Department of Environmental Services; and

WHEREAS, Section 58-5 of the Code of the City of Hoboken establishes the position of Director of Environmental Services, who is appointed by the Mayor with the advice and consent of the City Council; and,

WHEREAS, upon retirement of Director Joseph Peluso, a vacancy was created in this position; and,

WHEREAS, Mayor David Roberts has nominated James Ronga to succeed Joseph Peluso as Director of Environmental Services and has requested the Council’s affirmation of this appointment; and,

WHEREAS, funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hoboken hereby affirms and approves the appointment of James Ronga as Director of Environmental Services pursuant to §58-5 of the Code of the City of Hoboken; and

BE IT FURTHER RESOLVED, that James Ronga is to be compensated at a salary of One Hundred Fifteen Thousand Dollars ($115,000.00) dollar per annum, plus any applicable longevity; and

BE IT FURTHER RESOLVED, that James Ronga shall serve during the term of Mayor David Roberts and until the appointment and qualification of his successor and shall be subject to removal as provided by law.

Speakers continued from earlier in the meeting: Cheryl Fallick, 204 3rd Street; Tony Soares, 551 Observer Highway; Joseph Peluso, Two Marineview Plaza (former, retired Director of Environmental Services).

---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.

President Giacchi then adjourned the meeting at 11:10 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, Russo, Zimmer and President Giacchi.

ABSENT: Ramos.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR VARIOUS PARKING UTILITY IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE CITY OF HOBOKEN AND APPROPRIATING $2,200,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $2,200,000 IN BONDS OR NOTES OF THE CITY OF HOBOKEN TO FINANCE THE SAME (will replace ordinance number DR-338). (DR-389)

This ordinance, DR-389, is carried to the February 4, 2009 for final vote.

THE ABOVE ORDINANCE DR-389 FAILED; Yes-3; No-4; Abstain-2

Councilman Ramos arrived at 7:07 p.m.
At this time, on a motion by Councilwoman LaBruno, duly seconded by Councilman Cammarano and voted on unanimously the ordinance was reopened (closed at the last meeting) to the public and 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.

Public speakers: Helen Hirsch, 98 Park Avenue; Scott Segal, 206 Hudson Street; Donald Pellicano, 1000 Hudson Street; Charles Mancini, 708 Willow Avenue; Kevin Bradbecj, 1001 Madison Street; Lane Bajardi, 70 Park Avenue; Dan Tumpson, 230 Park Avenue; Jim Doyle, 806 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.

--- FAILED by the following vote: YEAS: 3 - NAYS: 4 - ABSTENTIONS: 2
---Yeas: Council persons Cammarano, LaBruno, President Giacchi.
---Nays: Castellano, Cunningham, Mason, Russo.
---Abstentions: Ramos, Zimmer.

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE ADMINISTRATION CODE OF THE CITY OF HOBOKEN, ENTITLED “VEHICLES AND TRAFFIC”. (DR-390)

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: Donald Pellicano, 1000 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.

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.

09-409

APPLICATIONS FOR MISCELLANEOUS LICENSES

Limousine owners ----------------------------------------------- 2
PublicHackDrivers ----------------------------------------------- 1
Limo/Livery Drivers --------------------------------------------- 6
Mechanical Amusement Devices ---------------------------------- 3
Parking Facilities----------------------------------------------- 6
Vendor---------------------------------------------------------- 1
Music Machines-------------------------------------------------- 2

---Councilman Russo moved that the licenses be granted.
---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.

REPORTS OF CITY OFFICERS

09-410

A report from City Clerk James Farina, for bids received on Friday, January 23, 2009 for: Police Station Roof Replacement (09-12); Fire Station Facade Repair (09-13); City Hall ADA Compliant Exterior Door (09-14) and Friday, January 30, 2009 for One (1) 2009 Three-Wheel Scooter (09-15) and auction of abandoned/surplus vehicles.

---Received and filed.

RESOLUTIONS

Presented and Read

09-411

---By Councilwoman LaBruno:

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE VARIOUS STREETS – 2009 – HOBOKEN PROJECT
WHEREAS, the City of Hoboken wishes to submit an application for 2009 Road Improvements to the New Jersey Department of Transportation to pave various streets within the City of Hoboken; and

WHEREAS, on behalf of the City of Hoboken, Remington Vernick Engineers has prepared such application for improvements to various streets (application attached);

NOW, THEREFORE, BE IT RESOLVED, that Council of the City of Hoboken, formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as Application #00723 to the New Jersey Department of Transportation on behalf of the City of Hoboken; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Hoboken and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Speakers before the vote: Helen Hirsch, 98 Park Avenue.

---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.

09-412
---By Council President Giacchi:

THIS RESOLUTION AMENDS AN EXISTING CONTRACT FOR SOLID WASTE COLLECTION.

WHEREAS, the Council of the City of Hoboken, at their meeting of 3 December 2007, awarded a three (3) year contract to Cali Carting, Inc. of Kearny, New Jersey for the Supply of Solid Waste Services; and

WHEREAS, the twelve (12) consecutive month cost of these services this year (2009) is $1,250,000; and

WHEREAS, the recent loss of qualified personnel within the Department of Environmental Services directly related to the collection of Recyclable Materials has resulted in the inability of the City to continue providing this service; and

WHEREAS, the City is seeking to increase the scope of Cali's existing contract to include to collection of recyclable materials which have historically been done by City of Hoboken employees; and
WHEREAS, Cali Carting, Inc. has agreed to increase the scope of their existing contract and provide the recycling services to the City at an increase of $112,680.00 for the balance of SFY 2009.

NOW THEREFORE BE IT RESOLVED as follows:

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

Speakers before the vote: Maurice DeGennaro, 614 Hudson Street; Helen Hirsch, 98 Park Avenue; Forde Prigot, 337 Bloomfield; Scott Siegel, 206 Hudson Street.

---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.

09-413---By Councilwoman LaBruno:

AFFIRMING APPOINTMENT OF SHARON CURRAN AS COLLECTOR OF REVENUE

WHEREAS, Section 54-5 of the Code of the City of Hoboken establishes the position of Collector of Revenue, who is appointed by the Mayor with the advice and consent of the City Council; and

WHEREAS, due to the retirement of Louis Picardo, this office is currently vacant; and

WHEREAS, Mayor David Roberts has nominated Sharon Curran to succeed Louis Picardo as Collector of Revenue and has requested the Council's affirmation of this appointment; and

WHEREAS, Sharon Curran holds the required certification for this position; and,

WHEREAS, funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken hereby affirms and approves the appointment of Sharon Curran as Collector of Revenue pursuant to §54-4 of the Code of the City of Hoboken; and

BE IT RESOLVED, that Sharon Curran is to be compensated at a salary of One Hundred Twelve Thousand Dollars ($112,000.00) dollars per annum; and

BE IT RESOLVED, that Sharon Curran’s term as Collector of Revenue shall expire on January 1, 2014 pursuant to N.J.S.A. 40A:9-142; and,
BE IT RESOLVED, that Sharon Curran provide a surety bond in the amount and format required by N.J.A.C. 5:30-8-3.

Speakers before the vote: Forde Prigot, 337 Bloomfield; Helen Hirsch, 98 Park Avenue.

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

09-414
---By Councilman Ramos:
---Motion duly seconded by Council President Giacchi.

RESOLUTION AUTHORIZING THE PLANNING BOARD OF THE CITY OF HOBOKEN TO UNDERTAKE A PRELIMINARY INVESTIGATION OF PROPOSED AREA IN NEED OF REDEVELOPMENT 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 a certain area of the City is in need of redevelopment in accordance with N.J.S.A. 40A:12A-6; and

WHEREAS, the City Council seeks to have the Planning Board undertake a preliminary investigation of the following area, which is depicted and further described on Schedule A attached hereto:

The study area is bounded by Fourteenth Street to the South, Grand Street to the West, then running easterly along Seventeenth Street between Grand Street and Willow Avenue, then southerly along Willow Avenue to Sixteenth Street, then easterly along Sixteenth Street to Park Avenue, and then southerly along Park Avenue to Fourteenth Street.

All lots situated in the following Blocks are included in the study area:

Block 122
Block 123
Block 125
Block 131
Block 133
Block 134
Block 140
Block 141; and

WHEREAS, on January 21, 2004, the City Council adopted Resolution No. 04-1306 pertaining to a request to the Planning Board to conduct a preliminary investigation and public hearing to determine whether certain areas of the City, including certain properties
WHEREAS, upon the completion of the preliminary investigation and hearing, the Planning Board must provide recommendations to the City Council as to the proposed redevelopment area.

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

1. Resolution No. 04-1306 of the City of Hoboken adopted on January 21, 2006, to the extent that it pertains to any of the properties described in Schedule A annexed hereto, is rescinded and superseded by this Resolution;

2. That the Planning Board of the City of Hoboken is hereby authorized and directed to perform a preliminary investigation and hold a public hearing to determine whether the proposed area as set forth in Schedule A annexed hereto, is in need of redevelopment and to submit its recommendations to the City Council in accordance with N.J.S.A. 40A:12A-6.

3. That this Resolution shall be effective immediately.

Speakers: Helen Hirsch, 98 Park Avenue; Cheryl Fallick, 204 3rd Street; Daniel Tumpson, 230 Park Avenue; Mary Ondreka, 159 9th Street; Richard Tremitiedi, 2 Constitution Court; Leah Haley, 806 Park Avenue; Lane Bajardi, 70 Park Avenue; Hany Ahmend, 1105 Grand Street; Elizabeth Markovick, 706 Grand Street.

After discussion a motion was made to table the above resolution as following:

---By Councilwoman Mason to TABLE above resolution
---Motion duly seconded by Councilwoman Castellano.
---TABLED by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Castellano, Cunningham, LaBruno, Mason, Zimmer and President Giacchi.
---Nays: Cammarano, Ramos, Russo.

At 10:03 p.m. the council recessed.
At 10:19 p.m. the council resumed the meeting.

09-415
---By Council President Giacchi:

WHEREAS, the SFY 2009 budget has not yet been adopted; and

WHEREAS, the City of Hoboken is attempting to find alternative revenue sources and decreases in expenses 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, by the City Council on the City of Hoboken, County of Hudson, State of New Jersey that the Tax Collector of the City of Hoboken be and is hereby authorized to issue estimated tax bills for the first quarter 2009.

FURTHER, in accordance with Public Laws of 1994, Chapter 72, hereby certifies the Tax Collector to mail an estimated First Quarter 2009 tax bill.

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

09-416
---By Councilman Cammarano:

RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATION 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 $65,372,712.06 for Current Expenses and $5,474,000.00 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 $255,500.00 for Current Expenses and 0.00 for the Parking Utility as follows:

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Street Lighting $150,000.00
Gasoline $0.00
Fuel $0.00
Water/Sewer $0.00
Communications $0.00
Tele Comm $0.00
Salary Adj $0.00
Master Plan $0.00
Social Security $0.00
Unemployment $0.00

SUB-TOTAL $255,500.00

Library $0.00

O/S CAP

TOTAL $255,500.00

Parking Utility S&W $0.00
Parking Utility OE $0.00

Total $255,500.00

Failed Yes 4; No 5

The following spoke on the resolution: Maurice DeGennaro, 614 Hudson Street; Richard Tremitiedi, 2 Constitution Court; Scott Delea, 1120 Clinton Street; Donna Antonucci, 1027 Washington Street.

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

After the meeting, on February 5, 2009, City Clerk James J. Farina advised that action and approval on the above resolution was taken by Fiscal Control Officer, Judith L. Tripodi.
ORDINANCES

Introduction and First Reading

09-417
DR-391

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOKEN TO
ESTABLISH A DEPARTMENT OF REVENUE AND FINANCE. (DR-391).

An Ordinance Amending the Code of the City of Hoboken To Establish A
Department of Revenue and Finance

WHEREAS, the Faulkner Act, at N.J.S.A. 40:69A-43, establishes that the City of
Hoboken may, by ordinance, establish various departments as required for the efficient
operations of the City; and,

WHEREAS, the accounting management of the fiscal affairs of the city and the
control of the receipt and disbursement of funds is presently handled by the Division of
Revenue and Finance within the Department of Administration; and,

WHEREAS, it is evident that creating a separate, independent Department of
Revenue and Finance will provide for additional checks and balances with respect to the
management of the City’s fiscal affairs; and,

WHEREAS, the establishment of the position of Director of Revenue and Finance
will allow the Mayor and Council to appoint a qualified individual to have proper oversight
authority over the City’s revenue collection and spending practices;

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:

There is hereby created a new Chapter 5 of the Code of the City of Hoboken, which
shall read as follows:

CHAPTER 5

REVENUE AND FINANCE, DEPARTMENT OF

ARTICLE I - GENERAL PROVISIONS

§ 5-1. Department Established.

There is hereby established in the government of the City of Hoboken a department
that shall be known as the Department of Revenue and Finance.
§ 5-2.  Purpose of the Department.

The purpose of the Department is to establish and implement procedures to ensure that the finances of the City of Hoboken are properly managed in accordance with all applicable laws, regulations and ordinances. The Department shall have the primary responsibility for the accounting management of the fiscal affairs of the City and control of the receipt and disbursement of City funds, including administration of the payroll and grants received by the City. The Department shall also be responsible for administering municipally-owned properties acquired through non-payment of taxes or any other municipal charges. The Department shall be granted all of the administrative functions, powers and duties related to the foregoing purposes.

§ 5-3.  Personnel.

A. There is hereby assigned and transferred to said Department all of the officers and employees previously assigned to the Division of Revenue and Finance in the Department of Administration, including but not limited to, the Chief Financial Officer, the Collector of Revenue and the Tax Assessor.

B. There is hereby assigned and transferred to said Department all of the officers and employees previously assigned to the Division of Payroll in the Department of Administration.

C. There is hereby assigned and transferred to said Department all of the officers and employees previously assigned to the Office of Grants Management in the Department of Community Affairs.

D. The personnel staff of the Department of Revenue and Finance may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the City Council.

§ 5-4.  Property and records.

There is hereby transferred and assigned to said Department all of the property, books, papers and records relating to any of the offices and other governmental agencies hereinabove allocated and assigned to said Department, except such books, papers and records as are now required by law or ordinances of the City of Hoboken to be kept in the office of some other officer or department of the city government.

§ 5-5.  Director.

A. There is hereby created the office of Director of the Department of Revenue and Finance. The Director shall be appointed by the Mayor with the advice and consent of the Council and shall serve during the term of the Mayor appointing him and until the appointment and qualification of his/her successor and shall be subject to removal as provided by law. Vacancies in the office of Director shall be filled in the same manner as the original appointment but for the unexpired term only.

B. The Director shall be the City officer vested with the control function of the management of the finances of the municipality, as required by N.J.S.A. 40:69A-48. The control function shall include provision for an encumbrance system of budget operation, for expenditures only upon written requisition, for the pre-audit of all claims and demands against the municipality prior to payment, and for the control of all payments out of any public funds by individual warrant for each payment to the official having custody thereof.
C. The Director shall have the authority to investigate the financial operations of all departments within the City to the extent required to ensure that he or she can properly exercise the control function to which he or she has been assigned.


§ 5-6. Director duties and authority.

A. The Director shall be head of the Department and, in addition to the functions, powers and duties that are hereby or may hereafter be conferred and imposed upon him/her by law and the ordinances of the city, shall:

(1) Exercise supervision and have general responsibility for all the operations of said Department and of the personnel employed therein.

(2) Supervise the organization of the Department and changes in the organization thereof, and, to the extent to which the organization of his/her Department is not prescribed by law, he/she may organize his/her Department into such divisions and bureaus and make such assignment of powers and duties among them and, from time to time, change such organization or assignments as he/she may deem advisable, except that the boards, offices and other governmental agencies and positions hereby allocated and assigned to said Department shall be maintained.

(3) Formulate and adopt rules and regulations for the efficient conduct of the work and general administration of the Department and the officers and employees thereof.

(4) Make periodic reports with such recommendations as he/she deems appropriate to the Mayor concerning the affairs of the Department under his/her jurisdiction.

B. In addition and without limitation to the general duties set forth herein, the Director of Revenue and Finance shall have the following responsibilities:

(1) To organize, develop, direct and perform the work involved in the management of the financial affairs of the city and control the receipt and disbursement of moneys.

(2) To supervise and perform professional functions involved in the analysis and audits of the accounts, vouchers and other records and prepare statements concerning the financial condition of the city.

(3) To develop, coordinate and maintain a system of accounting and financial reporting.

(4) To direct and implement necessary computer systems and programs.

(5) To train personnel in the operation and maintenance of automated systems.

(6) To act as a financial advisor to the Director of Administration in the formation of the budget.

(7) To report on and interpret financial data with the objective of promoting economy and efficiency in the execution of programs.

(8) To develop, coordinate and execute financial policies, procedures and plans.
(9) To develop, coordinate and maintain an integrated system of financial staff services through synthesis of data and information flow to provide the necessary financial control for the city.

(10) To confer with and serve as a technical advisor to department directors on financial problems and other related matters.

(11) To supervise clerical and accounting staff and assign their duties and responsibilities.

(12) To prepare, audit and edit reports of costs and other financial summaries and financial statements and have such financial summaries and financial statements available for audit.

(13) To review disbursements and controls to assure adherence to contractual obligations.

(14) To supervise and maintain essential accounting records and files, including books of original entry and general ledger.

(15) To provide technical and administrative guidance to staff.

(16) To establish internal operating policies and procedures.

(17) To plan projects or programs and recommend changes to existing operations.

(18) To estimate budgetary needs of the city and allocate resources appropriately.

(19) To forecast anticipated budgetary increases/reductions based upon an analysis of the city’s goals and needs.

(20) To monitor expenditures against allocations to ensure that disbursements do not exceed authorized funding levels and develop recommended cost containment plans as are necessary to ensure proper fiscal administration.

(21) To maximize revenues by ensuring proper state/federal reimbursements.

(22) To develop and maintain a system of accounts consistent with the policy, procedures and requirements of the city and applicable state/federal statutes and rules.

(23) To conduct periodic audits and inspections of varied financial transactions and records.

(24) To prepare required fiscal/statistical reports.

(25) To analyze fiscal/statistical management reports.

(26) To establish and supervise the maintenance of suitable budgetary controls.

(27) To supervise the operation of the Department’s data processing activities to ensure that input is accurate and that output is sufficient to provide all needed financial and statistical information.

(28) To supervise and review the accounting procedures used throughout the city to ensure that the procedures are uniform and consistent.
(29) To prepare or direct the preparation of reports required by third-party reimbursement agencies.

(30) To prepare or direct the preparation of reports to governmental agencies required by law.

(31) To see that municipal financial operations are in accord with all legal requirements.

(32) To monitor financial reports of all departments to see that they are in conformity with required procedures and policies.

(33) To perform or direct the performance of cost analyses of departments and recommend changes based upon established norms.

(34) To direct the enforcement of delinquent tax payments as prescribed by law.

(35) To cause the preparation of the annual financial statement as prescribed by law.

(36) To cause the preparation of the annual debt statement according to law.

(37) To cause the preparation of the supplement debt statements according to the Local Bond Law and municipal bond ordinance.

(38) To administer the municipal debt sale of bond application notes and bonds as well as the preparation of the necessary financial and statistical data and the bond sale prospect.

ARTICLE II Division of Payroll

§ 5-7. Office Established.

There is hereby established a Division of Payroll in the Department of Revenue and Finance which shall be responsible for the maintenance and administration of a centralized timekeeping and payroll system for all municipal employees.

§ 5-8. Personnel.

The personnel staff in the Division of Payroll may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

ARTICLE III Office of Grants Management


There is hereby established an Office of Grants Management in the Department of Revenue and Finance which shall be responsible for the maintenance of a centralized grants application and management system for the city’s various financial assistance programs.

§ 5-10. Personnel.

The personnel staff in the Office of Grants Management may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.
SECTION TWO:

Section 4-2 of the Code of the City of Hoboken is hereby amended as follows: (deletions are made by strikeout, insertions by brackets):

§4-2. Divisions enumerated.

The Department shall embrace and there is hereby allocated and assigned thereto the Office of the Business Administrator, Division of Revenue and Finance, Division of Personnel and Health Benefits, Division of Purchasing, Division of Payroll, Division of Constituent Services, Office of the Tax Assessor, Office of the Collector of Revenue, the Chief Financial Officer, the Corporation Counsel, Taxis and Livery, the Zoning Officer, the Construction Code Official, Board of Alcoholic Beverage Control, Office of Licensing and Inspections, municipally owned properties acquired through nonpayment of taxes or any other municipal charges, and all of the administrative functions, powers and duties relating thereto.

SECTION THREE:

Section 54-7 of the Code of the City of Hoboken is hereby amended as follows: (deletions are made by strikeout, insertions by brackets):

§ 54-7. Personnel.

All persons employed in the office of the Collector of Revenue, [including, but not limited to, the Tax Collector] are assigned to the Division [Department] of Revenue and Finance, and they shall, under the supervision and control of the Director of the Division [Department], continue to exercise and perform such functions, powers and duties, subject to law and the ordinances of the city. Nothing herein contained shall be construed to impair or deprive any such person or persons of any tenure of office rights under any law of this state or of any rights or protection provided them by Title 11A, Civil Service, of the Revised Statutes of New Jersey or by any pension law or retirement system or any other law of this state.

SECTION FOUR:

Section 54-16 of the Code of the City of Hoboken is hereby amended as follows: (deletions are made by strikeout, insertions by brackets):

§ 54-16. Personnel.

All persons employed in the office of the Chief Financial Officer, [including, but not limited to, the Chief Financial Officer] and assisting the Chief Financial Officer in the performance of his functions, powers and duties are assigned to the Division [Department] of Revenue and Finance, and they shall, under the supervision and control of the Director of the Division [Department], continue to exercise and perform such functions, powers and duties as heretofore, subject to law and the ordinances of the city. Nothing herein contained shall be construed to impair or deprive any such person or persons of any tenure of office rights under any law of this state or any rights or protection provided them by Title 11A, Civil Service, of the Revised Statutes of New Jersey or by any pension law or retirement system or any other law of this state.
SECTION FIVE:

Section 54-30 of the Code of the City of Hoboken is hereby amended as follows: (deletions are made by strikeout, insertions by brackets):

§ 54-30. Full-time duties; hours.

A. Except as otherwise provided by law, the Tax Assessor, the Business Administrator, the Director of Environmental Services, the Director of Human Services, [the Director of Revenue and Finance,] the City Clerk and the Collector of Revenue for the City of Hoboken shall be employed on a full-time basis, devoting their full energies to compliance with their municipal obligations between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday.

The remainder of Section 54-30 shall remain unchanged.

SECTION SIX:

Sections 4-9, 4-10, 4-11, 4-16, 4-17, 20-8 and 20-9 of the Code of the City of Hoboken are hereby repealed.

SECTION SEVEN:

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 EIGHT:

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

SECTION NINE:

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.

SECTION TEN:

This Ordinance shall take effect according to 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 FEBRUARY 18, 2009 at 7:00 PM.
AN ORDINANCE REDUCING THE SALARIES OF THE MEMBERS OF THE CITY COUNCIL BY TEN PERCENT. (DR-392).

WHEREAS, it is the intent of the Hoboken City Council to productively move forward with the 2009 budget in a positive and collaborative manner; and

WHEREAS, the Council wishes to convey its sincere concern regarding the financial impact of the recent tax increase to the citizenry and to demonstrate the Council’s continued support of Hoboken’s taxpayers; and

WHEREAS, pursuant to the Faulkner Act, specifically, N.J.S.A. 40:69A-180©, the compensation of the members of the Hoboken City Council is to be established by ordinance; and,

WHEREAS, the Council has previously adopted a salary ordinance setting forth the compensation for its members; and ,

WHEREAS, the Council has the authority to amend the compensation for its members at any time it sees fit; and ,

WHEREAS, the Council is committed to serving the taxpayers by setting an example and reducing its own salaries by 10%.

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:

The base annual salary of the members of the City Council, previously established by Ordinance in the amount of $24,130, shall be reduced by ten percent (10%), which is a reduction of $2,413.00 and shall result in a new base annual salary of $21,717.00.

The base annual salary of the Council President, previously established by Ordinance in the amount of $26,541, shall be reduced by ten percent (10%), which is a reduction of $2,654.10 and shall result in a new base annual salary of $23,886.10.

Section Two: 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 Three: 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 Four: Effective Date

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

Section Five: 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.

---Councilwoman Castellano moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on FEBRUARY 18, 2009 at 7:00 PM.

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

09-419
DR-393

AN ORDINANCE REDUCING THE SALARY OF THE MAYOR BY TEN PERCENT. (DR-393).

WHEREAS, pursuant to the Faulkner Act, specifically, N.J.S.A. 40:69A-180(c), the compensation of the Mayor is to be established by Ordinance; and,

WHEREAS, the Council has previously adopted a salary ordinance setting forth the compensation for its members; and,
WHEREAS, the Council has the authority to amend the compensation for the Mayor at any time it sees fit; and,

WHEREAS, the Council recognizes that there has been a significant tax increase on the citizens of Hoboken in this fiscal year and therefore believes it is appropriate to reduce the salary of the Mayor by ten percent (10%);

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:

The base annual salary of the members of the City Council, previously established by Ordinance in the amount of $124,894.00, shall be reduced by ten percent (10%), which is a reduction of $12,989.40 and shall result in a new base annual salary of $116,904.60.

Section Two: 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 Three: 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 Four: Effective Date

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

Section Five: 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.
---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 FEBRUARY 18, 2009 at 7:00 PM.

---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.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Councilman Ramos left the meeting at 10:45 p.m.; Lydia Radin, 651 W. 188th Street, New York City; Donna Antonucci, 1027 Washington Street; Helen Hirsch, 98 Park Avenue; Maurice DeGennaro, 614 Hudson Street; Scott Siegel, 206 Hudson Street; Richard Tremediti, 2 Constitution Court; Councilwoman Mason left the meeting at 11:11 p.m.; Mary Ondrejka, 158 8th Street; Dan Tumpson, 233 Park Avenue; Councilwoman Mason returned to the meeting at 11:19 p.m.; Councilman Russo left the meeting at 11:19 p.m.; Gary Holtzman, 80 Bloomfield Street; Councilman Russo returned to the meeting at 11:25 p.m.; Leah Healey, 806 Park Avenue; George Papas (attorney, office at 51-53 Newark Street), home 700 Hudson Street; Jim Doyle, 806 Park Avenue; Tont Tomarazzo, 518 Park Avenue; Councilman Ramos returned to the dais at 11:52 p.m. (the councilman was sitting in the rear of the room while away from the dais for an unknown length of time); Jim Vance, 107 Monroe Street.

President Giacchi then adjourned the meeting at 11:57 p.m.
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, Mason, Ramos, Russo, Zimmer and President Giacchi.

ABSENT: La Bruno

President Giacchi directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinances 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.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOKEN TO ESTABLISH A DEPARTMENT OF REVENUE AND FINANCE. (DR-391).

Councilwoman Castellano informed Council President Giacchi that Administration committee did not meet to discuss DR-391. Recommendation of committee is to continue to next meeting March 4, 2009.

This item withdrawn from the agenda to go to committee.
James J. Farina City Clerk reminded Council Ordinance Dr-391 was advertised and the law states Council has to have a hearing on this ordinance.

---Motion to continue DR-391 to next meeting March 4, 2009 by Councilwoman Mason, seconded by Councilwoman Castellano.
---Yeas: Council persons, Cammerano, Castellano, Cunningham, Ramos, Russo, President Giacchi.
---Nays: Zimmer

---Motion was made by Council President Giacchi to suspend the order of sequence of the agenda to address # 2 on the agenda - resolution 09-427 ---Yeas Council persons Cammarano, Castellano, Cunningham, Mason, Ramos, Russo, Zimmer. President Giacchi
---Nays –None

RESOLUTIONS

09-427
---By: Councilwoman Castellano

A RESOLUTION CALLING FOR THE CITY COUNCIL TO PLEDGE TEN PERCENT OF ITS SALARY TO HOBKONE-BASED CHARITABLE AND SERVICE PROGRAMS

WHEREAS, it is the intent of the Hoboken City Council to productively move forward with the 2009 budget in a positive and collaborative manner; and,

WHEREAS, the Council wishes to convey its sincere concern regarding the toll the current financial climate has taken on the City’s charitable and service programs, which depend on donations; and

WHEREAS, the Council believes it would be appropriate to pledge (10) percent of its annual salary, to the various programs of each Council member’s personal choice that services the people of Hoboken; and,

WHEREAS, the Council’s salary is currently $24,130 annually, which equates to a donation of $2,413.00, and the Council President’s salary is currently $26,541 annually, which equates to a donation of $2,654.10.

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

1. The Council pledges to donate ten (10) percent of its annual salary various charitable and service programs located throughout the City of Hoboken.

2. This resolution shall be effective immediately upon adoption, and shall expire on June 30, 2009, after which it will be re-negotiated by a consensus of the Council in the new fiscal year that begins on July 1, 2009.

Councilwoman LaBruno arrived 7:13 pm

Speakers – Scott Siegal
YEAS –Cammarano, Castellano, Cunningham, LaBruno, Ramos, Russo, Zimmer, President Giacchi
NAYS _None
Present – Mason – Councilwoman Mason donates more than 100% to charity.

Motion was made to resume the sequence of agenda to address second reading of Ordinance DR-391, DR-392 and DR-393.

AN ORDINANCE REDUCING THE SALARIES OF THE MEMBER OF THE CITY COUNCIL BY TEN PERCENT. (DR-392).

Before the vote was taken on (DR-392) the speakers were: Scott Seigel, Dom Pellicano; Cheryl Fallick, Dan Tumpson, Mary Ondrejka, James Brennan, Michael Lenz, Gene Devenay, Scott DeLea.

FAILED – YEAS 4 – NAYS - 4 - PRESENT -1
---Yeas: Council persons, Castellano Cunningham, Russo, Zimmer,
---Nays: Cammarano, LaBruno, Ramos, President Giacchi
---Present: Mason, Reason being donates more than 100% of her salary.

AN ORDINANCE REDUCING THE SALARY OF THE MAYOR BY TEN PERCENT. (DR-393).

Before vote was taken on (DR-393) speakers were: Dom Pellicano, Lane Bajardi, Michael Lenz.

Adopted by the following vote –YEAS -5 - NAYS - 4
---Yeas –Councilperson Castellano, Cunningham, Mason, Russo, Zimmer
---Nays - Councilpersons Cammarano, La Bruno, Ramos, President Giacchi

09-420

PETITIONS AND COMMUNICATIONS

WHEREAS, each year during the month of March we formally recognize the American Red Cross of Northern New Jersey and its essential humanitarian role. Every day, Red Cross volunteers and employees carry out their mission by providing essential services to people in their communities; and

WHEREAS, the people of Hoboken have relied on the expertise of the American Red Cross in disaster relief. Each year, the American Red Cross of Northern New Jersey responds to nearly 400 disasters including house or apartment fires, hurricanes and other natural and human caused disasters, In January, the Red Cross responded to over 30 fires in 30 days, providing disaster relief to 249 individuals, including two devastating fires in the Hoboken area;

WHEREAS, the Northern New Jersey Chapter makes every effort to save lives long before tragedy strikes by helping individuals and entire communities learn to prepare for
disasters through CPR training, water safety and use of automated external defibrillators (AEDs) to save victims of sudden cardiac arrest. Over the past year, the Red Cross of Northern New Jersey has trained 60,721 people in Health and Safety Courses; and

WHEREAS, the Red Cross serves as the bridge between generous blood donors and millions of patients in need each year, providing half the nation’s blood supply. Staff members also deploy with our Armed Forces and provide emergency communications and a caring presence to service men and women separated from their families; and

NOW, THEREFORE, I DAVID ROBERTS, Mayor of the City of Hoboken, do hereby proclaim March 2008 as American Red Cross Month in the City of Hoboken and I encourage all Americans to support this organization’s noble humanitarian mission.

--Received and filed.

09-421

February 11, 2009

Dear Council President and Members of the Hoboken City Council:

As we look to trim expenses and explore new revenue sources, I would like to provide you with a brief update on our latest developments in maneuvering our way through financial difficulties.

As you know, since my administration took office in 2001 our population has grown by 10,000 residents. Based on our analysis attached, through the hiring freeze and retirements, the municipal workforce has declined from 542 to the current total of 495. This represents a reduction of 29 full time employees.

On the revenue side, we are looking into creative alternatives. I wanted to make you aware that the City of Chicago recently approved a $1.1 billion dollar lease of municipal parking meters over 75 years to a subsidiary of Morgan Stanley. A similar plan may be right for the City of Hoboken after a thorough review of potential partners. The Chicago agreements provide an immediate infusion of funds into a City which is experiencing similar financial difficulties. I am attaching an article from Budget & Tax News which explains the Chicago lease difficulties.

I will keep you updated on the Administration’s ongoing fiscal strategy.

Sincerely,

DAVID ROBERTS,
MAYOR

-Received and Filed.
February 13, 2009

Dear Council President Giacchi and Member of the Hoboken City Council:

County Executive Thomas DeGise recently contacted my office to offer an opportunity to the City of Hoboken to submit plans as part of the Federal stimulus package for projects that would improve the infrastructure of the City of Hoboken and would be ready to go immediately. My Administration and I are recommending that the North Hudson Sewerage Authority’s Hoboken Wet Weather Pump Stations, which is designed to help alleviate flooding in sectors of the City of Hoboken, would be an ideal project to fund.

There are four wet weather pump stations planned for the City. Acting together, these pump stations will address the street flooding that occurs during rain events which are coincident with high tide in the Hudson River. The total cost for the construction of the four wet weather pump stations is $36,600,000. (see attached proposal)

The infrastructure improvements to our City's sewer lines are a priority and an ideal match to the infrastructure stimulus package. We are also submitting additional “shovel ready” projects to County Executive DeGise’s office for consideration including assistance to Hoboken University Medical Center, infrastructure improvements to traffic pattern issues in and about the Paterson Plank Road area and completion of the September 11th Memorial on Pier A and the expansion of Pier C Park.

This opportunity to work in conjunction with the County Executive’s office to make major improvements to the infrastructure of the City of Hoboken is a top priority to both me and my Administration. Rest assured we will be working closely with County officials on a daily basis to see that this partnership comes to fruition.

-Filed and Received.

February 13, 2009

Dear Council President and Members of the City Council:

I am writing to support the comprehensive redevelopment plan for our City’s western edge, which was formulated by our Master Planners, Phillips, Preiss, Shapiro Associates, Inc.

The intent of the Western Edge Redevelopment Plan is to create a vibrant neighborhood on what is now underutilized and mostly vacant land. It uses sound design principals to enhance the unique qualities of Hoboken and meet the recognized need in the community for park and recreation space, retail services and affordable housing. The plan strives to realize these goals developing market price housing, an attractive streetscape, and well-designed buildings as part of an integrated, mixed-use development.

Specifically, the Plan calls for the following:

-Filed and Received.
--Two large parks with playgrounds, grassed lawns, walking and jogging paths, among other public use amenities. At no cost to the City of Hoboken or its taxpayers.

--A community center, a swimming pool as well as a gymnasium, basketball courts, locker rooms an arts and dance studio, a computer lab, among other public amenities. At no cost to the City of Hoboken or its taxpayers.

--A “green circuit: with jogging and walking paths, a bicycle path as well as landscaping features trees, shrubs and planters. At no cost to the City of Hoboken or its taxpayers.

--A minimum of 100 units of affordable housing on site.

--The site contains 26000 sq. ft. of retail space which is integrated into the development.

--The Western Edge will generate over $6,000,000 in tax revenues to the City.

As you can see, this project provides a great public benefit to an underutilized area and creates a vibrant neighborhood in a former industrial zone.

I hope you share my views and vision.

Sincerely,

DAVID ROBERTS
Mayor

---Filed and Received

09-424

APPLICATIONS FOR MISCELLANEOUS LICENSES

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Hack Drivers</td>
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</tr>
<tr>
<td>Limo/Livery Drivers</td>
<td>8</td>
</tr>
<tr>
<td>Taxicab owners</td>
<td>5</td>
</tr>
<tr>
<td>Vendors</td>
<td>20</td>
</tr>
<tr>
<td>Music Machines</td>
<td>15</td>
</tr>
<tr>
<td>Motor Vehicle Repair Shops</td>
<td>1</td>
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<tr>
<td>Parking Facilities</td>
<td>4</td>
</tr>
<tr>
<td>Lumber Yard</td>
<td>1</td>
</tr>
<tr>
<td>Mechanical Amusement Devices</td>
<td>3</td>
</tr>
</tbody>
</table>

---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

09-425

A report of the Municipal Court indicating receipts for the month of January 2009 as $303,059.65.

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

Motion was made by Councilwoman LaBruno to suspend the order of sequence of the agenda to address # 14 on the agenda resolution 09-439.

RESOLUTIONS (cont'd)

Presented and Read

09-439

---By Councilwoman Mason:

Authorizing a Contract with Concord Engineering Group for an Energy Audit of City Facilities as part of the “Local Government Energy Audit Program

WHEREAS, on December 15, 2008, the City of Hoboken accepted bids from funding source pre-qualified firms for an Energy Audit of public facilities; and

WHEREAS, the following proposals were received:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concord Engineering Group, Inc.</td>
<td>$ 57,063.00</td>
</tr>
<tr>
<td>520 S. Burnt Mill Road</td>
<td></td>
</tr>
<tr>
<td>Voorhees, NJ 08043</td>
<td></td>
</tr>
</tbody>
</table>

| Steven Winter Associates, Inc.      | $ 65,032.00|
| 50 Washington Street                |            |
| Norwalk, CT 06854                   |            |

| Dome-Tech, Incorporated             | $ 76,720.00|
| 510 Thornall Street                |            |
| Edison, NJ 08837                    |            |

| Clough, Harbour & Associates        | $109,018.00|
| 2001 Route 46                       |            |
| Parsippany, NJ 07054-1315           |            |
and;

WHEREAS, the lowest qualified bidder, Concord Engineering Group, Inc. was asked to remove from their estimate a line item for an audit of water usage (not eligible for funding through the funding source); and

WHEREAS, the low bidder's total amount, after the removal of the water usage audit line item is FIFTY-FIVE THOUSAND FIVE HUNDRED EIGHTY-NINE DOLLARS ($55,589.00); and

WHEREAS, the New Jersey Local Government Energy Audit Program, a New Jersey Board of Public Utilities program managed by TRC Energy Services, has granted the City a funding award in the amount of $41,692.75 (or 75% of the actual invoiced cost of the audit - see award letter attached) with the balance to be paid from appropriation approved by City Council Resolution No. 08-322 (also attached); now therefore --

BE IT RESOLVED, that a contract in the amount of FIFTY-FIVE THOUSAND FIVE HUNDRED EIGHTY-NINE DOLLARS ($55,589.00) will be awarded to Concord Engineering Group, Inc., 520 Burnt Mill Road, Voorhees, New Jersey 08043; 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 Concord Engineering Group 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.

Speakers on the above resolution: Helen Hirsch, Scott Seigel, J.D. Capuano
Greg Degervene Concord Engineering Group Inc.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS – 9 - Nays - 0
---Yeas – Cammarano, Castellano, Cunningham, La Bruno, Mason, Ramos, Russo, Zimmer
Council President Giacchi
---Nays – None.
Council President Giacchi announced that Council will resume with the regular meeting.

09-426
By: Councilwoman Mason

Authorizing the Submission of an Application to the Hudson County Trust Fund for the Acquisition of Land in the Southwest Development Zone for Open and Recreation Space and Flood Remediation.

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. Balance of project cost to be paid for by other City of Hoboken funding sources such as Open Space Tax, other grants, public/private partnerships and public and private donations.

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.

Speakers: Jim Vance, George Pappas, Lane Bajardi, David Lenminval, Jim Doyle.

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

Council woman La Bruno has questions directed to Director Bado about the above Resolution.

Councilman Ramos left the meeting 8:40 pm

09-428
---By Councilman Russo

AUTHORIZING THE REFUND OF TWO DUPLICATE CERTIFICATION PAID IN ERROR ($200)

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the 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 $200.00

(REASON: OWNER WANTED COUNTY MORTGAGE RELEASES NOT TAX SALE CERTIFICATES)

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>THOMAS &amp; PAMELA HANLEY</td>
<td>247/35/C000F</td>
<td>202 FIFTH ST</td>
<td>$200.00</td>
</tr>
<tr>
<td>1206 WASHINGTON STREET</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HOBOKEN, NJ 07030</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---Motion duly seconded by 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.

09-429
---By Councilman Russo

RESOLUTION AUTHORIZING THE REFUND OF INTEREST

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the 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 $612.06

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>CLAIRE DI MEOLA</td>
<td>246/18</td>
<td>114 WASHINGTON ST</td>
<td>$612.06</td>
</tr>
<tr>
<td>53 PALISADE AVENUE #206</td>
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</tr>
<tr>
<td>ENGLEWOOD, NJ 07631</td>
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</tr>
</tbody>
</table>

---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.

09-430
---By Councilman Russo

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS

Meeting February 18, 2009
WHEREAS, an overpayment of taxes has been made on property listed below: and

WHEREAS, Sharon Curran, 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 $73,486.65

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LT/UNIT</th>
<th>PROPERTY</th>
<th>QTR/YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>RSI BANK  PROPERTY TAX</td>
<td>268.1/3/C009R</td>
<td>1500 HUDSON ST</td>
<td>4/08</td>
<td>$589.16</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1500 IRVING STREET</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>RAHWAY, NJ 07065</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WASHINGTON MUTUAL</td>
<td>74/25/C0001</td>
<td>618 MONROE ST</td>
<td>4/08</td>
<td>$2,859.40</td>
</tr>
<tr>
<td>ATTN:TAX DEPARTMENT, FSC0211</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>P.O. BOX 100573</td>
<td>FLORENCE, SC 29501-0573</td>
<td></td>
<td></td>
</tr>
<tr>
<td>GMAC MORTGAGE</td>
<td>84/1/C02-I</td>
<td>450 SEVENTH ST</td>
<td>4/08</td>
<td>$1,222.39</td>
</tr>
<tr>
<td>3451 HAMMOND AVENUE</td>
<td></td>
<td>WATERLOO, IOWA 50704</td>
<td></td>
<td></td>
</tr>
<tr>
<td>GEOFFREY A. NORTH</td>
<td>149/1/C0E2E</td>
<td>400-414 NINTH ST</td>
<td>2007/2008</td>
<td>$8,503.21</td>
</tr>
<tr>
<td>402 9TH STREET, APT. E2E</td>
<td></td>
<td>HOBOKEN, NJ 07030</td>
<td></td>
<td></td>
</tr>
<tr>
<td>COUNTRYWIDE</td>
<td>84/3/C0P46</td>
<td>725 JEFFERSON ST</td>
<td>2/08</td>
<td>$138.44</td>
</tr>
<tr>
<td>TAX SERVICES</td>
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<td></td>
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<td></td>
</tr>
<tr>
<td></td>
<td>84/3/C0P47</td>
<td>725 JEFFERSON ST</td>
<td>2/08</td>
<td>$138.44</td>
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<td></td>
<td>84/3/C0P48</td>
<td>725 JEFFERSON ST</td>
<td>2/08</td>
<td>$138.44</td>
</tr>
<tr>
<td></td>
<td>84/3/C0P49</td>
<td>725 JEFFERSON ST</td>
<td>2/08</td>
<td>$138.44</td>
</tr>
<tr>
<td>DANIEL HUGHES &amp; ANGELA WONG</td>
<td>200/10/C0001</td>
<td>121 BLOOMFIELD ST</td>
<td>3/07</td>
<td>$146.04</td>
</tr>
<tr>
<td></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Address: 232 MADISON STREET  
HOBOKEN, NJ 07030 | JASON & CINDY WEISS  
805 WILLOW AVE. #1R  
HOBOKEN, NJ 07030 | CHASE HOME FINANCE  
1ST AMERICAN WAY  
WESTLAKE, TEXAS 76262 | THOMAS GREEN  
187 WAYNE STREET #111C  
JERSEY CITY, NJ 07302 |  
KIRAN RAO  
704 BLOOMFIELD ST #2  
HOBOKEN, NJ 07030 | CHASE HOME FINANCE LLC  
238/12/C0002  
PO BOX 961227  
FORT WORTH, TX 76161 | WELLS FARGO HOME  
MORTGAGE  
1 HOME CAMPUS  
DES MOINES, IA 50328-0001 | FAIRVIEW SETTLEMENT  
SERVICES  
18 FAIRVIEW STREET  
HUNTINGTON, NY 11743 | FAIRVIEW SETTLEMENT  
SERVICES  
18 FAIRVIEW STREET  
HUNTINGTON, NY 11743 |  
FIRST AMERICAN R.E.  
TAX SERVICES  
PO BOX 961230  
FORT WORTH, TX 76161-0230 | WASHINGTON MUTUAL  
ATTN: TAX REFUND DEPT. FSC0211  
P.O. BOX 100573  
FLORENCE, SC 29501-9921 |  
ANDREW SANTULLI  
1201 ADAMS ST. # 512  
HOBOKEN, NJ 07030 | JONATHAN KEEES  
1025 MAXWELL LN  
4/08 | **Amounts:** $2,136.17  
$1,000.00  
$3,979.62  
$1,624.92  
$2,174.41  
$1,005.68  
$5,787.45  
$308.90  
$345.91  
$1,204.74  
$227.49  
$179.04 |
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<tr>
<th>Name</th>
<th>Account Number</th>
<th>Address</th>
<th>Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>JONATHAN KEEES</td>
<td>261.04/1/C0306</td>
<td>1025 MAXWELL LANE</td>
<td>4/08</td>
<td>$5,050.07</td>
</tr>
<tr>
<td>VINOD MUKANI</td>
<td>18/4/C002I</td>
<td>70 ADAMS ST #21</td>
<td>1/08</td>
<td>$4,501.96</td>
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<tr>
<td>WELLS FARGO HOME</td>
<td>188/20/C004A</td>
<td>151 SECOND ST</td>
<td>4/08</td>
<td>$1,065.36</td>
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<tr>
<td>CAROL SANTOS</td>
<td>192/24/C0003</td>
<td>536 BLOOMFIELD ST</td>
<td>4/08</td>
<td>$1,884.62</td>
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<tr>
<td>WELLS FARGO HOME</td>
<td>84/10/C0002</td>
<td>727 JEFFERSON ST</td>
<td>3/08</td>
<td>$2,904.50</td>
</tr>
<tr>
<td>MICHAEL GORA</td>
<td>152/5/C0P-3</td>
<td>702-708 CLINTON ST</td>
<td>4/08</td>
<td>$318.48</td>
</tr>
<tr>
<td>WASHINGTON MUTUAL</td>
<td>67/12/C0004</td>
<td>523 MONROE</td>
<td>4/08</td>
<td>$2,639.91</td>
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<tr>
<td>COUNTRYWIDE</td>
<td>261.04/1/CP132</td>
<td>1025 MAXWELL LN</td>
<td>AA4/07</td>
<td>$222.49</td>
</tr>
<tr>
<td>COUNTRYWIDE</td>
<td>261.04/1/C0502</td>
<td>1025 MAXWELL LN</td>
<td>AA 4/07</td>
<td>$9,964.82</td>
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<tr>
<td>CLOSING PARTNERS, LLC</td>
<td>25/1/C011U</td>
<td>700 FIRST ST</td>
<td>2/08</td>
<td>$1,530.00</td>
</tr>
</tbody>
</table>
---Motion duly seconded by President Giacchi
---Adopted by the following vote: YEAS – 8 – NAYS – 0 Absent – 1
---Yeas – Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer, and President Giacchi.
---Nays – None.
---Absent - Ramos

---By Councilman Russo

**RESOLUTION AUTHORIZING THE REFUND OF TAX APPEALS**
**HUDSON COUNTY TAX BOARD AND STATE TAX COURT**

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

**WHEREAS,** Sharon Curran, Collector of Revenue recommends that the 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 $71,532.30

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
<th>YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>BRUCE &amp; REBECCA 78/6/C002F</td>
<td>615 ADAMS STREET</td>
<td>2008</td>
<td>$ 7,353.91</td>
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</tr>
<tr>
<td>PADULA</td>
<td>HCB JUDGEMENT</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>615 ADAMS STREET #2F</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HOBOKEN, NJ 07030</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NASHAL &amp; NASHAL TRUST</td>
<td>262.3/1/C1004</td>
<td>2 CONSTITUTION CT</td>
<td>2008</td>
<td>$2,618.73</td>
</tr>
<tr>
<td>ACCOUNT</td>
<td>415 SIXTIETH STREET</td>
<td>TAX COURT JUDGEMENT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WEST NEW YORK, NJ 07093</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NASHAL &amp; NASHAL TRUST</td>
<td>262.3/1/C0306</td>
<td>2 CONSTITUTION CT</td>
<td>2008</td>
<td>$1,167.70</td>
</tr>
<tr>
<td>ACCOUNT</td>
<td>415 SIXTIETH STREET</td>
<td>TAX COURT JUDGEMENT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WEST NEW YORK, NJ 07093</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NASHAL &amp; NASHAL TRUST</td>
<td>262.3/1/C1003</td>
<td>2 CONSTITUTION CT</td>
<td>2008</td>
<td>$3,704.86</td>
</tr>
<tr>
<td>ACCOUNT</td>
<td>415 SIXTIETH STREET</td>
<td>TAX COURT JUDGEMENT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WEST NEW YORK, NJ 07093</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
---Motion duly seconded by President Giacchi
---Adopted by the following vote: YEAS – 8 – NAYS – 0 Absent – 1
---Yeas – Cammarano, Castellano, Cunningham, LaBruno, Mason, Russo, Zimmer, and President Giacchi.
RESOLUTION RATIFIES THE ACTION OF THE ADMINISTRATION IN THE PUBLIC AUCTION OF TWENTY-SEVEN (27) ABANDONED BICYCLES AND THREE (3) ABANDONED VEHICLES HELD ON 30 JANUARY 2009.

WHEREAS, pursuant to the resolution of the Council of the City of Hoboken, a car auction was held 30 January 2009 in the Court Room in City Hall, and,

WHEREAS, Fifteen (15) individuals bid on the Twenty-Seven (27) abandoned bicycles individually and the total received for their sale was Eight Hundred Ten Dollars ($810.00), and,

WHEREAS, two (2) firms bid for the bulk sale of the three (3) abandoned vehicles, and

WHEREAS, said high bidder, Jersey One Auto Sales tendered cash in full payment, for the bulk sale, in the amount of Five Hundred Eighty-Nine Dollars ($589.00). Said payment was deposited in the City Clerk’s office for disposition in the City bank account, now THEREFORE BE IT

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

Speaker on the above resolution: Helen Hirsch.

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

09-433
---By Castellano

RESOLUTION AWARDING A CONTRACT FOR THE PURCHASE OF ONE (1) 2009 THREE-WHEEL SCOOTER WITH A DUMPER BASED OF THE LOWEST RESPONSIVE BIDDER.

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposals were received for the purchase of one (1) 2009 Three Wheel Scooter with Dumper by the City of Hoboken in accordance with the specifications set forth in City of Hoboken Bid 09-15.

Vendor | Base Bid | Dumper Option | Total $ | Proposal
-------|----------|---------------|---------|--------
Wilfred MacDonald, Inc. | $28,800.00 | $5,127.00 | $33,927.00 |
NOW, THEREFORE, BE IT RESOLVED by the Hoboken City Council that:

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

2. The Council hereby authorizes the Mayor, or his designee to execute any and all documents and take any and all actions 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 agreement referenced goods and/or services based upon the following information:

   Wilfred MacDonald, Inc.
   19 Central Blvd.
   South Hackensack, NJ 07606

Speakers on the above resolution: – Scott Seigel, Mary Ondreuka. Director Ronga.

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

09-434
---By Councilwoman Mason

THIS RESOLUTION REJECTS THE BID FOR THE PROVISION AND INSTALLATION OF AN ADA COMPLIANT EXTERIOR DOOR IN CITY HALL BASED ON THE LOWEST RESPONSIVE BIDDER.

WHEREAS, the City of Hoboken sought competitive proposals for the supply of and installation of ADA Compliant Exterior Door at City Hall, and

WHEREAS, the below submitted bid the only bid received, and

WHEREAS, Hudson County, which is funding this project, requires more than a single proposal on any of their supported projects, and

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Total $ Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fine Wall Corporation</td>
<td>$ 59,100.00</td>
</tr>
</tbody>
</table>

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

a. The above recitals are incorporated herein as thought fully set forth at
b. The City Council hereby rejects the proposal of the above vendor
c. The administration is hereby authorized to re-advertise for these
goods/services.

Speakers on the above resolution: Helen Hirsch

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

09-435
---By Councilwoman Castellano

RESOLUTION AWARDING A CONTRACT FOR THE REPAIR OF THE FACADE ON
THE UPTOWN FIREHOUSE BASED ON THE LOWEST RESPONSIVE BIDDER.

WHEREAS, pursuant to the resolution of the City Council and after public
advertising thereof, the following proposals were received for the repair of the Facade on the
Uptown Firehouse building for the City of Hoboken in accordance with the specifications set
forth in City of Hoboken Bid 09-13.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Total $</th>
<th>Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jetco Exterior Building Restoration</td>
<td>$108,375.00</td>
<td></td>
</tr>
<tr>
<td>Spartan Construction, Inc.</td>
<td>$125,250.00</td>
<td></td>
</tr>
<tr>
<td>Arista Builders &amp; Designers</td>
<td>$206,999.10</td>
<td></td>
</tr>
<tr>
<td>Hilt Construction, Inc.</td>
<td>$213,200.00</td>
<td></td>
</tr>
<tr>
<td>Michael Malpere Co., Inc.</td>
<td>$494,719.00</td>
<td></td>
</tr>
</tbody>
</table>

AND WHEREAS, it is the recommendation of the City's Engineering Firm,
Remington & Vernick that Jetco Exterior Building Restoration be awarded the contract;

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

Jetco Exterior Building Restoration
268 New York Avenue
Jersey City, NJ 07307

---Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: YEAS – 8 NAYS – 0 – ABSENT – 1
---Yeas – Cammarano, Castellano, Cunningham, La Bruno, Mason, Russo, Zimmer, and
RESOLUTION AWARDING A CONTRACT FOR THE REPAIR OF THE ROOF ON
THE HOBKOKEN POLICE HEADQUARTERS BASED ON THE LOWEST
RESPONSIVE BIDDER

WHEREAS, pursuant to the resolution of the City Council and after public advertising
thereof, the following proposals were received for the repair of the roof on the Hoboken
Police Headquarters building for the City of Hoboken in accordance with the specifications
set forth in City of Hoboken Bid 09-12.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Total $ Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jersey Coast Construction Corp.</td>
<td>$ 127,375.79</td>
</tr>
<tr>
<td>Roof Management</td>
<td>$ 139,380.00</td>
</tr>
<tr>
<td>BMV Group</td>
<td>$ 163,682.00</td>
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<tr>
<td>Jersey Partners</td>
<td>$ 168,050.25</td>
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<tr>
<td>Safeway Contracting</td>
<td>$ 192,060.00</td>
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<tr>
<td>Jottan, Inc.</td>
<td>$ 204,827.00</td>
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<tr>
<td>Northeast Roof Maintenance</td>
<td>$ 219,385.48</td>
</tr>
<tr>
<td>E.R. Baretti, Inc.</td>
<td>$ 228,858.00</td>
</tr>
<tr>
<td>Mile Square Roofing Co.,Inc.</td>
<td>$ 229,995.00</td>
</tr>
<tr>
<td>NJK Contractors, Inc.</td>
<td>$ 289,766.00</td>
</tr>
<tr>
<td>Cypreco Industries, Inc.</td>
<td>$ 314,580.00</td>
</tr>
<tr>
<td>Plescia Roofing, Inc.</td>
<td>$ 323,062.50</td>
</tr>
</tbody>
</table>

and WHEREAS, it is the recommendation of the City's Engineering Firm, Remington & Vernick that Jersey Coast Construction be awarded the contract;

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

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

   Jersey Coast Construction Corp.
   1716 Ginesi Drive
   Freehold, NJ 07728

Speakers for the above resolution: Mary Ondreuka.

Councilman Ramos returned to the meeting at 9:24 pm

---Motion duly seconded by Councilwoman LaBruno.
---Adopted by the following vote: Yeas - 9 – Nays – 0
RESOLUTION ADOPTING NEW RULES OF PROCEDURE FOR THE CITY COUNCIL OF THE CITY OF HOBOKEN (AS AMENDED)

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 of 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 bylaws.
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 Procedures. 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 to the extent possible.

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 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 promptly 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
Meeting February 18, 2009

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 shall not be deprived of any of the rights and privileges of a Council member due to his or her status as 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 when 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, when 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 any member voting, and the member shall vote aye or nay unless the member shall first receive special 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 yeas or nays, 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.

**Manner in Which the Public May Address the Council – Identification.**
When called upon from the speakers list or to testify as part of the public hearing and be sworn in unless otherwise informed, a member of the public shall approach the rail and microphone, speak clearly, identify themselves by name; first and last, provide spelling if requested. Then state whether they are a resident, business owner or other interested party wanted to be heard.

**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 speak for no 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.

(f) 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 Persons. Any person making impertinent or slanderous remarks or who shall become boisterous while addressing the Council shall be forthwith, by the presiding officer, barred from further audience before the Council, unless permission to continue be granted by a majority vote of the Council.

**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 Sergeant-at-Arms 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, except that 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 Meeting 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. Additionally, upon request of the Council President, the Police and Fire Chiefs shall also be required to attend. Upon receiving permission from the Council President, any City official required to attend a Council meeting may be represented by designee.

RULE XXVI

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.

Speakers on the above resolution: Jim Vance.

Vote was taken as amended.

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

09-438
--- By Councilman Russo

**AUTHORIZING EMERGENCY APPROPRIATIONS FOR THE SFY 2009 BUDGET.**

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**SUB-TOTAL** 765,824.56

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</tbody>
</table>
### Meeting February 18, 2009

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Int on Notes</td>
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<tr>
<td>Int on TAN</td>
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<tr>
<td>Loan Repayment-Green Acres</td>
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<tr>
<td>UST Loan</td>
<td>0.00</td>
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<tr>
<td>Garage Sale Int</td>
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<tr>
<td>Police Car Loan</td>
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<td>Multi Parks Loan-Green Acres</td>
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<td>Consol. Police &amp; Fire Pension</td>
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<tr>
<td>Public Employee Retirement</td>
<td>10,000.00</td>
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<td>Salary Settlements</td>
<td>716,000.00</td>
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<td>Emergency Road Repair Court</td>
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<tr>
<td>Energy Efficiency Study (Grant)</td>
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<tr>
<td>Road Improvements Grant</td>
<td>0.00</td>
</tr>
</tbody>
</table>

**SUB-TOTAL** 1,035,828.08

**TOTAL** 1,801,652.64

Motion duly seconded by President Giacchi

**FAILED** YEAS 5 NAYS 4 **ALTHOUGH THIS RESOLUTION RECEIVED A FIVE (5) TO FOUR (4) MAJORITY VOTE, TWO-THIRDS IS REQUIRED (6) ON THIS MATTER TO PASS.**

---YEAS: Cammarano, La Bruno, Ramos, Russo, and President Giacchi.

---NAYS: Castellano, Cunningham, Mason, Zimmer.

---By Councilwoman Mason

**RESOLUTION AUTHORIZING THE PLANNING BOARD OF THE CITY OF HOBOKEN TO UNDERTAKE A PRELIMINARY INVESTIGATION OF PROPOSED AREA IN NEED OF REDEVELOPMENT 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 a certain area of the City is in need of redevelopment in accordance with N.J.S.A. 40A:12A-6; and

WHEREAS, the City Council seeks to have the Planning Board undertake a preliminary investigation of the following area, which is depicted and further described on Schedule A attached hereto:

The proposed study area boundary runs along the line of Fourteenth Street/Fourteenth Street Viaduct starting at Park Avenue, running westerly to its intersection with the City's western boundary, then northerly to a point which is approximately coincidental with the Light Rail Track/Seventeenth Street,
then easterly until it reaches Willow Avenue, then southerly to Sixteenth Street, then easterly to Park Avenue, then southerly back to Fourteenth Street.

All lots situated in the following Blocks are included in the study area (except as otherwise indicated):

<table>
<thead>
<tr>
<th>Block 118</th>
<th>Block 127</th>
<th>Block 136 (excluding Lot 6.2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Block 119</td>
<td>Block 128</td>
<td>Block 137</td>
</tr>
<tr>
<td>Block 120</td>
<td>Block 129</td>
<td>Block 138</td>
</tr>
<tr>
<td>Block 121</td>
<td>Block 130</td>
<td>Block 140</td>
</tr>
<tr>
<td>Block 122</td>
<td>Block 131</td>
<td>Block 141; and</td>
</tr>
<tr>
<td>Block 123</td>
<td>Block 133</td>
<td></td>
</tr>
<tr>
<td>Block 125</td>
<td>Block 134</td>
<td></td>
</tr>
</tbody>
</table>

WHEREAS, on January 21, 2004, the City Council adopted Resolution No. 04-1306 pertaining to a request to the Planning Board to conduct a preliminary investigation and public hearing to determine whether certain areas of the City, including certain properties described above; and

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

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

1. Resolution No. 04-1306 of the City of Hoboken adopted on January 21, 2004, to the extent that it pertains to any of the properties described in Schedule A annexed hereto, is rescinded and superseded by this Resolution;

2. That the Planning Board of the City of Hoboken is hereby authorized and directed to perform a preliminary investigation and hold a public hearing to determine whether the proposed area as set forth in Schedule A annexed hereto, is in need of redevelopment and to submit its recommendations to the City Council in accordance with N.J.S.A. 40A:12A-6.

Speakers on the above resolution: Mary Ondrejka, Ben Brenner, Jim Vance, Helen Hirsch, Lane Bjajard, Jim Doyle, Richard Pascarelli

---Motion to TABLE the above resolution FAILED YEAS – 2 NAYS – 7
---Yeas – Cunningham, Zimmer
---Nays – Cammarano, LaBruno, Mason, Ramos, Russo, and President Giacchi.

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

ORDINANCES
AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 101 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN, ENTITLED “FIRE PREVENTION,” TO CREATE A NEW PROVISION REGARDING FALSE FIRE ALARMS (DR-394)

WHEREAS, the Council of the City of Hoboken declares it to be in best interest of public health, safety and welfare of the City to ensure that false fire alarms are minimized to the extent possible; and,

WHEREAS, false fire alarms caused by malfunctioning or poorly maintained equipment incur a significant cost to the City due to the expenses incurred each time the Fire Department is summoned to an apparent fire; and,

WHEREAS, false fire alarms also threaten public safety since precious resources and manpower are forced to respond each time such a false alarm is sounded; and,

WHEREAS, the Fire Marshal and Acting Fire Chief have advised that an ordinance establishing fines for false fire alarms would be greatly beneficial in reducing this continuing problem;

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 of the Code of the City of Hoboken is amended to add a new section, §101-10.4, as follows:

§101-10.4. False Fire Alarms

A. False fire alarm defined. As used in this Ordinance, a “false alarm” shall mean the transmission, either directly or indirectly, to the Hoboken Fire Division of any automatic fire alarm, smoke alarm, fire sprinkle water flow alarm, that was not caused by an actual fire, smoke condition or other condition beyond the control of the owner.

B. The Hoboken Fire Division shall investigate and determinate the cause of any false alarm, as it is defined in this Ordinance, and shall maintain a list of all false alarms. Said list shall identify the location of each false alarm the number of false alarms at the location, and the determined reason for the false alarm.

C. Upon the determination that a false alarm has occurred, the Fire Chief or his designated representative shall promptly notify the Fire Marshal, who shall issue the appropriate penalty.

D. The following penalties shall apply to false alarms:

<table>
<thead>
<tr>
<th>False Alarm#</th>
<th>FINE</th>
</tr>
</thead>
</table>

Meeting February 18, 2009
WARNING ONLY

2 $ 25.00
3 $100.00
4 $150.00
5 $200.00
6 and above $250.00 (per each violation)

These penalties shall reset and start anew on January 1st of each year.

E. All penalties assessed for the violation of this Ordinance shall be paid into the Fire Prevention penalty account.

F. All provisions of the New Jersey Uniform Fire Code with respect to the maintenance of fire alarms shall continue to apply.

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 repealers 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 March 4, 2009 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.
governing fire prevention, as contained within Chapter 101 of the Code of the City of Hoboken, are fully up-to-date and also promote public safety to the fullest extent possible; and,

WHEREAS, the Fire Marshal and Acting Fire Chief have advised that certain technical changes to Chapter 101 are required in order to accomplish these goals;

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

§ 101-22. Additional Required Inspections and Fees

In addition to the inspection and fees required pursuant to the Act and the regulations of the New Jersey Department of Community Affairs, the following additional fees shall be required. Copies of the fire prevention and investigation public records and fire reports, plus amendments and supplements thereto, shall be available to interested parties. Fees for such copies shall be a search fee of five dollars ($5.) and seventy-five cents ($0.75) per page for the first ten (10) pages, and fifty cents ($0.50) per page for the next ten (10) pages, and twenty-five cents ($.025) for any page thereafter. A certificate of Fire Code status shall be available for a fee of twenty-five dollars ($25.). A certificate of smoke detector compliance shall be available for the fee established by the New Jersey Uniform Fire Code.

SECTION TWO:

Section 101-23 of the Code of the City of Hoboken is amended as follows: [NOTE: deletions in the text are indicated by strikeouts, additions are noted by underline]

§ 101-23. Permit Fees

Permit fees shall be as indicated in the State of New Jersey Uniform Fire Safety Act and the New Jersey Uniform Fire Code. The Fire Marshal may assess additional fees where the permitted activity results in increased costs to the Division of Fire. Invoices should be payable to the Bureau of Fire Prevention and Investigation. Above and beyond the state mandated permits fees pursuant to N.J.A.C. 5:70 et seq., applicants must pay seventy-five ($75.00) dollars per hour per Fire Division Official.

SECTION THREE:

Section 101-39 of the Code of the City of Hoboken is amended as follows: [NOTE: deletions in the text are indicated by additions are noted by underline]


A. All new elevators and elevators undergoing substantial reconstruction which are located within multilevel buildings, shall be equipped to operate with the Yale 3502 standardized fire recall key.

B. All older elevators shall, upon proper inspection by the relevant municipal authorities, change their elevator key and lock system and install the Yale 3502 standardized fire recall key.
SECTION FOUR:

Section 101-40 of the Code of the City of Hoboken is amended as follows: (NOTE: deletions in the text are indicated by strikeouts, additions are noted by underline)

§101-40. Identifying floor level markers in multilevels buildings.

A. Definitions.

OWNER – Owner means and includes, in addition to the usual meaning thereof, any person that owns or operates a residential or commercial building within the city limits. A holder of a mortgage or other security interest in the real property shall not be deemed to be an owner of the building unless or until it obtains title to the real property by deed, foreclosure, court order, or by other process.

OPERATOR – Any person that operates a residential or commercial building within the city limits, including users, tenants, or occupants, having and exercising direct actual control of a residential or commercial building.

B. The owner or operator of any and all multilevel buildings within the City limits shall cause any and all identifying floor level markers to be affixed to all building or elevator walls including, but not limited to, elevator call buttons and illuminated floor numbers, floor level markings, fire evacuation plans and stairway and hallway signs, to provide a floor numbering systems as follows;

<table>
<thead>
<tr>
<th>Floor or Level Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-2</td>
<td>Second level below grade</td>
</tr>
<tr>
<td>B-1 (Basement)</td>
<td>Level immediately below grade</td>
</tr>
<tr>
<td>1</td>
<td>Grade level</td>
</tr>
<tr>
<td>2</td>
<td>First Level</td>
</tr>
</tbody>
</table>

In building with two (2) or more sets of stairways, the owner or operator shall clearly mark an “R” on each and every door on each and every floor which leads to the stairway that provides access to the roof of the building. The “R” shall be in plain view and no smaller than six (6) inches at length. Additionally, in any such building, the owner or operator shall mark both sides of every doorway to every separate stairwell so that the stairwell can be identified by letter, with said marking to be placed in plain view no smaller than six (6) inches in length.

C. Floor numbers shall continue sequentially for additional levels above or below grade.

D. The term “mezzanine” shall not be a freestanding floor designation.

E. For buildings on sloping property and which contain a floor or floors which possess different levels of grade, the owner or operator shall make an application to the Fire
Marshall who shall determine which floor level shall be designated grade level.

F. In residential dwellings containing three (30 or more residential units or occupancies under one (1) roof, the owner or operator shall ensure that all unit numbers commerce with the floor, the owner or operator shall erect a sign on each floor which sign shall be visible from each elevator and shall direct persons disembarking the elevator on each floor in which direction to turn off the elevator in order to reach a particular unit.

G. In multifamily residential dwellings containing ten (10) or more units per floor, the owner or operator shall erect a sign on each floor which sign shall be visible from each elevator and shall direct persons disembarking the elevator in order to reach a particular unit.

H. All buildings shall be subject to the final approval of the Chief Housing Inspection, the Construction Official, and the Fire Marshall.

SECTION FIVE:

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

SECTION SIX:

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 SEVEN:

This Ordinance shall take effect as provided by law.

---Councilman Cammarano moved that the ordinance pass its first reading as read and laid on the table for public inspection to be further considered for final passage at a meeting to of the Council to be held on March 4, 2009 at 7:00 pm.
---Motioned duly second 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.

09-444
DR-396

AN ORDINANCE AUTHORIZING THE CONSTRUCTION OF A WATERFRONT WALKWAY LOCATED IN THE CITY, AND APPROPRIATING $11,621,723 THEREFORE FROM THE CITY'S CAPITAL FUND (DR-396)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY, AS FOLLOWS:
Section 1. The total amount of $11,621,723 is hereby appropriated by the City of Hoboken, in the County of Hudson, New Jersey (the "City") from the City's Capital Fund, which amount is comprised of (i) a grant in the amount of $8,465,493 from the State of New Jersey, Department of Transportation (the "DOT") as described in a letter dated July 3, 2007 from the DOT, and (ii) a contribution of $3,156,230 from PT Maxwell LLC, for the construction of a waterfront walkway located between North Sinatra Drive and Sinatra Drive in the City, including all work and materials necessary therefore or incidental thereto.

Section 2. The capital budget or temporary capital budget, as applicable, of the City is hereby amended to conform with the provisions of this 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 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 City Clerk and is available there for public inspection.

Section 3. This ordinance shall take effect as provided by law.

---Councilman Ramos moved that the ordinance pass its first reading as read and laid on the table for public inspection to be further considered for final passage at a meeting to of the Council to be held on March 4, 2009 at 7:00 pm.

---Motioned duly second by Councilwoman 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.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Donald Pellicano; Scott Segal, Brian Wagner, Maurice DeGennaro, Tim Occhipinti, Michael Lenz, Gene Deveney, Leon Gold, George Pappas, Dan Tumpson, Mary Ondreuka, Cheryl Fallick, Ravi Bhalla, Lane Bajardi, Councilwoman Mason left the meeting at 10:19 p.m.; Councilwoman Mason returned to the meeting at 10:38 p.m.; Councilwoman LaBruno left meetings at 10:20 pm, Councilwoman La Bruno returned at 10:28 pm Councilwoman Zimmer left at 10:21 pm. Councilwoman Zimmer returned at 10:24 pm, Councilman Ramos left the meeting at 10:49 p.m.; Gallo; Councilman Ramos returned to the meeting at 9:24 p.m.; James Vance, Gal Andearje, Leah Healy, Scott DeLea, Richard Tremiditi.

President Giacchi then adjourned the meeting at 11:14 p.m.
PRESIDENT OF THE COUNCIL

CITY CLERK
At this time, 6:00 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 June 27, 2008, into the record:

09-467

The Honorable A. Nino Giacchi
President, Hoboken City Council
94 Washington Street
Hoboken, NJ 07030

Re: Special Meeting of the Hoboken City Council

Dear Council President Giacchi:

I hereby call a Special Meeting of the Hoboken City Council on Wednesday, March 11, 2009 at 6:00 pm in the City Council Chambers, 94 Washington Street, First Floor, Hoboken, New Jersey for the following purpose:

INTRODUCTION OF AMENDMENT TO THE SFY 2009 MUNICIPAL BUDGET

Sincerely,

DAVID ROBERTS
Mayor
City of Hoboken City Council

cc: City Council Members
The City Clerk then called the roll:

PRESENT: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi

ABSENT: None.

09-467
---By Councilwoman Ramos:

INTRODUCTION OF AMENDMENT TO THE SFY 2009 MUNICIPAL BUDGET

WHEREAS, the local municipal budget for the SFY 2009 was introduced on the 5th day of November, 2008, and

WHEREAS, the public hearing on said budget will been held as advertised,

WHEREAS, it is desired to amend said introduced budget,

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Hoboken, County of Hudson, that the following amendments to the introduced budget of SFY2009 to be made:

Current Fund - Anticipated Revenues
General Revenues
3. Miscellaneous Revenues
   Section A: Local Revenues Licenses and Fees:
      Licenses & Fees Fines and Costs:
      Municipal Court Interest on Tax
      Interest on Investments & Deposits
      Parking Tax
      Cable Franchise Fees
      Rents on City Owned Property
Cross Town Bus
Parking Utility Surplus

Total Miscellaneous Revenues - Section A

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<tr>
<th>From</th>
<th>To</th>
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<td>271,000.00</td>
<td>251,519.24</td>
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<td>15,000.00</td>
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<td>5,785,887.00</td>
<td>3,488,655.74</td>
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<td>4,200,000.00</td>
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<td>23,332,281.98</td>
<td>19,716,049.41</td>
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</table>

Section C: Miscellaneous Revenues - Dedicated Uniform Construction Code Fees
Offset with Appropriations

<table>
<thead>
<tr>
<th>Uniform Construction Code Fees</th>
<th>750,000.00</th>
<th>540,000.00</th>
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</table>

Total Miscellaneous Revenues - Section C

750,000.00 551,244.00

Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items:

<table>
<thead>
<tr>
<th>Hotel/Motel Occupancy Fee</th>
<th>240,000.00</th>
<th>-</th>
</tr>
</thead>
</table>

Total Miscellaneous Revenues - Section G

1,690,000.00 1,450,000.00

Total Miscellaneous Revenues

43,165,631.90 38,570,643.33

Current Fund - Appropriations

8. General Appropriations

(A) Operations within "CAPS"
Personnel & Health Benefits

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<tr>
<th>Salary &amp; Wages</th>
<th>232,000.00</th>
<th>180,649.34</th>
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<tbody>
<tr>
<td>Other Expenses</td>
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<td>2,400.00</td>
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Mayor

<table>
<thead>
<tr>
<th>Salary &amp; Wages</th>
<th>221,300.00</th>
<th>205,477.08</th>
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<tbody>
<tr>
<td>Other Expenses</td>
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<td>10,000.00</td>
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City Council

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<tr>
<th>Salary &amp; Wages</th>
<th>224,118.00</th>
<th>202,366.00</th>
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<tr>
<td>Other Expenses</td>
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<tr>
<td>Department</td>
<td>Salary &amp; Wages</td>
<td>Other Expenses</td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>----------------</td>
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<tr>
<td>Administration</td>
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<td>Purchasing Division</td>
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<td>Division of Licensing</td>
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<td>Grants Management</td>
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<td>166,618.03</td>
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<td>Clerk</td>
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<td>Revenue &amp; Finance Director</td>
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<td>397,500.00</td>
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<td>Accounts &amp; Controls</td>
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<td>Payroll</td>
<td>98,500.00</td>
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<td>Tax Collector</td>
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<td>Information Technology</td>
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<td>Tax Assessor</td>
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<td>Corporate Council</td>
<td>432,972.00</td>
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<td>670,000.00</td>
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<tr>
<td>Labor Arbitration</td>
<td>25,000.00</td>
<td>75,000.00</td>
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<tr>
<td>Community Development</td>
<td>162,500.00</td>
<td>172,000.00</td>
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<td>Zoning Officer</td>
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<tr>
<td>Housing Inspection</td>
<td>53,500.00</td>
<td>10,488.03</td>
</tr>
<tr>
<td>Uniform Construction</td>
<td>375.00</td>
<td>1,500.00</td>
</tr>
<tr>
<td>Police</td>
<td>16,219,174.86</td>
<td>16,040,000.00</td>
</tr>
<tr>
<td>Other Expenses</td>
<td>547,000.00</td>
<td>422,000.00</td>
</tr>
<tr>
<td>Emergency Management</td>
<td>144,000.00</td>
<td>135,000.00</td>
</tr>
<tr>
<td>Fire</td>
<td>13,193,781.40</td>
<td>13,240,000.00</td>
</tr>
</tbody>
</table>

Special Meeting of June 30, 2008
<table>
<thead>
<tr>
<th>Department</th>
<th>Salary &amp; Wages 2007</th>
<th>Salary &amp; Wages 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental Services Director</td>
<td>570,000.00</td>
<td>475,000.00</td>
</tr>
<tr>
<td>Central Garage</td>
<td>230,000.00</td>
<td>265,000.00</td>
</tr>
<tr>
<td>Sanitation</td>
<td>1,883,452.08</td>
<td>1,870,000.00</td>
</tr>
<tr>
<td>Division of Cultural Affairs</td>
<td>-</td>
<td>87,817.76</td>
</tr>
<tr>
<td>Office of Minority Affairs</td>
<td>-</td>
<td>7,500.00</td>
</tr>
<tr>
<td>Health</td>
<td>2,000.00</td>
<td>-</td>
</tr>
<tr>
<td>Office of Constituent Services</td>
<td>689,309.00</td>
<td>478,122.25</td>
</tr>
<tr>
<td>Senior Citizens</td>
<td>199,980.00</td>
<td>110,000.00</td>
</tr>
<tr>
<td>Rent Leveling</td>
<td>380,401.60</td>
<td>406,538.59</td>
</tr>
<tr>
<td>Transportation</td>
<td>156,000.00</td>
<td>186,948.77</td>
</tr>
<tr>
<td>Recreation &amp; Cultural Affairs</td>
<td>132,000.00</td>
<td>212,996.66</td>
</tr>
<tr>
<td>Parks</td>
<td>780,000.00</td>
<td>700,000.00</td>
</tr>
<tr>
<td>Public Property</td>
<td>802,000.00</td>
<td>700,000.00</td>
</tr>
<tr>
<td>Health Benefits</td>
<td>13,513,611.01</td>
<td>15,308,000.00</td>
</tr>
<tr>
<td>Electric</td>
<td>560,000.00</td>
<td>580,000.00</td>
</tr>
<tr>
<td>Street Light</td>
<td>665,000.00</td>
<td>695,000.00</td>
</tr>
<tr>
<td>Communications</td>
<td>250,000.00</td>
<td>296,000.00</td>
</tr>
<tr>
<td>Gasoline</td>
<td>496,800.00</td>
<td>400,000.00</td>
</tr>
<tr>
<td>Salary Settlements</td>
<td>2,000,000.00</td>
<td>3,150,000.00</td>
</tr>
<tr>
<td>Salary Adjustment</td>
<td>1,106,165.00</td>
<td>-</td>
</tr>
<tr>
<td>Municipal Court</td>
<td>1,149,382.00</td>
<td>999,593.63</td>
</tr>
<tr>
<td>Public Defender</td>
<td>204,660.00</td>
<td>181,895.33</td>
</tr>
<tr>
<td>Emergency Road Repair</td>
<td>66,000.00</td>
<td>68,110.10</td>
</tr>
<tr>
<td>Other Expenses</td>
<td>5,310.18</td>
<td>5,310.18</td>
</tr>
</tbody>
</table>
8. General Appropriations

(A) Operations Excluded from "CAPS"

<table>
<thead>
<tr>
<th>Description</th>
<th>2007</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Employees Retirement (PERS)</td>
<td>1,059,195</td>
<td>596,190.42</td>
</tr>
</tbody>
</table>

Total Other Operations - Excluded from "CAPS" | 4,212,250.99 | 3,749,246.41 |

Additional Appropriations Offset by Revenues

<table>
<thead>
<tr>
<th>Description</th>
<th>2007</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Matching Funds - Grants</td>
<td>300.00</td>
<td>40,000.00</td>
</tr>
</tbody>
</table>

Total Operations - Excluded from "CAPS" | 6,493,421.16 | 6,070,116.58 |

Detail:

- Salaries and Wages
- Other Expenses

(D) Municipal Debt Service Excluded from "CAPS"

<table>
<thead>
<tr>
<th>Description</th>
<th>2007</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Note Interest</td>
<td>731,000.00</td>
<td>641,701.36</td>
</tr>
<tr>
<td>Interest On Tans</td>
<td>610,000.00</td>
<td>566,155.71</td>
</tr>
<tr>
<td>Notes Payable - HCIA Garage</td>
<td>1,100,000.00</td>
<td>950,000.00</td>
</tr>
<tr>
<td>Green Acers Loan</td>
<td>192,683.00</td>
<td>195,437.11</td>
</tr>
<tr>
<td>0 &amp; M Loan Payable</td>
<td>300,000.00</td>
<td>-</td>
</tr>
</tbody>
</table>

Total Municipal Debt Service Excluded from "CAPS" | 8,330,895.00 | 7,750,506.18 |

(E) Deferred Charges- Municipal Excluded from "CAPS"

<table>
<thead>
<tr>
<th>Description</th>
<th>2007</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overexpenditure of Appropriations</td>
<td>2,033,288.80</td>
<td>1,619,392.57</td>
</tr>
<tr>
<td>Overexpenditure of Appropriations- Grants</td>
<td>49,949.00</td>
<td>-</td>
</tr>
<tr>
<td>Overexpenditure of Appropriations- Trust</td>
<td>142,234.00</td>
<td>-</td>
</tr>
<tr>
<td>Deficit in Operations- 4th Quarter Taxes</td>
<td>15,672,515.41</td>
<td>24,436,125.00</td>
</tr>
</tbody>
</table>

Total Deferred Charges- Municipal Excluded from "CAPS" | 17,705,804.21 | 26,247,700.57 |

(F) Judgments (N.J.S. 40A:4-45.3cc)

<table>
<thead>
<tr>
<th>Description</th>
<th>2007</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Judgments (N.J.S. 40A:4-45.3cc)</td>
<td>115,000.00</td>
<td>-</td>
</tr>
</tbody>
</table>

Total Judgments (N.J.S. 40A:4-45.3cc) | 115,000.00 |

(I-I-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS" | 32,530,120.37 | 38,409,230.76 |

(0) Total General Appropriations - Excluded from "CAPS" | 32,530,120.37 | 38,409,230.76 |

(L) Subtotal General Appropriations (items (H-1) and (0)) | 112,063,079.31 | 117,155,155.61 |
(M) Reserve For Uncollected Taxes 8,675,068.00  6,665,072.00

9. TOTAL GENERAL APPROPRIATIONS 120,738,147.31 123,820,227.61

Parking Utility

Operating
Other Expenses

Deferred Charges
Overexpenditures of 2008 Appropriations
Overexpenditures of 2008 Appropriations Reserve

Surplus (General Budget)

TOTAL PARKING UTILITY APPROPRIATIONS

4,374,158.53  3,874,159.00
56,518.21 -
-  887,862.00
5,785,887.00  3,488,655.74
15,294,122.21 13,328,235.21

BE IT FURTHER RESOLVED, that two (2) certified copies of this resolution be filed in the Office of the Director of the Division of Local Government Services for certification of the SFY2009 local municipal budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment in accordance with the provisions of N.J.S.A. 40A: 4-9, be published in The Jersey Journal in the issue of March 14, 2009 and that said publication contain notice of public hearing on said amendment to be held at the City Hall on March 18, 2009 at 7:00 O’clock p.m.

It is hereby certified that this is a true copy of resolution amending the budget, adopted by the governing body on the 18th day of March 2009.

---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.
Prior to any vote being taken the following spoke on the record: Scott Siegel, 206 Hudson Street; Richard Triemediti, 2 Constitution Court; Don Pellicano, 1000 Hudson Street; Maurice DeGennaro, 614 Hudson Street; Lane Bajardi, 70 Park Avenue; Avi Orring, 630 Jefferson Street.

Council President Giacchi then adjourned the meeting at 6:45 p.m.
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.

RESOLUTIONS

09-469
---By President Giacchi

RESOLUTION AUTHORIZING THE FY 2009 MUNICIPAL BUDGET TO BE READ BY TITLE ONLY.

SFY 2009 Municipal Budget shall be read by its title and we further declare that the conditions set forth in R.S. 49A: 4-8 (1A & 1B) of said section has been met.

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 Council President Giacchi.

BUDGET HEARING ON AMENDMENTS SFY 2009

Director Nick Tresante was asked to speak regarding the SFY 2009 Municipal Budget by Council President Giacchi.

The following speakers spoke: Helen Hirsch, Scott Siegel, Cheryl Fallick, Donna Antonucci, Scott Delea, Lane Bajardi, Mo DeGennaro, Richard Parcarelli.

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

09-469 A
---By Councilwoman Mason

AUTHORIZING ADOPTION OF THE SFY 2009 BUDGET AS AMENDED.

---Motion duly seconded by Councilman
---Adopted by the following vote: YEAS – 6 – NAYS – 2 - ABSTAIN – 1
---Yeas: Council persons Cammarano, Castellano, LaBruno, Ramos, Russo, and President Giacchi.
---Nays: Council persons Cunningham, Mason
---Abstain: Zimmer.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

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.(DR-397)
(TABLED NO ACTION TAKEN)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOKEN TO ESTABLISH A FEE FOR RETURNED CHECKS (DR-400)
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 speakers spoke: Jim Vance.

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

09-470

APPLICATIONS FOR MISCELLANEOUS LICENSES

Raffles ------------------------------- 1
Vendor-------------------------------- 1
Mechanical Amusement Devices--------- 1
Taxicab Owners------------------------ 9
Limousine Owners--------------------- 2
Drivers: Limo/Livery------------------ 5
Drivers: Taxicab---------------------- 16

---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, Castellano, Cunningham, La Bruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

REPORTS OF CITY REPORTS

09-471

A report of the Municipal Court indicating receipts for the month of February 2009 as $292,396.21.

09-472

A report from City Clerk James Farina, for bids received Friday, March 6, 2009 for: Supply of Automotive Gasoline/Diesel (09-16.)
09-473

---By Councilman Russo

THIS RESOLUTION RATIFIES THE ACTION OF THE ADMINISTRATION IN THE PUBLIC AUCTION OF TWELVE (12) ABANDONED BICYCLES; SIX (6) ABANDONED AND TWELVE (12) SURPLUS VEHICLES HELD ON 6 MARCH 2009.

WHEREAS, pursuant to the resolution of the Council of the City of Hoboken, a public auction was held 6 March 2009 in the Court Room in City Hall, and,

WHEREAS, One (1) individual (West Side Auto) bid on the Twelve (12) abandoned bicycles in bulk and the total received, in cash, for their sale was Sixty Dollars ($60.00), and,

WHEREAS, five (5) firms bids for the bulk sale of the six (6) abandoned vehicles, and,

WHEREAS, said high bidder, Jersey One Auto Sales tendered cash in full payment, for the bulk sale, in the amount of Twenty-four Hundred Thirty-One Dollars ($2,431.00). Said payment was deposited with the Chief Financial Officer for disposition in the City bank account, and

WHEREAS, five (5) firm bids for the individual sale of twelve (12) surplus vehicles, and three (3) bought them as follows:

West Side Auto Seven (7) vehicles at $1,975.00
Apache Auto Four (4) vehicles at $1,425.00
GXR Auto Body One (1) vehicle at $1,200.00

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

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

09-474

---By Councilwoman Russo

RESOLUTION AUTHORIZES THE REFUND OF TAX OVERPAYMENTS.

WHEREAS, an overpayment of taxes has been made on property listed below: and
WHEREAS, Sharon Curran, 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 $21,275.86

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LT/UNIT</th>
<th>PROPERTY</th>
<th>QTR/YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>WELLS FARGO HOME MORTGAGE</td>
<td>51/25</td>
<td>322 GRAND ST.</td>
<td>4/08</td>
<td>$3,891.02</td>
</tr>
<tr>
<td>1 HOME CAMPUS MAC X2302-04D</td>
<td></td>
<td>DES MOINES, IA 50328</td>
<td>ATTN: FINANCIAL SUPPORT UNIT</td>
<td></td>
</tr>
<tr>
<td>WELLS FARGO HOME MORTGAGE</td>
<td>261.04/1/C0404</td>
<td>1025 MAXWELL LA</td>
<td>1/09</td>
<td>$4,947.88</td>
</tr>
<tr>
<td>1 HOME CAMPUS MAC X2302-04D</td>
<td></td>
<td>DES MOINES, IA 50328</td>
<td>ATTN: FINANCIAL SUPPORT UNIT</td>
<td></td>
</tr>
<tr>
<td>WELLS FARGO HOME MORTGAGE</td>
<td>155/3/C0PHF</td>
<td>1021 GRAND ST</td>
<td>4/08</td>
<td>$1,908.71</td>
</tr>
<tr>
<td>1 HOME CAMPUS MAC X2302-04D</td>
<td></td>
<td>DES MOINES, IA 50328</td>
<td>ATTN: FINANCIAL SUPPORT UNIT</td>
<td></td>
</tr>
<tr>
<td>HUDSON CITY SAVINGS</td>
<td>109/1.1/C0631</td>
<td>1200 GRAND ST</td>
<td>1/09</td>
<td>$137.28</td>
</tr>
<tr>
<td>WEST 80 CENTURY ROAD</td>
<td></td>
<td>PARAMUS, NJ 07652</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HUDSON CITY SAVINGS</td>
<td>91/1.2/CP068</td>
<td>812 GRAND ST</td>
<td>1/09</td>
<td>$168.75</td>
</tr>
<tr>
<td>WEST 80 CENTURY ROAD</td>
<td></td>
<td>PARAMUS, NJ 07652</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HUDSON CITY SAVINGS</td>
<td>15/6/C0P-8</td>
<td>812 GRAND ST</td>
<td>1/09</td>
<td>$163.09</td>
</tr>
<tr>
<td>WEST 80 CENTURY ROAD</td>
<td></td>
<td>PARAMUS, NJ 07652</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RICARDO DAVILA</td>
<td>42/15/C0020</td>
<td>222-32 CLINTON ST</td>
<td>2/08</td>
<td>$1,386.80</td>
</tr>
<tr>
<td>222-32 CLINTON STREET #20</td>
<td></td>
<td>HOBOKEN, NJ 07030</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DOUGLAS AULD</td>
<td>84/1/C02-B</td>
<td>450 SEVENTH ST</td>
<td>1/08/4/08</td>
<td>$2,449.71</td>
</tr>
<tr>
<td>450 SEVENTH STREET #2B</td>
<td></td>
<td>HOBOKEN, NJ 07030</td>
<td></td>
<td></td>
</tr>
<tr>
<td>VICTOR CIVIDINI</td>
<td>67/9.1</td>
<td>517 MONROE ST</td>
<td>4/08</td>
<td>$1,375.63</td>
</tr>
<tr>
<td>105 EAST 35TH STREET #3</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Meeting of January 21, 2009
---Meeting of January 21, 2009

---Motion duly seconded by Councilwoman 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.

09-475
---By Councilman Russo

RESOLUTION AUTHORIZING THE REFUND OF TAX APPEALS
HUDSON COUNTY TAX BOARD AND STATE TAX COURT

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the 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 $10,741.09.

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
<th>YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>MICHAEL STADLER</td>
<td>205/34</td>
<td>618-20 WASHINGTON ST</td>
<td>2008</td>
<td>$10,741.09</td>
</tr>
<tr>
<td></td>
<td></td>
<td>90 WOODBRIDGE CENTER DRIVE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DAVID T. WILENTZ TOWER</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>SUITE 150</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---Motion duly seconded by Councilwoman 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.
**09-476**
---By Councilman Russo

**AUTHORIZING A 50% EXEMPTION OF PROPERTY TAXES TO VICTOR MOLINA**

Resolved, by the Council of the city of Hoboken, that whereas Victor Molina applied for 100% Disabled Veterans Property Tax Deduction against 2008 taxes, effective June 26, 2008 and whereas his taxes for 2008 have been paid in full; and whereas the Property is a two family home and Victor Molina occupies 50% and therefore entitled to a 50% exemption of his taxes; therefore, be it

Resolved: that a warrant be drawn to the order of the following:

<table>
<thead>
<tr>
<th>Block</th>
<th>Lot</th>
<th>Owner</th>
<th>Amount of Refund &amp; Issue To</th>
</tr>
</thead>
<tbody>
<tr>
<td>184</td>
<td>43</td>
<td>Victor Molina</td>
<td>$3,922.44</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Victor Molina</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>208 Ninth Street</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Hoboken, NJ 07030</td>
</tr>
</tbody>
</table>

Pro-rated as follows:

2008 Property Taxes Paid: $9,993.10
$9,993.10 / 360 days = $27.76 per day
$27.76 x 184 days = $5,107.84 / (2 family home) = $2,553.92

AND, ALSO BE IT

RESOLVED: THAT THE ABOVE AMOUNT BE CANCELLED FROM THE 2008 TAX DUPLICATE

2009 1st QUARTER TAXES IN THE AMOUNT OF $2,737.03 PAID IN FULL BE

Pro-rated as follows:

2009 1st quarter Property Taxes Paid $2,737.03
$2,737.03 / 2 (2 family) refund $1,368.52 – 1/09

The second, third and fourth quarters of 2009 taxes will also have to be Pro-Rated and all Pro-Rated Amounts for the 4 quarters of 2009 will have to be cancelled from the 2009 Tax Duplicate.

The following speaker spoke: Scott Siegel, Mo DeGennaro.

---Motion duly seconded by Councilman Giacchi
---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.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Avi Ohring

President Giacchi then adjourned the meeting at 9:25 p.m.
President Giacchi 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, 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 THE CODE OF THE CITY OF HOBOKEN TO ESTABLISH A DEPARTMENT FOR REVENUE AND FINANCE (DR-391).

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: Mo DeGennaro, Richard Tremitiedi, Helen Hirsch, Scott Seigel, Donna Antounucci.

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. La Bruno, Mason, Ramos, 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: 8 – NAYS: 1
---Yeas: Council persons Cammarano, Cunningham, LaBruno, Ramos, Russo, Zimmer and President Giacchi.
---Nays: Castellano.

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 101 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN, ENTITLED “FIRE PREVENTION,” TO CREATE A NEW PROVISION REGARDING FALSE ALARMS. (DR-394).

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: Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, 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: Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Zimmer and President Giacchi.

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 101 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN, ENTITLED “FIRE PREVENTION”. (DR-395)

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: Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, 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: Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Zimmer and President Giacchi.

AN ORDINANCE AUTHORIZING THE CONSTRUCTION OF A WATERFRONT WALKWAY LOCATED IN THE CITY, AND APPROPRIATING $11,621,723 THEREFORE FROM THE CITY’S CAPITAL FUND. (DR-396)

The following spoke: Jim Doyle, Fred Bado, Helen Hirsh.

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

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. (DR-397) “continued to next meeting pending Planning Board review” Community Development Director Bado.

AN ORDINANCE PROVIDING FOR VARIOUS PARKING UTILITY IMPROVEMENTS AND OTHER RELATED EXPENSES AND APPROPRIATING $2,200,000 THEREFORE, AND PROVIDING FOR THE INSURANCE OF $2,200,000 IN BONDS OR NOTES TO FINANCE THE SAME. (DR_399).

The following spoke: Richard Tremitiedi, Donald Pellicano, Scott Siegal, Nick Tresante.

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: Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, 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 – 8 – NAYS – 1.
---Yeas: Councilpersons Cammarano, Castellano, LaBruno, Mason, Ramos, Zimmer and President Giacchi.
---Nays: Cunningham

09-448

PETITIONS AND COMMUNICATIONS

WHEREAS, March 8th through March 14th, 2009 marks Girl Scout Week as designated by Girl Scouts of the United States of America, a movement founded in 1912 by Juliette Gordon Low in Savannah, Georgia; and

WHEREAS, throughout its long and distinguished history, Girl Scouting has inspired more than 50 million girls and women to strive for the highest ideals of courage, confidence and character; and

WHEREAS, through Girl Scouts, girls grow strong, gain self-confidence, develop leadership skills and learn the lifelong lesson of contributing back to their communities; and

WHEREAS, Girl Scouting helps girls achieve their potential by increasing awareness of opportunities which exist in the fields of math, science, sports, technology and other professional pursuits; and

WHEREAS, Girl Scouts Heart of New Jersey was formed in 2008 and is capably delivering the optimal Girl Scout experience to over 28,000 young women and adults in Essex, Hudson, Hunterdon, Middlesex, Somerset, Union and Warren counties; and

WHEREAS, more than 3.8 million Girl Scouts nationwide, including in excess of 100,000 in the State of New Jersey, join in celebrating this great American tradition;

NOW, THEREFORE, BE IT RESOLVED THAT I, DAVID ROBERTS, Mayor of the City of Hoboken, do hereby proclaim March 8th through March 14th, 2009 as Girl Scout Week

Throughout the City of Hoboken in recognition of the long and distinguished history of the Girl Scouts of the United States of America and to encourage all citizens to acknowledge and celebrate the accomplishments of this great organization and to wish them continued success in all future endeavors.

--Received and Filed.
Communication to the Honorable Nino Giacchi and members of the Hoboken City Council

Dear Council President and Members of the City Council:

On Saturday, March 7th, Hoboken will celebrate St. Patrick’s Day. This is an annual event which attracts thousands of residents and visitors alike. This is to be a peaceful, orderly day, honoring the Irish heritage of our residents.

The City of Hoboken, in conjunction with the Hoboken City Council, will again enact a “zero tolerance” policy on all code violations, including consumption of alcohol in public, fighting, public urination and house and rooftop parties, among others. The Director of Public Safety is hereby directed to be vigilant in taking all necessary steps to maintain law and good order throughout the day’s events.

All municipal ordinances will be strictly enforced as well as maximum penalty of $1,000 for all violations. This initiative resulted in a steep drop of violations at last year’s event and the City will continue to adhere to a zero tolerance policy.

The City is working closely with the Hoboken Hospitality Association to forewarn participants and enforce the municipal code.

The St. Patrick’s Day Parade is a wonderful day for our community and rest assured that every precaution will be taken to make certain all residents and visitors to our community are safe and adhere to the zero tolerance on this day.

Sincerely,

DAVID ROBERTS
Mayor

---Received and Filed.

Re: Special Meeting of the Hoboken City Council
Dear Council President Giacchi:

I hereby call a Special Meeting of the Hoboken City Council on Wednesday, March 11, 2009 at 6:00 pm in the City Council Chambers, 94 Washington Street, 1st Floor, Hoboken, New Jersey for the following purpose:

INTRODUCTION OF AMENDMENT TO THE SFY 2009 MUNICIPAL BUDGET

Sincerely,

DAVID ROBERTS,
Mayor
City of Hoboken

---Received and Filed.

Councilwoman Mason left at 8:10 pm.

09-451
APPLICATIONS FOR MISCELLANEOUS LICENSES

<table>
<thead>
<tr>
<th>Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taxi Owners</td>
<td>12</td>
</tr>
<tr>
<td>Parking Facilities</td>
<td>1</td>
</tr>
<tr>
<td>Vendor</td>
<td>4</td>
</tr>
<tr>
<td>Music Machines</td>
<td>2</td>
</tr>
</tbody>
</table>

---Councilwoman Castellano moved that the licenses be granted.  
---Duly seconded by Councilman Theresa Castellano.  
---Adopted by the following vote: YEAS – 8 – NAYS: 0 – ABSENT: 1

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

Reports of the City Officers

09-452
A report from Municipal Tax Collector Sharon Curran for taxes collected; for the month ending February 2009- $8,035,518.42.

Received and Filed.
RESOLUTIONS

Presented and Read

09-453
---By Councilman Russo

A RESOLUTION AUTHORIZING PAYMENT FOR THE REFUND OF TAX OVERPAYMENTS.

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

WHEREAS, Sharon Curran, 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 **$38,140.86**

<table>
<thead>
<tr>
<th>Property Owner</th>
<th>Address</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>WASHINGTON MUTUAL</td>
<td>27/32/C0002 604 FIRST ST 4/08</td>
<td>$3,239.07</td>
</tr>
<tr>
<td>SHANNON GLAVAN</td>
<td>29/19/C0003 130 JEFFERSON ST #3</td>
<td>$1,548.71</td>
</tr>
<tr>
<td>COUNTRYWIDE</td>
<td>76/25/C0003 618 JEFFERSON ST 2/08</td>
<td>$112.49</td>
</tr>
<tr>
<td>WELLS FARGO HOME MORTGAGE</td>
<td>41/6 211 ADAMS ST. 4/08</td>
<td>$4,191.52</td>
</tr>
<tr>
<td>COUNTRYWIDE</td>
<td>238/12/C0008 933 HUDSON ST. 4/08</td>
<td>$2,999.99</td>
</tr>
<tr>
<td>COUNTRYWIDE</td>
<td>219/10.4/C05A 827 WASHINGTON ST. 2/08/4/08</td>
<td>$2,425.49</td>
</tr>
<tr>
<td>CHASE HOME FINANCE LLC</td>
<td>48/8 315 MONROE ST. 2/08</td>
<td>$2,096.05</td>
</tr>
</tbody>
</table>
HAVEN SAVINGS BANK    261.04/1/C0314      1025 MAXWELL LANE     4/08                 $3,247.06
621 WASHINGTON ST.
HOBOKEN, NJ 07030

WELLS FARGO HOME MORTGAGE
1 HOME CAMPUS
DES MOINES, IA 50328-0001

WELLS FARGO HOME MORTGAGE
1 HOME CAMPUS
DES MOINES, IA 50328-0001

SALIL NADGAUDA           21/1/C006H               300 NEWARK ST            1/08-2/08         $12,249.39
300 NEWARK ST #6H                                                                               1/07-2/07-3/07-4/07
HOBOKEN, NJ 07030                                                                               1/06-2/06-3/06&4/05

HUDSON CITY SAVINGS  69/27/C0002             514 ADAMS ST                    4/08               $2,035.31
WEST 80 CENTURY ROAD
PARAMUS, NJ 07675

MICHAEL JIMENEZ         179/26                        338 GARDEN ST                  1/07              $2,010.08
79 MYRTLE AVENUE
EDGEWATER, NJ 07020

MICHELLE MATTIS         91/1.2/C005B              825 ADAMS ST               4/08                 $   86.79
825 ADAMS STREET #5B                                                                               4/08
HOBOKEN, NJ 07030

KAREN & CHRISTOPHER  83/11/C0002            721-23 MADISON ST  3/08                 $  140.08
721-23 MADISON STREET #2                                                                               3/08
HOBOKEN, NJ 07030

WELLS FARGO HOME     247/35/C000A            1206 WASHINGTON ST.     1/08              $1,427.81
MORTGAGE
1 HOME CAMPUS
DES MOINES, IA 50328-0001

---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.

09-454
---By Councilman Russo
RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS

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

WHEREAS, Sharon Curran, 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 $3,148.01

PAYMENTS LISTED UNDER MISCELLANEOUS CODE 15 REFUND FOR WELLS FARGO - 1/09

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LT/UNIT</th>
<th>PROPERTY</th>
<th>QTR/YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>WELLS FARGO HOME</td>
<td>171/1.1/C0003</td>
<td>901 WILLOW AVE.</td>
<td>1/09</td>
<td>$1,818.64</td>
</tr>
<tr>
<td>MORTGAGE 1 HOME CAMPUS</td>
<td>THOMAS REXROAT</td>
<td>MAC X2302-04D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DES MOINES, IA 50328</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WELLS FARGO HOME</td>
<td>221/3/C0043</td>
<td>1013-19 WASHINGTON ST</td>
<td>1/09</td>
<td>$1,329.37</td>
</tr>
<tr>
<td>MORTGAGE 1 HOME CAMPUS</td>
<td>THOMAS REXROAT</td>
<td>MAC X2302-04D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DES MOINES, IA 50328</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</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.

09-455
---By Councilwoman LaBruno:

RESOLUTION AUTHORIZING THE REFUND OF TAX APPEALS HUDSON COUNTY TAX BOARD AND STATE TAX COURT

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the 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 $4,962.71
---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.

Councilwoman Mason returned to meeting.

RESOLUTION IN SUPPORT OF THE UNITED STATES NATIONAL HEALTH INSURANCE ACT “EXPANDED AND IMPROVED MEDICARE FOR ALL” (H.R. 676)

WHEREAS, every person in the City of Hoboken and in the United States deserves access to affordable quality health care; and

WHEREAS, the crisis in American health care includes rising costs, increased insurance premiums and out-of-pocket medical and pharmaceutical expenses; and

WHEREAS, the U.S. poverty rate is increasing, as employee layoffs and outsourcing of the workforce is increasing, and the number of Americans without health insurance now exceeds 47 million; and

WHEREAS, many with insurance have coverage so inadequate that a major illness would lead to financial ruin, and

WHEREAS, one-half of personal bankruptcies are due to illness or medical bills; and

WHEREAS, the rising cost of insuring public employees can be reduced and best met not by limiting benefits, but by providing benefits under a national, publicly-funded health insurance program; and

WHEREAS, the complex bureaucracy arising from our fragmented, for-profit, multipayer system of health care financing consumes approximately thirty percent (30%) of
United States health care spending while the single-payer Medicare system has administrative costs of less than 5%; and

WHEREAS, proposals for “consumer directed health care” would worsen this situation by penalizing the sick, discouraging prevention and saddling many working families with huge medical bills; and

WHEREAS, managed care and other market-based reforms have failed to contain health care costs, which now threaten the international competitiveness of U.S. manufacturers; and

WHEREAS, U.S. hospitals spend 24.3% of their budgets on billing and administration while hospitals under Canada’s single payer system spend only 12.9%; and

WHEREAS, Harvard researchers estimate that more than $300 billion could be recovered by replacing private insurance companies with a single public payer, enough to cover the uninsured and to improve coverage for all those who now have only partial coverage; and

WHEREAS, entrusting care to profit-oriented firms diverts billions of dollars to outrageous incomes for CEO’s and threatens the quality of care; and

WHEREAS, The United States National Health Insurance Act (H.R. 676) would assure universal coverage of all medically necessary services, contain costs by slashing bureaucracy, protect the doctor patient relationship, assure patients a completely free choice of doctors, and allow physicians a free choice of practice settings; and

WHEREAS, most polls show that the majority of Americans support universal healthcare; and

WHEREAS, as of the date of this resolution, the majority of American physicians (59%) believe that Single Payer is the best method of securing universal healthcare; and

WHEREAS, United States Representative John Conyers, Jr. (D-MI) has introduced H.R. 676, the United States National Health Insurance Act, also known as “Expanded and Improved Medicare for All,” in the 110th Congress, which Act would provide a universal, comprehensive single-payer system of high-quality national health insurance; and

WHEREAS, The United States conference of Mayors, at its 76th Annual Meeting held June 20-24, 2008, adopted a resolution supporting the adoption of the United States Health Insurance Act; and

WHEREAS, the Hudson County Board of Chosen Freeholders, as its meeting of January 24, 2008, adopted a resolution endorsing H.R. 676 and advising our U.S. Senators and Representatives to do the same.

NOW, THEREFORE, BE IT RESOLVED, that the City of Hoboken, New Jersey expresses its support for The United States National Health Insurance Act (H.R. 676), and calls upon federal legislators to work towards its immediate enactment, and further urges the adoption of a process by which healthcare providers will be required to justify and increases to healthcare costs; and
BE IT FINALLY RESOLVED, that copies of this resolution be sent to Senators Frank Lautenberg and Robert Menendez and to Congressmen Albio Sires, Donald Payne and Steven Rothman.

The following speaker spoke: John Gazel.

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

09-457
---By Councilman Ramos

RESOLUTION APPOINTING MATTHEW J. GIACOBBE OF SCARINCI & HOLLENBECK LLC AS SPECIAL LEGAL COUNSEL FOR LABOR NEGOTIATIONS

WHEREAS, the City of Hoboken requires the services of Special Legal Counsel to handle labor negotiations involving the City of Hoboken; and,

WHEREAS; the City of Hoboken has reviewed the qualifications-of Matthew J. Giacobbe of the law firm Scarinci & Hollenbeck LLC, and has determined that this attorney and law 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(b) and as such, is exempt from public bidding requirements pursuant to N.J.S.A. 40A:11-5; and,

WHEREAS, Scarinci & Hollenbeck’s proposal was submitted and reviewed in compliance with Hoboken Ordinance #DR-154 (codified as §20A-1 et sec. of the Code of the City of Hoboken), which requires competitive negotiation for Professional Service contracts; 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 Scarinci & Hollenbeck LLC 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 Special Counsel for the City of Hoboken shall be prepared and executed with the following vendor:

   Scarinci & Hollenbeck LLC
   1100 Valley Brook Avenue, P.O.
   Box 790 Lyndhurst, NJ 07071

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

2. This agreement shall be effective March 1, 2009 and terminate February 28, 2010.

3. The Mayor is hereby authorized to execute a contract with Scarinci & Hollenbeck LLC for professional legal 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.

The following speakers spoke: Scott Seigel, Moe DeGennaro,

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

09-458
---By Councilman Russo

RESOLUTION AUTHORIZING A CHANGE TO AN EXISTING CONTRACT FOR THE INSTALLATION OF A H.V.A.C. SYSTEM AT THE HOBOKEN BOYS AND GIRLS CLUB.

WHEREAS, the Council of the City of Hoboken at their meeting of 16 April 2008 passed the attached resolution authorizing a contract with Envirocon, LLC for the installation of a H.V.A.C. system at the Boys and Girls Club in Hoboken; and

WHEREAS, attached communication from the City of Hoboken’s engineering firm requests Change Order number one be considered and authorized; and

WHEREAS, the total amount of this change order is $8,601.22, or 8.75% of the
original approved expense, this is within the State of New Jersey guidelines for consideration by the City Council:

NOW THEREFORE BE IT RESOLVED as follows:

A. This resolution shall be known and may be cited as Change Order #1 to the existing Envirocon, LLC contract.

B. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor or his agent is hereby authorized to sign off on this change order to the contract.

C. The amended amount of this contract shall not exceed $106,901.22

D. This resolution shall take effect immediately upon passage.

The following speakers spoke: Helen Hirsch, Director Ronga.

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

09-459

---By Councilman Ramos

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NJ DEPT. OF TRANSPORATION FOR 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 BE IT RESOLVED that the Council of the City of Hoboken formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as (SST2008 Hoboken City 00061) to the New Jersey Department of Transportation on behalf of the City of Hoboken.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Hoboken and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

NO SPONSOR
09-460

RESOLUTION AUTHORIZING AMENDED CONTRACT WITH FXFOWLE ARCHITECTS, PC AND PROFESSIONAL PLANNERS FOR PREPARATION OF REDEVELOPMENT PLAN FOR THE HOBOKEN TERMINAL AND YARD

WHEREAS, by resolution dated June 21, 2006, and pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), the City Council of the City of Hoboken directed the Planning Board of the City of Hoboken to conduct a preliminary investigation and public hearing to determine whether all or any part of the area (“the Study Area”) known and designated on the Tax Map of the City of Hoboken as:

Block 229, Lots 1 and 2,
Block 139, Lots 1.1, 1.2, 1.3, 2, 3 and 4,

which is generally referred to as the Hoboken Terminal and Yard, is an area in need of redevelopment in accordance with N.J.S.A. 40A:12A-6;

WHEREAS, at the direction of the Planning Board, planning consultants Phillips Preiss Shapiro Associates, Inc. (“PPSA”) prepared a Redevelopment Study for the Hoboken Terminal & Yard dated November, 2006, (“the Study”) that recommended the designation of the Study Area as an area in need of redevelopment;

WHEREAS, following receipt of the Study and with due notice, the Planning Board held a public hearing on Tuesday, January 2, 2007, to determine whether all or any part of the Study Area is an area in need of redevelopment in accordance with the Redevelopment Law, and, on Tuesday, January 11, 2007, duly adopted a resolution recommending that all of the Study Area be designated as an area in need of redevelopment; and

WHEREAS, by resolution dated February 7, 2007 the City Council has considered the recommendation of the Planning Board and the Study and has determined that the following properties within the study area meet the statutory criteria for redevelopment known and designated on the Tax Map of the City of Hoboken as:

Block 229, Lots 1 and 2,
Block 139, Lots 1.1, 1.2, 1.3, 2, 3 and 4,

Should be and are hereby designated as an area in need of redevelopment, as provided in N. J. S. A. 40A:12A-5 and
WHEREAS, by resolution dated December 13, 2007, the City Council of the City of Hoboken awarded a contract to the firm FXFOWLE Architects, PC 22 West 19 Street; New York, New York 10011, architects and professional planners is hereby authorized to prepare a redevelopment plan for the Hoboken Terminal and Yard Area and to submit same to the City Council for its review and adoption. The cost of said redevelopment plan shall not exceed a maximum amount of one hundred and fifty-five thousand dollars ($155,000); and

WHEREAS, the City of Hoboken established an escrow account for the payment of FXFOWLE Architects, PC to be funded by New Jersey Transit Corporation through its agent, LCOR Hoboken Rail Station Redevelopment LLC. in the amount of $175,000 and the City of Hoboken shall administer said escrow in accordance with the procedures set forth in N.J.S.A. 40:55D-53.1, 53.2 and 53.2a; and

WHEREAS, FXFOWLE has submitted to the City of Hoboken a request to increase the original contract amount from $155,000 to $230,000 as per the attached letter, dated January 28, 2009; and

WHEREAS, FXFOWLE has submitted to the City of Hoboken a request for additional services in the amount of $25,000 as per the attached letter, dated February 24, 2009, which will result in a total contract amount of $255,000; and

WHEREAS, New Jersey Transit Corporation, by letter of December 3, 2007 agreed to deposit $175,000 into an escrow account of the City of Hoboken for payment to FXFOWLE for preparation of a redevelopment plan for the Hoboken Terminal and Yard and payment of $155,000 out of the escrow account was made to FXFOWLE; and

WHEREAS, New Jersey Transit Corporation, by letter of February 25, 2009 has agreed to increase the amount of the escrow account by an additional $80,000 to increase the total amount of the escrow account for FXFOWLE to $255,000; and

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

1. The contract with the firm FXFOWLE Architects, PC 22 West 19 Street; New York, New York 10011, architects and professional planners is hereby amended to increase the maximum amount from $155,000 to a new maximum amount of $255,000 as per the attached letters of FXFOWLE, dated January 28, 2009 and February 24, 2009, attached hereto; and

2. Said contract amount shall be transferred and deposited into an escrow account of the City of Hoboken by New Jersey Transit Corporation in accordance with the attached letter, dated February 25, 2009; and

3. 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.

4. This resolution shall be effective immediately.
---FAILED by the following vote: YEAS: 0 - NAYS: 8 - ABSTAIN - 1
---Yeas: None.
---Nays: Council persons Castellano, Cunningham, LaBruno, Mason, Russo, Ramos, Zimmer and President Giacchi.
---ABSTAIN - Cammarano

The speakers who spoke on the above resolution: Cheryl Fallick, Mo DeGennaro, Dan Tumpson, Mary Ondreaka, Helen Hirsch, Leah Healy, Jim Doyle, Jerry Prauses. Lane Bajardi.

Councilman Ramos left meeting at 8:45 pm

09-461
---By Councilman Ramos

AUTHORIZING THE SUBMISSION OF A PROPOSAL FOR INCLUSION IN THE 2009-2010 URBAN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO HUD

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

WHEREAS, this act establishes certain criteria which must be met in order for 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 agreement in cooperation with other municipalities in Hudson County for the carrying out of the Hudson County Community 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 2009-2010 proposal for the City of Hoboken's continued participation in the Urban County CDBG Program is hereby approved for submission to the Hudson County Office of Community Development; and be it

FURTHER RESOLVED, that the Mayor or his designee 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 is hereby authorized and directed to attest the same and affix the City Seal; and be it

FURTHER RESOLVED, that Mayor or his designee is hereby authorized to:

  a) make application for such grant
  b) provide additional application information and furnish such documents as may be required
  c) act as the authorized correspondent of the City of Hoboken; and be it further
RESOLVED, that:

1. Should funding be awarded, the Mayor or his designee is hereby authorized to execute an agreement thereto with the County of Hudson.
2. The City Clerk is authorized to affix the City seal to documents related to this application.
3. This resolution shall take effect immediately.

Councilman Ramos returned to meeting at 8:55 pm.

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

09-462
---By Councilman Ramos

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, NJSA 40A:4-20 provides for the creation of an emergency temporary appropriations for said purpose; and

WHEREAS, the total emergency appropriations resolutions adopted in SFY 2009 pursuant to the provisions of NJSA 40A-4-20 including this resolution total $67,452,202.33 for Current Expenses and $6,286,000 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 members thereof affirmatively concurring) that in accordance with the provisions of NJSA 40:4-20:

1) Emergency temporary appropriations be and the same are hereby made in the amount of $2,075,716.41 for Current Expenses and $0.00 for the Parking Utility as follows:

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

Councilman LaBruno returned at 9:32 pm

09-463
---By Councilman Ramos

RESOLUTION BY THE CITY COUNCIL TO RETAIN MODERATE INCOME, WORKFORCE AND SENIOR HOUSING AT CHURCH TOWERS

WHEREAS, retention of low and moderate income housing is of critical importance to maintain the character and diversity of the City of Hoboken, and

WHEREAS, workforce housing is of critical importance if the city wishes to support its goal of workforce residency, and

WHEREAS, housing alternatives for the elderly and those on fixed incomes are of critical importance to the entire community, and

WHEREAS, the social benefits of maintaining moderate income, workforce and senior resident housing at Church Towers far outweighs the potential tax revenue that might be generated by the elimination of the payment in Lieu of Tax (PILOT) agreements, and

WHEREAS, Church Towers Urban Renewal Corporation has been providing such housing in three buildings located between Willow and Clinton Streets at 6th Street for over 40 years, and

WHEREAS, It is the will pf the City of Hoboken to see that this housing continues to be made available to those who are eligible for as long as the law will allow, and

WHEREAS, the Department of Community Affairs (DCA) as the ultimate authority for the State of New Jersey and its Division of Housing and Community Resources has no objection to the renewal or extension of the PILOT agreement adopted November 1965, and effected for a 40 year period from February 1968 to February 2008 and entered into pursuant to the provisions of the Limited Dividend Housing Corporation Law, N.J.S.A. 55:16-1, Chapter 184, Laws of 1949, for additional period of 10 years beginning February 2008 and ending February 2018, and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD), Department of Community Affairs (DCA) and Mortgage Finance Agency (MFA) have programs that would allow Church Towers to continue to serve the residents who live there,
as well as those who are eligible for moderate income, workforce, and senior housing on an “as available” basis, and

WHEREAS, the City of Hoboken does not want any eligible current resident to be removed from Church Towers to make way for condominiums, market rate rentals, or any dwelling leased on a market rate basis in these buildings

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Hoboken, County of Hudson, State of New Jersey that the agreement with the property known as Church Towers for payment in lieu of taxes be and hereby extended for an additional ten (10) years commencing February 9, 2008 and expiring February 8, 2018 so long as Church Towers Urban Renewal Corporation continues to provide affordable housing consistent with an appropriate HUD, DCA or MFA administered program.

BE IT FURTHER RESOLVED that the Administration is authorized to take any and all actions necessary to complete and realize the intent and purpose of this resolution.

The following speakers spoke: Tom Kennedy, Helen Hirsch, Scott Siegal, Sven Esche, Valerie Pels, Toni Tamarazzo, Richard Pasquarelli, Donna Antonucci, Tina Hahi, Gary Fox – attorney representing the owner of Church Towers.

MOTION TO TABLE # 11 (# 09-463 IN MINUTES)
FAILED – YEAS 2 – NAYS 6
YEAS – CUNNINGHAM, ZIMMER
NAYS – CAMMARANO, CASTELLANO, LABRUNO, MASON, RAMOS, AND PRESIDENT GIACCHI.
---Absent - Russo

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 6 - NAYS: 2
---Yeas: Council persons Cammarano, Castellano, LaBruno, Mason, Ramos, and President Giacchi.
---Nays: Cunninghingham, Zimmer
---Absent: Russo.

09-464
---By Councilman Castellano

RESOLUTION TO AMEND REGULAR MEETING MINUTES FOR THE CITY COUNCIL, CITY OF HOBOKEN TO COMPLY WITH THE OPEN PUBLIC MEETING ACT (Sunshine Law).

WHEREAS, N.J.S.A. 10:4-14 requires public bodies to keep reasonably comprehensive minutes on the essentials of all meetings, whether they are “work sessions,” “discussion sessions,” “pre-meetings,” “information sessions” or given any other designation, and,
WHEREAS, minutes must be “promptly available” to the public in order to (1) enable the public to know what occurred at prior meetings; (2) provide all persons with the opportunity to take action prior to the next meeting of the public body; and

WHEREAS, “minutes are intended to recite and disclose any official decision or action taken by the public body, and necessarily must contain sufficient facts and information to permit the public to understand and appraise the reasonableness of the public body’s determination,” and,

WHEREAS, the City Clerk together with the Administrative Committee of the City Council proposed revisions to previously approved minutes several weeks ago, and,

WHEREAS, the minutes for meeting dated 7/2, 8/13, 9/3, 9/17, and 10/1/2008 have been revised to comply with the Open Public Meetings Act as identified by black line;

NOW, THEREFORE, BE IT RESOLVED that the City Council approves minutes for the regular session meetings listed above to replace those previously adopted.

---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.

09-465
---By Councilman Cammarano

RESOLUTION APPROVING DONATION OF SURPLUS MUNICIPAL PROPERTY (HORSE TRAILER) TO THE NEWARK, NEW JERSEY POLICE DEPARTMENT.

WHEREAS, the Police Department of the City of Hoboken has disbanded its mounted patrol unit as a cost saving measure; and,

WHEREAS, as a result of this action, the City has surplus property relating to the mounted patrol unit, specifically, a 2001 two-horse trailer, white in color, with a small separate tack area, New Jersey license plate number MG62824, VIN #1C9HE1421PO58140; and

WHEREAS, the Police Department has advised that this horse trailer was donated at no cost to the City of Hoboken by an anonymous donor several years ago, and the current estimated value of this property is well less than $2,000; and,

WHEREAS, the Police Department of the City of Newark, which has provided significant assistance in the past to the Hoboken Police Department mounted patrol unit, currently maintains a mounted patrol unit and has advised that it can use this surplus property for the benefit of its residents; and,

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-36, the City of Hoboken may dispose of personal property not needed for public use; and
WHEREAS, when the disposition of personal property is to another property is to another New Jersey municipality, it is not required to place the property up for sealed bid or public auction.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken authorizes the donation of the following surplus municipal property to the Police Department of the City of Newark, which shall be responsible for the licensing and registration of said trailer:

2001 two-horse trailer, white in color, with a small tack area, New Jersey license plate number MG62824, VIN#1CHE14261PO58140

BE IT FURTHER RESOLVED, that the transfer of this property is “as-is” and the City makes no warranties, express or implied, as to its condition; and,

BE IT FURTHER RESOLVED, that the Mayor and/or his designee are authorized to take any actions necessary to further the intent and purpose of this resolution.

---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.

Councilman Russo returned at 10:27 pm

ORdinances

Introduction and First Reading

09-466
DR-400

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOken TO ESTABLISH A FEE FOR RETURNED CHECKS. (DR-400)

WHEREAS, various departments within the City of Hoboken have reason to collect monies from residents, businesses and other entities; and payment of these monies is often made via a check or other written instrument; and,

WHEREAS, there is an expense to the City whenever such checks or written instruments are returned for insufficient funds; and,

WHEREAS, the City Council finds that it is fair and appropriate to impose a surcharge when this situation arises;
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:

There is hereby created a new section of the Code of the City of Hoboken, which shall read as follows:

Fee for Returned Checks.

A. Findings. Various departments within the City of Hoboken have reason to collect monies from residents, businesses, and other-entities; and payment of these monies is often made via a check or other written instrument.

B. Service Charge Established. Any municipal department shall impose a twenty ($20.00) dollar service charge for any check or other written instrument returned for insufficient funds.

C. Manner of Collection. Any service charge authorized herein shall be collected in the same manner prescribed by law for the collection of the account for which the check of other written instrument was tendered in cash or by certified or cashier’s check.

SECTION TWO:

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 THREE:

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

SECTION FOUR:

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.

---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 March 18, 2009 at 7:00 PM.
---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.

All regular business concluded the following members of the public spoke at the “Public
Portion” of the meeting: Councilman Ramos left the meeting at 10:41 pm; Helen Hirsch;
Maurice DeGennaro, Scott Siegel, Jacqueline S. Algarin, Richard Tremediti, Councilwoman
Mason left the meeting at 11:11 p.m.; Mary Ondrejka, Dan Tumpson, Omar Dyer, Keith
Furman, Perry Belfiore, Michael Pereless, Donna Antonucci, Richard Pasquarelli, Lane
Bajardi, Councilwoman Mason returned to the meeting at 11:19 p.m.; Councilman Russo left
the meeting at 11:19 p.m.; Councilman Russo returned to the meeting at 11:25 p.m.; Leah
Healey, Margaret O’Brien. Dave Mello. Councilman Ramos returned to the dais at 11:52 p.m.
(the councilman was sitting in the rear of the room while away from the dais for an unknown
length of time)

President Giacchi then adjourned the meeting at 11:56 p.m.

PRESIDENT OF THE COUNCIL

CITY CLERK
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, Russo, Zimmer and President Giacchi.

ABSENT: Castellano, Cunningham, Ramos.

**PUBLIC HEARING and FINAL VOTE ON ORDINANCES**

**Second Reading / Public Hearing and Final Vote**

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 (DR-397) PENDING PLANNING BOARD REVIEW.

**09-477**

**PETITIONS AND COMMUNICATIONS**

April 1, 2009
Communication to the Honorable A. Nino Giacchi, President and Members of the Hoboken City Council

Dear Council President Giacchi:

On tonight’s agenda for first reading is an ordinance granting the City of Hoboken a permanent easement for the open space located at Maxwell Place. By formalizing this legal arrangement between the City, the developer, and the public’s right to access and utilize this open space, as has always been intended.

It has consistently been my position that this space should be treated like any other public park in the City of Hoboken. That is why I successfully fought for greater public access to the site and will not allow any attempts to limit such access in the future. At the same time, due to the unique nature of the property in question and its proximity to a residential building, additional requirements are necessary for public safety and to deal with legitimate concerns raised by the residents of the Maxwell Place. At the same time, the right of the public to use the space for both active and passive recreation has been preserved.

The Corporation Counsel, Director of Community Development, and Fiscal Control Officer have all recommended adoption of this Ordinance and I hope you will support it as well.

Sincerely,

DAVID ROBERTS
Mayor
City of Hoboken

---Received and Filed.

09-478

APPLICATIONS FOR MISCELLANEOUS LICENSES

Raffles  -----------------------------------------------  2
Vendor-----------------------------------------------  1
Taxicab Owners--------------------------------------  8
Limousine Owners--------------------------------------  11
Livery Owners-----------------------------------------  20
Parking Facilities-------------------------------------  1
Taxi Drivers-----------------------------------------  16

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

RESOLUTIONS
Presented and Read

09-479
---By Councilman La Bruno

RESOLUTION AUTHORIZING THE ADMINISTRATION TO SEEK APPROVAL OF THE FY 2009 BUDGET BY THE LOCAL FINANCE BOARD.

WHEREAS, the Council of the City of Hoboken desires to make application to the Local Finance Board for its approval of the City’s FY2009 budget, which was adopted by the Council on March 18, 2009; and,

WHEREAS, pursuant to the State Supervision Act, N.J.S.A. 52:27BB-87, Local Finance Board approval is required of the City’s budget before it can be deemed finally adopted;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken hereby authorizes the Administration to make application to the Local Finance Board for final approval of the FY2009 budget; and,

BE IT FURTHER RESOLVED the Administration and/or Fiscal Control Officer, as appropriate, is authorized to take whatever actions necessary to ensure that the intent and purpose of this resolution are fulfilled.

---Motion duly seconded by Councilwoman Giacchi
---Adopted – YEAS – 6 – NAYS – 0 – ABSENT – 3
---Yeas – Council persons Cammarano, LaBruno, Mason, Russo, Zimmer and President Giacchi.
---Nays – None.
---Absent – Castellano, Cunningham, Ramos.

09-480
---By Councilwoman Giacchi

RESOLUTION REVISING CALENDAR FOR APRIL 2009 THROUGH JULY 2009

RESOLVED, that the following dates and times listed below are adopted as the official meeting dates of the Hoboken City Council for April 2009 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, 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, HOBOKE N, NJ

NOTICE OF DATES AND TIMES FOR APRIL 2009 THROUGH JUNE 2009

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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

Councilwoman Mason made a recommendation regarding the council dates.

The following speakers spoke: Helen Hirsch.

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

09-481
---By Councilman Giacchi

RESOLUTION APPOINTING A PRINCIPAL PUBLIC WORKS MANAGER FOR THE CITY OF HOBOKEN

WHEREAS, N.J.S.A. 40A:9-154.6 requires a principal public works manager to be appointed by each municipality; and,

WHEREAS, this individual is required to hold a principal public works manager certificate; and,

WHEREAS, the City does not currently have anyone with this required credential, although the City’s Director of Environmental Services is currently working to obtain his principal public works manager certificate; and,
WHEREAS, although the statute allows an individual to be appointed as principal public works manager for up to two years on an interim basis without the required certificate, the City Engineer, Remington & Vernick, has offered to provide the services of an individual holding this certificate at no cost to the City; and,

WHEREAS, the Fiscal Control Officer and the Director of Environmental Services recommend that the City take advantage of this free service;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken that Anina M. Hogan, CPWM (Certification M-1027) is hereby appointed Principal Public Works Manager for the City of Hoboken, pursuant to N.J.S.A. 40A:9-154.6, for a term of one year ending on March 31, 2010.

The following speakers spoke: Richard Tremitiedi, Chris Carbine. Councilwoman Mason gave an explanation for this resolution.

---Motion duly seconded by Councilwoman LaBruno
---Adopted by the following vote: YEAS: 5 - NAYS: 1 ABSENT - 3
---Yeas: Council persons Cammarano, LaBruno, Mason, Zimmer and President Giacchi.
---Nays: Russo
---Absent: Castellano, Cunningham, Ramos.

RESOLUTION MAKING APPLICATION TO THE LOCAL FINANCE BOARD FOR A REDUCED PENSION CONTRIBUTION PURSUANT TO N.J.S.A. 43:15A-24(C) AND N.J.S.A. 43:16A-15(9)

WHEREAS, the City of Hoboken desires to make application to the Local Finance Board for its approval of a reduced pension contribution for its Police and Fire Retirement System contribution pursuant to N.J.S.A. 43:15A-24(c) and its Public Employee Retirement System contribution pursuant to N.J.S.A. 43:16A-15(9) for certain normal and accrued liability contributions as follows: Police and Fire Retirement System in the amount of $2,763,108; Public Employee Retirement System in the amount of $463,004; and,

WHEREAS, the City has made certain determinations concerning this application as required by statute and has completed the required Attachment that documents said determinations; and,

WHEREAS, the City has determined that it is in the public interest to pay the reduced contribution due to the current financial condition of the City, which has resulted in the City’s finances being placed under supervision by the State of New Jersey pursuant to the “State Supervision Act,” and the City does so upon the recommendation of the State-approved Fiscal Control Officer, Judith L. Tripodi.

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

Section 1. The reduced pension contribution Attachment, as attached hereto, is incorporated by reference into this Resolution as if contained fully within.
Section 2. The reduced pension contribution for PFRS in the amount of $2,763,108 and PERS in the amount of $463,004, pursuant to N.J.S.A. 43:15A-24(c) and N.J.S.A. 43:16A-15(9) et. seq. have been confirmed by the Chief Financial Officer and are the amounts deemed by the governing body for application to the Local Finance Board and as allowed by the New Jersey Division of Pension and Benefits.

Section 3. The application to the Local Finance Board is hereby approved, and the appropriate officials of the City of Hoboken are hereby authorized to submit such application and to represent the City in matters pertaining thereto.

Section 4. The Certification of the Chief Financial Officer is incorporated into this Resolution as a certification of the truth and accuracy of the facts submitted in the application for pension deferral.

Section 5. The City Clerk is hereby directed to file a copy of this reduced pension contribution resolution as part of the application with the Local Finance Board.

Section 6. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by law.

The following speakers spoke: Scott Seigel.

Motion was called for vote:
---Motion duly seconded by Councilman Cammarano
---YEAS - 3 – NAYS – 3 – ABSENT - 3
Yeas: Council persons – Cammarano, LaBruno, and President Giacchi.
Nays: Mason, Russo, Zimmer
Absent: Castellano, Cunningham, Ramos.

Councilwoman La Bruno asked Director Tresante to explain the above resolution, after his explanation was made clear to council a motion was made to reconsider vote.

MOTION WAS MADE TO RECONSIDER VOTE:

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

---Adopted by the following vote: YEAS: 4 – NAYS: - 3 ABSENT: - 3
---Yeas: Council persons Cammarano, LaBruno, Russo, and President Giacchi.
---Nays: Mason, Zimmer
---Absent: Castellano, Zimmer, Ramos.

09-483
---By Councilman Russo

RESOLUTION APPOINTING BROWN & BROWN METRO, INC. AS RISK MANAGER FOR PROPERTY AND CASUALTY FOR THE CITY OF HOBOKEN
WHEREAS, the City of Hoboken requires the services of a risk manager to advise the City as to ways it can reduce its overall property and casualty insurance costs, including through a review and analysis of the City's existing insurance coverage, as well as the promotion of policies and procedures designed to reduce the City's exposure to potential losses; and,

WHEREAS, the City of Hoboken sought proposals for a risk manager via the fair and open process established by Hoboken Ordinance #DR-154 (codified as §20A-1 et seq. of the Code of the City of Hoboken), and Brown and Brown Metro, Inc. (“Brown & Brown”) timely responded to the City's request for proposals;

WHEREAS, the City of Hoboken has reviewed the qualifications of Brown & Brown and has determined that this risk manager can provide these services for the City of Hoboken in an efficient manner; and,

WHEREAS, this type of work constitutes an “extraordinary unspecified service,” as specifically provided by N.J.S.A. 40A:11-5(1)(ii)(m) of the Local Public Contracts Law, and as such, is exempt from public bidding requirements; and,

WHEREAS, no funds will be expended directly by the City of Hoboken as a result of this resolution, as Brown & Brown has agreed to accept the standard commission offered by the City's property and casualty insurance carriers.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken does hereby authorize a contract between the City of Hoboken and Brown & Brown to provide risk management services for property and casualty 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 Risk Manager for the City of Hoboken shall be prepared and executed with the following vendor:

   Brown & Brown Metro, Inc.
   26 Columbia Turnpike
   Florham Park, NJ 07932

   Said firm will not receive any funds directly from the City of Hoboken, rather, it will receive a commission from the City's insurance carriers for its services.

2. This agreement shall be effective April 1, 2009 and terminate March 31, 2010.

3. The Mayor is hereby authorized to execute a contract with Brown & Brown for risk management services on behalf of the City of Hoboken and to take any other actions necessary to compete 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 in the manner required by N.J.S.A. 40A:11-5(1)(a)(ii) 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.

5. This resolution shall take effect immediately.

Councilman Cunningham arrived at 7:30 pm.
Council President Giacchi announced his arrival.

The following speaker spoke: Scott Siegel.
Motion duly seconded by President Giacchi
---Adopted by the following vote: YEAS: 6 - NAYS: 1 ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, LaBruno, Russo, Zimmer and President Giacchi.
---Nays: Mason
---Absent: Castellano, Ramos.

09-484
---By President Giacchi

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOBOKEN AUTHORIZING THE ADOPTION OF THE MULTI-JURISTICTIONAL PRE-DISASTER MITIGATION ALL HAZARDS PLAN FOR THE COUNTY OF HUDSON

WHEREAS, all of Hudson County has exposure to natural hazards that increase the risk to life, property, environment and the County's economy; and

WHEREAS, pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, The Disaster Mitigation Act of 2009 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS, a coalition of Hudson County jurisdictions with the like planning objectives has formed to pool resources and create consistent mitigation strategies to be implemented within each partners identified capabilities, within Hudson County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for the implementing, evaluating and revising this strategy; and

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

1) Adopts the Multi-Jurisdictional Pre-Disaster Mitigation All Hazards Plan for the County of Hudson (the “Plan”) as this jurisdiction’s Natural Hazards Mitigation Plan, and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.

2) Will use the adopted and approved portions of the Plan to guide pre-and post-disaster mitigation of the hazards identified.

3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.

4) Will continue its support of the Mitigation Planning Committee as described within the Plan.

5) Will help to promote and support the mitigation successes of all participants in this Plan.
6) Will incorporate mitigation planning as an integral component of government and partner operations.

The following speakers spoke: Helen Hirsch, Mary Ondrejka. Director Bergin was asked to respond to questions regarding above resolution.

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

09-485
---By Councilwoman Mason

RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION TO DEPARTMENT OF AGRICULTURE FOR 2009 SUMMER FOOD SERVICE PROGRAM FUNDS

WHEREAS, the City of Hoboken has, each summer, been the sponsor of a summer food service program for the youth of the City; and

WHEREAS, the State of New Jersey, Department of Agriculture has once again invited the City of Hoboken to submit an application for funding for the 2009 Summer Food Service Program; now therefore, be it --

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

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

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

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

09-486
---By Councilman Cammarano

DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES
RESOLUTION AUTHORIZING AMENDMENT III 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 (name of applicant) has previously obtained a loan of $0 (resolution converting $341,000 from balance of loan funds to grant funds) and/or a grant of $1,800,000.00 (new grant balance) from the State to fund the following project(s): (describe the project) Multi-Parks Development; and

WHEREAS, the State and the City of Hoboken (name of applicant) intend to increase Green Acres funding; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-named project;

NOW, THEREFORE, BE IT RESOLVED BY THE 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 speakers spoke: Mary Ondrejka, Jim Doyle.
Director Bado responds to questions of council and public regarding this resolution.

---Motion duly seconded by Councilman Russo  
---Adopted by the following vote: YEAS: 7 - NAYS: 0 ABSENT: 2  
---Yeas: Council persons Cammarano, Cunningham, LaBruno, Russo, Zimmer, and President Giacchi.  
---Nays: None  
---Absent: Castellano, Ramos
RESOLUTION AUTHORIZING AMENDED CONTRACT WITH FXFOWLE ARCHITECTS, PC AND PROFESSIONAL PLANNERS FOR PREPARATION OF REDEVELOPMENT PLAN FOR THE HOBOKEN TERMINAL AND YARD

WHEREAS, by resolution dated June 21, 2006, and pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), the City Council of the City of Hoboken directed the Planning Board of the City of Hoboken to conduct a preliminary investigation and public hearing to determine whether all or any part of the area (“the Study Area”) known and designated on the Tax Map of the City of Hoboken as:

Block 229, Lots 1 and 2,
Block 139, Lots 1.1, 1.2, 1.3, 2, 3 and 4,

which is generally referred to as the Hoboken Terminal and Yard, is an area in need of redevelopment in accordance with N.J.S.A. 40A:12A-6;

WHEREAS, at the direction of the Planning Board, planning consultants Phillips Preiss Shapiro Associates, Inc. (“PPSA”) prepared a Redevelopment Study for the Hoboken Terminal & Yard dated November, 2006, (“the Study”) that recommended the designation of the Study Area as an area in need of redevelopment;

WHEREAS, following receipt of the Study and with due notice, the Planning Board held a public hearing on Tuesday, January 2, 2007, to determine whether all or any part of the Study Area is an area in need of redevelopment in accordance with the Redevelopment Law, and, on Tuesday, January 11, 2007, duly adopted a resolution recommending that all of the Study Area be designated as an area in need of redevelopment; and

WHEREAS, by resolution dated February 7, 2007 the City Council has considered the recommendation of the Planning Board and the Study and has determined that the following properties within the study area meet the statutory criteria for redevelopment known and designated on the Tax Map of the City of Hoboken as:

Block 229, Lots 1 and 2,
Block 139, Lots 1.1, 1.2, 1.3, 2, 3 and 4,

Should be and are hereby designated as an area in need of redevelopment, as provided in N. J. S. A. 40A:12A-5 and

WHEREAS, by resolution dated December 13, 2007, the City Council of the City of Hoboken awarded a contract to the firm FXFOWLE Architects, PC 22 West 19 Street; New York, New York 10011, architects and professional planners is hereby authorized to prepare a redevelopment plan for the Hoboken Terminal and Yard Area and to submit same to the City Council for its review and adoption. The cost of said redevelopment plan shall not exceed a maximum amount of one hundred and fifty-five thousand dollars ($155,000); and

WHEREAS, the City of Hoboken established an escrow account for the payment of FX FOWLE Architects, PC to be funded by New Jersey Transit Corporation through its agent, LCOR Hoboken Rail Station Redevelopment LLC. in the amount of $175,000 and the
City of Hoboken shall administer said escrow in accordance with the procedures set forth in N.J.S.A. 40:55D-53.1, 53.2 and 53.2a; and

WHEREAS, FXFOWLE has submitted to the City of Hoboken a request to increase the original contract amount from $155,000 to $230,000 as per the attached letter, dated January 28, 2009; and

WHEREAS, FXFOWLE has submitted to the City of Hoboken a request for additional services in the amount of $25,000 as per the attached letter, dated February 24, 2009, which will result in a total contract amount of $255,000; and

WHEREAS, New Jersey Transit Corporation, by letter of December 3, 2007 agreed to deposit $175,000 into an escrow account of the City of Hoboken for payment to FXFOWLE for preparation of a redevelopment plan for the Hoboken Terminal and Yard and payment of $155,000 out of the escrow account was made to FXFOWLE; and

WHEREAS, New Jersey Transit Corporation, by letter of February 25, 2009 has agreed to increase the amount of the escrow account by an additional $80,000 to increase the total amount of the escrow account for FXFOWLE to $255,000; and

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

1. The contract with the firm FXFOWLE Architects, PC 22 West 19 Street; New York, New York 10011, architects and professional planners is hereby amended to increase the maximum amount from $155,000 to a new maximum amount of $255,000 as per the attached letters of FXFOWLE, dated January 28, 2009 and February 24, 2009, attached hereto; and

2. Said contract amount shall be transferred and deposited into an escrow account of the City of Hoboken by New Jersey Transit Corporation in accordance with the attached letter, dated February 25, 2009; and

3. 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.

4. This resolution shall be effective immediately.

The following speakers spoke: Mo DeGennaro, Cheryl Fallick, Dan Tumpson, Mary Ondrejka, JD. Capuano, Chris Carbine, Jim , Ann Graham

---Motion duly seconded by: President Giacchi
---TABLED NO ACTION TAKEN by the following vote: YEAS: 5 - NAYS: 3 ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, Mason and President Giacchi.
---Nays: La Bruno, Russo, Zimmer
---Absent: Castellano, Ramos

THIS RESOLUTION WAS APPROVED BY STATE FISCAL MONITOR JUDITH TRIPODI - 4-16-09
RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS

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

WHEREAS, Sharon Curran, 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 $182,270.98

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LT/UNIT</th>
<th>PROPERTY</th>
<th>QTR/YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>PLYCLOTH ASSOC/</td>
<td>126/1</td>
<td>200 FOURTEENTH ST</td>
<td>1/08-2/08</td>
<td>$182,270.98</td>
</tr>
<tr>
<td>BIJOU PROPERTIES</td>
<td></td>
<td></td>
<td>3/08-3/07-4/07</td>
<td></td>
</tr>
<tr>
<td>WCAS GLENPOINTE MEZ LEVEL</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TEANECK, NJ 07666</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

RESOLUTION AUTHORIZING THE REFUND OF TAX APPEALS HUDSON COUNTY TAX BOARD AND STATE TAX COURT

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the 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 $2,791.48

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
<th>YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZHAO CHEN</td>
<td>20/7/C004C</td>
<td>83-85 GRAND ST</td>
<td>4/08</td>
<td>$2,791.48</td>
</tr>
<tr>
<td>HOBOoken, NJ 07030</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Meeting of April 1, 2009
---Motion duly seconded by President Giacchi
---Adopted by the following vote: YEAS: 7 - NAYS: 0 ABSENT: 2
---Yea: Council persons Cammarano, Cunningham, LaBruno, Russo, Zimmer and President Giacchi.
---Nays: None
---Absent: Castellano, Ramos

**09-490**
---By Councilman Russo

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS

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

WHEREAS, Sharon Curran, 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 **$39,833.62**

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LT/UNIT</th>
<th>PROPERTY</th>
<th>QTR/YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>FIRST AMERICAN REAL</td>
<td>114/1/C0305</td>
<td>1300 GRAND ST</td>
<td>1/07</td>
<td>$2,192.01</td>
</tr>
<tr>
<td>ESTATE TAX SERVICE</td>
<td></td>
<td>ABATEMENT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ATTN: RECOVERIES DEPT</td>
<td></td>
<td>PO BOX 961230</td>
<td>FORT WORTH, TX 76161-0230</td>
<td></td>
</tr>
<tr>
<td>DOUGLAS AULD</td>
<td>84/1/C02-B</td>
<td>450 SEVENTH ST</td>
<td>2/08 -2/07</td>
<td>$1,127.08</td>
</tr>
<tr>
<td>450 SEVENTH STREET #2B</td>
<td></td>
<td>HOBOKEN, NJ 07030</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PETER IANNUCCILLI</td>
<td>76/1/C09-B</td>
<td>603 MADISON ST</td>
<td>1/09</td>
<td>$1,701.31</td>
</tr>
<tr>
<td>603 MADISON STREET #9B</td>
<td></td>
<td>HOBOKEN, NJ 07030</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RYAN LANE</td>
<td>155/5/C0401</td>
<td>1026-34 CLINTON ST</td>
<td>4/08</td>
<td>$4,038.28</td>
</tr>
<tr>
<td>1026-34 CLINTON ST #401</td>
<td></td>
<td>HOBOKEN, NJ 07030</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CITIMORTGAGE INC. 182/1</td>
<td></td>
<td>220 SEVENTH ST</td>
<td>4/08</td>
<td>$3,112.82</td>
</tr>
<tr>
<td>PO BOX 9444</td>
<td></td>
<td>GAITHERSBURG, MD 20898-9444</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CARL-JOHN NORDBERG</td>
<td>202/13</td>
<td>327 BLOOMFIELD ST</td>
<td>2/08-3/08</td>
<td>$6,107.86</td>
</tr>
<tr>
<td>327 BLOOMFIELD ST</td>
<td></td>
<td>HOBOKEN, NJ 07030</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WELLS FARGO HOME</td>
<td>261.03/1/C0504</td>
<td>1125 MAXWELL LN</td>
<td>1/09</td>
<td>$4,947.88</td>
</tr>
<tr>
<td>MORTGAGE</td>
<td></td>
<td>ONE HOME CAMPUS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DES MOINES, IA 50328-0001</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
WELLS FARGO HOME 261.03/1/C0405 1125 MAXWELL LN 1/09 $2,449.88
MORTGAGE
ONE HOME CAMPUS
DES MOINES, IA 50328-0001

REALTY EXPRESS 247/34.1/C003S 1210 WASHINGTON ST 1/09 $1,742.38
LABARBERA
PROPERTY MANAGEMENT LLC
210 WASHINGTON ST
HOBOKEN, NJ 07030

JORDAN B. PHIEBIG 166/30.1/C000C 318-320 PARK AVE. #2B 1/09 $1,525.31
318-320 PARK AVE. #2B
HOBOKEN, NJ 07030

TARA MURPHY 91/1.2/C0506 812 GRAND ST 1/09 $2,093.19
812 GRAND STREET #506
HOBOKEN, NJ 07030

LUIS & NELLIE MOYENO 30/3.1 105 JEFFERSON ST 4/08 $2,719.17
105 JEFFERSON ST
HOBOKEN, NJ 07030

BANK OF AMERICA 95/25/C004B 904 JEFFERSON ST 2/08 $2,157.59
ATTN: TERESA CRAFT
VA2-410-01-02
1400 BEST PLAZA DRIVE
RICHMOND, VA 23227

COUNTRYWIDE 59/22/C0004 402 JEFFERSON ST 1/09 $1,982.90
TAX SERVICES
PO BOX 10211-SV3-24
VAN NUYS, CA 91410-0211

COUNTRYWIDE 171/8/C003L 917 WILLOW AVE 1/09 $1,877.30
TAX SERVICES
PO BOX 10211-SV3-24
VAN NUYS, CA 91410-0211

---Motion duly seconded by President Giacchi
---Adopted by the following vote: YEAS: 7 - NAYS: 0 ABSENT: 2
---Yeas: Council persons Cammarano, Cunningham, LaBruno, Russo, Zimmer and President Giacchi.
---Nays: None
---Absent: Castellano, Ramos
RESOLUTION OF THE CITY COUNCIL, CITY OF HOBOKEN ADOPTING MINUTES OF REGULAR MEETINGS: 10/15/08, 11/5/08, 11/24/08, 12/3/08 AND 1/21/09.

WHEREAS, N.J.S.A. 10:4-14 requires public bodies to keep reasonably comprehensible minutes on the essentials of all meetings, whether they are “work sessions,” “discussion sessions,” “pre-meeting meetings,” “information sessions” or given any other designation, and

WHEREAS, minutes must be “promptly available” to the public in order to (1) enable the public to know what occurred at prior meetings; (2) provide all persons with the opportunity to take action prior to the next meeting of the public body; and

WHEREAS, “the minutes are intended to recite and disclose any official decision or action taken by the public body, and necessarily must contain sufficient facts and information to permit the public to understand and appraise the reasonableness of the public body’s determination,” and

WHEREAS, the minutes for meetings dated 10/15, 11/5, 11/24 and 12/3/2008 and 1/21/2009 have been prepared to comply with the Open Public Meetings Act.

NOW, THEREFORE, be it resolved that minutes for meetings dated 10/15, 11/5, 11/24, and 12/3/2008 and 1/21/2009 previously distributed to the Council in draft form be adopted as part of the public record.

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

---By Councilman Cammarano


WHEREAS, the City of Hoboken (“City”) is interested in participating in the United States Department of Justice COPS Hiring Recovery Program, which covers 100 percent of the approved entry-level salary and fringe benefits of newly-hired and/or rehired, full-time sworn career law enforcement officers over three years (36 months); and,

WHEREAS, if the City applies for and is awarded this grant, the City will agree to retain all sworn officer positions funded under the grant for a minimum of (12) months following the (36) month grant period; and,
WHEREAS, the City’s Police Department is currently operating with one-hundred and one (101) sworn officers holding the rank of patrolman, although the Table of Organization as contained in the Hoboken City Code authorizes the City to employ up to one hundred and twenty (120) sworn officers at this rank; and,

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

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

1) The Mayor or his designee is authorized to execute the above-referenced grant application, and to take all other actions necessary to fulfill the intent of the resolution.
2) The Council wishes to participate to the fullest extent possible in the COPS Hiring Recovery Program offered by the United States Department of Justice as authorized by the American Recovery and Reinvestment Act of 2009.

The following speakers spoke: Helen Hirsch, Scott Seigel, Chris Carbine, Donna Antonucci Council persons Cunningham, LaBruno, Mason, Russo, Zimmer responds to questions.

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

ORDINANCES

Introduction and First Reading

09-493
DR-401

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 AND CHAPTER 141 OF THE CODE OF THE CITY OF HOBOKEN TO REMOVE RESTRICTED PARKING AREAS AROUND CITY HALL, INCREASE PARKING FOR THE GENERAL PUBLIC, AND MAKE CERTAIN OTHER IMPROVEMENTS.

WHEREAS, certain City streets in the vicinity of Hoboken City Hall are currently designated “Official Business by Permit Only;” and,

WHEREAS, there is currently a lack of parking for the general public needing to conduct business at City Hall, and this Ordinance seeks to remedy this situation; and,

WHEREAS, certain other improvements to parking in the vicinity of City Hall are necessary and warranted.

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

Section 190-6.1 of the Code of the City of Hoboken is amended, in part, to delete the following locations as "restricted parking; Official Business by Permit Only 8:00 a.m. to 8:00 p.m.; Tow-Away Zones":

**190-6.1. Restricted parking for police vehicles, fire vehicles and official business, by permit only.**

<table>
<thead>
<tr>
<th>Name of Street</th>
<th>Side</th>
<th>Location</th>
<th>Restriction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bloomfield Street</td>
<td>East</td>
<td>Beginning at the northerly curbline of Newark Street and extending to the southerly curbline of First Street</td>
<td>Official business vehicles of the city government offices, by permit, for the hours of 8:00 a.m. to 8:00 p.m., Monday through Friday</td>
</tr>
<tr>
<td>Newark Street</td>
<td>North</td>
<td>Beginning at the westerly curbline of Washington Street and extending to the easterly curbline of Bloomfield Street</td>
<td>Official business vehicles of the city government offices, by permit, for the hours of 8:00 a.m. to 8:00 p.m., Monday through Friday</td>
</tr>
<tr>
<td>Newark Street</td>
<td>South</td>
<td>Beginning at the westerly curbline of Washington Street and extending to the easterly curbline of Bloomfield Street</td>
<td>Official business vehicles of the city government offices, by permit, for the hours of 8:00 a.m. to 8:00 p.m., Monday through Friday</td>
</tr>
</tbody>
</table>

Section 190-6.1 of the Code of the City of Hoboken is amended, in part, to add the following location as "restricted parking; Official Business by Permit Only 8:00 a.m. to 8:00 p.m.; Tow-Away Zones":

<table>
<thead>
<tr>
<th>Name of Street</th>
<th>Side</th>
<th>Location</th>
<th>Restriction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bloomfield Street</td>
<td>East</td>
<td>Beginning 35 feet from the northerly curbline of Newark Street and extending 22 feet north therefrom</td>
<td>Official business vehicles of the Hoboken Police Department</td>
</tr>
</tbody>
</table>

SECTION TWO:

Section 141-1 of the Code of the City of Hoboken is amended, in part, to delete the following location as Resident Permit Parking:

**141-1 Resident Permit Parking**

<table>
<thead>
<tr>
<th>NAME OF STREET</th>
<th>SIDE</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bloomfield Street</td>
<td>west</td>
<td>beginning at the northerly curbline of Newark Street and extending to the southerly curbline of First Street</td>
</tr>
</tbody>
</table>
SECTION THREE:

Section 190-29 of the Code of the City of Hoboken is amended, in part, to add time limit parking on certain streets as follows:

§ 190-29. Time-limit parking locations and fees.

<table>
<thead>
<tr>
<th>Street Location</th>
<th>Side</th>
<th>Hours/Time Limit</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Newark Street from</td>
<td>South</td>
<td>9:00 A.M. to 5:00 P.M.</td>
<td>$0.25/15min</td>
</tr>
<tr>
<td>Washington Street to</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bloomfield Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Newark Street from</td>
<td>North</td>
<td>9:00 A.M. to 5:00 P.M.</td>
<td>$0.25/15min</td>
</tr>
<tr>
<td>Washington Street to</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bloomfield Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bloomfield Street from</td>
<td>West</td>
<td>9:00 A.M. to 5:00 P.M.</td>
<td>$0.25/15min</td>
</tr>
<tr>
<td>Newark Street to</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bloomfield Street from</td>
<td>East</td>
<td>9:00 A.M. to 5:00 P.M.</td>
<td>$0.25/15min</td>
</tr>
<tr>
<td>Newark Street to</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First Street</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

SECTION FOUR:

A. Section 192-4B of the Code of the City of Hoboken is amended, in part, to add the following general handicap space:

<table>
<thead>
<tr>
<th>Name of Street</th>
<th>Side</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Newark Street</td>
<td>North</td>
<td>Beginning 90 feet west of Washington Street and extending 22 feet westerly therefrom</td>
</tr>
</tbody>
</table>

SECTION FIVE:

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 “restricted parking; Official Business by Permit Only 8:00 a.m. to 8:00 p.m.; Tow-Away Zone” pursuant to §190-6.1 of the Code of the City of Hoboken, shall remain as such, except that the general handicap space created by Section Four of this Ordinance shall be effective immediately.

SECTION SIX:

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 SEVEN:

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

SECTION EIGHT:

This Ordinance shall take effect according to law.

SECTION NINE:

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.

---Councilwoman La Bruno 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 15, 2009 at 7:00 PM.

---Motion duly seconded by Councilwoman Zimmer
---Adopted by the following vote: YEAS: 4 - NAYS: 3
---Yeas: Council persons Cunningham, LaBruno, Mason, Zimmer
---Nays: Cammarano, Russo, Giacchi
---Absent: Castellano, Ramos
WHEREAS, the City Planner has prepared certain amendments to the Northwest Redevelopment Plan, which amendments are in furtherance of the redevelopment of the Water Music Site in a manner that would promote the creation of a mixed-use building with a music recording studio and an arts center; and

WHEREAS, the City Council has reviewed and considered the recommendations of the Planning Board regarding the amendments to the Northwest Redevelopment Plan; and

WHEREAS, the amendments to the Northwest Redevelopment Plan meet 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 Northwest Redevelopment Plan is hereby amended as follows:

LAND USE AND BUILDING BULK REGULATIONS, APPLICATION AND INTERPRETATION

Zone 1
The following blocks will be permitted to have residential buildings: Blocks B.88; B.89; B.95; B.99; B.100; B.103: Lots 1-6 & 27-32; B.104; B.109; B.110; B.114: Lots 1-13, 20-33, and parts of Lots 14-17 consisting of the southerly one-third (25 ft) of these lots; B.115: Lots 1-14 & 19-32; B.150; B.151; B.156.

For All Sites With The Exception Of Block 95, Lots 6-21
Where a redeveloper chooses to combine residential use with permitted non-residential principal uses such as community facility or office or commercial recreation in a single building, all residential use – except for lobby access – must be located on floors above the other uses and have separate secure entrances. In such a case the floor area of each use must be prorated relative to the site. Such prorating shall also apply to instances where pre-existing non-residential buildings remain whether for continued non-residential use or renovated for residential use. Residential floor area may abut parking areas which are physically separated but technically on the same level. Maximum building height shall be the maximum permitted for residential use and all residential floors shall have rear yards as required for residential buildings.

Where such a mixed-use building directly abuts an off-site residential development, the design shall be evaluated by the Planning Board as to potential negative impact on the access to light and air of the adjoining building’s residential floors.

Residential buildings shall be designed as follows:

Building Height: no change
Floor Area Ratio: no change
Density: no change
Lot coverage: no change
Parking: no change
For Block 95, Lots 6 through 21:
Where the re-developer of Block 95, Lots 6 through 21 proposes to create a mixed-use building which includes an "arts center" which, at a minimum shall include a music recording studio (with special requirements for sound insulation), and which may also include a theater, educational and related spaces such as a kitchen, gallery space and multi-purpose rooms, the following special bulk & parking regulations and urban design guidelines shall apply (see below):

Building Height:
One building mass may contain up to six residential floors (maximum: sixty-six (66) feet) which may be increased by a seventh partial floor (up to a maximum: seventy-seven (77) feet in height) if bonus floor area is granted, supported over a base building which contains no more than one level of parking and up to four (4) levels containing an "arts center" which, at a minimum shall include a music recording studio (with special requirements for sound insulation), and which may also include a theater, educational and related spaces such as a kitchen, gallery space and multi-purpose rooms (maximum total height: thirty-eight (38) feet) separated by an enclosed volume of space for a theatre not to exceed twenty-three (23) feet in height. Maximum height of the entire mixed-use structure may not exceed one hundred forty-one (141) feet above base flood elevation to the top of the roof slab. If the proposed educational use cannot be funded prior to construction, the assigned floor area shall be removed from the project.

Floor Area Ratio:
3.0 for residential floor area; additional floor area pursuant to the bonus described below:

- Bonus FAR:
  In addition to the base 3.0 FAR permitted for residential use on the site, the re-developer may also create up to 1.55 FAR of space for such music recording studio and its own ancillary space (including transient overnight accommodations as approved previously by the Zoning Board of Adjustment) provided that for every 2.0 sq. ft. of studio/ancillary space built, a minimum of 1.0 sq. ft. of programmable public space shall be built on-site. It is further provided that so long as at least 12,000 sq. ft. of public space is built, for each 1.0 sq. ft. of public space created, the builder may also create 1.0 sq. ft. of additional residential floor area beyond the base 3.0 FAR.

Density:
Maximum dwelling units permitted on the site shall be calculated by dividing permitted base FA by 1,000 (to be calculated at 3.0 FAR). In no event, even if bonus floor area is granted, shall the total number of dwelling units created exceed the maximum permitted at the base 3.0 FAR.

Lot coverage:
Sixty-five (65) percent for the residential portion of the building.
One hundred (100) percent for the base building containing the parking and the arts center up to thirty-eight (38) feet above base flood elevation as required.
Parking: no change

Urban Design Guidelines:
The following regulations apply specifically to Block 95, Lots 6 through 21; where a conflict appears between these and the Urban Design Guidelines for the Plan as a whole, the following regulations shall control:

General Building Bulk & Yard Requirements: no change

Building Base Design: no change

Parking & Parking Design:
- Window openings: no change
- Arts center roof may be developed for public recreation use (see below)
- Below grade parking floors are permitted so long as they are adequately designed to prevent flooding
- Garage door may be no taller than required for a handicap van
- Garage door must have a horizontal strip of transparency at pedestrian eye level
- Garage door must be a color that matches the building base to the greatest extent possible

Streetscape Requirements:
- Street trees: maximize street trees to the extent possible and provide landscaping appropriate to building design
- Activity areas: no change

Public Recreation Space:
- Design, availability and programming to be approved by the City's Department of Cultural Affairs in conjunction with the Department of Community Development with permanent public easements per Corporation Counsel
- Whereas the proposed public space occupies the 30% of the site normally attributed to required private open space, the roof above the topmost residential floor shall be developed so as to allow access to tenants to at least 50% of the roof area; the remaining area of the roof shall be developed using green roof technology

Other Regulations:
- Signage: the "arts center" project may have signs as follows:
  - One "medallion" type sign on the north facade and one such sign on the south facade at, but not above, the penthouse level measuring no more than twenty (20) feet in length and twelve (12) feet in height depicting a logo which represents the Hoboken Arts Center but not a sponsor; and
  - One rectangular sign on the north facade and one such sign on the west facade to be set into the "frieze" at a height not to exceed fifty-four (54) feet above grade, measuring no more than fifty-two (52) feet in length and six (6) feet in height, and depicting the Hoboken Arts Center and its sponsor if so desired.
Facade materials: the building may utilize any of the following: a lightweight curtain wall system, a rain screen system, louvers (note: louvers shall be subject to special review by Board planner).

All residential use, except for lobby access, must be located on floors above the other uses except that the topmost floor of the arts center may also contain residential uses so long as the Planning Board determines that adequate security for site residents has been provided through separation of uses including separate secure entrances.

Section 2. A copy of this Ordinance shall be maintained in the offices of the City Clerk.

Section 3. The Northwest Redevelopment Plan shall continue to supersede applicable provisions of the Zoning Ordinance of the City of Hoboken. In all situations where zoning issues are not specifically addressed by the Northwest Redevelopment Plan, the Zoning Ordinances of the City of Hoboken shall remain in full force and effect.

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 inseparable 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.

---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 April 15, 2009 at 7:00 PM.

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

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Richard Tremediti, Maurice DeGennaro Scott Segal, Leah Healy, Councilwoman LaBruno left the meeting at 9:20 p.m.; Councilwoman LaBruno returned to the meeting at 9:08 p.m.; Council President Giacchi left the meeting at 9:35 p.m., Council President Giacchi returned to the meeting at 9:42 p.m.; Lydia Radin, Helen Hirsch, Cheryl Fallick, Dan Tumpson, Mary Ondrejka, John Nastasi, JD Capuano, Michael Evers, Donna Antoinucci, Lane Bajardi, Dave Mello, Michael Pereless, Tim Occhipinti, David Checchio.
President Giacchi then adjourned the meeting at 10:59 p.m.

______________________________
PRESIDENT OF THE COUNCIL

______________________________
CITY CLERK
President Giacchi opened the meeting at 7:15 p.m. and stated, "I would like to advise all those present that notice of this meeting has been provided to the public in accordance with the provisions of the Open Public Meeting Act, and that notice was furnished to The Jersey Journal and The Hoboken Reporter, The 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, Zimmer

Councilman Cunningham (on vacation) called from his cell phone to participate in this Council meeting.

ABSENT: Russo, President Giacchi.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

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 - (DR-397) (CONTINUED TO MAY 3, 2009 MEETING PENDING PLANNING BOARD REVIEW)
AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 AND CHAPTER 141 OF THE CODE OF THE CITY OF HOBOKEN TO REMOVE RESTRICTED PARKING AREAS AROUND CITY HALL, INCREASE PARKING FOR THE GENERAL PUBLIC AND MAKE CERTAIN OTHER IMPROVEMENTS. (DR-401)

Councilwoman 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.

The following speakers spoke: Mo DeGennaro.

Director Bergin responds questions regarding the above ordinance. Council persons LaBruno, Mason, Ramos, Zimmer discusses the above ordinance.

Councilwoman LaBruno then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 1 - NAYS: 6 ABSENT - 2
---Yeas: Council persons, LaBruno.
---Nays: Cammarano, Castellano, Cunningham Mason, Ramos, Zimmer
---Absent - President Giacchi, Russo.

AN ORDINANCE AMENDING THE NORTHWEST REDEVELOPMENT PLAN AND APPENDIX A OF CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN. (DR-402) (CONTINUED TO MAY 3, 2009 MEETING PENDING PLANNING BOARD REVIEW)

Corporation Counsel explained this ordinance is still pending Planning Board review.

09-493

APPLICATIONS FOR MISCELLANEOUS LICENSES

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vendor</td>
<td>2</td>
</tr>
<tr>
<td>Raffles</td>
<td>1</td>
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</tbody>
</table>

---Councilwoman Castellano moved that the licenses be granted.
---Motion duly seconded by Councilwoman La Bruno.
---Adopted by the following vote: YEAS: 7 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Zimmer and ---Nays: None.
---Absent: Russo, President Giacchi.
**Reports of City Officers**

**09-494**
A report of the Municipal Court indicating receipts for the month of March 2009 as $449,818.07.

---Received and Filed.

**09-495**
A report from Municipal Tax Collector Sharon Curran for taxes collected; for the month ending March 2009 - $28,115.21

---Received and Filed.

**RESOLUTIONS**

**Presented and Read**

**09-496**
---By Councilwoman Zimmer

**RESOLUTION REQUIRING TAX ABATEMENT APPLICATIONS TO CONTAIN COMPARATIVE ANALYSIS**

WHEREAS, for many years the City of Hoboken has offered tax abatements under the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (“Exemption Law”) for qualifying projects to encourage and foster the development of low and moderate housing and redevelopment in various City neighborhoods;

WHEREAS, when such tax abatements are granted, the City enters into financial agreements under which the property owners are obligated to make payments in lieu of taxes (“PILOTs”), and accordingly do not otherwise pay any municipal taxes, Hoboken Board of Education (“School Board”) taxes, or Hudson County (“County”) taxes for the duration of the financial agreement (“PILOT Agreement”);

WHEREAS, in accordance with applicable law, 95% of the PILOT payment is retained by the City, 5% is paid to the county, and no mandatory payment is owed to the School Board;

WHEREAS, PILOT payments may result in the City receiving more municipal revenue than it would receive if the tax abated properties were subject to regular taxation; however, this potential benefit to Hoboken’s taxpayers may be offset by higher School Board and County taxes imposed on Hoboken’s non-PILOT taxpayers due to the impact of PILOTs on their revenues;

WHEREAS, in light of the foregoing concern, the Hoboken City Council desires to set a policy whereby any application for a PILOT Agreement should inform both the City Council and the public as to the financial impact of the proposed PILOT;

WHEREAS, Section 8 of the Exemption Law (N.J.S.A. 40A:20-8) authorizes the City to require such facts and data to be included in a PILOT application.
NOW THEREFORE, after due consideration of the foregoing, the Hoboken City Council hereby resolves to adopt the following policy, requirement and procedures with respect to PILOT Agreements:

1. It shall be the policy of the City Council not to enter into any future PILOT Agreement unless the following requirements are satisfied and the following procedures are met:

   A. Prior to the submission of any PILOT Agreement to the City Council for approval, a financial analysis (the “Analysis”) shall be prepared and certified by the City’s Chief Financial Officer and its Director of Revenue and Finance, setting forth, for each year that the proposed PILOT will be in effect, a projection of the PILOT revenue (the “PILOT”) and a projection of the sum of what would have been the municipal, school board and County taxes (said sum hereinafter called the “Non-Abated Taxes”) on the completed project were the tax abatement not to be granted. The County element of the Non-Abated Taxes shall be calculated based on said share in the most recent fiscal year for which such information is available.

   B. The Analysis shall be provided to the City Council, and released to the public, at least 30 days prior to the consideration of any resolution or ordinance authorizing a PILOT Agreement.

   C. Any resolution or Ordinance authorizing the PILOT Agreement shall include the Analysis as an attachment.

   D. If, for any year during which the PILOT will be in effect, the projected amount of the PILOT is less than the projected amount of the Non-Abated Taxes, the resolution or Ordinance authorizing the PILOT Agreement shall contain a clear statement that the PILOT Agreement will result in a future cost to Hoboken taxpayers, as well as a detailed description of the benefits that inure to the City of Hoboken taxpayers justifying said cost.

The following speakers spoke: Cheryl Fallick, Helen Hirsch, Toni Tamarazzo, Dan Tumpson, Mary Ordrejka, Michael Lenz.

Council persons Castellano, Mason, Zimmer have comments regarding this resolution. Corporation Counsel Steve Kleinman comments also.

---Motion duly seconded by Councilman Cunningham.
---Adopted by the following vote: YEAS: 7 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, Cunningham, LaBruno, Mason, Ramos, Zimmer and President Giacchi.
---Nays: None.
---Absent: President Giacchi, Russo.
RESOLUTION FOR REIMBURSEMENT FOR HANDICAPPED 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>Maura Carrasco</td>
<td>$125.00</td>
</tr>
<tr>
<td>Doreen Viola</td>
<td>$125.00</td>
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</tbody>
</table>

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

RESOLUTION INSERTING A SPECIAL ITEM OF REVENUE INTO FY 2009 MUNICIPAL BUDGET BODY ARMOR REPLACEMENT FUND PROGRAM 2008

Inserting a Special Item of Revenue into the FY2009 Municipal Budget

BODY ARMOR REPLACEMENT FUND PROGRAM - 2008

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the City of Hoboken has received notice of an award of $15,373.42 from the State of New Jersey Division of Criminal Justice and wishes to amend it's FY2009 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of
revenue in the budget of the year FY2009 in the sum of..........................$15,373.42
Which is now available as a revenue from:

Miscellaneous Revenues:
- Special Items of General Revenue Anticipated
  with Prior Written Consent of the Director of the
  Division of Local Government Services:
- State and Federal Revenues Off-set with
  Appropriations:
  - New Jersey Division of Criminal Justice
  - 2008 Body Armor Replacement

NOW, THEREFORE, BE IT RESOLVED that the like sum of……..$15,373.42
be and the same is hereby appropriated under the caption of:

General Appropriations:
- (a) Operations Excluded from CAPS
- State and Federal Programs Off-Set by
- Revenues:
  - New Jersey Division of Criminal Justice
  - 2008 Body Armor Replacement
  - Other Expenses

NOW, THEREFORE, BE IT RESOLVED, that the City Clerk forward two certified copies
of this resolution to the Director of Local Government Services for approval.

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

09-499
--- By Councilman Cammarano

RESOLUTION INSERTING A SPECIAL ITEM OF REVENUE INTO FY 2009
MUNICIPAL BUDGET NJ CLEAN COMMUNITIES 2009

Inserting a Special Item of Revenue into the FY2009 Municipal Budget

NEW JERSEY'S CLEAN COMMUNITIES 2009

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local
Government Services may approve the insertion of any special item of revenue in the
budget of any county or municipality when such item shall have been made available
by law and the amount thereof was not determined at the time of the adoption of the
budget, and

WHEREAS, said Director may also approve the insertion of an item of
appropriation for an equal amount, and

WHEREAS, the City of Hoboken has received notice of an award of
$43,810.17 from the State of New Jersey Department of Environmental Protection and wishes to amend it’s FY2009 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year FY2009 in the sum of $43,810.17 Which is now available as a revenue from:

Miscellaneous Revenues:
- Special Items of General Revenue Anticipated
- with Prior Written Consent of the Director of the Division of Local Government Services:
- State and Federal Revenues Off-set with Appropriations:
  - Department of Environmental Protection
  - Clean Communities

NOW, THEREFORE, BE IT RESOLVED that the like sum of $43,810.17 be and the same is hereby appropriated under the caption of:

General Appropriations:
- (a) Operations Excluded from CAPS
- State and Federal Programs Off-Set by Revenues:
  - Department of Environmental Protection
  - Clean Communities
  - Other Expenses

NOW, THEREFORE, BE IT RESOLVED, that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

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

09-500
--- By Cammarano

RESOLUTION INSERTING A SPECIAL ITEM OF REVENUE INTO FY 2009 MUNICIPAL BUDGET NJ PUBLIC HEALTH PRIORITY FUND.

Inserting a Special Item of Revenue into the FY2009 Municipal Budget

NEW JERSEY'S PUBLIC HEALTH PRIORITY FUND

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and
WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the City of Hoboken has received notice of an award of $17,672.00 from the State of New Jersey Department of Public Health and wishes to amend its FY2009 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year FY2009 in the sum of $17,672.00 Which is now available as a revenue from:

Miscellaneous Revenues:
Special Items of General Revenue Anticipated
with Prior Written Consent of the Director of the Division of Local Government Services:
State and Federal Revenues Off-set with Appropriations:
Department of Public Health
Public Health Priority Fund

NOW, THEREFORE, BE IT RESOLVED that the like sum of $17,672.00 be and the same is hereby appropriated under the caption of:
General Appropriations:
(a) Operations Excluded from CAPS
State and Federal Programs Off-Set by Revenues:
Department of Public Health
Public Health Priority Fund
Other Expenses

NOW, THEREFORE, BE IT RESOLVED, that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

---Motion duly seconded by Councilman Castellano
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Nays: None.
Absent: President Giacchi, Russo

09-501
---By Councilman Cammarano

RESOLUTION INSERTING A SPECIAL ITEM INTO FY2009 MUNICIPAL BUDGET – NJ COMMUNITY FORESTRY PROGRAM 2009

Inserting a Special Item of Revenue into the FY2009 Municipal Budget
WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHERAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the City of Hoboken has received notice of an award of $4,500.00 from the State of New Jersey Department of Environmental Protection and wishes to amend its FY2009 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year FY2009 in the sum of $3,000.00 Which is now available as a revenue from:

Miscellaneous Revenues:
Special Items of General Revenue Anticipated with Prior Written Consent of the Director of the Division of Local Government Services:
State and Federal Revenues Off-set with Appropriations:
Department of Environmental Protection Community Forestry Program

NOW, THEREFORE, BE IT RESOLVED that the like sum of $3,000.00 be and the same is hereby appropriated under the caption of:
General Appropriations:
(a) Operations Excluded from CAPS
State and Federal Programs Off-Set by Revenues:
Department of Environmental Protection Community Forestry Program Other Expenses City Match 1,500.00

NOW, THEREFORE, BE IT RESOLVED, that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

09-502 RESOLUTION INSERTING A SPECIAL ITEM INTO THE FY 2009 MUNICIPAL BUDGET NJ CLEAN ENERGY PROGRAM

CITY OF HOBOKE
RESOLUTION NO. ______

Inserting a Special Item of Revenue into the FY2009 Municipal Budget
NEW JERSEY’S CLEAN ENERGY PROGRAM

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the City of Hoboken has received notice of an award of $55,589.00 from the State of New Jersey Local Government Energy Audit Program and wishes to amend its FY2009 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year FY2009 in the sum of $41,691.75 Which is now available as a revenue from:

Miscellaneous Revenues:
Special Items of General Revenue Anticipated with Prior Written Consent of the Director of the Division of Local Government Services:
State and Federal Revenues Off-set with Appropriations:
Local Government Energy Audit Program
Clean Energy Program

NOW, THEREFORE, BE IT RESOLVED that the like sum of $41,691.75 be and the same is hereby appropriated under the caption of:
General Appropriations:
(a) Operations Excluded from CAPS
State and Federal Programs Off-Set by Revenues:
Local Government Energy Audit Program
Clean Energy Program
Other Expenses City Match $13,897.25

NOW, THEREFORE, BE IT RESOLVED, that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

09-503
A RESOLUTION INSERTING A SPECAIL ITEM INTO FY 2009 MUNICIPAL BUDGET- NJ LIBRARY STATE AID.

CITY OF HOBOKEN
RESOLUTION NO. ________

Inserting a Special Item of Revenue into the FY2009 Municipal Budget

NEW JERSEY’S LIBRARY STATE AID
WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the City of Hoboken has received notice of an award of $23,472.00 from the State of New Jersey Division of State Library and wishes to amend it’s FY2009 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year FY2009 in the sum of $23,472.00 Which is now available as a revenue from:

Miscellaneous Revenues:
Special Items of General Revenue Anticipated
with Prior Written Consent of the Director of the Division of Local Government Services:
State and Federal Revenues Off-set with Appropriations:
Division of State Library
Library State AID

NOW, THEREFORE, BE IT RESOLVED that the like sum of $23,472.00 be and the same is hereby appropriated under the caption of:

General Appropriations:
(a) Operations Excluded from CAPS
State and Federal Programs Off-Set by Revenues:
Division of State Library
Library State AID
Other Expenses

NOW, THEREFORE, BE IT RESOLVED, that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

09-504

RESOLUTION AUTHORIZING SUBMISSION OF CONTRACT TO THE HUDSON COUNTY DEPARTMENT OF HEALTH & HUMAN SERVICES FOR 2009 FUNDING

WHEREAS, the City of Hoboken has, each year, been the recipient of funds for the operation of Hoboken’s Comprehensive Program for the Elderly; and
WHEREAS, the Hudson County Department of Health & Human Services has once again awarded such funds to the City of Hoboken (2009 Title III funding in the amount of $127,000); now therefore, be it –

RESOLVED, that the City of Hoboken will enter into a contract with the Hudson County Department of Human Services for such funds; and be it --

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

1. Furnish such documents as may be required;
3. Act as authorized correspondent of the City of Hoboken;
4. Execute necessary contracts.

05-505
A RESOLUTION FOR THE CANCELLATION OF TAX BALANCE OF $10.00 OR LESS FOR THE FISCAL YEAR 2009 AND PRIOR

WHEREAS, various tax balances and credits for the fiscal year 2009 and prior years appear on the Tax Collector’s records as April 7, 2009; and

WHEREAS, bookkeeping and maintenance of such balances have become too costly for the city of Hoboken; and

WHEREAS, the Tax Collector deems that it is in the best interest of the City of Hoboken that these balance be cancelled from accounting ledger files; and

THEREFORE BE IT RESOLVED, by the Municipal Council of the City of Hoboken, that the Tax Collector of the City of Hoboken be authorized to cancel these balances.

SEE ATTACHED SCHEDULE

Meeting: April 15, 2009

05-506
RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS.

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

WHEREAS, Sharon Curran, 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 $19,701.54

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<th>NAME</th>
<th>BL/LT/UNIT</th>
<th>PROPERTY</th>
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<th>AMOUNT</th>
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<td>1501 GARDEN ST</td>
<td>3/08</td>
<td>$10,572.00</td>
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<td>436 CENTRAL AVENUE</td>
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<tr>
<td>JERSEY CITY, NJ 07307</td>
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<td>WASHINGTON MUTUAL</td>
<td>223/10.1/C003B</td>
<td>41-43 FIRST ST</td>
<td>4/08</td>
<td>$1,452.25</td>
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<td>ATTN: TAX REFUND DEPT. FSC0211</td>
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<td></td>
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<tr>
<td>P.O. BOX 100573</td>
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<td>FLORENCE, SC 29501-0573</td>
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<td>3 LAUREL DRIVE</td>
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<td>ESCROW DEPARTMENT</td>
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<tr>
<td>ATTN: SHANNON POULIN</td>
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<tr>
<td>32 CHESTNUT ST</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LEWISTON, ME 04240</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MICHAEL SHERWIN</td>
<td>96/1/C0032</td>
<td>456 NINTH ST</td>
<td>4/08-1/09</td>
<td>$1,491.92</td>
</tr>
<tr>
<td>456 NINTH STREET #32</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HOOKEN, NJ 07030</td>
<td></td>
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</tbody>
</table>

09- 507

THIS RESOLUTION AUTHORIZES A CONTRACT WITH ALCAZAR COMMUNICATION, INC. TO PROVIDE INTERPRETING SERVICES FOR THE CITY OF HOOKEN.

WHEREAS, the City of Hoboken operates and maintains a municipal court to address local legal matters, and,

WHEREAS, as a condition of this operation, the City requires the periodic services of a licensed professional interpreter to assist the Court in its' operation and,

WHEREAS, as Alcazar Communication, Inc. has served as the interpreting service to the City for the past several years, this firm has gained special expertise and knowledge of the operation of the Municipal Court; 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 Alcazar Communication, Inc. 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, the funds for this agreement are available in the Municipal Court Other Expense Line (9-01-43-490-021) 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 Alcazar Communication, Inc. to provide professional interpreting 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 Interpreting Services for the City of Hoboken shall be prepared and executed with the following vendor:

   Alcazar Communication, Inc.
   502 Undercliff Avenue
   Edgewater, NJ 07020

   Such firm to be paid a total amount not to exceed $65,000 for the services as set forth by the established hourly rates currently in force.

2. This agreement shall be effective for the SFY 2009 and therefore end on 30 June 2009.

3. The Mayor is hereby authorized to execute a contract with Alcazar Communication, Inc. for professional interpreting 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:11-1 et seq.

5. This resolution shall take effect immediately.

09-508

THIS RESOLUTION AWARDS A TWO (2) YEAR CONTRACT FOR THE PURCHASE OF GASOLINE/DIESEL FUEL BY THE CITY OF HOBOoken BASED UPON THE LOWEST BIDDER.
WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposals were received for Gasoline and Diesel Fuel for the City of Hoboken in accordance with Bid 09-16:

<table>
<thead>
<tr>
<th>Name of Bidder</th>
<th>Per Year Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wright Express Financial</td>
<td>$0.04</td>
</tr>
<tr>
<td>3995 South 700 East</td>
<td></td>
</tr>
<tr>
<td>Salt Lake City, Utah 84107</td>
<td></td>
</tr>
<tr>
<td>Holland/Lincoln Tiger, LLC</td>
<td>$0.04</td>
</tr>
<tr>
<td>854 Jersey Avenue/1836 Park Avenue</td>
<td></td>
</tr>
<tr>
<td>Jersey City/Weehawken, NJ</td>
<td></td>
</tr>
</tbody>
</table>

WHEREAS, the Purchasing Agent recommends the acceptance of the bid of Holland/Lincoln Tiger, LLC (Incumbent) at an average discount of $0.04 per gallon of Gasoline/Diesel for the City of Hoboken,

NOW THEREFORE BE IT RESOLVED as follows:

A contract shall be drafted and entered into between the Mayor and Council of the City of Hoboken and Holland/Lincoln Tiger, LLC for the aforementioned supply of Gasoline/Diesel for a period of two (2) years, form of which contract is to be prepared by the City’s Corporation Counsel.

A. The Mayor is hereby authorized to execute the contract and the City Clerk is hereby authorized to attest the same and to affix thereon the corporate seal of the City of Hoboken

B. Upon execution of the aforementioned contract the bid bond/security deposited by the above bidders be returned to them.

C. This resolution shall take effect immediately upon passage.

09-509

RESOLUTION AWARDING A CONTRACT FOR THE PURCHASE/INSTALLATION OF AN ADA COMPLIANT EXTERIOR DOOR IN CITY HALL BASED ON THE LOWEST RESPONSIVE BIDDER.

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposal was received for the purchase/installation of an ADA Compliant Exterior Door in City for the City of Hoboken in accordance with the specifications set forth in City of Hoboken Bid 09-14.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Total $ Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fine Wall Corporation</td>
<td>$51,900.00</td>
</tr>
<tr>
<td>1404 Oak Tree Road</td>
<td></td>
</tr>
<tr>
<td>Iselin, NJ 08830</td>
<td></td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that:
1. The above recitals are incorporated herein as thought fully set forth at length.

2. The council hereby authorizes the Mayor, or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.

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

   Fine Wall Corporation
   1404 Oak Tree Road
   Iselin, NJ 08830

ORDINANCES

09-406
DR-390

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE ADMINISTRATION CODE OF THE CITY OF HOBOKEN, ENTITLED “VEHICLES AND TRAFFIC”. (DR-390)

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 $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 $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 $66.00.

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 February 4, 2009 at 7:00 PM.
---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.

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOKEN TO
ESTABLISH A DEPARTMENT OF REVENUE AND FINANCE. This item withdrawn
from the agenda to go to committee.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Donna Antoinucci, 1027 Washington Street; Richard Tremediti, 2 Constitution Court; Maurice DeGennaro, 614 Hudson Street; Scott Segal, 206 Hudson Street; Councilwoman Mason left the meeting at 9:02 p.m.; Councilwoman Mason returned to the meeting at 9:08 p.m.; Eric Kurta, 214 Garden Street; Councilman Ramos left the meeting at 9:09 p.m.; Scott Delay, 1120 Clinton Street; Councilman Ramos returned to the meeting at 9:24 p.m.; Helen Hirsch, 98 Park Avenue; Council President Giacchi left the meeting at 9:26 p.m.; Council President Giacchi returned to the meeting at 9:30 p.m.; Donald Pellicano, 1000 Hudson Street; Michael Stepano, 150 14th Street; Toni Tamarazo, 518 Park Avenue; Cheryl Fallick, 204 3rd Street; Charles Mancini, 708 Willow Avenue.

At this time, 10:16 p.m., on a motion by Councilman Russo; duly seconded by Councilwoman LaBruno and voted on unanimously, the City Council entered into closed (executive) session.

09-407

CLOSED SESSION

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. 20:4-12; and;

WHEREAS, one of these enumerated reason is to discuss personnel matters and another such enumerated reason is for the Council to receive advice from its attorney; and,

WHEREAS, the Council has determined that it is necessary to go into closed executive session for the purpose of discussing a personnel matter involving City employee James Ronga and to receive advice from its attorney regarding same;

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.
After coming out of closed (executive) session, at 10:55 p.m., and returning to the meeting the City Council returned to the following resolution from earlier in the meeting:

**09-408**
---By Councilman Russo:

WHEREAS, Chapter 58 of the Code of the City of Hoboken establishes the Department of Environmental Services; and

WHEREAS, Section 58-5 of the Code of the City of Hoboken establishes the position of Director of Environmental Services, who is appointed by the Mayor with the advice and consent of the City Council; and,

WHEREAS, upon retirement of Director Joseph Peluso, a vacancy was created in this position; and,

WHEREAS, Mayor David Roberts has nominated James Ronga to succeed Joseph Peluso as Director of Environmental Services and has requested the Council’s affirmation of this appointment; and,

WHEREAS, funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hoboken hereby affirms and approves the appointment of James Ronga as Director of Environmental Services pursuant to §58-5 of the Code of the City of Hoboken; and

BE IT FURTHER RESOLVED, that James Ronga is to be compensated at a salary of One Hundred Fifteen Thousand Dollars ($115,000.00) dollar per annum, plus any applicable longevity; and

BE IT FURTHER RESOLVED, that James Ronga shall serve during the term of Mayor David Roberts and until the appointment and qualification of his successor and shall be subject to removal as provided by law.

Speakers continued from earlier in the meeting: Cheryl Fallick, 204 3rd Street; Tony Soares, 551 Observer Highway; Joseph Peluso, Two Marineview Plaza (former, retired Director of Environmental Services).

---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.

President Giacchi then adjourned the meeting at 11:10 p.m.
President Giacchi opened the meeting at 7:00 p.m. and stated, "I would like to advise all those present that notice of this meeting has been provided to the public in accordance with the provisions of the Open Public Meeting Act, and that notice was furnished to The Jersey Journal and The Hoboken Reporter, The 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, La Bruno, Mason, Ramos, Russo, Zimmer and President Giacchi.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

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. (DR-397) (awaiting Planning Board review)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOKEN TO CLAIRITY THE HOURS OF OPERATIONS FOR OUTSIDE SERVICE AREAS FOR BARS AND RESTAURANTS. (awaiting Quality of Life (sub-committee review)

At this time President Giacchi informed the Council that the above ordinances are still before the Planning Board and the Quality of Life sub-committee)

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

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: La Bruno
---Yeas: Council persons Cammarano, Cunningham, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None
---Absent: La Bruno

APPLICATIONS FOR MISCELLANEOUS LICENSES

<table>
<thead>
<tr>
<th>Application</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Raffles</td>
<td>1</td>
</tr>
<tr>
<td>Taxi, Limo, &amp; Livery Drivers</td>
<td>116</td>
</tr>
<tr>
<td>Carnival</td>
<td>1</td>
</tr>
<tr>
<td>Motor Vehicle Repair Service</td>
<td>2</td>
</tr>
<tr>
<td>Vendor</td>
<td>1</td>
</tr>
</tbody>
</table>

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

REPORTS OF CITY OFFICERS

A report of the Municipal Court indicating receipts for the month of April 2009 as $463,496.50.
---Received and filed.

A report from Municipal Tax Collector Sharon Curran for taxes collected; for the month of April 2009 - $44,395,795.22.
---Received and filed.
RESOLUTIONS

Presented and Read

---By Councilman Cammarano:

1.* Requesting COAH (Council on Affordable Housing) review and approval of Development Fee Ordinance.

---Motion duly seconded by Councilman Russo and 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.

---By Councilman Russo:

2.* Authorizing the administration to advertise for an auction of surplus city equipment and abandoned vehicles/materials on January 30, 2009.

Speakers on the above resolution: Gary Holtzman, 80 Bloomfield Street; 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.

---By Councilwoman Mason:

7.* Promoting the furtherance of the public interest in acquisition of land for open space, flood remediation and enhancement of property values, supporting the issuance of a contract for appraisal services, to be funded through allocation of already collected park tax dollars.

Speakers on the above resolution: Leah Healey, 806 Park Avenue; James Doyle, 806 Park Avenue; Lane Bajardi; 70 Park Avenue; Gary Holtzman, 80 Bloomfield Street.
---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 Councilwoman Mason:

8.*Calling for the administration to commence public hearing for the 2010 budget as required under the Faulkner Act.

Speakers on the above resolution: Scott Delea, 1120 Clinton Street.

---Motion duly seconded by Councilwoman Castellano and also signed by Council members Cunningham, Ramos, 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.

9.*Authorizing emergency temporary appropriations for the SFY 2009 budget.

Speakers on the above resolution: Maurice DeGennaro, 614 Hudson Street.

The above resolution “Authorizing emergency temporary appropriations for the SFY 2009 budget” that was originally sponsored by Councilwoman LaBruno was then withdrawn by Councilwoman LaBruno and no vote was taken.

After the meeting, City Clerk James J. Farina advised that action and approval on the above resolution was taken by Fiscal Control Officer, Judith L. Tripodi on January 8, 2009.

ORDINANCES

Introduction and First Reading

AN ORDINANCE OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR VARIOUS ROAD IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE CITY OF HOBOKEN AND APPROPRIATING $2,000,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $1,900,000 IN BONDS OR NOTES OF THE CITY OF HOBOKEN TO FINANCE THE SAME (will replace ordinance number DR-261). (DR-388)
---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 21, 2009 at 7:00 PM.

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

AN ORDINANCE OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR VARIOUS PARKING UTILITY IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE CITY OF HOBOKEN AND APPROPRIATING $2,200,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $2,200,000 IN BONDS OR NOTES OF THE CITY OF HOBOKEN TO FINANCE THE SAME (will replace ordinance number DR-338). (DR-389)

---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 21, 2009 at 7:00 PM.

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

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Toni Tomarrazzo, 518 Park Avenue; Anton Peskins, 510 Gemico Place, Ridgewood, New Jersey; Vincent DePinto, 422 Adams Street; Scott Delea, 1120 Clinton Street; Helen Hirsch, 98 Park Avenue; Jim Occhipinti, 422 Monroe Street; Jim Vance, 107 Monroe Street; Councilwoman Mason 9:43 p.m.; Councilman Cammarano 9:44 p.m.; Lane Bajardi, 70 Park Avenue; Councilman Cammarano returned at 9:46 p.m.; Jude Fitzgibbons, 5 Church Towers; Phil Cohen, 206 11th Street; Councilwoman Mason left at 10:06 p.m.

At this time, 10:06 p.m., on a motion by Council President Giacchi; duly seconded by Councilman Cammarano and voted on unanimously, the City Council entered into closed (executive) session. The closed (executive) session actually began at 10:19 p.m.

Closed Session
– **DEE, Did Kleinman or Eileen give you this Closed Session resolution?**

At this time, 10:38 p.m., on a motion by Councilwoman LaBruno; duly seconded by Councilman Ramos and voted on unanimously, the City Council came out of closed (executive) session.
RESOLUTIONS CONTINUED

Presented and Read

---By Councilman Cunningham:

5.* Concerning proposed ordinance DR-366 to amend Chapter 196 of the Code of the City of Hoboken concerning open recreational space.

Speakers on the above resolution: 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.

President Giacchi then adjourned the meeting at 10:45 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, LaBruno, Mason, Ramos, Russo and President Giacchi.

ABSENT: Cunningham, Zimmer

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

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 HOBOoken (DR-397) (NO ACTION TAKEN WAITING PLANNING BOARD REVIEW.)

AN ORDINANCE AMENDING THE NORTHWEST REDEVELOPMENT PLAN AND APPENDIX A OF CHAPTER 196 OF THE CODE OF THE CITY OF HOBOoken (DR-402) (NO ACTION TAKEN WAITING PLANNING BOARD REVIEW.)

May 6, 2009
APPLICATIONS FOR MISCELLANEOUS LICENSES

Raffles ----------------------------- 2
Carnival----------------------------- 1
Motor Vehicle Repair Service----------------------------- 2
Vendor--------------------------------------- 1

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

Councilwoman Zimmer arrived at 7:08 p.m.

RESOLUTIONS

Presented and Read

09-511
---By Councilman Russo

RESOLUTION AUTHORIZING THE REFUND OF 3RD PARTY LIEN HOLDER PAYMENT IN ERROR A PAYMENT WAS RECEIVED IN THE TAX OFFICE

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the 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 $11,377.66
(REASON: OWNER WANTED COUNTY MORTGAGE RELEASES NOT TAX SALE CERTIFICATES)

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>CRUSADER LIEN SERVICES</td>
<td>167/12</td>
<td>529-533 WILLOW AVE.</td>
<td>$11,377.66</td>
</tr>
<tr>
<td>179 WASHINGTON AVENUE</td>
<td>JENKINTOWN, PA 19046</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

09-512
---By Councilman Russo

RESOLUTION AUTHORIZING THE CITY’S TAX COLLECTOR TO TRANSFER 2008 AND PRIOR YEAR REAL ESTATE TAX CREDITS BALANCE TO OPERATIONS

WHEREAS, various credits and/or overpayments appear on the Tax Collector's records for Fiscal Year 2008 AND PRIOR as of April 30, 2009; and

WHEREAS, the Tax Collector of the City of Hoboken wishes to transfer these credit balances to operations with the intent to maintain an efficient bookkeeping of the tax accounting records; and

WHEREAS, the Tax Collector deems that it is in the best interest of the City of Hoboken that these balances be transferred to operations; and

BE IT FURTHER RESOLVED, by the Municipal Council of the City of Hoboken, that these funds shall be made available by the city treasurer on a legitimate claim for these credits or overpayments.

SEE ATTACHED SCHEDULE (hard copy filed with resolution)

The following speakers spoke before the vote: Dan Tumpson; Director Tresante was called to explain resolution.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8- NAYS: 0 – Absent: 1
---Yeas: Council persons Cammarano, Castellano, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: Cunningham.
WHEREAS, an overpayment of taxes has been made on property listed below: and

WHEREAS, Sharon Curran, 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 $30,300.71

<table>
<thead>
<tr>
<th>NAME</th>
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<td>1400 BEST PLAZA DRIVE</td>
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<td></td>
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<td>DARLENE BINTZ</td>
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<td>BROOKE DANIELS</td>
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<td>931 WILLOW AVE #3</td>
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---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0
---Yeas: Council persons Cammarano, Castellano, LaBruno, Mason, Russo, Ramos, Zimmer and President Giacchi.
---Nays: None.
---Absent: Cunningham.

WHEREAS, N.J.S.A. 40A:4-40.1 permits a municipality to hold a tax sale prior to the close of the fiscal year; and,

WHEREAS, the City of Hoboken held such an accelerated tax sale in fiscal years 2001 through 2007, which assisted in the City's realization of tax revenue in the year in which it was levied; and

WHEREAS, the Division of Local Government Services has promulgated requirements surrounding an accelerated tax sale which includes a resolution adopted by the governing body; and,

WHEREAS, the City of Hoboken desires to continue to hold accelerated tax sales for the positive fiscal impact on the tax collection.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Hoboken that an accelerated tax sale be conducted in fiscal year 2009 to assist in the realization of current taxes in the year in which they are levied.

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

09- 515

Meeting of May 6, 2009
---By Councilman Russo

A RESOLUTION AUTHORIZING A FEE FOR TAX SALE NOTICES

RESOLVED, by the Council of the City of Hoboken; WHEREAS, N.J.S.A. 54:5-26 authorizes a fee not to exceed $25.00 for each set of tax sale notices mailed to a parcel of property; and

WHEREAS, it is the desire of the City of Hoboken to assess a fee of $25.00 for each set of tax sale notices mailed to a parcel of property.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Hoboken that a fee of $25.00 be assessed to each parcel of property for each set of tax sale notices mailed.

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

09-516
---By Councilman Russo

RESOLUTION AUTHORIZING THE HOBOKEN ITALIAN FESTIVAL, INC. TO CONDUCT ITS 83rd ANNUAL FEAST IN HONOR OF MADONNA DE 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 10, 2009 through and inclusive to Sunday, September 13, 2009 on Sinatra Drive and Sinatra Park, and

WHEREAS, Hoboken Italian Festival, Inc. has indicated its agenda and requirement to successfully conduct the feast;

(1) To solicit contributions from the general public, to be used solely to pay part of the expenses and religious contributions.
(2) To have a procession with the statue of “Madonna Dei Martiri” – “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 10, 2009 through Sunday, September 13, 2009. The hours of live music will be limited to the following schedule: Thursday, September 10th from 5:00 pm to 10:00 pm, Friday, September 11th from 5:00 pm to 11:00 pm, Saturday, September 12th from 12:00 noon to 11:00 pm and Sunday, September 13th 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, 
oventies, games and rides.

(6) To hold a raffle to be drawn on Sunday, September 13th, 2009.

(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 12th, 2009 to begin at 10:00 
am.

(8) On Saturday, September 12th, 2009 at about 9:00 pm to shoot a special 
pyrotechnic fireworks show on the riverfront at Pier A Park, subject to the 
approval of the U.S. Coast Guard and local Fire Permits.

(9) To have the streets cleared of all vehicles and traffic, and 
(10)To maintain two lanes of traffic with a minimum of 12 feet for each lane of 
travel when streets are to be open to traffic.

WHEREAS, That the Signal & Traffic Division prepare the necessary Traffic 
regulations.

WHEREAS, The City Council of the City of Hoboken endorses this program 
provided the Hoboken Italian Festival, Inc. secure all the necessary permits, licenses and 
insurance in a form to be approved by Corporation Counsel;

NOW THEREFORE, BE IT RESOLVED, The City Council hereby grants 
permission to 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 the U.S. Coast Guard.

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

09-517
---By Councilman Russo

THIS RESOLUTION AUTHORIZES THE TRANSFER OF FUNDS WITHIN 
ACCOUNTS IN THE FISCAL YEAR 2009 CURRENT FUND APPROPRIATIONS.

BE IT RESOLVED, that the following SFY 2009 budget Current Fund 
appropriation transfers are hereby authorized for the City of Hoboken:

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<thead>
<tr>
<th>CURRENT FUND</th>
<th>FROM</th>
<th>TO</th>
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<td>Operations - Within &quot;Caps&quot;</td>
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Meeting of May 6, 2009
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<td><strong>TOTALS</strong></td>
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---

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

**09-518**

---By Councilman Russo

A RESOLUTION APPROVING PARTICIPATION WITH THE NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY for the Click it or Ticket Mobilization of May 18 through May 31, 2009

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 592 motor vehicle fatalities in New Jersey in 2008, 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 18 - May 31, 2009 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 91.75% to 100%, 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 as follows:

1) The Mayor or his designee is authorized to execute the above-referenced
program, 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 18 - May 31, 2009, and further pledges to increase awareness of the benefits of safety belt use.

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

09-519
---By Councilman Russo

**A RESOLUTION AUTHORIZING THE CITY OF HOBOKEN TO ENTER INTO AN INTER-LOCAL SERVICES AGREEMENT WITH HUDSON COUNTY IN ORDER TO PARTICIPATE IN THE 2009 JUSTICE ASSISTANCE GRANT PROGRAM (JAG), WITHIN THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009**

WHEREAS, Hudson County and the City of Hoboken (hereinafter collectively referred to as the “Parties”) wish to encourage inter-local cooperation and planning with regard to their common interests in the provision of an effective Police Program to combat crime at the local level; and

WHEREAS, the Parties recognize that inter-local government service agreements may yield certain economics and efficiencies to the residents of the Parties in the delivery of the services, and

WHEREAS, N.J.S.A. 40:48-5 authorizes a municipality to contract with any public or private entity for the provision of any service which the municipality itself could provide directly, and

WHEREAS, the “Inter-Local Services Act” N.J.S.A. 40:8A-1, et seq., authorizes local units of the State to enter into a contract with any other local unit or units for the joint provision within their several jurisdictions of any services which any party to the Agreement is empowered to render within its own jurisdiction; and

WHEREAS, the Parties have negotiated the attached Agreement relating to the services referenced above,

NOW, THEREFORE, be, and it is hereby resolved by the Mayor and City Council of the City of Hoboken, in the County of Hudson and State of New Jersey, as follows::

1) That the City of Hoboken is hereby authorized to enter into the attached Inter-Local Services Agreement, pursuant to N.J.S.A. 40:48-5 and N.J.S.A. 40:8A-1 et seq. Which permits the County of Hudson to pass along “JAG” Funds to the City of Hoboken to under the terms and conditions referenced in the attached agreement.
2) That the Mayor is authorized to execute and the Municipal Clerk to attest the attached Agreement on behalf of the City of Hoboken.

3) That the Agreement shall not become effective until such time as the governing bodies of both public entities have duly authorized their appropriate Public Officials to execute and attest the attached agreement and the Agreement has been fully executed and attested.

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

09-520

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 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 2008 has been filed by a Registered Municipal Accountant with the Municipal Clerk 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. 52:27BB-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.A.C. 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 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 State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and,

WHEREAS, failure to comply with the 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 the 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 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.

The following speakers spoke: Scott Seigel, Jim Doyle.

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

ORDINANCES

Introduction and First Reading

09-521
DR-403

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 705-707 MONROE STREET, HOOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS LOTS 4 &3, IN BLOCK 82, ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY (DR-403)

WHEREAS, the applicant, Antonio Aiello, Architect, has petitioned the City of Hoboken for the granting of a certain easement over municipal lands at 705-707 Monroe Street, Hoboken, New Jersey, (“the premises”) which premises is more particularly described as Lots 4 & 3, in Block 82, on the Tax Map of the City of Hoboken, New Jersey, in order to maintain an encroachment on municipal lands for the purpose of placing planters along the front of the building on Monroe Street as outlined in the attached drawing. The easements are described as follows:

METES AND BOUNDS
(PROPOSED PLANTERS IN FRONT OF BUILDING ON MONROE STREET)
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 Monroe Street, a distance of 50.00 feet northerly from the intersection formed by the northerly line of Seventh Street with the easterly line of Monroe Street and running;

THENCE N-13°-4'-E and along the easterly line of Monroe Street, a distance of 50.00 feet to a point;

THENCE S-76°-56°-E a distance of 100.00 feet to a point;

THENCE S-13°-04'-W and parallel to Monroe Street, a distance of 50.00 feet;

THENCE N-76°-56'-W a distance of 100.00 feet to a point in the easterly line of Monroe Street, said point being the point or place of beginning.

Known as Lots 4 & 3, in Block 82, as shown on the official tax assessment map for the City of Hoboken, Hudson County, New Jersey, and more commonly known as 705-707 Monroe 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 705-707 MONROE 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 May 18, 2009 at 7:00 PM.

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

09-522
DR-404

AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE CITY OF HOBOKEN TO ADD A NEW CHAPTER GOVERNING THE ACCEPTANCE OF GIFTS BY OFFICIALS AND EMPLOYEES OF THE CITY OF HOBOKEN.

THERE WERE NO SPONSORS FOR THIS ORDINANCE.

COUNCIL WILL BE SENDING THIS TO SUB-COMMITTEE (Ethnics and Communication) FOR REVIEW

Council persons Russo LaBruno has questions for Corporation Counsel Steve Kleinman regarding Susan Jacobucci and Judy Tripodi’s authority to appoint Police Chief.

Council person Cammarano comments on finances, personnel & Ms. Jacobucci’s authority naming Police Chief.
Councilwoman Zimmer thanks James Ronga regarding Energy Audit and to apply for grant money requests utility invoices.
Councilwoman Mason speaks about Quality of Life committee and reviewing with Corporation Counsel to clarify the outdoor café's, disorderly house, Fire and Safety ordinances.

Council person Ramos comments about Zoning (water and music) for all council persons to get involve in this ordinance. Councilman Ramos left meeting at 7:50 PM.

Councilman Ramos returned to meeting at 8:15 PM.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Margaret O’Brien, Maurice DeGennaro, Richard Tremediti, Lydia Radin, Scott Seigel, Mary Ondrejka, Cheryl Fallick, Dan Tumpson, and Jim Doyle.

President Giacchi then adjourned the meeting at 8:39 PM.
President Giacchi 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, Mason, Ramos, Russo, Zimmer and President Giacchi.

ABSENT: La Bruno.

President Giacchi announced that a presentation from All Saints School students will start the meeting.

**PUBLIC HEARING and FINAL VOTE ON ORDINANCES**

*Second Reading / Public Hearing and Final Vote*

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. (DR-397) (awaiting Planning Board review)

AN ORDINANCE TO AMEND THE NORTHWEST REDEVELOPMENT PLAN AND APPENDIX A OF CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN. (DR-402) (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 705-707 MONROE STREET,

Meeting of May 18, 2009
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.

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

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: La Bruno
---Yeas: Council persons Cammarano, Cunningham, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None
---Absent: La Bruno

09-523

APPLICATIONS FOR MISCELLANEOUS LICENSES

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<tr>
<td>Taxi, Limo, &amp; Livery Drivers</td>
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</tr>
<tr>
<td>Carnival</td>
<td>1</td>
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<tr>
<td>Motor Vehicle Repair Service</td>
<td>2</td>
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<tr>
<td>Vendor</td>
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---Councilwoman Castellano moved that the licenses be granted.
---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 8 - NAYS: 0- Absent: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: La Bruno

09-524

REPORTS OF CITY OFFICERS

A report of the Municipal Clerk James J. Farina indicating bids received on Wednesday,
May 13, 2009 for Summer Lunch Program; bid #09-17 (2 bids) received.

---Received and filed.

RESOLUTIONS
Presented and Read

09-525
---By Councilman Castellano

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS

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

WHEREAS, Sharon Curran, 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 $ 37,148.68

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LT/UNIT</th>
<th>PROPER</th>
<th>QTR/YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marc D. Creatore</td>
<td>17/48/C002A</td>
<td>56 Jefferson St</td>
<td>1/08</td>
<td>$1,473.95</td>
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<tr>
<td>Hoboken, NJ 07030</td>
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<tr>
<td>Countywide Tax Serv. Corp.</td>
<td>83/13/C0P15</td>
<td>729 Madison St.</td>
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<td>Woodland Hills, CA 91365-5012</td>
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<tr>
<td>Scott Stein</td>
<td>84/22/C01-N</td>
<td>716 Adams St.</td>
<td>4/07</td>
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<td>Countywide Tax Serv. Corp.</td>
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<tr>
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<td>End Date</td>
</tr>
<tr>
<td>-------------------------------</td>
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<tr>
<td>Lt National Title</td>
<td>38/2/C0003</td>
<td>550 Second St. 2/08</td>
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<tr>
<td>Karen Ferko</td>
<td>201/9/C0201</td>
<td>217 Bloomfield St. 4/08-1/09</td>
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<td>Elizabeth Magri</td>
<td>156/4.1/C0009</td>
<td>1110 Clinton St. 1/09-2/09</td>
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<td>Signature Settlement &amp; Title Agency</td>
<td>74/31/C0008</td>
<td>604-606 Monroe St. 2/09</td>
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<tr>
<td>TD Bank NA (Escrow Dept.)</td>
<td>261.04/1/CP082</td>
<td>1025 Maxwell La 1/09</td>
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<td>TD Bank, NA (Escrow Dept.)</td>
<td>221/23/C0002</td>
<td>1014 Hudson St 1/09</td>
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<td>TD Bank, NA (Escrow Dept.)</td>
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<td>Marilyn E. Atlas-Berney, Esq.</td>
<td>57/23/C0002</td>
<td>405 Monroe St. 1/09-1/08-2/08</td>
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<td>Aurora Loan Serv.</td>
<td>95/1/C004D</td>
<td>901 Madison St. 2/08</td>
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<td>Realty Express</td>
<td>66/24/C002B</td>
<td>518-520 Monroe St 2/08-3/08</td>
<td>4/08-1/09</td>
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---Motion duly seconded by Councilman Russo

Meeting of May 18, 2009
---Adopted by the following vote: YEAS: 9 - NAYS: 0 –ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: LaBruno

---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0 –ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: LaBruno

09-526
---By Councilwoman Castellano

RESOLUTION AUTHORIZING THE REFUND OF TAX APPEALS HUDSON COUNTY TAX BOARD AND STATE TAX COURT

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the 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 $4,962.71

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<th>NAME</th>
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<th>AMOUNT</th>
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<td>216/7</td>
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<tr>
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<tr>
<td>NASHAL &amp; NASHEL</td>
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<td>2 Constitution Ct.</td>
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<td>$11,237.80</td>
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<td>West New York NJ 07093</td>
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</tbody>
</table>

---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0 –ABSENT: 1
---Yeas: Council persons Cammarano, Castellano, Cunningham, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.
---Absent: LaBruno

ORDINANCES
AN ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOKEN TO CLEARLY THE HOURS OF OPERATION FOR OUTDOOR SERVICE AREAS FOR BARS AND RESTAURANTS. (DR-405)

WHEREAS, it is a primary responsibility of the City Council of the City of Hoboken to ensure the health, safety and welfare of city residents, including the assurance of quality of life; and,

WHEREAS, the City of Hoboken is the second most visited city in the State of New Jersey and the Council wishes to encourage a positive experience for both visitor and resident; and,

WHEREAS, noise is a significant concern within any urban environment, and while it cannot be eliminated, it is in the public interest to manage distinct aspects that are within the city's control; and,

WHEREAS, existing sections of the Code of the City of Hoboken lack clarity that, when amended, will benefit residents, visitors and local business owners, and ensure a more agreeable experience for all parties;

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:

Chapter 68 of the Code of the City of Hoboken, entitled “Alcoholic Beverages,” is hereby amended to add a new part “D” to §68-4, “Hours of Business,” which shall read as follows (additions noted by underline):


A. (no change)

B. (no change)

C. (no change)

D. No licensee that chooses to serve alcoholic beverages at any outdoor or unenclosed area shall permit patrons to remain in any such area more than thirty (30) minutes beyond the authorized hours of operation for said areas; including but not limited to Sidewalk Cafes, Courtyards and/or Roof Decks.

Hours of operation for all outdoor service areas shall be as follows: 10:00 a.m. to 10:00 p.m. Monday through Thursday, 10:00 a.m. to 11:00 p.m. Friday and Saturday, and 11:00 a.m. to 10:00 p.m. Sunday.

SECTION TWO:
Chapter 168 of the Code of the City of Hoboken, entitled “Streets and Sidewalks” is hereby amended to add a new section §168-29A, which shall read as follows (additions noted by underline):

§ 168-29A. Hours of operation for sidewalk cafes.

Sidewalk cafes shall be permitted from April 1 through November 30, inclusive. The hours of operation shall be from 10:00 a.m. to 10:00 p.m. Monday through Thursday, 10:00 a.m. to 11:00 p.m. Friday and Saturday, and 11:00 a.m. to 10:00 p.m. Sunday.

SECTION THREE:

Chapter 168 of the Code of the City of Hoboken, entitled “Streets and Sidewalks” is hereby amended, in part, as follows, (additions noted by underline):


Operation of open sidewalk cafes shall be permitted from April 1 through November 30, inclusive. The permitted hours of operation shall be from 10:00 a.m. to 10:00 p.m. Monday through Thursday, 10:00 a.m. to 11:00 p.m. Friday and Saturday, and 11:00 a.m. to 10:00 p.m. Sunday. No food or beverage service shall be allowed at an open sidewalk cafe after stated hours of operation. Patrons of open sidewalk cafes shall not be allowed to remain within the open sidewalk cafe area beyond one half hour after the stated hours of operation.

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 or such inconsistency.

SECTION SIX:

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 SEVEN:

This Ordinance shall take effect according to law.

(TABLED NO ACTION TAKEN – SENT TO QUALITY OF LIFE COMMITTEE FOR REVIEW)

The following speakers spoke: Gary Holtzman, Dan Tumpson, Cheryl Fallick.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Scott Siegel, Gary Holtzman, Moe DeGennaro, Perry Belfiore, Richard Tremitiedi, Mary Ondrejka, Jim Doyle, Tony Soares, Patricia Waiters.

President Giacchi then adjourned the meeting at 8:10 p.m.

________________________________________________________________________

PRESIDENT OF THE COUNCIL

________________________________________________________________________

CITY CLERK

Meeting of May 18, 2009
President Giacchi opened the meeting at 7:00 p.m. and stated, "I would like to advise all those present that notice of this meeting has been provided to the public in accordance with the provisions of the Open Public Meeting Act, and that notice was furnished to The Jersey Journal and The Hoboken Reporter, The 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, La Bruno, Mason, Ramos, Russo, Zimmer and President Giacchi.

---

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

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. (DR-397) (awaiting Planning Board review)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOKEN TO CLARITY THE HOURS OF OPERATIONS FOR OUTSIDE SERVICE AREAS FOR BARS AND RESTAURANTS. (awaiting Quality of Life (sub-committee review)

At this time President Giacchi informed the Council that the above ordinances are still before the Planning Board and the Quality of Life sub-committee)

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

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: La Bruno
---Yeas: Council persons Cammarano, Cunningham, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None
---Absent: La Bruno

APPLICATIONS FOR MISCELLANEOUS LICENSES

Raffles  --------------------------------------------------------------- 1
Taxi, Limo, & Livery Drivers  --------------------------------------------- 116
Carnival------------------------------------------------------------------------ 1
Motor Vehicle Repair Service--------------------------------------- 2
Vendor------------------------------------------------------------------------- 1

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

REPORTS OF CITY OFFICERS

A report of the Municipal Court indicating receipts for the month of April 2009 as $463,496.50.

---Received and filed.

A report from Municipal Tax Collector Sharon Curran for taxes collected; for the month of April 2009 - $44,395,795.22.

---Received and filed.
RESOLUTIONS

Presented and Read

---By Councilman Cammarano:

1.* Requesting COAH (Council on Affordable Housing) review and approval of Development Fee Ordinance.

---Motion duly seconded by Councilman Russo and 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.

---By Councilman Russo:

2.* Authorizing the administration to advertise for an auction of surplus city equipment and abandoned vehicles/materials on January 30, 2009.

Speakers on the above resolution: Gary Holtzman, 80 Bloomfield Street; 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.

---By Councilwoman Mason:

7.* Promoting the furtherance of the public interest in acquisition of land for open space, flood remediation and enhancement of property values, supporting the issuance of a contract for appraisal services, to be funded through allocation of already collected park tax dollars.

Speakers on the above resolution: Leah Healey, 806 Park Avenue; James Doyle, 806 Park Avenue; Lane Bajardi; 70 Park Avenue; Gary Holtzman, 80 Bloomfield Street.
---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 Councilwoman Mason:

8.* Calling for the administration to commence public hearing for the 2010 budget as required under the Faulkner Act.

Speakers on the above resolution: Scott Delea, 1120 Clinton Street.

---Motion duly seconded by Councilwoman Castellano and also signed by Council members Cunningham, Ramos, 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.

9.* Authorizing emergency temporary appropriations for the SFY 2009 budget.

Speakers on the above resolution: Maurice DeGennaro, 614 Hudson Street.

The above resolution “Authorizing emergency temporary appropriations for the SFY 2009 budget” that was originally sponsored by Councilwoman LaBruno was then withdrawn by Councilwoman LaBruno and no vote was taken.

After the meeting, City Clerk James J. Farina advised that action and approval on the above resolution was taken by Fiscal Control Officer, Judith L. Tripodi on January 8, 2009.

ORDINANCES

Introduction and First Reading

AN ORDINANCE OF THE CITY OF Hoboken, IN THE COUNTY OF Hudson, NEW JERSEY, PROVIDING FOR VARIOUS ROAD IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE CITY OF Hoboken AND APPROPRIATING $2,000,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $1,900,000 IN BONDS OR NOTES OF THE CITY OF Hoboken TO FINANCE THE SAME (will replace ordinance number DR-261).

(DR-388)
---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 21, 2009 at 7:00 PM.

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

AN ORDINANCE OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR VARIOUS PARKING UTILITY IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE CITY OF HOBOKEN AND APPROPRIATING $2,200,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $2,200,000 IN BONDS OR NOTES OF THE CITY OF HOBOKEN TO FINANCE THE SAME (will replace ordinance number DR-338). (DR-389)

---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 21, 2009 at 7:00 PM.

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

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Toni Tomarrazzo, 518 Park Avenue; Anton Peskins, 510 Gemico Place, Ridgewood, New Jersey; Vincent DePinto, 422 Adams Street; Scott Delea, 1120 Clinton Street; Helen Hirsch, 98 Park Avenue; Jim Occhipinti, 422 Monroe Street; Jim Vance, 107 Monroe Street; Councilwoman Mason 9:43 p.m.; Councilman Cammarano 9:44 p.m.; Lane Bajardi, 70 Park Avenue; Councilman Cammarano returned at 9:46 p.m.; Jude Fitzgibbons, 5 Church Towers; Phil Cohen, 206 11th Street; Councilwoman Mason left at 10:06 p.m.

At this time, 10:06 p.m., on a motion by Council President Giacchi; duly seconded by Councilman Cammarano and voted on unanimously, the City Council entered into closed (executive) session. The closed (executive) session actually began at 10:19 p.m.

**Closed Session**

---DEE, Did Kleinman or Eileen give you this Closed Session resolution?

At this time, 10:38 p.m., on a motion by Councilwoman LaBruno; duly seconded by Councilman Ramos and voted on unanimously, the City Council came out of closed (executive) session.
RESOLUTIONS CONTINUED

Presented and Read

---By Councilman Cunningham:

5.* Concerning proposed ordinance DR-366 to amend Chapter 196 of the Code of the City of Hoboken concerning open recreational space.

Speakers on the above resolution: 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.

President Giacchi then adjourned the meeting at 10:45 p.m.
President Giacchi 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, Castellano, Cunningham, La Bruno. Mason, Ramos, Russo, Zimmer and President Giacchi.

ABSENT:

President Giacchi announced that a presentation from All Saints School students will start the meeting.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE TO AMEND AND SUPPLMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED PARKING FOR HANDICAPPED. (approval; 314-6th Street, 413 Adams St., 329 Garden St. (DR:406)

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.
Council President Giacchi 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, Mason, La Bruno, Ramos, Russo, Zimmer and President Giacchi.  
---Nays: None.  


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 speakers who spoke: Mo DeGennaro, Scott Siegel.  

Council President Giacchi 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, Mason, La Bruno, Ramos, Russo, Zimmer and President Giacchi.  
---Nays: None.  

PETITIONS AND COMMUNICATIONS  

09-544  

A COMMUNICATION TO TERRY LA BRUNO FROM MAYOR DAVID ROBERTS TO COMMEND AND CONGRATULATE HER FOR HER SERVICES TO THE CITY OF HOBOoken.  

    WHEREAS, Hoboken is an urban melting pot, a model community which for generations has reflected the unselfish and courageous values and virtues which have made our nation great; and  

    WHEREAS, public service to elected office in the community is one of the highest honors to achieve, bettering the lives of fellow neighbors and future generations; and  

    WHEREAS, Terry La Bruno the daughter of Italian immigrants, has lived her entire life in Hoboken, serving as a mentor to youth both through competitive athletics and as a highly regarded educator; and  

    WHEREAS, in 2005, Terry La Bruno was elected to the Hoboken City Council as an at large representative under the administration of Mayor David Roberts; and
**WHEREAS,** Terry has continued a steadfast commitment to public service and delicately balanced her responsibilities to community and to her family, namely her husband Joseph and three daughters, Danielle, Tia and Christina; and

**WHEREAS,** Terry La Bruno is completing her four-year term as a member of the City Council;

**NOW, THEREFORE, 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 to Terry LaBruno to commend and congratulate her for her service to the City of Hoboken and offer her my heartfelt thanks and best wishes for continued success in all her future endeavors.

---Received and filed.

---09-545---

**A COMMUNICATION TO RUBEN RAMOS, JR. FROM MAYOR DAVID ROBERTS TO COMMEND AND CONGRATULATE HIM FOR HIS SERVICES TO THE CITY OF HOBOKEN.**

**WHEREAS,** Hoboken is an urban melting pot, a model community which for generations has reflected the unselfish and courageous values and virtues which have made our nation great; and

**WHEREAS,** public service to elected office in the community is one of the highest honors to achieve, bettering the lives of fellow neighbors and future generations; and

**WHEREAS,** Ruben Ramos, Jr. has lived his entire life in Hoboken, serving as a mentor to youth both through volunteering unselfishly in the community and as a highly regarded educator; and

**WHEREAS,** in 1999, Ruben Ramos, Jr. was elected to the Hoboken City Council as the representative and subsequently elected to the at large position in 2001 and re-elected in 2005; and

**WHEREAS,** Ruben has continued a steadfast commitment to public service and delicately balanced his responsibilities to community, both as Councilman and as a state Assemblyman; and to his family, namely his wife Norma, step-daughter, Gail and two children, Isabel and Ryan; and

**WHEREAS,** Ruben Ramos, Jr. is completing a decade of service as a member of the City Council;

**NOW, THEREFORE, 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 to Ruben Ramos, Jr. to commend and congratulate him for her service to the City of Hoboken and offer him my heartfelt thanks and best wishes for continued success in all his future endeavors.

---Received and filed.
09-546
A COMMUNICATION TO PETER J. CAMMARANO III FROM MAYOR DAVID ROBERTS TO COMMEND AND CONGRATULATE HIM FOR HIS SERVICES TO THE CITY OF HOBOoken.

WHEREAS, Hoboken is an urban melting pot, a model community which for generations has reflected the unselfish and courageous values and virtues which have made our nation great; and

WHEREAS, public service to elected office in the community is one of the highest honors to achieve, bettering the lives of fellow neighbors and future generations; and

WHEREAS, Peter J. Cammarano III as been an active member of the community serving as an advocate for quality of life issues, such as managed growth, economic development and sound fiscal policies; and

WHEREAS, Peter has continued was elected to the Hoboken City Council as an at large representative under the administration of Mayor David Roberts; and

WHEREAS, Peter has continued a stead-fast commitment to public service and delicately balanced his responsibilities to community and to family, namely his wife Marita and daughter Abigail; and

WHEREAS, Peter J. Cammarano III is a full, four-year term of service as a member of the City Council;

NOW, THEREFORE, 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 to Peter J. Cammarano III to commend and congratulate him for his service to the City of Hoboken and offer him my heartfelt thanks and best wishes for continued success in all her future endeavors.

---Received and filed.

09-547
A proclamation from Council President Angelo “Nino” Giacchi to Mayor David Roberts to commend and congratulate him for his services to the City of Hoboken.

09-548
APPLICATIONS FOR MISCELLANEOUS LICENSES

Mechanical Amusement Devices ---------------------------------------------- 1
Carnival-------------------------------------------------------------- 1
Vendor--------------------------------------------------------------- 3
Raffles--------------------------------------------------------------- 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, La Bruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nays: None.

REPORTS OF CITY OFFICERS

09-549
A report of the Municipal Court indicating receipts for the month of May 2009 as $403,156.66.

09-550
A report from Municipal Tax Collector Sharon Curran for taxes collected; for the month of May 2009 - $23,202.398.89) Abatement totals ($361,298.46)

09-551
Certificate of Election
June 9, 2009

I, JAMES J. FARINA, City Clerk of the City of Hoboken, in the County of Hudson, and State of New Jersey, DO HEREBY CERTIFY that the foregoing is a true, full and correct statement of the results of the Municipal Run-off Election, held on June 9, 2009, along with the provisional ballot and the additional absentee votes counted on June 12, 2009 as the same is exhibited by the canvass of returns made by the aforesaid District Boards of Registry and Election from all of the Election Districts in the City of Hoboken to me as City Clerk, according to law, and as exhibited by the statement of returns made by the County Board of Elections of the County of Hudson of all the Election Districts in the City of Hoboken to me as City Clerk, according to law, and that the same exhibits the whole number of votes cast for each person for the Office of Mayor and for Councilpersons-at-large of the City of Hoboken, on the day aforesaid, as filed in the Office of the City Clerk.
From such canvass I do find that:

The total number of votes received by each of the following named persons for the Office of Mayor is as follows:

<table>
<thead>
<tr>
<th>Name</th>
<th>Votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peter Cammarano</td>
<td>6,188</td>
</tr>
<tr>
<td>Dawn Zimmer</td>
<td>6,027</td>
</tr>
</tbody>
</table>

The total number of votes received by each of the following named persons for the Office of Councilperson-at-Large is as follows:

<table>
<thead>
<tr>
<th>Name</th>
<th>Votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ravinder Bhalla</td>
<td>5,857</td>
</tr>
<tr>
<td>Carol Marsh</td>
<td>5,853</td>
</tr>
<tr>
<td>David Mello</td>
<td>5,648</td>
</tr>
<tr>
<td>Vincent Addeo</td>
<td>5,560</td>
</tr>
<tr>
<td>Raul Morales, Jr.</td>
<td>5,431</td>
</tr>
<tr>
<td>Angel Alicea</td>
<td>5,422</td>
</tr>
</tbody>
</table>

NOW THEREFORE, I, JAMES J. FARINA, City Clerk of the City of Hoboken, in the County of Hudson and State of New Jersey, do determine that at the said Municipal Run-off Election held on the 9th day of June, 2009 in the aforesaid City of Hoboken, that,

1. I made and filed in my office as City Clerk of the City of Hoboken the canvass of returns received by me on the 9th day of June 2009 from the District Boards of Registry and Election of all the Election Districts in the City of Hoboken and all provisional ballots, additional absentee ballots on the 12th day of June 2009 for the election of Mayor for the City of Hoboken and three Council persons-at-Large for the City of Hoboken, pursuant to the provisions of N.J.S.A. 40:45-16, and that I made and filed the canvass of returns received by me on the 9th day of June 2009, from the County Board of Elections of the County of Hudson of all the Election Districts in the City of Hoboken, pursuant to the provisions of N.J.S.A. 40:45-16, and that on the same day I made and filed in my office the official results of said canvass and my determination that at the Municipal Run-off Election held on the 9th day of June 2009 in the City of Hoboken, that PETER CAMMARANO was duly elected to the Office of MAYOR and, CAROL MARSH, RAVINDER BHALLA and DAVID MELLO to the Office of COUNCIL PERSON-AT-LARGE of the City of Hoboken.

2. I issued and delivered to the successful candidates aforesaid a Certificate of Election as provided by law.

3. The successful candidates aforesaid has taken and subscribed the oath of allegiance as required by law, and the same are filed in the Office of the City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Hoboken this 12th day of June 2009.
STATEMENT of the result of the Municipal Run-off Election held in the City of Hoboken, in the County of Hudson and the State of New Jersey, on the 9th day of June 2009 for Mayor for the City of Hoboken, from the canvass of returns received by JAMES J. FARINA, City Clerk of the City of Hoboken, New Jersey on the 9th day of June 2009, and all provisional ballots along with additional absentee ballots from the District Boards of Registry and Election of all the Election Districts in the City of Hoboken that conducted the said Municipal Election on June 9, 2009, made in compliance with the provisions of N.J.S.A. 40:45-16 and from the canvass of returns received by JAMES J. FARINA, City Clerk of the City of Hoboken, Hudson County, New Jersey on the 9th day of June, 2009 from the County Board of Elections of the County of Hudson, State of New Jersey, of all the Election Districts in the City of Hoboken, pursuant to the provisions of N.J.S.A. 40:45-16.

The said PETER CAMMARANO, having received the majority of votes cast at said Municipal Run-off Election for the Office of Mayor was duly elected Mayor of the City of Hoboken, New Jersey and that CAROL MARSH, RAVINDER BHALLA, DAVID MELLO having received the majority of votes cast at said Municipal Run-off Election for the Office of Council person-at-large were duly elected Council person-at-Large of the City of Hoboken, New Jersey

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Hoboken, New Jersey, this 12th day of June 2009.

JAMES J. FARINA
CITY CLERK

---Received and filed.

RESOLUTIONS

Presented and Read

09-552
---By Councilman Russo

RESOLUTION ESTABLISHING A CHANGE FUND FOR THE CONSTRUCTION CODE OFFICIAL
WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of change 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 fund for the Construction Code Official’s office in the amount of $300.00; and

WHEREAS, the custodian for this fund will be Construction Code Official, who is bonded 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 with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

---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.

09-553
---By Councilwoman 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 30, 2009 and every Tuesday thereafter ending no earlier than Tuesday October 27, 2009; 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 30, 2009 and ending Tuesday October 27, 2009.
4. The Police Division shall enforce this regulation.
5. A certified copy of this resolution is provided to Mayor David Roberts, Director James J. Ronga, Acting Police Chief Robert Lisa, Acting Fire Chief Richard Bloom, Superintendent Joseph Bucino, Central Garage Supervisor William DeAngelo, and Hoboken Parking Utility.

---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.

09-554
---By Councilman Cunningham

RESOLUTION AUTHORIZING THE LOCATION OF THE UPTOWN FARMERS’ MARKET ON THURSDAYS DURING THE MONTHS OF JUNE, JULY, AUGUST, SEPTEMBER AND OCTOBER

WHEREAS, the City of Hoboken is sponsoring a farmers’ market along the east side of Hudson Street between 12th and 13th Streets; and

WHEREAS, a sponsor, manager, vendors and their liability coverage will be determined and submitted prior to the Market’s opening day, the Uptown Farmers’ Market will take place every Thursday, beginning July 2, 2009 and every Thursday thereafter ending no earlier than Thursday October 29, 2009; and

WHEREAS, the City of Hoboken request that the Council of the City of Hoboken suspend parking rules on that section of the east side of Hudson Street between 12th and 13th Streets 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 Police Division shall enforce this regulation.

This Resolution is effective immediately.
---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.

09-555
---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 has been dormant:

City of Hoboken Collector of Revenue Collections Acct #3451513978
City of Hoboken PILOT Acct #3452441709
City of Hoboken Smart Growth Acct #3982549945
City of Hoboken DDEF Acct #3982549929
City of Hoboken Special Purpose Acct #3982692944

NOW, THEREFORE, BE IT RESOLVED, that the Division of Revenue & Finance be and is hereby authorized to close the aforementioned bank accounts and to execute any and all documents necessary for the closure of said accounts; and be it further

RESOLVED, that the TD Bank, which administer the accounts noted above shall be furnished with a certified copy of this resolution.

---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.

09-556
---By Councilwoman Mason

AUTHORIZING THE SUMISSION OF AN APPLICATION TO THE U.S. DEPARTMENT OF ENERGY FOR A RECOVERY ACT – ENERGY EFFICIENCY & CONSERVATION BLOCK GRANT – FORMULA GRANT IN THE AMOUNT OF $161,000

WHEREAS, the City of Hoboken has been selected to submit an application to the U.S. Department of Energy for a Recovery Act – Energy Efficiency & Conservation Block Grant (Formula Grant) in the amount of $161,000 to be submitted by June 25, 2009; and
WHEREAS, The City of Hoboken desires to submit such grant application with the project(s) being dictated by the City of Hoboken’s Energy Audit being prepared by Concord Engineering Group, Inc.

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 Energy with respect to energy conservation project(s); and

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 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.

09-557
---By Councilwoman Mason

RESOLUTION AWARDING A CONTRACT FOR THE SFY 2009 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 2009 Roadway Improvement Project for the City of Hoboken in accordance with the specifications set forth in the City of Hoboken Bid 09-18.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Base Bid</th>
<th>Alt. #1</th>
<th>Alt. #2</th>
<th>Alt. #3</th>
<th>Total $</th>
</tr>
</thead>
<tbody>
<tr>
<td>English Paving</td>
<td>$335,448.30</td>
<td>$25,151.46</td>
<td>$18,160.51</td>
<td>$25,225.32</td>
<td>$403,985.59</td>
</tr>
<tr>
<td>1087 Edgewater Ave</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ridgefield, NJ 07657</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cifelli &amp; Son Gen. Con.</td>
<td>$321,505.00</td>
<td>$30,522.90</td>
<td>$24,862.40</td>
<td>$31,020.40</td>
<td>$407,910.70</td>
</tr>
<tr>
<td>4 Coppola St.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Meeting of June 17, 2009
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 designees to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
3. This contract shall be awarded inclusive of all alternates not to exceed $353,266.56.
4. 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:

   AJM Contractors, Inc.
   300 Keller Rd.
   Clifton, NJ 07011

The following speaker spoke; Moe DeGennaro, Scott Siegel, Michael Pereless.

---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.

09-558
---By Councilman Russo

Resolution Receiving Corrective Action Plan for the SFY 2008 Audit

WHEREAS, the City of Hoboken has received its Audit for SFY 2008 from the independent auditor Ferraioli, Wielkotz, Cerullo, & Cuva, and

WHEREAS, the State of New Jersey, Division of Local Government Services requires the Chief Financial Official and other City Officials to prepare a Corrective Action Plan for all recommendations reflected in the Annual Audit, and

WHEREAS, the State of New Jersey, Division of Local Government Services requires such Corrective Action Plan to be accepted by the Council of the City of Hoboken and filed with the Director of Local Government Services, and
WHEREAS, the Corrective Action Plan is attached hereto, and incorporated by reference.

NOW, THEREFORE BE IT RESOLVED that the above recitals are incorporated by reference as it’s fully stated herein.

BE IT FURTHER RESOLVED by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, hereby requests the Director of the Division of Local Government Services to accept the Corrective Action Plan for the City of Hoboken SFY 2006.

BE IT FURTHER RESOLVED, that the City Clerk forward two certified copies of this resolution with the Corrective Action Plan to the Director of Local Government Services for approval.

---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.

The following speaker spoke: Scott Siegel.

09-559
---By Councilman Russo

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS

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

WHEREAS, Sharon Curran, 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 $35,132.84

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LT/UNIT</th>
<th>PROPERTY</th>
<th>QTR/YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>AMTRUST BANK</td>
<td>15/20/C002L</td>
<td>1500 GARDEN ST</td>
<td>4/08</td>
<td>$1,615.07</td>
</tr>
<tr>
<td>1801 E 9TH STREET</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CLEVELAND, OH 44114</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>KRISTEN RASCHE</td>
<td>34/16.11/C001R</td>
<td>129 WILLOW AVE</td>
<td>2 &amp; 3/09</td>
<td>$1,569.90</td>
</tr>
<tr>
<td>129 WILLOW AVE #1R</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HOBOKEN, NJ 07030</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Meeting of June 17, 2009
---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.

09-560
---By Councilman Ramos

A RESOLUTION AMENDING EXISTING AGREEMENTS WITH CMX ENGINEERING AGREEMENTS TO PERFORM SPECIAL ENVIRONMENTAL ENGINEERING SERVICES FOR THE CITY OF HOBOKEN.
WHEREAS, the Council of the City of Hoboken, by resolution dated November 24, 2008 awarded a contract to the firm of CMX Engineering for professional engineering services, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et.seq. and Hoboken Ordinance #DR-154 (codified §20A-1 et. seq. of the Code of the City of Hoboken); and,

WHEREAS, the work to be performed by CMX involves certain testing, remediation and other environmental engineering services at the Public Works Garage site, which is under contract to be sold to the S. Hekemian Group for $25.5 million provided that certain

WHEREAS, CMX has advised that additional funds are necessary in order to meet the environmental requirements contained in the contract between the City and the S. Hekemian Group as a result of unanticipated developments in the work being performed; 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 CMX Engineering to provide professional engineering services as set forth above;

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

1. An amended 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 $98,445.00 (increased from $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 an amended 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.

The following speakers spoke: Mo DeGennaro.

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

09-561
---By Councilwoman LaBruno

RESOLUTION FOR REIMBURSEMENT FOR HANIDCAP 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 Rosado</td>
<td>$125.00</td>
</tr>
<tr>
<td>1312 Bloomfield Street</td>
<td></td>
</tr>
<tr>
<td>Apt 2B</td>
<td></td>
</tr>
</tbody>
</table>

---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.

09-562
---By Councilman Cunningham

RESOLUTION APPROVING INTERLOCAL AGREEMENT WITH THE TOWN OF SECAUCUS FOR THE USE OF ITS POOL BY THE RESIDENTS OF THE CITY OF HOBOKEN

WHEREAS, N.J.S.A. 40:8A-1, et. seq. authorizes any local governmental unit to enter into a contract with any other local governmental unit for providing of any service that any party to such agreement is empowered to render within its own jurisdiction; and

WHEREAS, the Town of Secaucus has agreed to provide use of a swimming pool facility to the residents of the City of Hoboken upon payment by the residents for the use of such facility; and

WHEREAS, it is the desire of the Council of that City of Hoboken to authorize the execution of an Interlocal Service Agreement whereby the Town of Secaucus will provide use of this facility to the residents of Hoboken.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken, County of Hudson, State of New Jersey, that the Mayor and City Clerk be and are hereby
authorized to execute an Interlocal Agreement whereby Secaucus will provide use of a swimming pool facility to the residents of Hoboken;

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,

BE IT FURTHER RESOLVED, that his resolution shall take effect immediately.

---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.

The following speaker spoke: Moe DenGennaro.

09-563
---By Councilman Russo

THIS RESOLUTION AUTHORIZES THE TRANSFER OF FUND WITHIN ACCOUNTS IN THE FISCAL YEAR 2009 CURRENT FUND APPROPRIATIONS

<table>
<thead>
<tr>
<th>CURRENT FUND</th>
<th>FROM</th>
<th>TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operations - Within &quot;Caps&quot;</td>
<td>$ 45,000.00</td>
<td></td>
</tr>
<tr>
<td>Grant Management S/W</td>
<td></td>
<td>$ 45,000.00</td>
</tr>
<tr>
<td>Corporation Counsel S/W</td>
<td>$ 6,000.00</td>
<td></td>
</tr>
<tr>
<td>Tax Collector S/W</td>
<td>$ 9,500.00</td>
<td></td>
</tr>
<tr>
<td>Fire S/W</td>
<td>$ 137,000.00</td>
<td></td>
</tr>
<tr>
<td>Personnel S/W</td>
<td></td>
<td>$ 1,000.00</td>
</tr>
<tr>
<td>Central Garage S/W</td>
<td>$ 1,000.00</td>
<td></td>
</tr>
<tr>
<td>City Council S/W</td>
<td>$ 13,000.00</td>
<td></td>
</tr>
<tr>
<td>Group Health O/E</td>
<td></td>
<td>$100,000.00</td>
</tr>
<tr>
<td>Elections S/W</td>
<td>$ 3,000.00</td>
<td></td>
</tr>
<tr>
<td>Elections O/E</td>
<td>$ 45,000.00</td>
<td></td>
</tr>
<tr>
<td>Tax Collector O/E</td>
<td>$ 3,500.00</td>
<td></td>
</tr>
<tr>
<td>Social Security O/E</td>
<td>$ 2,000.00</td>
<td></td>
</tr>
<tr>
<td>Corporation Counsel O/E</td>
<td>$ 3,000.00</td>
<td></td>
</tr>
<tr>
<td>Environmental Svs Director O/E</td>
<td></td>
<td>$ 1,000.00</td>
</tr>
<tr>
<td>Public Property O/E</td>
<td>$ 20,000.00</td>
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</tr>
<tr>
<td>Legal Ads O/E</td>
<td></td>
<td>$ 5,000.00</td>
</tr>
</tbody>
</table>

TOTALS $197,500.00 $197,500.00
Meeting of June 17, 2009  18
---Motion duly seconded by Councilwoman Castellano
---Adopted by the following vote: YEAS: 9- NAYS: 0
---Yea: Council persons Cammarano, Castella, Cunningham, LaBruno, Mason, Ramos, Russo, Zimmer and President Giacchi.
---Nay: None.

09-564
---By Councilman Russo

RESOLUTION AUTHORIZING THE FINANCE OFFICER TO CANCEL STALE CHECKS

WHEREAS it has been brought to the attention of the City of Hoboken by the Finance Officer that there are outstanding stale checks that have never been cancelled from the City's records; and

WHEREAS it is the desire of the City Council to cancel these stale checks in a timely manner.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken, State of New Jersey, that the following stale checks be cancelled and that the Finance Officer's records be adjusted to reflect the same.

City of Hoboken
Listing of Stale Outstanding Checks to be Canceled
As of June 17, 2009

<table>
<thead>
<tr>
<th>Bank Account Name</th>
<th>Check #</th>
<th>Check Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hazmat Account</td>
<td>1004</td>
<td>9/15/05</td>
<td>$13.56</td>
</tr>
<tr>
<td>Law Enforcement Trust Account</td>
<td>1151</td>
<td>1/17/08</td>
<td>$282.00</td>
</tr>
<tr>
<td></td>
<td>1159</td>
<td>1/4/07</td>
<td>$166.00</td>
</tr>
<tr>
<td></td>
<td>1165</td>
<td>1/4/07</td>
<td>$1,910.00</td>
</tr>
<tr>
<td>Fire Education Fund</td>
<td>1155</td>
<td>1/4/07</td>
<td>$335.58</td>
</tr>
<tr>
<td></td>
<td>1156</td>
<td>1/4/07</td>
<td>$24.00</td>
</tr>
<tr>
<td>Trust Fund &amp; Other</td>
<td>1174</td>
<td>1/18/07</td>
<td>$1,103.88</td>
</tr>
<tr>
<td></td>
<td>1175</td>
<td>1/19/07</td>
<td>$535.73</td>
</tr>
<tr>
<td></td>
<td>1029</td>
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<tr>
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<td>1030</td>
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<td>$350.00</td>
</tr>
<tr>
<td></td>
<td>1014</td>
<td></td>
<td>$117.00</td>
</tr>
<tr>
<td></td>
<td>1363</td>
<td></td>
<td>$300.00</td>
</tr>
<tr>
<td>Date</td>
<td>Amount</td>
<td>Description</td>
<td></td>
</tr>
<tr>
<td>----------</td>
<td>---------</td>
<td>------------------------------------</td>
<td></td>
</tr>
<tr>
<td>3/1/06</td>
<td>170.16</td>
<td>General Account</td>
<td></td>
</tr>
<tr>
<td>3/16/06</td>
<td>2,565.28</td>
<td>General Account</td>
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<tr>
<td>4/6/06</td>
<td>2,000.00</td>
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<td></td>
</tr>
<tr>
<td>6/1/06</td>
<td>477.18</td>
<td>General Account</td>
<td></td>
</tr>
<tr>
<td>7/13/06</td>
<td>3,495.42</td>
<td>General Account</td>
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</tr>
<tr>
<td>9/21/06</td>
<td>2,869.88</td>
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<tr>
<td>9/21/06</td>
<td>9,264.80</td>
<td>General Account</td>
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</tr>
<tr>
<td>4/17/08</td>
<td>1,199.80</td>
<td>General Account</td>
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<tr>
<td>6/6/08</td>
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<td></td>
</tr>
<tr>
<td>6/1/08</td>
<td>282.34</td>
<td>General Account</td>
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</table>

**Workers Comp Allied Risk**

<table>
<thead>
<tr>
<th>Date</th>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4/08</td>
<td>60.00</td>
<td>Workers Comp Allied Risk</td>
</tr>
</tbody>
</table>

**Collector of Revenue Redemption Account**

<table>
<thead>
<tr>
<th>Date</th>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/24/04</td>
<td>29.80</td>
<td>Collector of Revenue Redemption</td>
</tr>
<tr>
<td>12/1/04</td>
<td>681.56</td>
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</tr>
<tr>
<td>12/21/04</td>
<td>2,308.76</td>
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</tr>
<tr>
<td>12/14/05</td>
<td>192.50</td>
<td>Collector of Revenue Redemption</td>
</tr>
<tr>
<td>12/19/05</td>
<td>50,159.47</td>
<td>Collector of Revenue Redemption</td>
</tr>
<tr>
<td>1/10/06</td>
<td>2,459.75</td>
<td>Collector of Revenue Redemption</td>
</tr>
<tr>
<td>8/9/07</td>
<td>102.78</td>
<td>Collector of Revenue Redemption</td>
</tr>
<tr>
<td>6/5/06</td>
<td>113.37</td>
<td>Collector of Revenue Redemption</td>
</tr>
<tr>
<td>10/3/06</td>
<td>102.16</td>
<td>Collector of Revenue Redemption</td>
</tr>
<tr>
<td>10/12/06</td>
<td>638.96</td>
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<tr>
<td>10/13/06</td>
<td>102.78</td>
<td>Collector of Revenue Redemption</td>
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<tr>
<td>10/13/06</td>
<td>103.08</td>
<td>Collector of Revenue Redemption</td>
</tr>
<tr>
<td>7/18/03</td>
<td>1,498.78</td>
<td>Collector of Revenue Redemption</td>
</tr>
<tr>
<td>7/21/09</td>
<td>1,873.14</td>
<td>Collector of Revenue Redemption</td>
</tr>
<tr>
<td>9/4/07</td>
<td>7,805.00</td>
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</tr>
<tr>
<td>10/23/07</td>
<td>3,166.62</td>
<td>Collector of Revenue Redemption</td>
</tr>
</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.

09-565
---By Councilwoman Castellano

RESOLUTION CHANGING LOCATION OF COUNCIL ORGANIZATION MEETING SCHEDULED FOR JULY 1, 2009 TO DEBAUN AUDITORIUM

WHEREAS, the Council of the City of Hoboken has scheduled its reorganization meeting for Wednesday, July 1, 2009 at 12:00 PM; and

WHEREAS, the Council previously scheduled this meeting to take place at the Council chambers located in Hoboken City Hall; and

WHEREAS, due to the significant interest of the public in attending the reorganization meeting, and the limited amount of space available in the Council chambers, it is appropriate to move this meeting to a more suitable location; and,

WHEREAS, the City Clerk has advised that DeBaun Auditorium on the campus of Stevens Institute of Technology is available for this meeting;

NOW, THEREFORE, BE IT RESOLVED that the Council reorganization meeting to be held on July 1, 2009 shall be held at DeBaun Auditorium on the campus of Stevens Institute of Technology, 5th Street between Hudson and River Streets, Hoboken, New Jersey; and,

BE IT FURTHER RESOLVED, that in accordance with N.J.S.A. 10:4-18 9 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) advertise this resolution in a newspaper of general circulation; (c) provide a copy of this resolution to all of the City’s official newspapers; and (d) maintain a copy of this resolution in the Office of the City Clerk; and

BE IT FURTHER RESOLVED, that the public be informed that 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

Meeting of June 17, 2009
The following speakers spoke: Lane Bajardi.

---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.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Richard Tremitiedi, Mo DeGennaro, Steve Cappiello, Margaret O’Brien, Scott Siegel, Cheryl Fallick, Dan Tumpson, Mary Ondrejka, Ann Pignotti, Tim Occhipinti.

President Giacchi then adjourned the meeting at 9:51 p.m.
The City Clerk opened the meeting at 2:25 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 Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, Zimmer

ABSENT: None.

09-1
---By Councilwoman Mason

RESOLUTION APPOINTING OF COUNCIL PRESIDENT

Appointing Dawn Zimmer as the City Council President; term effective July 1, 2009 through June 30, 2010.

Before the vote of taken the City Council unanimously voted to close the nominations for City Council President and then voted on the appointment of Dawn Zimmer as follows:

---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 – NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, Zimmer.
---Nays: None.
The City Clerk then administered the oath of office for President Zimmer.

**09-2**
---By Councilman Russo

**RESOLUTION APPOINTING VICE-PRESIDENT OF THE CITY COUNCIL**

Appointing Peter Cunningham as the Vice-President of the City Council; term effective July 1, 2009 through June 30, 2010.

Before the vote of taken the City Council unanimously voted to close the nominations for City Council Vice-President and then voted on the appointment of as follows:

---Motion duly seconded by Councilwoman Marsh
---Adopted by the following vote: Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer.

The City Clerk then administered the oath of office for Vice-President Cunningham.

**09-3**
---By Councilman Bhalla

**RESOLUTION APPOINTING REPRESENTATIVE TO THE HOBOKEN PLANNING BOARD**

Appointing David Mello as the City Counsel representative to the Hoboken Planning Board, for a one (1) year term to expire June 30, 2010.

---Motion duly seconded by Councilwoman Marsh
---Adopted by the following vote: YEAS – 9 – NAYS – 0
---Yeas: Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None.

**09-4**

**APPLICATIONS FOR MISCELLANEOUS LICENSES**

<table>
<thead>
<tr>
<th>License</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Raffles</td>
<td>7</td>
</tr>
<tr>
<td>Carnival</td>
<td>2</td>
</tr>
</tbody>
</table>

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

RESOLUTIONS
Presented and Read

09-5
---By Councilwoman Castellano

RESOLUTION ADOPTING CASH MANAGEMENT PLAN FOR THE CITY OF HOBOKEN

WHEREAS, N.J.S.A. 40A:5-14 of 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 and State of New Jersey, hereby adopts the following "Cash Management Plan" to be utilized by the City of Hoboken for the fiscal year 2010; and,

BE IT FURTHER RESOLVED that certified copies of this resolution shall be filed with the Director of the Division of Local Government Services, City Auditor, and the Chief Financial Officer of the City of Hoboken (Hudson County).

CASH MANAGEMENT PLAN OF THE CITY OF HOBOKEN, COUNTY OF HUDSON AND 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 investment (“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 assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter 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 ensure 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 that 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 that 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 than 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 Collector's Revenue Account
Tax Collector's 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, retainage, 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 Business 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 Business 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 receiving department shall maintain the duplicate. All payments and receipts must be recorded.

2. All monies collected or received from any source by or on behalf of the Township 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 paychecks 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 at the first meeting of the calendar year.

   d. Ensure that each of the various accounts for which there is a separate bank statement is reconciled with that bank statement by 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 June 30 and December 31 of each year.

VII. DESIGNATION OF DEPOSITORIES

The City Council approved a resolution on July 1, 2009, 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 this Plan:

- BANK OF AMERICA
- CAPITAL ONE
- COMMERCE BANK
- HSBC
- JP MORGAN CHASE
- PROVIDENT
- TD BANKNORTH
- WACHOVIA

Meeting of July 1, 2009
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.


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).

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 and

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

c. 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 Securities and Exchange Commission pursuant to the “Investment Advisors Act of 1940,” 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”

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 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.

**X. CITY AUDITOR**

The City 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.

**XI. SURETY BONDS**

a. The Chief Financial Officer shall be covered by a surety bond. During the annual audit, the City Auditor shall examine said bond to determine that proper coverage has been obtained.

b. Staff members of the Chief Financial Officer’s office, who are employees of the City, shall be covered by a public employee’s faithful performances bond in the minimum amount of $10,000.

**XII. TERM OF PLAN**

This Plan shall be in effect from July 1, 2009 to June 30, 2010. Attached to this Plan is a resolution of the City Council of the City of Hoboken approving this Plan for such period of time, which may be amended from time to time? To the extent that the Council adopts any amendment, 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.

**CERTIFICATION**

I, George DeStefano, Chief Financial Officer of the City of Hoboken, have prepared this plan and submitted same to Corporation Counsel and City Council for approval.

---Motion duly seconded by Councilman Russo

Meeting of July 1, 2009
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None.

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

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None.
WHEREAS, 26% 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 21 through September 7 2009 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 2009 Statewide Crackdown both locally and nationally from August 21 through September 7 2009 and pledges to increase awareness of the dangers of drinking and driving.

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

09-8
---By Councilwoman Castellano

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; and,

WHEREAS, various petty cash and change funds were previously established by resolution of the City Council and approval of the Director of the 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 Finance Officer.

Meeting of July 1, 2009
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 2010:

<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</td>
<td>Director, Environmental Services</td>
</tr>
<tr>
<td>Solid Waste</td>
<td>$150.00</td>
<td>Miscellaneous</td>
<td>Director, Environmental Services</td>
</tr>
<tr>
<td>Central Garage</td>
<td>$500.00</td>
<td>Miscellaneous</td>
<td>Director, Environmental Services</td>
</tr>
<tr>
<td>Library</td>
<td>$150.00</td>
<td>Miscellaneous</td>
<td>Director, Library</td>
</tr>
<tr>
<td>Police Department</td>
<td>$500.00</td>
<td>Miscellaneous</td>
<td>Police Chief</td>
</tr>
<tr>
<td>Fire Department</td>
<td>$300.00</td>
<td>Miscellaneous</td>
<td>Fire Chief</td>
</tr>
<tr>
<td>Construction Code</td>
<td>$300.00</td>
<td>Change Fund</td>
<td>Construction Code Official</td>
</tr>
<tr>
<td>Tax Collector</td>
<td>$200.00</td>
<td>Change Fund</td>
<td>Tax Collector</td>
</tr>
</tbody>
</table>

The speaker who spoke: Donna Antonucci. Director Tresante responds to questions and Judy Tripodi, State Fiscal Monitor explains resolution to Council.

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

09-9
---By Councilwoman Castellano

RESOLUTION FIXING THE INTEREST RATE CHARGES ON NON-PAYMENT OF TAXES

WHEREAS, the Tax Collector is hereby authorized and directed to charge eight (8%) per annum on the first $1,500.00 of becoming delinquent after the due date, and (18%) per annum on any amount in excess of $1,500.00 becoming delinquent after the due date and if a delinquency is in excess of $10,000.00 and remains in arrears beyond June 30, an additional penalty of 6% shall be charged against the delinquency; and,

WHEREAS, effective July 1, 2009 there will be a ten (10) day grace period of quarterly tax payments made by cash, check or money order; and

WHEREAS, any payments not made in accordance with paragraph two of this resolution shall be charged interest set forth in paragraph one of this resolution from the due date..

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is hereby directed to proceed set
forth in the paragraphs above; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be provided by the Municipal Clerk to the Tax Collector, the City Attorney and the City Auditor for the City of Hoboken.

The speaker who spoke: Steve Cappiello.

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

09-10
---By Councilwoman Castellano

RESOLUTION DESIGNATING DEPOSITORIES FOR 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 SFY 2010:

<table>
<thead>
<tr>
<th>Bank of America</th>
<th>BCB Community Bank</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital One</td>
<td>Citibank</td>
</tr>
<tr>
<td>Haven Savings Bank</td>
<td>J P Morgan Chase Bank</td>
</tr>
<tr>
<td>PNC Bank</td>
<td>Provident Savings Bank</td>
</tr>
<tr>
<td>Sovereign Bank</td>
<td>TD Bank</td>
</tr>
<tr>
<td>Valley National Bank</td>
<td>Wells Fargo (Wachovia)</td>
</tr>
</tbody>
</table>

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:

Peter J. Cammarano, Mayor
George DeStefano, CMFO

and, be it further -

RESOLVED, that said legal depositories as above stated shall be entitled to honor and charge to the specified accounts of the City of Hoboken such checks, drafts, or other regardless of by whom or by what means the actual or purported facsimile signature or signatures 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

Peter J. Cammarano, Mayor
George DeStefano, CMFO
are hereby ratified and confirmed and are hereby continued in full force and effect as amplified hereby; and, be it further –

BE IT FURTHER RESOLVED, that the foregoing shall be furnished with a certified copy of this resolution.

The speaker who spoke: Steve Cappiello

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

09-11
---By Councilwoman Castellano

CALENDAR FOR July 2009 through June 2010

RESOLVED, that the following dates and times listed below are adopted as the official meeting dates of the Hoboken City Council for July 2009 through June 2010, 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 JULY 2009 THROUGH JUNE 2010

Meeting of July 1, 2009
<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Date</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wednesday, July 1, 2009*</td>
<td>12 PM</td>
<td>Wednesday, January 6, 2010</td>
<td>7 PM</td>
</tr>
<tr>
<td>Wednesday, July 22, 2009</td>
<td>7 PM</td>
<td>Wednesday, January 20, 2010</td>
<td>7 PM</td>
</tr>
<tr>
<td>Wednesday, August 5, 2009</td>
<td>7 PM</td>
<td>Wednesday, February 3, 2010</td>
<td>7 PM</td>
</tr>
<tr>
<td>Wednesday, September 2, 2009</td>
<td>7 PM</td>
<td>Wednesday, March 3, 2010</td>
<td>7 PM</td>
</tr>
<tr>
<td>Wednesday, September 16, 2009</td>
<td>7 PM</td>
<td>Wednesday, March 17, 2010</td>
<td>7 PM</td>
</tr>
<tr>
<td>Wednesday, October 7, 2009</td>
<td>7 PM</td>
<td>Wednesday, April 7, 2010</td>
<td>7 PM</td>
</tr>
<tr>
<td>Wednesday, October 21, 2009</td>
<td>7 PM</td>
<td>Wednesday, April 21, 2010</td>
<td>7 PM</td>
</tr>
<tr>
<td>Wednesday, November 4, 2009</td>
<td>7 PM</td>
<td>Wednesday, May 5, 2010</td>
<td>7 PM</td>
</tr>
<tr>
<td>Monday, November 16, 2009**</td>
<td>7 PM</td>
<td>Wednesday, May 19, 2010</td>
<td>7 PM</td>
</tr>
<tr>
<td>Wednesday, December 2, 2009</td>
<td>7 PM</td>
<td>Wednesday, June 2, 2010</td>
<td>7 PM</td>
</tr>
<tr>
<td>Wednesday, December 16, 2009</td>
<td>7 PM</td>
<td>Wednesday, June 16, 2010</td>
<td>7 PM</td>
</tr>
</tbody>
</table>

* Reorganization meeting previously noticed for DeBaum Auditorium

** Moved due to N.J. League of Municipalities Convention

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](http://www.hobokennj.org).

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

**09-12**
---By Councilwoman Castellano

**RESOLUTION DESIGNATING NEWSPAPERS FOR LEGAL ADVERTISING AND OFFICIAL NOTICES**

**RESOLVED**, that the Jersey Journal, the Star-Ledger and the Record are hereby designated as the official newspapers of the City of Hoboken for all purposes of legal advertising and official notices.

The speaker who spoke: Steve Cappiello.

---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mello, Russo, President Zimmer.
---Nays: None
RESOLUTION AMENDING PREVIOUS RESOLUTION AUTHORIZING UPTOWN FARMERS’ MARKET TO BE HELD ON THURSDAYS DURING THE MONTHS OF JUNE, JULY, AUGUST, SEPTEMBER AND OCTOBER

WHEREAS, the City of Hoboken wishes to hold a farmers’ market along the east side of Hudson Street between 13th and 14th Streets during the months of June through October; and

WHEREAS, there was an error in a previous resolution on this subject adopted by the Hoboken City Council on June 17, 2009, more specifically, that the farmer’s market was erroneously listed as being on Hudson Street between 12th and 13th Streets, not the correct location, Hudson Street between 13th and 14th Streets.

WHEREAS, the Uptown Farmers’ Market will take place every Thursday, beginning July 2, 2009 and every Thursday thereafter, ending no earlier than Thursday, October 29, 2009; and,

WHEREAS, a sponsor, manager, vendors and their liability coverage will be determined and submitted prior to the Market’s opening day; and,

WHEREAS, the Council of the City of Hoboken agrees to suspend parking rules on the relevant section of the east side of Hudson Street between 13th and 14th Streets 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 Administration shall be responsible for enforcing the attached rules and regulations relating to the Uptown Farmers’ Market, which are incorporated herein.
4. This Resolution shall be effective immediately and shall supersede all previous resolutions on this subject.

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

---By Councilwoman Castellano
THIS RESOLUTION AUTHORIZES TEMPORARY APPROPRIATIONS FOR THE SFY 2010

WHEREAS, N.J.S.A. 40A:4-19 provides that where any contact, commitment or payments are to be made prior to the final adoption of the fiscal year 2010 budget, temporary appropriation should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, twenty sixth and one quarter percent (26.25%) of the total appropriations of the current fund in the fiscal year 2009 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvements fund, public assistance and public utilities in said fiscal year 2009 budget is the sum of $21,512,704.41 and for the Parking Utility is the sum of $1,664,166.39; and

WHEREAS, the temporary appropriations in the fiscal year 2010 budget for interest and debt redemption charges are requested to be $8,954,892 for the current fund and $2,615,460 for the Parking Utility; and

WHEREAS, the temporary appropriations in the fiscal year 2010 budget for Capital Improvement Fund charges are requested to be $200,000 for the current fund; and

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the City of Hoboken that the following appropriation which now, total $30,667,596.41 for the current fund including debt service and capital improvements and $4,279,626.39 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:

City of Hoboken
Temporary Appropriations
SFY 2010

<table>
<thead>
<tr>
<th>Operations Within CAPS</th>
<th>SFY 2009</th>
<th>SFY 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor Office</td>
<td>S/W 205,477.08</td>
<td>53,937.73</td>
</tr>
<tr>
<td></td>
<td>O/E 10,000.00</td>
<td>2,625.00</td>
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<tr>
<td>City Council</td>
<td>S/W 202,366.00</td>
<td>53,121.08</td>
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<td></td>
<td>O/E 5,000.00</td>
<td>1,312.50</td>
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<tr>
<td>Office of Clerk</td>
<td>S/W 430,000.00</td>
<td>112,875.00</td>
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<td></td>
<td>O/E 25,000.00</td>
<td>6,562.50</td>
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<tr>
<td>Legal Advertising</td>
<td>O/E 20,000.00</td>
<td>5,250.00</td>
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<tr>
<td>Cod of Ordinances</td>
<td>O/E 31,500.00</td>
<td>8,268.75</td>
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<tr>
<td>Elections</td>
<td>S/W 35,000.00</td>
<td>9,187.50</td>
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<tr>
<td></td>
<td>O/E 200,000.00</td>
<td>52,500.00</td>
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<tr>
<td>Bus Administrators</td>
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<td>O/E 13,500.00</td>
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<td></td>
<td>O/E 8,000.00</td>
<td>2,100.00</td>
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Meeting of July 1, 2009
<table>
<thead>
<tr>
<th>Department</th>
<th>S/W</th>
<th>O/E</th>
<th>Notes</th>
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</thead>
<tbody>
<tr>
<td>Personnel &amp; Health Benefits</td>
<td>180,649.34</td>
<td>47,420.45</td>
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<tr>
<td>Constituent Services</td>
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<tr>
<td>Zoning Administration</td>
<td>90,000.00</td>
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<td>Uniform Construction Code</td>
<td>640,000.00</td>
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<tr>
<td>Corporation Counsel</td>
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<td>Special Counsel</td>
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<tr>
<td>Expert Witness &amp; Appraisal</td>
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<td>2,756.25</td>
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<tr>
<td>Revenue &amp; Finance Director</td>
<td>231,133.18</td>
<td>60,672.46</td>
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<tr>
<td>Annual Audit</td>
<td>97,500.00</td>
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<td>Accounts &amp; Control</td>
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<td>21,994.32</td>
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<tr>
<td>Payroll</td>
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<tr>
<td>Tax Collections</td>
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<td>Information Technology</td>
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<td>Municipal Court</td>
<td>999,593.63</td>
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<td>Public Defender</td>
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<tr>
<td>Office of Tax Assessor</td>
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<td>Human Services Director</td>
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<td>Rent Leveling</td>
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<td>Housing Inspection</td>
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<td><strong>Sub Total Within CAPS</strong></td>
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**Statutory Expenditures**

Meeting of July 1, 2009  19
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<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<td>Social Security System</td>
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<td>Maintenance of Free Public Library</td>
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Meeting of July 1, 2009
Statutory Expenditures
Public Employee Retirement System  108,750.00  28,546.88
Social Security System   166,387.50  43,676.72
Unemployment Compensation Insurance  15,373.00  4,035.41
Total Appropriations Included in 26.25% limit  6,339,681.47  1,664,166.39

Debt Service
Payment of Bond Principal  1,020,000.00  1,075,000.00
Interest on Bonds   1,077,036.00  1,025,460.00
Payment of Note Interest (916)  300,000.00  300,000.00
Payment of Note Principal (916)  200,000.00  200,000.00
Trustee Fee  15,000.00  15,000.00
Total Parking Debt  2,612,036.00  2,615,460.00
Total Temporary Parking utility Budget  15,291,398.94  4,279,626.39

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

09-15
---By Councilwoman Castellano

PRELIMINARY TAX LEVY SO THAT BILLS ARE SENT OUT ON TIME.

WHEREAS, the Mayor and Council of the City of Hoboken are desirous to prepare a preliminary Tax Levy so that Bills are sent out on time.

NOW, THEREFORE, be it resolved by the Mayor and Council of the City of Hoboken that:

1. The Municipal Tax Levy to be billed for the Third and Fourth Quarters shall be $28,709,950.00.

2. The projected new Fiscal Year Levy shall be set at $57,419,900.00.

3. The preliminary Tax Levy as required by State Statute shall be set at $57,419,900.00.

4. According to the records of the Tax Assessors, the net valuation taxable is $2,998,075,026.

5. The certification as prepared by the Director of Finance and Chief Financial Officer is hereby accepted as prepared according to the Statutes of the State of New Jersey.
---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None

ORDINANCES

Introduction and First Reading

09-16
Z-1

WHEREAS, the Council of the City of Hoboken is aware of the growing need for dog day care and boarding kennel services for the many owners of dogs that reside in our community; and,

WHEREAS, the Code of the City of Hoboken requires amendment to provide for standards under which these services may be provided, and the appropriate locations within the City where these services will be considered permitted “conditional uses” y; and,

WHEREAS, this Ordinance will promote the health, safety and general welfare of the City of Hoboken and its people and will advance the purposes of the Municipal Land Use Law set forth at N.J.S.A. 40:55D-2.

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:

Chapter 93 of the Code of the City of Hoboken, entitled “Dogs and Other Animals,” more specifically, Sections 93-1, “Definitions,” and 93-7, “Kennels, pet shops and pounds,” is hereby amended, in part, as follows, (additions noted by underline, deletions by strikethrough):

Chapter 93--DOGS AND OTHER ANIMALS

§93-1. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

AUTHORIZED AGENT--A Sanitary Inspector First Grade or a Public Health Nuisance Investigator of the Hoboken Board of Health.

DOG--Any dog, bitch or spayed bitch.

DOGGIE DAYCARE--An organized, controlled and monitored environment in which a group of friendly dogs from multiple households can interact and
play throughout the day between the hours of 7:00 A.M. and 10:00 P.M. for the purpose of daytime care. In no event may the dogs stay overnight in such facility unless the facility is also licensed as a "boarding kennel." A "doggie daycare" facility, with or without overnight kenneling, may include such services as grooming and may offer dog-related items or sale.

DOG OF LICENSING AGE--Any dog which has attained the age of seven (7) months or which possesses a set of permanent teeth.

GUIDE DOG--Any dog certified to serve and aid those members of our nation who suffer from a verified disability, and are at the time serving or aiding a person with a verified disability.

HEALTH OFFICER--The legally designated Health Officer of the City of Hoboken or his authorized representative.

KENNEL--Any establishment wherein or whereon the business of boarding or selling dogs or breeding dogs for sale is carried on, except a pet shop.

KENNEL, BOARDING--Any establishment wherein or whereon the business of boarding dogs on an overnight basis is carried on, except a pet shop.

KENNEL, BREEDING--Any establishment wherein or whereon the business of breeding dogs for sale is carried on, except a pet shop.

OWNER (when applied to the proprietorship of a dog)--Includes every person having a right of property in such dog and every person who has such dog in his keeping.

PET GROOMING SHOP--Any room or group of rooms wherein dogs, cats or other animals are washed, cleaned or groomed.

PET SHOP--Any room or group of rooms, cage or exhibition pen, not part of a kennel, wherein dogs, cats, birds, fish, reptiles, lawful wildlife, rodents or insects for sale are kept or displayed.

POUND--An establishment for the confinement of dogs seized either under the provisions of this chapter or otherwise.

RULE OR ORDER - Directive of the Health Officer.

SHELTER-- Any establishment where dogs are received, housed and distributed without charge.

§ 93-7. Kennels, pet shops, doggie daycare, shelters and pounds.

A. Any person who keeps or operates or proposes to establish a kennel, a pet shop, a doggie daycare, a shelter or a pound shall apply to the Board of Health for a license entitling him to keep or operate such establishment, on an application form furnished by the Clerk of the Board.
B. The application shall describe the premises where the establishment is located or is proposed to be located, the purpose or purposes for which it is to be maintained and shall show compliance with the local and state rules and regulations governing location and sanitation of such establishments.

C. All licenses issued for a kennel, pet shop, doggie daycare, shelter or pound shall state the purpose for which the establishment is maintained, and all such licenses shall expire on the last day of January of each year and be subject to revocation on recommendation of the State Department of Health or the Board of Health for failure to comply with the rules and regulations of the State Department of Health or the Board of Health. Revocation of the operating license shall be reported to the Zoning Officer who shall revoke the certificate of occupancy until the license is restored.

D. Any person holding such license shall not be required to secure individual licenses for dogs owned by such licensee and kept at such establishments. Such licenses shall not be transferable to another owner or different premises.

E. The annual license fee for a kennel or doggie daycare providing accommodations for ten (10) or less dogs at any one time shall be one hundred fifty dollars ($150.00) and for more than ten (10) dogs, three hundred dollars ($300.00). The annual license fee for a pet shop shall be twenty-five dollars ($25.00). No fee shall be charged for a shelter or pound.

F. No dog kept in a kennel, pet shop, doggie daycare, shelter or pound shall be permitted off such premises, except on a leash or in a crate or other safe control.

The remainder of Chapter 93 shall remain unchanged.

SECTION TWO:


I) The following definitions are hereby added to §196-6, “Definitions.”

DOGGIE DAYCARE--Any establishment wherein dogs may be left An organized, controlled and monitored environment in which a group of friendly dogs from multiple households can interact and play throughout the day between the hours of 7:00 AM and 10:00 PM for the purpose of daytime care. In no event may the dogs stay overnight in such facility unless the facility is also licensed as a "boarding kennel". A "doggie daycare" facility, with or without overnight kenneling may include such services as grooming and may offer dog-related items for sale.

KENNEL, BOARDING--Any establishment wherein or whereon the business of boarding dogs on an overnight basis is carried on, except a pet shop.

KENNEL, BREEDING--Any establishment wherein or whereon the business of breeding dogs for sale is carried on, except a pet shop.
II) The following conditional uses are added to §196-17, “I-1 District.”

D. Conditional uses shall be as follows:
   (1) I-1 District
      (j) Doggie Daycare
      (k) Boarding Kennel

III) The following conditional uses are added to §196-18, “I-2 District.”

D. Conditional uses shall be as follows:
   (10) Doggie Daycare
   (11) Boarding Kennel

IV) The following is added to §196-38, “Standards for particular use.”

X. Doggie Daycare/Boarding Kennel. Such facilities, whether provided independently or combined into one facility, shall be maintained in a completely enclosed structure and shall be of soundproof construction and so operated as to produce no objectionable odors at the lot boundary line. Outdoor kennels, exercise pens or runways shall not be permitted.

1. The facilities for housing dogs shall be structurally sound and shall be maintained in good repair to prevent injury to the dogs, to contain the dogs and restrict the entrance of other animals. Sufficient space shall be provided indoors for all animals kept at the facility, and no animals may be kept out-of-doors.

2. Hot and cold water facilities shall be provided.

3. Detailed plans and proposals for sanitary sewage and solid waste disposal, approved by the Hoboken Board of Health, shall be submitted to the Planning Board. Feces and other excreta shall be removed at least once daily and the runs washed down with hot water and disinfectant cleaner. Excreta shall be disposed of in a sanitary manner.

4. The kennel space shall be ventilated in such a manner as will provide fresh air at all times. The kennel temperature shall be maintained at a reasonable and suitable level to promote the health and comfort of the type of dog or dogs housed.

5. Lighting by either natural or artificial means shall provide a minimum of thirty candle power for at least eight hours per day except where contraindicated for health reasons.

6. Provisions shall be made for noise control which at a minimum shall include soundproofing of all enclosed structures.

7. All such facilities shall be licensed by the City’s Board of Health and shall also meet the requirements of all appropriate county, state or federal regulatory agencies. Revocation of the operating license shall be reported to the Zoning Officer who shall revoke the certificate of occupancy until the license is restored.

The remainder of Chapter 196 shall remain unchanged.
SECTION THREE: REFERRAL TO PLANNING BOARD

In accordance with N.J.S.A. 40:55D-26 and 64, 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 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, specifically including, but not limited to, the entirety of Chapters 34, 36, 44 and 196 of the Code of the City of Hoboken. With respect to all other ordinances contained elsewhere in the Code, any provisions that are in conflict or inconsistent with this Ordinance are also hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such 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 notwithstanding 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 repealers of existing provisions not intended to be repealed.

---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 July 22, 2009 at 7:00 PM
AN ORDINANCE ESTABLISHING THE HOBOKEN CITY COUNCIL AS THE APPOINTMENT AUTHORITY FOR THE HOBOKEN ZONING BOARD OF ADJUSTMENT AND CONFIRMING THE GOVERNING BODY'S ROLE AS THE CITY REDEVELOPMENT AGENCY

WHEREAS, N.J.S.A. 40:55D-69 provides that the method of appointment of all members of the Hoboken Zoning Board of Adjustment ("Zoning Board") shall be established by an Ordinance adopted by the Governing Body of the City of Hoboken; and,

WHEREAS, pursuant to Ordinance #R-20, dated November 22, 1993, the Governing Body amended the Code of the City of Hoboken to transfer Zoning Board appointment power to the Mayor; and,

WHEREAS, pursuant to Ordinance #P-14 dated July 13, 1988 (later amended by Ordinance #R-20) the Governing Body authorized the creation of the Hoboken Redevelopment Agency; and,

WHEREAS, said Hoboken Redevelopment Agency was never operative, and the Governing Body has at all times acted as the Redevelopment Agency of the City of Hoboken as authorized by the "Local Redevelopment and Housing Law," N.J.S.A. 40A:12A-2 et seg.; and,

WHEREAS, the Council of the City of Hoboken wishes to vest in itself the power to appoint the members of Hoboken's Zoning Board of Adjustment as permitted by law, and to reaffirm the Governing Body's status as Hoboken's Redevelopment Agency as originally intended by Ordinance P-14 prior to its amendment by Ordinance R-20.

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

SECTION ONE:

Chapter 44 of the Code of the City of Hoboken, entitled "Land Use Procedures," more specifically, Article II, "Zoning Board of Adjustment," Section 44-11, "Establishment, Composition," is hereby amended, in part, as follows, (additions noted by underline, deletions by strikethrough):

§ 44-11. Establishment; composition.

A. A Zoning Board of Adjustment is hereby established pursuant to N.J.S.A. 40:55D-69 et seq., consisting of seven (7) residents of the City of Hoboken appointed by the City Council to serve for terms of four (4) years from January 1 of the year of their appointment. Members of
the Zoning Board of Adjustment shall be appointed by the Mayor City Council. The terms of the members first appointed shall be so determined that, to the greatest practicable extent, the expiration of such terms shall be evenly distributed over the first four (4) years. Thereafter, the term of each member shall be for four (4) years. Nothing in this chapter shall, however, be construed to effect the term of any present members of the Zoning Board of Adjustment, all of whom shall continue in office until the completion of the term for which they were appointed.

B. No change.

C. No change.

D. Alternate members.

(1) Not more than two (2) alternate members, who shall meet the qualifications of Class IV members, may be appointed by the Mayor City Council. Such alternate members shall be designated at the time of appointment as "Alternate No. 1" and "Alternate No. 2." The terms of the alternate members shall be for two (2) years, except that such terms shall be such that the term of not more than one (1) alternate member shall expire in any one (1) year; provided, however, that in no instance shall the term of the alternate member first appointed exceed two (2) years. A vacancy occurring otherwise than by expiration of term shall be filled by the appointing authority for the unexpired term only.

(2) Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of any regular member of the Board. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.

SECTION TWO:

Chapter 37 of the Code of the City of Hoboken, entitled "Hoboken Redevelopment Agency," is hereby repealed in its entirety.

SECTION THREE:

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:

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 FIVE:

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

SECTION SIX:

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.

---Council President 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 JULY 22, 2009 at 7:00 PM.

---Motion duly seconded by Councilwoman Marsh
---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Bhalla, Cunningham, Marsh, Mello, President Zimmer.
---Nays: Castellano, Giacchi, Mason, Russo.

09-15A
---By Councilwoman Mason

RESOLUTION AUTHORIZING THE CITY OF HOBOKEN TO ADVERTISE PUBLIC NOTICES TO ON-LINE NEWSPAPERS

Whereas, the City Council wishes to provide public notice as required in two newspapers, including on-line services (most-visited);

NOW, THEREFORE, BE IT RESOLVED, that all public notices also posted on the following on-line services:

---NJ.com/hobokennow
---Hoboken reporter. Com

Be it further resolved that the City Clerk's office immediately take all necessary steps to comply with the intent and purpose of this resolution.

---Motion duly seconded by Councilman Russo.
**TABLED** by the following vote: YEAS - 5 – NAYS: - 4
---Yeas: Council persons Bhalla, Giacchi, Marsh, Mello, President Zimmer.
---Nays: Castellano, Cunningham, Mason, Russo.

Councilwoman Mason left meeting at 4:20 PM
Councilwoman Mason returned at 4:30PM

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Cheryl Fallick, Jim Vance, Mary Ondrejka, Richard Tremitiedi, Margaret O’Brien, Lane Bajardi, Scott Delea, Maurice DeGennaro, Tony Soares, Keith Furman.

Councilman Russo then adjourned the meeting at 5:00 p.m.
President Zimmer opened the meeting at 7:00 p.m. and stated, "I would like to advise all those present that notice of this meeting has been provided to the public in accordance with the provisions of the Open Public Meeting Act, and that notice was furnished to The Jersey Journal and The Hoboken Reporter, The 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 Bhalla, Castellano, Cunningham, Marsh, Mason, Mello, Russo, Zimmer

ABSENT: Giacchi.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote


AN ORDINANCE ESTABLISHING THE HOBOKEN CITY COUNCIL AS THE APPOINTMENT AUTHORITY FOR THE HOBOKEN ZONING BOARD OF ADJUSTMENT AND CONFIRMING THE GOVERNING BODY'S ROLE AS THE CITY REDEVELOPMENT AGENCY (Referred to
Councilman Cunningham directed the 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.

The speakers who spoke: Scott Seigel, Leon Gold, Ken Ferrante, Keith Furman, Michael Lenz, Tim Occhipinti, Dan Tumpson, Cheryl Fallick, Mary Ondrejka, Hank Forrest, Leah Healy, John Branciforte, Ines Garcia Keim, Lane Bajardi, Hanney Admed, Mike Goldberg, Richard Tremiditi, Curtis Cristal.

Councilman Mello moved that the hearing be closed. Motion duly seconded by Councilman Russo

---TABLED by the following vote: YEAS: 8 – NAYS – 0 – ABSENT – 1

---Yeas: Councilperson Bhalla, Castellano, Cunningham, Marsh, Mason, Mello, Russo, and President Zimmer.

---Nays: None

---Absent: Giacchi

PETITIONS AND COMMUNICATIONS

09-18

A PROCLAMATION FROM MAYOR CAMMARANO RECOGNIZING JOHN DEPALMA FOR HIS SERVICE TO THE CITY OF HOBOKEN AND RENAMING THE CHURCH SQUARE PARK GAZEBO IN HIS HONOR.

WHEREAS, the City of Hoboken has a rich and colorful past, spanning over a century and a half, encapsulating the American experience through its unique characters, distinctive neighborhoods and deeply-rooted traditions; and

WHEREAS, few have taken upon themselves to chronicle and catalogue this history with the distinct ability to share the past and provide a sense of perspective to our current state of affairs; and

WHEREAS, John M. DePalma was such an individual who, with aplomb and sharp wit, could bridge Hoboken’s past and present, thusly providing the Mile Square City’s residents and visitors with a practical perspective of our history; and

WHEREAS, John served as a founding member of the Hoboken Historical Society and enriched the community through his love of music as host of the annual summer music concerts at the Gazebo in Church Square Park; and

WHEREAS, John further dedicated his life to the community through his 17 years of service to the City and citizens of Hoboken as Deputy City Clerk; and
WHEREAS, John was the loving son of John and Loretta DePalma, and is survived by his mother, his former wife, Claire McHale, their daughter Christina Lyon, and her husband Joseph;

NOW, THEREFORE, BE IT PROCLAIMED that I, Peter Cammarano III, Mayor of the City of Hoboken, do hereby honor and celebrate the memory and numerous achievements of John M. DePalma by dedicating the Church Square Park gazebo his name.

---Received and Filed.

09-19

A PROCLAMATION FROM MAYOR CAMMERANO HONORING LITTLE LEAGUE PLAYER ANTHONY BRANDA FOR A PITCHING A PERFECT GAME FOR DOM'S BAKERY.

WHEREAS, Hoboken is renowned as the birthplace of baseball, the Elysian Fields, venue of Alexander Cartwright’s historic match between the New York Nine and the Knickbockers played on June 19, 1846; and

WHEREAS, Hoboken has maintained its place in national baseball history, having produced talent on the Major League level, as well as spawning firsts for our national pastime, such as the first female Little League; and

WHEREAS, on the pleasant summer afternoon of June 14, 2009, one of Hoboken’s Little Leaguers recorded one of the rarest feats for a baseball pitcher: a perfect game; and

WHEREAS, Anthony Branda, pitching for Dom’s Bakery, accomplished the aforementioned feat, striking out 14 of 18 batters while leading his team to a decisive victory over Piccolo’s; and

WHEREAS, Hoboken is proud to honor and recognize those from the Mile Square City, especially Anthony Branda, who continue to excel in the sport of baseball;

NOW, THEREFORE, BE IT PROCLAIMED, THAT I PETER J. CAMMARANO III, Mayor of the City of Hoboken, commend the achievement of Anthony Branda on the day of Sunday, June 14, 2009, for bringing honor to his community and our national pastime by pitching a perfect game of baseball.

---Received and Filed.

09-20

A PROCLAMATION HONORING FORMER COMMUNITY DEVELOPMENT DIRECTOR FRED M. BADO FOR HIS LIFELONG SERVICE TO THE CITY OF HOBOKEN.
WHEREAS, Fred Bado has called Hoboken home his entire life and has dedicated his highly distinguished professional career to the City he calls home; and

WHEREAS, as the City of Hoboken’s Community Development Director, Fred has guided his hometown into the 21st century as one of the most dynamic and acclaimed communities in the entire United States; and

WHEREAS, Fred’s calm demeanor and utmost integrity has resulted in his garnering the respect and admiration of all of his colleagues and innumerable friends; and

WHEREAS, Fred is equally as comfortable standing in the Kitchen Stadium (from the Food Network) with Chef Morimoto or enjoying a screening at the TriBeCa Film Festival as he is sitting across a negotiating table with the most formidable developer; and

WHEREAS, Lutricia Alexander his colleague stated that, “Mr. B has the ability to create the most amazing documents. We would start out with just a paragraph and then with some careful thought create a piece of writing that became more a story than just a file. Let me say, that I certainly will miss Mr. B because he is such an honorable man and the nicest boss I have ever had;” and

WHEREAS, virtually every individual who has had the pleasure of working with Fred shares the sentiments expressed above;

HOBOKEN is proud to honor and recognize one of the Mile Square City’s most beloved sons, Fred Bado, who is truly a man do to be deeply admired;

NOW, THEREFORE, BE IT PROCLAIMED, THAT I PETER CAMMARANO Mayor of the City of Hoboken, commend the achievements of Fred Bado by declaring that for just tonight we call his favorite morning stop Carlo’s Bakery, “Fred’s City Hall Bakery.”

---Received and Filed.

09-21

APPLICATIONS FOR MISCELLANEOUS LICENSES

Raffles ................................................................. 1
Vendor............................................................... 2
Taxicab, Limousine, and Livery Drivers ........................... 30

---Motion duly seconded by Councilman Castellano
---Adopted by the following vote: YEAS: 8 – NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None.
---Absent: Giacchi
REPORTS OF CITY OFFICERS

09-22

Report(s) of the Municipal Court indicating receipts for the month of June 2009 as $395,563.54.

Received and Filed.

09-23

A report from Municipal Tax Collector Sharon Curran for taxes collected for the month of June 30, 2009 - $3,674,811.11. (Abatement Totals -$40,025.92)

Received and Filed.

RESOLUTIONS

09-24

---By Councilwoman Castellano

RESOLUTION AUTHORIZING THE CLOSURE OF A BANK ACCOUNT AT THE RECOMMENDATION OF THE DEPARTMENT OF REVENUE AND FINANCE

WHEREAS, The Department of Revenue and Finance of the City of Hoboken has recommended the closure of the following Bank Account which has been dormant:

City of Hoboken Municipal Alliance      #609006273

NOW, THEREFORE, BE IT RESOLVED, that the Department of Revenue and 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 Provident Bank, which administers the account noted above, shall be furnished with a certified copy of this resolution.

The speakers who spoke: Mo DeGennaro, Scott Siegel, Charles Mancini, Alvaro Liasani, Tim Occhipinti, Mike Stefano.

---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS – 8 – NAYS – 0 – ABSENT -1
---Yeas: Council persons Bhalla, Castellano, Cunningham, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None
---Absent: Giacchi
09-25
---By Councilwoman Castellano

RESOLUTION AUTHORIZING THE CLOSURE OF A BANK ACCOUNT AT THE RECOMMENDATION OF THE DEPARTMENT OF REVENUE AND FINANCE

WHEREAS, The Department of Revenue and Finance of the City of Hoboken has recommended the closure of the following Bank Account which has been dormant:

City of Hoboken Collector of Revenue Redemption #3244003939

NOW, THEREFORE, BE IT RESOLVED, that the Department of Revenue and 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 Capital One Bank, which administers the account noted above, shall be furnished with a certified copy of this resolution.

The speakers who spoke: Mo DeGennaro, Mary Ondrejka, Lane Bajardi.

---Motion duly seconded by Councilman Russo
---Passed by the following vote: YEAS – 8 – NAYS – 0 – ABSENT – 1
---Yeas: Council persons Bhalla, Castellano, Cunningham, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None
---Absent: Giacchi

09-26
---By Councilwoman Castellano

RESOLVED, that filed minutes for the Hoboken City Council regular meetings of February 4; February 18; March 4; Special Meeting of March 11; March 18; April 1; and April 15, 2009 have been reviewed and approved as to legal form and content.

---Motion duly seconded by Councilman Russo
---FAILED by the following vote: YEAS – 2 – NAYS – 3 – ABSTAIN – 3 – ABSENT – 1
---Yeas: Council persons Castellano, Russo.
---Nays: Cunningham, Mason, President Zimmer
---Abstain: Bhalla, Marsh, Mello.
---Absent: Giacchi
09-27
---By Councilman Russo

THIS RESOLUTION AUTHORIZES THE TRANSFER OF FUNDS WITHIN ACCOUNTS IN THE RESERVE YEAR 2009 CURRENT FUND APPROPRIATIONS.

BE IT RESOLVED, that the following SFY 2009 budget Current Fund appropriation reserve transfers are hereby authorized for the City of Hoboken:

<table>
<thead>
<tr>
<th>CURRENT FUND</th>
<th>FROM</th>
<th>TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operations - Within &quot;Caps&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Election O/E</td>
<td>$ 16,000.00</td>
<td></td>
</tr>
<tr>
<td>Streets &amp; Roads O/E</td>
<td>$ 1,500.00</td>
<td></td>
</tr>
<tr>
<td>Public Defender O/E</td>
<td>$ 500.00</td>
<td></td>
</tr>
<tr>
<td>City Clerk O/E</td>
<td></td>
<td>$ 16,000.00</td>
</tr>
<tr>
<td>Solid Waste O/E</td>
<td></td>
<td>$ 1,500.00</td>
</tr>
<tr>
<td>Municipal Court O/E</td>
<td></td>
<td>$ 500.00</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>$ 17,000.00</strong></td>
<td><strong>$ 17,000.00</strong></td>
</tr>
</tbody>
</table>

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

09-28
---By Councilman Russo

THIS RESOLUTION AUTHORIZES AN ANNUAL CONTRACT WITH ALCAZAR COMMUNICATION, INC. TO PROVIDE INTERPRETING SERVICES FOR THE CITY OF HOBOKEN.

WHEREAS, the City of Hoboken operates and maintains a municipal court to address local legal matters, and,

WHEREAS, as a condition of this operation, the City requires the periodic services of a licensed professional interpreter to assist the Court in its' operation and,

WHEREAS, as Alcazar Communication, Inc. has served as the interpreting service to the City for the past several years, this firm has gained special expertise and knowledge of the operation of the Municipal Court; 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 Alcazar Communication, Inc. 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, the funds for this agreement are available in the Municipal Court Other Expense Line (0-01-43-490-021) 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 Alcazar Communication, Inc. to provide professional interpreting 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 Interpreting Services for the City of Hoboken shall be prepared and executed with the following vendor:
   Alcazar Communication, Inc.
   502 Undercliff Avenue
   Edgewater, NJ 07020
   Such firm to be paid a total amount not to exceed $65,000 for the services as set forth by the established hourly rates currently in force.

2. This agreement shall be effective for the SFY 2010 and therefore end on 30 June 2010.

3. The Mayor is hereby authorized to execute a contract with Alcazar Communication, Inc. for professional interpreting 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:11-1 et seq.

5. This resolution shall take effect immediately.

---Motion duly seconded by Councilman Castellano
---Adopted by the following vote: YEAS – 8 – NAYS – 0 – ABSENT -1
---Yeas: Council persons Bhalla, Castellano, Cunningham, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None
---Absent: Giacchi
RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS
FOR THE SFY 2010 BUDGET

WHEREAS, the City of Hoboken is expected to enter into contracts, commitments or payments prior to the adoption of the SFY 2010 budget and no adequate provision has been made in the SFY 2010 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 2010 pursuant to the provisions of N.J.S.A. 40A:4-20 including this resolution total $31,129,632.64 for Current Expenses and $5,474,000.00 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 $462,036.23 for Current Expenses and $0.00 for the Parking Utility as attached on the spreadsheet attached hereto.

City of Hoboken
Temporary Appropriations
SFY 2010

<table>
<thead>
<tr>
<th>Operations Within CAPS</th>
<th>SFY 2009</th>
<th>SFY 2010</th>
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</thead>
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<td>Mayor Office</td>
<td>S/W 205,477.08</td>
<td>53,937.73</td>
</tr>
<tr>
<td></td>
<td>O/E 10,000.00</td>
<td>2,625.00</td>
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<tr>
<td>City Council</td>
<td>S/W 202,366.00</td>
<td>53,121.08</td>
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<td></td>
<td>O/E 5,000.00</td>
<td>1,312.50</td>
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<td>Office of Clerk</td>
<td>S/W 430,000.00</td>
<td>112,875.00</td>
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<td></td>
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<td>Legal Advertising</td>
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<td>Cod of Ordinances</td>
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<td>8,268.75</td>
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<td>Elections</td>
<td>S/W 35,000.00</td>
<td>9,187.50</td>
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<td></td>
<td>O/E 200,000.00</td>
<td>52,500.00</td>
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<tr>
<td>Bus Administrators</td>
<td>S/W 397,436.00</td>
<td>104,326.95</td>
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<td></td>
<td>O/E 13,500.00</td>
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<td>Purchasing</td>
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<td>Licensing Bureau</td>
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<td></td>
<td>O/E 8,000.00</td>
<td>2,100.00</td>
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<td>Personnel &amp; Health Benefits</td>
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<td>O/E 2,400.00</td>
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<td>O/E</td>
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<td>----------------------------------------</td>
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<tr>
<td>Zoning Administration</td>
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<td>Uniform Construction Code</td>
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<td>Special Counsel</td>
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<td>Municipal Court</td>
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<td>Office of Tax Assessor</td>
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<td>Human Services Director</td>
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<td>Rent Leveling</td>
<td>186,948.77</td>
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<td>10,488.03</td>
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<td>Transportation</td>
<td>212,996.66</td>
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<td>Health</td>
<td>478,122.25</td>
<td>111,300.00</td>
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<td>Senior Citizens</td>
<td>406,538.59</td>
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<tr>
<td>Recreation &amp; Cultural Affairs</td>
<td>615,600.00</td>
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<td>Cultural Affairs</td>
<td>87,817.76</td>
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<td>Director Environmental Svc</td>
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<td>Parks</td>
<td>700,000.00</td>
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<td>Public Property</td>
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<td>Streets &amp; Roads</td>
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<td>Emergency Road Repair</td>
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<td>Central Garage</td>
<td>265,000.00</td>
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Meeting of July 22, 2009
<table>
<thead>
<tr>
<th>Department</th>
<th>S/W</th>
<th>O/E</th>
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<tbody>
<tr>
<td>Sanitation</td>
<td>1,870,000.00</td>
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<td>Director Community Develop</td>
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<td>Grants Management</td>
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<td>Zoning Board of Adjustments</td>
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<td>Redevelopment</td>
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<td>Historic Preservation Comm</td>
<td>600.00</td>
<td>157.50</td>
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<td>Police</td>
<td>16,040,000.00</td>
<td>4,210,500.00</td>
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<td>Acquisition of Vehicles</td>
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<td>Fire</td>
<td>13,240,000.00</td>
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<td>General Liability</td>
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<td>4,018,350.00</td>
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<td>Unclassified</td>
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<td>Volunteer Ambulance</td>
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<td>N H Reg Council of Mayor</td>
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<td>Settlements of Claims</td>
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<td>Towing/Storage of Aband Veh</td>
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<td>Labor Arbitrations</td>
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<td>Municipal Dues &amp; Membership</td>
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<td>Celebration of Public Events</td>
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<td>Postage</td>
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<td>Office Machines</td>
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<td>Stationary &amp; Office Supply</td>
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<td>Electricity</td>
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<td>695,000.00</td>
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<td>Gasoline</td>
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<td>Fuel</td>
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<td>Water &amp; Sewer</td>
<td>3,500.00</td>
<td>918.75</td>
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<td>Communications</td>
<td>296,000.00</td>
<td>77,700.00</td>
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<tr>
<td>Tele-Communications Equipment</td>
<td>5,995.00</td>
<td>1,573.69</td>
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<tr>
<td>Salary Adjustment</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Master Plan</td>
<td>15,000.00</td>
<td>3,937.50</td>
</tr>
<tr>
<td>Salary Settlements</td>
<td>3,150,000.00</td>
<td>826,875.00</td>
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<tr>
<td><strong>Sub Total Within CAPS</strong></td>
<td><strong>73,024,573.29</strong></td>
<td><strong>19,168,950.49</strong></td>
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**Statutory Expenditures**

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Social Security System</td>
<td>1,400,000.00</td>
</tr>
<tr>
<td>Consol Police/Fire Pension</td>
<td>31,614.00</td>
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</tbody>
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Meeting of July 22, 2009
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Previous Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unemployment Compensation</td>
<td>65,000.00</td>
<td>17,062.50</td>
</tr>
<tr>
<td>Police/Firemen's Retirement</td>
<td>2,990,345.00</td>
<td>784,965.56</td>
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<td><strong>Subtotal Statutory Expenditures</strong></td>
<td><strong>4,486,959.00</strong></td>
<td><strong>1,177,826.74</strong></td>
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<tr>
<td>Outside Caps</td>
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<tr>
<td>Maintenance of Free Public Library</td>
<td>3,153,055.99</td>
<td>827,677.20</td>
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<tr>
<td>Public Employee Retirement</td>
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<td>156,499.99</td>
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<tr>
<td>Hoboken Housing Authority</td>
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<tr>
<td>Police SW</td>
<td>540,000.00</td>
<td>141,750.00</td>
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<tr>
<td>Matching Funds for Grant</td>
<td>40,000.00</td>
<td>40,000.00</td>
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<tr>
<td><strong>Subtotal Outside caps</strong></td>
<td><strong>4,329,246.41</strong></td>
<td><strong>1,165,927.18</strong></td>
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<tr>
<td><strong>Total Appropriations Included in 26.25% limit</strong></td>
<td><strong>81,840,778.70</strong></td>
<td><strong>21,512,704.41</strong></td>
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<tr>
<td>Capital Improvements Outside &quot;CAPS&quot;</td>
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<td></td>
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<td>Capital Improvement Fund</td>
<td></td>
<td>100,000.00</td>
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<tr>
<td>Computer Technology upgrades</td>
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<td>100,000.00</td>
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<td><strong>Total Capital Improvements From CAP</strong></td>
<td><strong>200,000.00</strong></td>
<td></td>
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<tr>
<td>Municipal Debt Service</td>
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<tr>
<td>Payment Bond Principal</td>
<td>2,885,000.00</td>
<td>3,020,000.00</td>
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<td>Interest on Bonds</td>
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<td>2,046,834.00</td>
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<td>Interest on Notes</td>
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<td>Interest on Tax Anticipation Notes</td>
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<td>Notes Payable</td>
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<td>Green Trust Loan Repayment</td>
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<td>Underground Storage Tank Loan</td>
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<td>Interest of Garage Sale</td>
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<td>950,000.00</td>
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<td>Principal on HCIA Police Car</td>
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<td><strong>Total Municipal Debt</strong></td>
<td><strong>7,750,506.18</strong></td>
<td><strong>8,954,892.00</strong></td>
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<td>Judgment</td>
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<td><strong>Total</strong></td>
<td><strong>89,591,284.88</strong></td>
<td><strong>30,667,596.41</strong></td>
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<tr>
<td>Grants</td>
<td>1,741,170.17</td>
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<td>Deferred Charges</td>
<td>26,247,700.57</td>
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<td><strong>Total Temporary Mun Budget</strong></td>
<td><strong>117,580,155.62</strong></td>
<td><strong>30,667,596.41</strong></td>
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**Parking Utility**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Previous Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary Wages</td>
<td>2,175,011.97</td>
<td>570,940.64</td>
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<tr>
<td>Other Expenses</td>
<td>2,788,394.00</td>
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<tr>
<td><strong>Group Health</strong></td>
<td>1,085,765.00</td>
<td>285,013.31</td>
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</table>

**Statutory Expenditures**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Previous Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Employee Retirement System</td>
<td>108,750.00</td>
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Meeting of July 22, 2009
Social Security System  
Unemployment Compensation Insurance  

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Appropriations Included in 26.25% limit</td>
<td>6,339,681.47</td>
<td>1,664,166.39</td>
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Debt Service

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<thead>
<tr>
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<th>2010</th>
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<tbody>
<tr>
<td>Payment of Bond Principal</td>
<td>1,020,000.00</td>
<td>1,075,000.00</td>
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<tr>
<td>Interest on Bonds</td>
<td>1,077,036.00</td>
<td>1,025,460.00</td>
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<tr>
<td>Payment of Note Interest (916)</td>
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<td>300,000.00</td>
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<tr>
<td>Payment of Note Principal (916)</td>
<td>200,000.00</td>
<td>200,000.00</td>
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<tr>
<td>Trustee Fee</td>
<td>15,000.00</td>
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Total Parking Debt  

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2010</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>2,612,036.00</td>
<td>2,615,460.00</td>
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</table>

Total Temporary Parking Utility Budget  

<table>
<thead>
<tr>
<th></th>
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<th>2010</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>15,291,398.94</td>
<td>4,279,626.39</td>
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</table>

The speaker who spoke: Mo DeGennaro.

VOTE WAS TAKEN TO MAKE AMENDMENTS.

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

VOTE WAS TAKEN AS AMENDED.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS – 7 – NAYS – 1 – ABSENT -1
---Yeas: Council persons Bhalla, Castellano, Cunningham, Marsh, Mello, Russo, President Zimmer.
---Nays: Mason
---Absent: Giacchi

09-30
---By Councilwoman Castellano

BY THIS RESOLUTION THE HOBOKEN CITY COUNCIL AUTHORIZES A 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 “Meal on Wheels” program; and

BE IT FURTHER RESOLVED that the amount to be provided, by the City of Hoboken, for the fiscal year 2010 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.

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

09-31
---By Councilwoman Castellano

THIS 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 2010.

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

09-32
---By Councilwoman Castellano

RESOLUTION AUTHORIZING THE REFUND OF TAX APPEALS HUDSON COUNTY TAX BOARD AND STATE TAX COURT

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the 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 $708.47

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
<th>YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>NASHEL &amp; NASHEL</td>
<td>216/7</td>
<td>511 WASHINGTON ST</td>
<td>2007</td>
<td>$708.47</td>
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<tr>
<td>TRUST ACCOUNT</td>
<td></td>
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<tr>
<td>415 SIXTIETH STREET</td>
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<tr>
<td>WEST NEW YORK, NJ</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>07093</td>
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---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS – 8 – NAYS – 0 – ABSENT -1
---Yeas: Council persons Bhalla, Castellano, Cunningham, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None
---Absent: Giacchi

09-33
---By Councilwoman Castellano

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS

WHEREAS, an overpayment of taxes has been made on property listed below: and
**WHEREAS,** Sharon Curran, 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 $24,267.82

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LT/UNIT</th>
<th>PROPERTY</th>
<th>QTR/YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>SAGE TITLE AGENCY, INC.</td>
<td>17/34/C02-A</td>
<td>80-84 JEFFERSON ST</td>
<td>2/09</td>
<td>$148.29</td>
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<tr>
<td>39 EAST MAIN STREET, 2ND FLOOR</td>
<td></td>
<td>LITTLE FALLS, NJ 07424</td>
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<tr>
<td>METLIFE HOME LOANS</td>
<td>25/1/C003M</td>
<td>700 FIRST STREET</td>
<td>2/09</td>
<td>$1,828.88</td>
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<tr>
<td>C/O TOTAL MORTGAGE SOLUTIONS, LP</td>
<td></td>
<td>1555 WALNUT HILL LANE STE, 200-A</td>
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</tr>
<tr>
<td>IRVING, TX 75038</td>
<td></td>
<td>LOAN #0071138457</td>
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<td>CHASE HOME FINANCE</td>
<td>25/1/C005P</td>
<td>700 FIRST STREET</td>
<td>2/09</td>
<td>$2,499.74</td>
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<td>3415 VISION DRIVE</td>
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<td>COLUMBUS, OH 43219-6009</td>
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<td>JOSEPH SIMON</td>
<td>29/2/C0005</td>
<td>512 FIRST STREET</td>
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<td>15 DEERFIELD ROAD</td>
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<td>DARIEN, CT 06820</td>
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<td>WILLIAM TIMONY</td>
<td>61/13/C0005</td>
<td>422 GRAND STREET</td>
<td>1/09</td>
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<tr>
<td>422 GRAND STREET #5</td>
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<td>VINCENT GUINTA</td>
<td>67/10/C002B</td>
<td>519 MONROE STREET</td>
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<td>519 MONROE STREET #2B</td>
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<td>GARY WU</td>
<td>82/11/C0P17</td>
<td>727 MONROE ST</td>
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<td>AMANDA VOETSCH</td>
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<td>DANIEL KIRSCHBAUM</td>
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<td>JAMES BOSWORTH</td>
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<td>GMAC</td>
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<td>1026 WASHINGTON ST</td>
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Meeting of July 22, 2009
---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS – 8 – NAYS – 0 – ABSENT -1
---Yea: Council persons Bhalla, Castellano, Cunningham, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None
---Absent: Giacchi

09-34
---By Councilwoman Castellano

RESOLUTION AUTHORIZING TAX OVERPAYMENTS

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

WHEREAS, Sharon Curran, 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 $9,192.84

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LT/UNIT</th>
<th>PROPERTY</th>
<th>QTR/YEAR</th>
<th>AMOUNT</th>
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<td>P &amp; D HOBOKEN, LLC</td>
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<td>P.O. BOX 86</td>
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<td>PARK RIDGE, NJ 07656</td>
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<tr>
<td>JOSEPH &amp; ANTHONY FLORIO</td>
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<td>213 MONROE ST</td>
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<td>100 MANHATTAN AVE. #1811</td>
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<td>715 MADISON LLC</td>
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<td>SUPERMARKETS LLC</td>
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</table>
---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS – 8 – NAYS – 0 – ABSENT -1
---Yeas: Council persons Bhalla, Castellano, Cunningham, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None
---Absent: Giacchi

09-35
---By Councilman Russo

RESOLUTION AUTHORIZING A SENIOR CITIZEN DEDUCTION

WHEREAS, A Senior Citizen Deduction in the amount of $250.00 was disallowed for the year 2008 in error. The recipient of the deduction was unclear and has been recertified as Clara Castellano and is entitled to the Senior Citizen deduction for 2008.

THEREFORE, BE IT RESOLVED: that a warrant be issued to the order of the following:
Clara Castellano
136 Park Avenue
Hoboken, NJ 07030

The speaker who spoke: Donna Antonucci.

---Motion duly seconded by Councilwoman Marsh
---Adopted by the following vote: YEAS – 7 – NAYS – 0 – ABSTAIN - 1 ABSENT -1
---Yeas: Council persons Bhalla, Cunningham, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None
---Abstain: Castellano
---Absent: Giacchi

09-36
---By Councilman Russo
RESOLUTION OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON,  
STATE OF NEW JERSEY (THE “LOCAL UNIT”) AUTHORIZING THE  
LOCAL UNIT’S PARTICIPATION IN THE POOLED NOTE FINANCING PROGRAM  
OF THE HUDSON COUNTY IMPROVEMENT AUTHORITY

WHEREAS, the City of Hoboken, in the County of Hudson, State of New Jersey (the Local Unit”), has previously duly adopted: (i) various bond ordinances authorizing the issuance of bonds or notes to finance the costs of various capital improvements (the “Capital Improvement Project”) and (ii) a resolution authorizing the issuance of tax anticipation notes to fund purposes provided for in the budget or for which taxes are levied for the current year in anticipation of the collection of taxes during the 2009-2010 FY (the “TAN Project” and, together with the Capital Improvement Project, the “Local Unit Project”); and

WHEREAS, the Local Unit has issued or desires to issue notes to temporarily finance the Local Unit Projects; and

WHEREAS, the Local Unit believes that the recent financial crisis in the United States has caused extreme volatility in the short term note market for municipalities resulting in the following problems: (1) market access problems due to the liquidity issues of traditional investors, (2) shrinking investor pools to purchase municipal notes, (3) a reduced number of bids and in some instances no bids at municipal note sales, (4) unpredictable interest rates causing interest rate risk and budgeting problems and (5) increased costs due to investors unwilling to purchase unrated municipal notes and municipal notes without disclosure, causing municipalities to have municipal notes rated and disclosure documents prepared; and

WHEREAS, the Local Unit has reviewed the Pooled Note Financing Program proposed by the Hudson County Improvement Authority (the “HCIA”), whereby the Local Unit would either rollover its existing notes and/or issue new notes (collectively, the “Local Unit Notes”) through the Pooled Note Financing Program of the HCIA; and

WHEREAS, the Local Unit believes that the HCIA’s Pooled Note Financing Program cures many of the problems of the volatile note market by providing (1) market access to sell the Local Unit Notes, (2) a certain investor pool to purchase the Local Unit Notes, (3) a guaranteed purchaser of the Local Unit Notes, (4) a more predictable interest rate, whereby the Local Unit will benefit from reduced interest costs as a result of a guaranty by the County of Hudson, State of New Jersey (the “County Guaranty”) on the debt service of the HCIA Pooled Note Financing Program, and (5) decreased costs due to all the local units in the Pooled Note Financing Program; and

WHEREAS, for its taxpayers, especially during this time of financial crisis, is of utmost importance to its community and accordingly, the Local Unit desires to issue its Local Unit Notes through the Pooled Note Financing Program of the HCIA; and

WHEREAS, such Local Unit Notes shall be issued in accordance with the provisions of the Local Bond Law, NJSA 40A:2-1 et. seq. and/or the Local Budget Law, N.J.S.A. 40A:4-1 et. seq.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBOKEN AS FOLLOWS:
Section 1. The Local Unit hereby authorizes the Local Unit’s participation in the HCIA Pooled Note Financing Program.

Section 2. The Local Unit consents to the HCIA’s application to the Local Finance Board of the Division of Local Government Services, in the New Jersey Department of Community Affairs (the “Local Finance Board”) in connection with the Pooled Note Financing Program.

Section 3. The Chief Financial Officer of the Local Unit is hereby authorized, to or direct the appropriate party to, enter into one or more loans with the HCIA and is further authorized to execute one or more notes purchase contracts, loan agreements and any and all documents, certificates, opinions and other instruments that are necessary and as may be reasonably required by the Authority in connection with such loan, after consultation with council to the Local Unit.

Section 4. This resolution shall take effect immediately.

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

09-37
---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, 2009, 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 $10,000,000.00, in accordance with the Local Budget Law. Each such Tax Anticipation Note shall be designated “Tax Anticipation Note of 2009,” 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 area 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 $10,000,000.00 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 July 22, 2009, the Chief Financial Officer executed a certificate setting forth the gross
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 of Hoboken 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 provision 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 and credit of the City are hereby pledged to the punctual payment of the principal of 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.

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

---By Councilman Castellano
RESOLUTION CONFIRMING THE CITY OF HOBOKEN'S SUPPORT OF THE
HOBOKEN VOLUNTEER AMBULANCE CORPS BY VIRTUE OF A TOTAL ANNUAL
CONTRIBUTION OF TWO HUNDRED FIFTY-THREE THOUSAND THREE
HUNDRED DOLLARS.

WHEREAS, the City Council desires to support the Hoboken Volunteer Ambulance
Corps (HVAC); and,

WHEREAS, the City of Hoboken will appropriate the sum of $253,300.00 SFY 10 for
the HVAC, as a municipal contribution toward the support of the HVAC; and,

WHEREAS, $213,300.00 of this appropriation to the HVAC will be allocated towards
payment of general liability insurance coverage for the HVAC; and,

NOW, THEREFORE, BE IT RESOLVED, that the remaining $40,000.00, as a
contribution for operating expenses of the HVAC, will be disbursed as follows: the City
Treasurer shall upon adoption of this Resolution pay to the order of the HVAC the sum of
$20,000 as a semi-annual payment with the balance of $20,000 payable in the March
Quarter of fiscal year 2010; and,

BE IT FURTHER RESOLVED, that funds for this payment are available in the
approved Temporary Budget line item appropriation titled Unclassified, Hoboken Volunteer
Ambulance Corps, Account # 0-01-25-260-020.

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

ORDINANCES

Introduction and First Reading

Z-3 NO SPONSORS FOR THIS ORDINANCE

AN ORDINANCE ESTABLISHING THE SALARIES OF MAYOR, COUNCIL AND
DEPARTMENT HEADS.

WHEREAS, the City of Hoboken is governed by the Faulkner Act Mayor-Council
form of government; and,

WHEREAS, pursuant to the Faulkner Act, N.J.S.A. 40:69A-180, the salary, wages or
other compensation paid to the Mayor and members of the City Council must be fixed by the
council immediately upon reorganization; and,
WHEREAS, N.J.S.A. 40:69A-180 further provides that the compensation of all department heads shall be also fixed by the council upon reorganization; and,

WHEREAS, N.J.S.A. 40:69A-43a provides that the salary, wages or other compensation paid to all other municipal employees is established by the Mayor, except as specifically otherwise provided by law; and

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

SECTION ONE

The annual salary for the Mayor of Hoboken, effective July 1, 2009, shall be $129,894. The Mayor shall be entitled to equivalent benefits as are set forth in the current collective bargaining agreement between the City and the Hoboken Municipal Supervisors Association.

SECTION TWO

The annual salary for a member of the Hoboken City Council, effective July 1, 2009, shall be $24,130. The annual salary for the Hoboken City Council President, effective July 1, 2009, shall be $26,541. All members of the Hoboken City Council shall be entitled to receive equivalent health care benefits as are set forth in the current collective bargaining agreement between the City and the Hoboken Municipal Supervisors Association but shall not receive any other benefits.

SECTION THREE

The base annual salary for Department Heads (Directors) with the exception of the Director of Public Safety, effective July 1, 2009 shall be determined by the Mayor but in no event shall exceed $115,000 annually. The base salary for the Director of Public Safety effective July 1, 2009, shall also be determined by the Mayor but in no event shall exceed $27,500. All Directors shall be entitled to applicable benefits as are set forth in the current collective bargaining agreement between the City and the Hoboken Municipal Supervisors Association with the exception of any longevity accrued prior to taking the office of Director.

SECTION FOUR

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
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

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

SECTION SEVEN

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.

---FAILED by the following vote: YEAS: 2 - NAYS: 6 – ABSENT: 1
---Yeas: Council persons Castellano, Russo.
---Nays: Bhalla, Cunningham, Marsh, Mason, Mello, President Zimmer.
---Absent: Giacchi

09-39
Z-4

AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE CITY OF HOBOKEN TO ADD A NEW CHAPTER GOVERNING THE ACCEPTANCE OF GIFTS BY OFFICIALS AND EMPLOYEES OF THE CITY OF HOBOKEN.

WHEREAS, the Mayor and Council of the City of Hoboken wish to set forth strong and lasting rules governing proper ethical conduct by City officials and employees; and

WHEREAS, the Governing Body believes that by establishing an ordinance setting forth strict rules regarding the acceptance of gifts by municipal officials and employees, it will send a signal to the public at large that the City of Hoboken will not tolerate any conduct that could be perceived as detrimental to the public interest;

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the City of Hoboken that Code of the City of Hoboken is hereby supplemented and amended to add a new chapter as follows:

SECTION ONE:
The Code of the City of Hoboken is amended to add a new section, which shall read as follows:

A. Gift Policy of the City of Hoboken. No officer or employee of the City of Hoboken shall directly solicit any gift or accept or receive any gift having a value of $25.00 or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise or any other form, under circumstances in which it could reasonably be inferred that such gift was intended to influence the officer or employee, or could reasonably be expected to influence the officer or employee in the performance of official duties or was intended as a regard for any official action on the officer's or employee's part.

Unsolicited gifts, or benefits of nominal value, such as complimentary articles offered to the public in general, and gift received as a result of mass advertising mailings to the general business public may be retained by the employee or employee's department for general use if such use does not create an impression of a conflict of interest or a violation of the public trust.

Unsolicited gifts of a perishable nature, such as food, may be donated to a non-profit entity holding 501 (c) status by the United States Internal Revenue Service. All other unsolicited gifts shall be immediately returned to the sender.

This policy shall not be applicable to political campaign contributions made pursuant to federal and state election law, provided said contributions are in full compliance with the City's Public Contracting Reform Ordinance, §20A-11 et. seq. of the Code of the City of Hoboken.

B. Effect of Policy. This policy shall supersede any previous gift policy established by the City, including any employee handbook promulgated and distributed to City employees.

C. Penalties. Any violations of the foregoing policy shall subject to the violator to appropriate discipline pursuant to the established policies of the City as well as the rules and regulations of the New Jersey Civil Service Commission, and a report of the violation shall be transmitted to the Local Finance Board within the New Jersey Department of Community Affairs for review as a potential violation of the New Jersey Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et. seq.

SECTION TWO:

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.

Council President 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 August 5, 2009 at 7:00 PM.
---Motion duly seconded by Councilman Marsh
---Adopted by the following vote: YEAS: 6 - NAYS: 2 – Absent: 1
---Yeas: Council persons Bhalla, Cunningham, Marsh, Mason, Mello, President Zimmer
---Nays: Castellano, Russo.
---Absent: Giacchi

AN ORDINANCE AMENDING AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOBOKEN ADOPTING A REDEVELOPMENT PLAN FOR THE NORTHWEST INDUSTRIAL AREA (APPENDIX A TO CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN)

TABLED NO ACTION TAKEN (COUNCILMAN CUNNINGHAM RECOMMENDED THIS ORDINANCE BE SENT TO SUB-COMMITTEE FOR FURTHER REVIEW AND AMENDMENTS.)

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Ellen LoPresto, Patricia Waiters, Mo DeGennaro, Kathleen Temple, Leon Gold, Scott Siegel, Mark Villamar, Tom K, Steve Silkmes, Ron Simmon, Leah Healy, Michael Lenz, Cheryl Fallick, Mary Ondrejka, Dan Tumpson, Richard Tremitiedi, John Branciforte, Lane Bajardi, Curtis Crystal.

Councilman Russo then adjourned the meeting at 11:10 p.m.

________________________________________________________
PRESIDENT OF THE COUNCIL
President Zimmer opened the meeting at 7:00 p.m. and stated, "I would like to advise all those present that notice of this meeting has been provided to the public in accordance with the provisions of the Open Public Meeting Act, and that notice was furnished to The Jersey Journal and The Hoboken Reporter, The 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 Bhalla, Cunningham, Giacchi, Marsh, Mason, Mello, and President Zimmer

ABSENT: Castellano, Russo

ORDINANCES

Second Reading and Public Hearing and Final Vote


President Zimmer directed the City Clerk to announce the Council would consider for final passage the aforesaid ordinance and all persons interested at the time would be given an opportunity to be heard concerning said ordinance of which the heading was read in full.
Councilman Cunningham and Councilwoman Marsh motion to removed the above ordinance from the agenda.

---TABLED BY THE FOLLOWING VOTE: YEAS – 7 - NAYS – 0
Yeas: Council persons: Bhalla, Cunningham, Giacchi, Marsh, Mason, Mello, and President Zimmer.
---Nays: None
---Absent: Castellano, Russo.

AN ORDINANCE ESTABLISHING THE HOBOKEN CITY COUNCIL AS THE APPOINTMENT AUTHORITY FOR THE HOBOKEN ZONING BOARD OF ADJUSTMENT AND CONFIRMING THE GOVERNING BODY’S ROLE AS THE CITY REDEVELOPMENT AGENCY. (ORD. Z-2) (was referred to sub-committee for review

At 7:22 PM on a motion by Councilman Giacchi and duly seconded by Councilman Cunningham and voted on unanimously by City Council entered into the Executive Closed Session.

At 7:58 PM on a motion by Councilwoman Mason and duly seconded by Council President Zimmer and voted unanimously the City Council came out of Executive Closed Session and resumed the meeting to the public as follows:

Councilwoman Mason makes motion to amend ordinance
---Motion duly seconded by Councilman Cunningham
---YEAS – 7 – NAYS – 0 – ABSENT – 2
---Yeas: Council persons Bhalla, Cunningham, Giacchi, Marsh, Mason, Mello, and President Zimmer.
---Nays: None
---Absent: Castellano, Russo

PETITIONS AND COMMUNICATIONS

09-41

A communication from Mayor Peter Cammarano resigning the position of Mayor of the City of Hoboken.

July 31, 2009

Honorable James J. Farina
Hoboken City Clerk
94 Washington Street
Hoboken, NJ 07030

Dear Mr. Farina:
I hereby resign my position as Mayor of the City of Hoboken, effective 12:00 noon on this date.

It has been my hope and expectation that I could remain in office and perform my official duties until I had the opportunity to resolve the legal charges against me in court. Regrettably, it has turned out that the controversy surrounding the charges against me has become a distraction to me and an impediment to the functioning of Hoboken government. This controversy has also been a terrible burden on my family. Accordingly, it is in the best interest of the City and all concerned for me to resign.

I apologize to the residents of Hoboken for the disruption and disappointment this case has caused. However, I would like to reiterate that I am innocent of any criminal charges and I intend to fight the allegations against me.

Sincerely,

Peter J. Cammarano III
Mayor

---Received and filed.

09-42

APPLICATION FOR MISCELLANOUS LICENSES

Vendor-----------------------------------------------4
Parking Facilities------------------------------------- 1

---Councilman Cunningham moved that the licenses be granted.
---Motion duly seconded by Councilman Giacchi
---Adopted by the following vote: YEAS – 7 – NAYS – 0 – ABSENT – 2
---Yeas: Council persons Bhalla, Cunningham, Giacchi, Marsh, Mason, Mello, and President Zimmer.
Nays: None.
Absent: Castellano, Russo.

09-43


Received and Filed.
---BY Councilman Cunningham

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS WITHIN ACCOUNTS IN THE RESERVE YEAR 2009 CURRENT FUND APPROPRIATIONS

BE IT RESOLVED, that the following SFY 2009 budget Current Fund appropriation reserve transfers are hereby authorized for the City of Hoboken:

CURRENT FUND

<table>
<thead>
<tr>
<th>TO</th>
<th>FROM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operations - Within &quot;Caps&quot;</td>
<td></td>
</tr>
<tr>
<td>Election O/E</td>
<td>$ 2,500.00</td>
</tr>
<tr>
<td>Unemployment Ins O/E</td>
<td>$14,500.00</td>
</tr>
<tr>
<td>Street Lights O/E</td>
<td>$ 4,000.00</td>
</tr>
<tr>
<td>Codification O/E</td>
<td>$ 2,500.00</td>
</tr>
<tr>
<td>Social Security O/E</td>
<td>$14,500.00</td>
</tr>
<tr>
<td>Electricity O/E</td>
<td>$ 4,000.00</td>
</tr>
</tbody>
</table>

TOTALS $21,000.00 $21,000.00

---Motion duly seconded by Councilman Giacchi
---Adopted by the following vote: YEAS – 7 – NAYS – 0 – ABSENT – 2
---Yeas: Council persons Bhalla, Cunningham, Giacchi, Marsh, Mason, Mello, and President Zimmer.
---Nays: None
---Absent: Castellano, Russo.

09-45
---By Councilman Cunningham

A RESOLUTION AUTHORIZING THE CLOSURE OF BANK ACCOUNTS AT THE RECOMMENDATIONS OF THE DEPARTMENT OF REVENUE AND FINANCE

WHEREAS, The Department 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 Collector of Revenue #3982549738
City of Hoboken Tax Collector Redemption #3452441504
NOW, THEREFORE, BE IT RESOLVED, that the Department 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 accounts; and be it further RESOLVED, that the TD North Bank, which administer the accounts noted above shall be furnished with a certified copy of this resolution.

---Motion duly seconded by Councilman Giacchi
---Adopted by the following vote: YEAS – 7 – NAYS – 0 – ABSENT – 2
---Yeas: Council persons Bhalla, Cunningham, Giacchi, Marsh, Mason, Mello, and President Zimmer.
Nays: None.
Absent: Castellano, Russo.

09-46
---By Councilman Cunningham

A RESOLUTION AUTHORIZING LEGAL DEPOSITORIES OF THE CITY OF HOBOKEN TO HONOR CHECKS, DRAFTS, OR OTHER ORDERS FOR THE PAYEMENT OF MONEY BEARING THE SIGNATURE OF ACTING MAYOR DAWN ZIMMER.

WHEREAS, the following banks were hereby designated as the legal depositories of the City of Hoboken for SFY 2010 at the Hoboken City Council’s meeting of July 1, 2009:

Bank of America  BCB Community Bank
Capital One  Citi Bank
Haven Savings Bank  J P Morgan Chase Bank
PNC Bank  Provident Savings Bank
Sovereign Bank  TD Bank
Valley National Bank  Wells Fargo

WHEREAS, due to the resignation of Peter J. Cammarano from the office of Mayor of Hoboken, Council President Dawn Zimmer has assumed the position of Acting Mayor;

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:

Dawn Zimmer, Acting Mayor
George De Stefano, CMFO
RESOLVED, that said legal depositories as above stated shall be entitled to honor and charge to the specified accounts of the City of Hoboken such checks, drafts, or other regardless of by whom or by what means the actual or purported facsimile signature or signatures 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

Dawn Zimmer, Acting Mayor
George DeStefano, CMFO

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 – 7 – NAYS – 0 – ABSENT – 2
---Yea: Council persons Bhalla, Cunningham, Giacchi, Marsh, Mason, Mello, and President Zimmer.
Nays: None.
Absent: Castellano, Russo.

09-47

A RESOLUTION AUTHORIZING TO SUBMIT AN APPLICATION TO GREEN ACRES FOR FUNDING FOR THE HOBOKEN SOUTHWEST PARKLAND ACQUISITION.

State of New Jersey, Department of Environmental Protection Green Acres Enabling Resolution

WHEREAS, the NJ 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 applying for and obtaining funding in the amount of up to $3,000,000.00 from the State to fund the following project(s): The acquisition of City of Hoboken Blocks 2, 10, 11, 12 and 14 (approximately 6 acres of vacant land) for future development as parkland, commonly referred to as the Hoboken Southwest Park Land Acquisition;
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 RESOLVED by the Council of the City of Hoboken that Acting Mayor Dawn Zimmer or her successor to the office of Mayor is hereby authorized to:

(a) make application for such a loan and/or 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

The speakers who spoke: Mo DeGennaro, Scott Siegel, Christopher Gizzi.

---Motion duly seconded by Councilman Giacchi
---Adopted by the following vote: YEAS – 7 – NAYS – 0 – ABSENT – 2
---Yeas: Council persons Bhalla, Cunningham, Giacchi, Marsh, Mason, Mello, and President Zimmer.
Nays: None.
Absent: Castellano, Russo.

09-48
---By Councilman Cunningham

A RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS

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

WHEREAS, Sharon Curran, 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 $38,071.08

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LT/UNIT</th>
<th>PROPERTY</th>
<th>QTR/YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>FDIC RECVR FOR</td>
<td>22/10/C02-D</td>
<td>251-255 FIRST ST</td>
<td>1/09</td>
<td>$3,769.52</td>
</tr>
<tr>
<td>FRANKLIN BANKS, SSF</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9800 RICHMOND AVE. #680</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HOUSTON, TX 77042</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RICHARDS, DENISE &amp;</td>
<td>66/27/C0408</td>
<td>510 MONROE ST.</td>
<td>1/09</td>
<td>$1,583.97</td>
</tr>
</tbody>
</table>

Meeting of August 5, 2009
<table>
<thead>
<tr>
<th>Name</th>
<th>Address, Note</th>
<th>Street</th>
<th>City, State</th>
<th>Payment Date</th>
<th>Amount</th>
<th>Mortgage Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>KENNETH</td>
<td>510 MONROE STRET #408</td>
<td></td>
<td>HOBOKEN, NJ</td>
<td>4/08</td>
<td>$148.56</td>
<td>EXCEL1</td>
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<tr>
<td>LYNAM, BRITTE A</td>
<td>76/11.1//C08GB 635 MADISON ST</td>
<td>4/08</td>
<td>$125.31</td>
<td>EXCEL1</td>
<td></td>
<td></td>
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<tr>
<td>WELLS FARGO HOME</td>
<td>82/11/C0P-2 727 MONROE ST.</td>
<td>4/07</td>
<td>$1,526.45</td>
<td>EXCEL1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WELLS FARGO HOME</td>
<td>82/11/C0403 727 MONROE ST.</td>
<td>4/08</td>
<td>$1,583.97</td>
<td>EXCEL1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CHASE HOME FINANCE</td>
<td>84/14/C005C 730-732 ADAMS ST</td>
<td>4/08</td>
<td>$2,217.66</td>
<td>EXCEL1</td>
<td></td>
<td></td>
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<tr>
<td>WASHINGTON MUTUAL</td>
<td>214.1/26/C0PS3 318 HUDSON STREET</td>
<td>1/09</td>
<td>$1,399.94</td>
<td>EXCEL1</td>
<td></td>
<td></td>
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<tr>
<td>OCEAN FIRST BANK</td>
<td>268.1/2/C002L 1500 WASH. ST</td>
<td>1&amp;2/09</td>
<td>$12,996.25</td>
<td>EXCEL1</td>
<td></td>
<td></td>
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<tr>
<td>JOSEPH LOMBARDO</td>
<td>268.1/3/C008D 1500 WASH. ST</td>
<td>1/09</td>
<td>$1,862.26</td>
<td>EXCEL1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ELIAS, PATRICK</td>
<td>268.1/3/C008H 1500 WASH ST.</td>
<td>1&amp;2/09</td>
<td>$8,803.38</td>
<td>EXCEL1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CHRISTOPHER &amp; MARY</td>
<td>268.1/3/C008P 1500 HUDSON ST</td>
<td>1/09</td>
<td>$1,783.44</td>
<td>EXCEL1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
---Motion duly seconded by Councilman Giacchi
---Adopted by the following vote: YEAS – 7 – NAYS – 0 – ABSENT – 2
---Yeas: Council persons Bhalla, Cunningham, Giacchi, Marsh, Mason, Mello, and President Zimmer.
Nays: None.
Absent: Castellano, Russo

09-49
---By Councilman Cunningham

A RESOLUTION AUTHORIZING THE REPLACEMENT OF LOST ASSIGNMENT TAX SALE CERTIFICATE SOLD TO FRANK TATTOLI

WHEREAS, on April 4, 2003, the City of Hoboken assigned a tax sale certificate for 157 A Sixth Street, also known as Block 192, Lot 47, on the tax map of the City of Hoboken, to Frank Tattoli; and

WHEREAS, Frank Tattoli, the assigned lienholder, lost the original assignment certificate issued on April 4, 2003; and

WHEREAS, the Tax Collector of the City of Hoboken has requested the Council authorize the issuance of a duplicate assignment certificate to Frank Tattoli pursuant to P.L. 1997, c.99.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken, that the Tax Collector is authorized to issue a duplicate assignment certificate to Frank Tattoli.

---Motion duly seconded by Councilman Giacchi
---Adopted by the following vote: YEAS – 7 – NAYS – 0 – ABSENT – 2
---Yeas: Council persons Bhalla, Cunningham, Giacchi, Marsh, Mason, Mello, and President Zimmer.
Nays: None.
Absent: Castellano, Russo

ORDINANCES

Introduction and First Reading

09-50
Z-5

AN ORDINANCE ESTABLISHING THE SALARIES OF MAYOR, COUNCIL AND DEPARTMENT HEADS.
WHEREAS, the City of Hoboken is governed by the Faulkner Act Mayor-Council form of government; and,

WHEREAS, pursuant to the Faulkner Act, N.J.S.A. 40:69A-180, the salary, wages or other compensation paid to the Mayor and members of the City Council must be fixed by the council immediately upon reorganization; and,

WHEREAS, N.J.S.A. 40:69A-180 further provides that the compensation of all department heads shall be also fixed by the council upon reorganization; and,

WHEREAS, N.J.S.A. 40:69A-43a provides that the salary, wages or other compensation paid to all other municipal employees is established by the Mayor, except as specifically otherwise provided by law; and

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

SECTION ONE

The annual salary for the Mayor of Hoboken, effective July 1, 2009, shall be $116,904.60. The Mayor shall be entitled to equivalent benefits as are set forth in the current collective bargaining agreement between the City and the Hoboken Municipal Supervisors Association.

SECTION TWO

The annual salary for a member of the Hoboken City Council, effective July 1, 2009, shall be $24,130. The annual salary for the Hoboken City Council President, effective July 1, 2009, shall be $26,541. All members of the Hoboken City Council shall be entitled to receive equivalent health care benefits as are set forth in the current collective bargaining agreement between the City and the Hoboken Municipal Supervisors Association but shall not receive any other benefits.

SECTION THREE

The annual salary for Department Heads (Directors), effective July 1, 2009 shall be determined by the Mayor but in no event shall exceed $115,000 annually, except for the Director of Public Safety whose salary shall not exceed $27,500 annually. All Department Heads shall be entitled to equivalent benefits as are set forth in the current collective bargaining agreement between the City and the Hoboken Municipal Supervisors Association, but shall not receive longevity pay.

SECTION FOUR

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
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

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

SECTION SEVEN

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 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 2, 2009 at 7 PM

Motion duly seconded by Councilwoman Marsh
---Adopted for introduction by the following vote: YEAS: 6 - NAYS: 1 – ABSENT: 2
---Nays: Mason
---Absent: Castellano, Russo.

NEW BUSINESS

Acting Mayor Zimmer thanks everyone for their support and especially the acting Directors and the City will be taking resumes for all the Directors positions and on starting Friday on the Hoboken’s website and various other websites. (two others)

Acting Mayor Zimmer asked Councilwoman Mason to review all resumes from the Housing Authority - both will discuss further.

Acting Mayor Zimmer will meet with Director Labruno about putting back in service the shuttle – will address timeline.
Councilwoman Mason announce the Quality of Life Coalition will hold a community meeting Wednesday, August 19th at 7:00 pm – 9:00 pm at St. Matthew’s Parish 8th & Hudson Streets.

Would like to address two resolutions for the next meeting. One is to be adding Council Correspondence to the Agenda – have the Administration Committee re-look at the Council by-laws so that all correspondence from Council, Mayor will speak to Councilman Russo who is the chair for this Committee.

At the last meeting Councilwoman Mason handed out a Resolution titled, Request Corporation Counsel Issue – “Notice of Default” regarding Property holders of redevelopment zones who have filed bankruptcy. This was not on today’s agenda.

Corporation Counsel wants to speak to Mr. Litman regarding this resolution.

Also, another resolution presented at the last meeting was Request Planning Board Recommendation on the creation of a pedestrian mews and school drop-off/turn-around on Garden Street between 14th and 15th streets.

Corporation Counsel Kleinman stated 14th Street and Garden Street are county roads and that the last paragraph of the resolution should be eliminated after doing so a vote was taken by the City Clerk.

Councilwoman Mason spoke to Councilman Mello regarding the resolution and he welcomed her to speak before the Planning Board. Councilwoman Marsh apologized for not getting back to Councilwoman Mason regarding this resolution.

Councilman Cunningham at this time, informed the public that a workshop for Pedestrian Safety will take place with the cooperation of the Police Department. The workshop will be held in Wallace School on or about September 17th. Further information will be given when there is a definite date decided.

09-50A
---By Councilwoman Mason

A RESOLUTION TO REQUEST PLANNING BOARD RECOMMENDATION ON THE CREATION OF A PEDESTRIAN MEWS AND SCHOOL DROP-OFF/TURN-AROUND ON GARDEN STREET BETWEEN 14TH AND 15TH STREETS

WHEREAS, 1415 Park Avenue is scheduled to house a school with a drop-off and turn-around zone located on the Garden Street side of the building, and;

WHEREAS, concern for child and pedestrian safety are paramount and this cobblestone walk will better serve the community as a safety buffer as well as open space to be used by residents of the neighborhood and by the city for events; and;

WHEREAS, the portion of Garden Street, beginning at the intersection of 14th Street and running north approximately 100 feet, has not served as a major thoroughfare for the City of Hoboken in recent years; and
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, County of Hudson, State of New Jersey, does proposal creation of a “pedestrian mews” at the cobblestone section of Garden Street beginning at the intersection of 14th Street and extending north approximately 100 feet and that the section be closed to automobile traffic, and that this matter be referred to the Planning Board of the City of Hoboken for review and recommendation, approval, and;

Motion duly seconded by Councilman Cunningham
---Adopted by the following vote: YEAS: 7 - NAYS: 0 – ABSENT: 2
---Yeas: Council persons Bhalla, Cunningham, Giacchi, Marsh, Mason, Mello and President Zimmer.
---Nays: None.
---Absent: Castellano, Russo.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Patricia Waiters, Richard Tremitiedi, Charles Mancini, Scott Siegel, Dan Tumpson, Cheryl Fallick, Mary Ondrejka, Dave Axelrod, Jim Doyle, Jim Vance, Lynda Walker, Lane Bajardi, Scott Delea, Richard Pasquerilli.

Councilman Giacchi then adjourned the meeting at 9:51 p.m.

___________________________________________

PRESIDENT OF THE COUNCIL
President Zimmer 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 Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer

ABSENT: None.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote


The above ordinance Z-1 is continued to the next city council meeting.
AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE CITY OF HOBOKEN TO ADD A NEW CHAPTER GOVERNING THE ACCEPTANCE OF GIFTS BY OFFICIALS AND EMPLOYEES OF THE CITY OF HOBOKEN (ORD. Z-4)

President Zimmer 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 speaker who spoke: Mo DeGennaro.

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

Council President Zimmer 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 Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, and President Zimmer.
---Nays: None.

AN ORDINANCE ESTABLISHING THE SALARIES OF MAYOR, COUNCIL AND DEPARTMENT HEADS. (ORD. Z-5)

REMOVED NO ACTION TAKEN.

PETITIONS AND COMMUNICATIONS

09-51

A PROCLAMATION FROM ACTING MAYOR DAWN ZIMMER HONORING BUDD SCHULBERG FOR HIS CONTRIBUTION AS THE SCREENWRITER OF “ON THE WATERFRONT.”

WHEREAS, the Mayor and the City Council deem it appropriate to honor Budd Schulberg for his contributions as the screenwriter of On the Waterfront and what that has meant to the City of Hoboken; and

WHEREAS, Budd Wilson Schulberg was born in New York City on March 27, 1914; the son of noted motion picture producer B.P. Schulberg; and
WHEREAS, Budd Schulberg’s love of writing led to a successful career as the novelist and author of What Makes Sammy Run, The Harder They Come and Some Faces in the Crowd, among others; and

WHEREAS, Budd Schulberg received an Oscar from the Academy of Motion Picture Arts and Sciences for his screenplay for the film On the Waterfront which he subsequently wrote as a novel and later as a Broadway play; and

WHEREAS, On the Waterfront was filmed in Hoboken and received 7 other Academy Awards including Best Picture & Best Director bringing international attention to the Mile Square City; and

WHEREAS, Budd Schulberg was also a sports writer and former chief boxing correspondent for Sports Illustrated and inducted into the Box Hall of Fame in 2002; and

WHEREAS, Budd Schulberg remained a valued friend to Hoboken until his passing on August 5, 2209, with his involvement in theatrical productions of On the Waterfront, walking tours, historical speaking engagements and personal appearances; and

WHEREAS, Budd Schulberg leaves behind his wife Betsy and their two children Benn and Jessica, along with Victoria, Stephen and David by a previous marriage;

NOW, THEREFORE, BE IT RESOLVED, that I, Dawn Zimmer, Acting Mayor of the City of Hoboken, do honor and commend Budd Schulberg for his many contributions to the entertainment industry and the citizens of the City of Hoboken.

---Received and Filed.

09-52

APPLICATIONS FOR MISCELLANEOUS LICENSES

Raffles --------------------------------------------------------------- 3
Vendors--------------------------------------------------------------- 2

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

At this time Council President Zimmer/Acting Mayor Zimmer introduces Ian Sacs as the new Director of Transportation & Parking (on a provisional basis) to address the City Council and the public regarding Pedestrian Safety and the Crosstown Bus.
Council President Zimmer thanked Terry La Bruno for working to bring the Crosstown Bus back in service. Also, for her services as Council person and Director of Human Services as she will be leaving the position of Director of Human Services on Friday, September 4th.

09-53

August 28, 2009

RE: Process for Housing Authority City Council Appointments

Dear Council Colleagues,

As you know, there are two vacancies on the Hoboken Housing Authority Board which the City Council has committed to filling on September 2, 2009. There has been great interest in these important positions and 16 Hobokenites have applied. In order to maximize openness, each applicant will be afforded the opportunity to speak before any nominations are made.

The process will work as follows:

- All applicants and interested members of the public will speak in turn for up to 5 minutes as with any agenda item.

- Once the public has spoken, I will ask each Council member to nominate one person each for the seat now held by Peter “Perry” Belfiore. The Clerk will read all nominations and I will then recognize a nomination for the applicant with the most support.

- If that nominee is not approved, I will accept a nomination for the applicant with the next most support.

- Once the first seat is filled, I will proceed in the same manner with the seat once held by Hector Claveria.

Thank you.

Dawn Zimmer
City Council President

---Received and Filed.

09-54

August 28, 2009

As you are well aware, disaster preparedness has become a vital issue facing municipalities across the nation. Whether the tragedy of 9/11, the fatal mid-sky collision over the Hudson
River, or a potential for H1N1 pandemic this fall and winter, communities like Hoboken are on the front lines.

My administration is determined to take a proactive stance by safeguarding our residents to the best of our ability in time of tragedy and crisis.

I have discussed this issue with members of our Police and Fire Departments, as well as the Hoboken Office of Emergency Management, and would request active participation by our City Council. I would like you to join with me in participating in the Federal Emergency Management Agency's (FEMA) emergency preparedness certification course.

Participation in this program will allow our community to become eligible for additional federal disaster preparedness funding for our Office of Emergency Management.

Information on the course, as well as individual certification classes is available online at: [http://training.fema.gov.IS/crslist.asp](http://training.fema.gov.IS/crslist.asp).

“This independent study course provides an introduction to Comprehensive Emergency Management (CEM) and the Integrated Emergency Management System (IEMS). Included is an in-depth look at the four phases of comprehensive emergency management; mitigation, preparedness, response, and recovery. The text is accompanied by illustrations, diagrams, and figures. In most units, there are worksheets, exercises, and tasks to complete”.

Relevant courses to be completed are: IS-1, IS-7, IS-230, IS-700, as well as those in the “NIMS” category.

Successful completion of the course provides participants with college credits and continuing education units. Furthermore, certification will allow Hoboken greater eligibility for federal funding.

Joel Mestre or Dan Bryan will be in contact with you shortly to further discuss this program and your participation.

I look forward to your cooperation and support of this endeavor. I plan to complete the first online class by the end of September and I ask that you do as well.

Very truly yours,

Acting Mayor Dawn Zimmer

---Received and Filed.

09-55

A communication from Steve Kleinman, Corporation Counsel, notifying the council of receiving a letter from Corinne M. Mullen, Esq. attorney for Michael Schaffer, Commissioner of the North Hudson Sewerage Authority. (to be addressed in Closed Session)
REPORTS OF CITY OFFICERS

09-56
A report of George DeStefano, Chief Financial Officer filing the Annual Debt Statement for SFY 2009 with the State of New Jersey.

09-57
A report of George DeStefano, Chief Financial Officer filing Annual Financial Statement for SFY 2009 with the State of New Jersey.

RESOLUTIONS

Presented and Read

Before the selection was made to appoint a Commissioner all the applicants were given the opportunity to speak about themselves for five (5) minutes. The names are as follows:

Arlette Braxton, Eduardo Gonzalez, Peter Belfiore, Michael Lenz, Jake Stuiver, Patricia Waiters, Linda Ann Walker.

Those who applied but did not attend Council Meeting are: Hector Claveria, Marianne Camporeale, Philip Cohen, Joseph Garcia, Ryn Melberg, Timothy Occhipinti, Robert Phillips, Rami Pinchevsky.

During discussion of this resolution by Council members, Councilwoman Mason motioned to Table Resolution 1A . 09-58 Councilwoman Mason has 14 applicants not 16 as stated by Council President Zimmer.

Council President Zimmer motion to call the vote.

---Duly seconded by Councilwoman Castellano.
---FAILED by the following vote: YEAS – 4 – NAYS – 5
---Yeas: Council persons Castellano, Giacchi, Mason, Russo
---Nays: Bhalla, Cunningham, Marsh, Mello, and President Zimmer.

Proceeded to continue with applicants speaking.

Before final vote was taken to appoint the Commissioner of the Housing Authority those who spoke are as follows: Shanah Walker, Scott Seigel, Vivian Watts, Don Pelicano, Lane Bjardi, Linda Petrozelli, Margie Biart, Nick Callicchio.

Meeting of September 2, 2009
Council President Zimmer instructed Council persons to write the name on the index card of the person they would like to support.

James Farina, City Clerk read the names each Council person supported:

Councilman Giacchi – Perry Belfiore
Councilwoman Mason - Eduardo Gonzalez
Councilman Russo - stated this is not an open process.
Councilwoman Castellano - did not wish to participate in this process.
Councilwoman Marsh - Jake Stuiver
Councilman Cunningham - Jake Stuiver
Council President Zimmer - Jake Stuiver
Councilman Bhalla - Jake Stuiver
Councilman Mello - Jake Stuiver

Councilman Giacchi made a motion of nominating Perry Belfiore. Seconded by Councilman Russo

Nominating vote taken for Perry Belfiore was as follows: Yeas – 5 – Nays - 5
Councilman Giacchi – Yes
Councilwoman Mason - Yes
Councilman Russo - Yes
Councilwoman Castellano - Yes
Councilwoman Marsh - No
Councilman Cunningham - No
Council President Zimmer - No
Councilman Bhalla - No
Councilman Mello - No

Councilman Cunningham made a motion of nominating Jake Stuiver. Seconded by Councilman Bhalla.

Nominating vote taken for Jake Stuiver was as follows: Yeas – 9 – Nays - 0
Councilman Giacchi – Yes
Councilwoman Mason - Yes
Councilman Russo - Yes
Councilwoman Castellano - Yes
Councilwoman Marsh - Yes
Councilman Cunningham - Yes
Council President Zimmer - Yes
Councilman Bhalla - Yes
Councilman Mello - Yes
Councilwoman Mason presented and distributed a spreadsheet for council persons to keep track of those applicants who apply for boards.

09-58
---By Councilman Cunningham

Meeting of September 2, 2009
APPOINTING JAKE STUIVER TO THE HOBOKEN HOUSING AUTHORITY TO FILL A VACANCY IN A FIVE-YEAR TERM TO EXPIRE ON MAY 3, 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, there is a vacancy in the position formerly held by Hector Claveria due to his resignation, which is to expire on May 3, 2013.

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 Jake Stuiver has timely submitted his/her application to the Clerk of the City of Hoboken;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby appoints Jake Stuiver of 227 Adams St # 2, to serve as a member of the Hoboken Housing Authority to fill the vacancy caused by the resignation of Hector Claveria, which shall expire on May 3, 2013.

---Motion duly seconded by Councilman Bhalla
---Adopted by the following vote: YEAS: 9 – NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, Zimmer.
---Nays: None.

09-59
---By Councilwoman Marsh

RESOLUTION DIRECTING CORPORATION COUNSEL TO REPORT ON FINANCIAL STATUS OF DESIGNATED REDEVELOPERS IN THE CITY OF HOBOKEN

WHEREAS, the City Counsel, as the redevelopment entity for the City of Hoboken, is a party to numerous redevelopment agreements with developers designated as “redevelopers” for particular areas within Hoboken designated for redevelopment in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and,

WHEREAS, in the present economic climate, several area developers have recently filed for bankruptcy; and,

WHEREAS, the City Council wants to be advised of the financial status of its redevelopers, and particularly whether any have filed for bankruptcy, made a general assignment for the benefit of creditors or have a pending involuntary petition for bankruptcy filed against it, so that the City Council may take appropriate measures to protect the
interest of the City of Hoboken in accordance with its legal rights and contractual rights under the subject redeveloper’s agreement; and,

WHEREAS, the City Council desires for the Director of Community Development, in consultation with the Corporation Counsel and Special Redevelopment Counsel, to review and report to the Council on this matter.

NOW THEREFORE, after due consideration of the foregoing, the Hoboken City Council hereby resolves as follows:

1. The Director of Community Development, in consultation with the Corporation Counsel and Special Redevelopment Counsel, is hereby directed and authorized to prepare a list of developers who are presently designated as redevelopers by the City of Hoboken and who are parties to redevelopers’ agreements that are presently in effect;

2. The Director of Community Development shall review the financial status of each such redeveloper, particularly with regard to whether the redeveloper has filed for bankruptcy, made a general assignment for the benefit of creditors, or has a pending involuntary petition for bankruptcy filed against it;

3. The Corporation Counsel, in consultation with Special Redevelopment Counsel, shall further review the rights that the City Council, as the redevelopment entity, may have under applicable law and any present redevelopers’ agreements, with respect to any redeveloper whose financial status jeopardizes the ability of the redeveloper to perform its obligations under a redevelopment agreement; and

4. The Director of Community Development shall report his findings to the City Council as soon as practicable, but in no event later than 30 days from the adoption of this Resolution.

Speakers on the above resolution: Dan Tumpson, Lane Bajardi.

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

At this time 9:12 pm on a motion by Councilman Cunninghman; duly seconded by Councilman Bhalla and voted unanimously the City Council entered into closed (executive) session.

09-60

CLOSED SESSION

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 or anticipated litigation in which the public entity is a party or is anticipated to be a party, and another reason is to
received advice from its attorney; and,

WHEREAS, the Council has determined that it is necessary to go into closed executive session for the purpose of discussing ongoing litigation in which the City is a party-jin-interest; namely, the matter of bankruptcy of Tarragon Corporation and associated entities, currently pending in the United States Bankruptcy Court, District of New Jersey, case number 09-10555 (DHS);

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 this time, 9:43 p.m. on a motion by City Clerk and voted on unanimously, the City Council came out of closed (executive) session.

09-61
---By Councilwoman Marsh

RESOLUTION OPPOSING PASSAGE OF SENATE BILL S-2972, ALLOWING DEVELOPMENT ON PROPERTY OWNED BY NEW JERSEY TRANSIT

WHEREAS, on June 22, 2009, Senator Paul Sarlo (D-36) introduced Senate Bill S-2972, which “authorizes New Jersey Transit to undertake transit-oriented developments on certain transit facilities;” and,

WHEREAS, this bill has been referred to the Senate Transportation Committee, where it is awaiting review; and,

WHEREAS, this bill, if adopted, would specifically authorize New Jersey Transit to “develop, construct, sell and lease mixed use, transit-oriented developments either directly or through contracts with public or private entities;” and,

WHEREAS, it is well-known that New Jersey Transit has been developing plans for its Hoboken Terminal that would include considerable commercial and residential development; and,

WHEREAS, the Council is deeply concerned that over-development of the Hoboken Terminal will negatively impact the quality of life for residents of the City of Hoboken; and.

WHEREAS, the Council is concerned that this legislation might be interpreted to authorize New Jersey Transit to develop the Hoboken Terminal as it wishes even if the nature and scope of the proposed development is opposed by the Mayor and Council and/or the City’s land use boards, and is not in the best interest of the people of Hoboken.

Meeting of September 2, 2009
NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Hoboken, County of Hudson, and State of New Jersey that it opposes S-2972 in its present form; and,

BE IT FURTHER RESOLVED that the Council of the City of Hoboken calls upon Senator Sarlo and the Senate Transportation Committee to amend this legislation to specifically provide that it does not limit or override in any way a local municipality’s right to determine the nature and scope of commercial and residential development on New Jersey Transit-owned property located within its boundaries; and,

BE IT FURTHER RESOLVED, that the City Clerk of the City of Hoboken transmit a certified copy of this resolution to Governor Jon Corzine, Senator Paul Sarlo, Senator Brian Stack, and all of the members of the New Jersey Senate Transportation Committee.

Speakers on the above resolution: Dan Tumpson, Cheryl Fallick, Mary Ondrejka, Lane Bajardi.

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

At this time a motion was made by Councilwoman Marsh to suspend the order of the agenda and move to Resolution # 7 – # 09-62

09-62
---By Councilman Cunningham

RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS FOR THE SFY 2010 BUDGET

WHEREAS, the City of Hoboken is expected to enter into contracts, commitments or payments prior to the adoption of the SFY 2010 budget and no adequate provision has been made in the SFY 2010 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 2010 pursuant to the provisions of N.J.S.A. 40A:4-20 including this resolution total $33,949,082.64 for Current Expenses and $4,279,626.39 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 $2,819,450.00

Meeting of September 2, 2009
2) for Current Expenses and $0.00 for the Parking Utility as follows:

City of Hoboken  
Temporary Appropriations  
SFY 2010

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<td><strong>Total Appropriations Included in 26.25% limit</strong></td>
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<td><strong>Total Capital Improvements From CAP</strong></td>
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Meeting of September 2, 2009
**Municipal Debt Service**
- Payment Bond Principal
- Interest on Bonds
- Interest on Notes
- Interest on Tax Anticipation Notes
- Notes Payable
- Green Trust Loan Repayment
- Underground Storage Tank Loan
- Interest of Garage Sale
- Principal on HCIA Police Car

**Total Municipal Debt**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Judgment</td>
<td>0.00</td>
</tr>
</tbody>
</table>

**Total**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2,819,450.00</td>
</tr>
</tbody>
</table>

**Grants**
- Deferred Charges

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Temporary Mun. Budget</td>
<td>2,819,450.00</td>
</tr>
</tbody>
</table>

**Parking Utility**
- Salary Wages
- Other Expenses
- Group Health

**Statutory Expenditures**
- Public Employee Retirement System
- Social Security System
- Unemployment Compensation Insurance

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Appropriations Included in 26.25% limit</td>
<td>0.00</td>
</tr>
</tbody>
</table>

**Debt Service**
- Payment of Bond Principal
- Interest on Bonds
- Payment of Note Interest (916)
- Payment of Note Principal (916)
- Trustee Fee

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Parking Debt</td>
<td>0.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Temporary Parking Utility Budget</td>
<td>0.00</td>
</tr>
</tbody>
</table>

**Police Department**
- Police
- Crossing Guards

Meeting of September 2, 2009
Housing Authority

Total Police

Recreational
Recreational Seasonal
Recreation
Total Recreation

Difference
Prior Year Settlement
Summer Lunch
OEP
Fire Education

Speakers on the above resolution: Michael Lenz. (Introduction of the 2010 Budget)

Director Tresante was asked what is the time frame for the Introduction of the 2010 Budget.

Councilwoman Mason stated that a meeting of the whole should meet to address Bond issues.

---Motion duly seconded by Councilman Russo
---FAILED by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Bhalla, Cunningham, Giacchi, Marsh, Mello and President Zimmer
---Nays: Castellano, Giacchi, Mason, Russo

The City Council took a brief recess at 10:50 p.m.
The meeting was resumed at 10:55 p.m.

Councilman Russo at this time would like to re-introduce above resolution including all salaries and wages and health and excluding all other expenses. Willing to support Council & Mayor but will not vote unless we have full budget. Will not vote on other expenses (attorney).

Steve Kleinman, Corporation Counsel suggested to Councilman Russo to give something on the resolution that is crossed out and would want to re-introduce suggesting that would be the way to do it. Also, Corporation Counsel suggested to Council they table this resolution.

Councilwoman Castellano, Mason and Russo argued that they were not given the Attorney Edward Buzak,’s resume in time to review for this meeting. Council President Zimmer told Council members all members were e-mailed his resume.

Director Tresante looked to see if money was available for special counsel.

**Council agreed to amend Resolution # 7 (09-62) $14,000 for Meals on Wheels back in all salary/wages**

Meeting of September 2, 2009
---Motion by Councilman Russo to amend Resolution # 7 SFY 2010 budget
---Duly seconded by Councilman Giacchi
--- VOTE TAKEN ON AMENDED RESOLUTION – YEAS – 9 – NAYS – 0
---Yeas:Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo and President Zimmer.
---Nays: None

City Clerk James J. Farina noted that action and approval on the original resolution was taken by Fiscal Control Officer, Judith L. Tripodi. (September 3, 2009)

09-63
---By Councilman Cunningham

RESOLUTION AUTHORIZING A CONTRACT WITH THE BUZAK LAW GROUP, LLC FOR THE SERVICES OF EDWARD J. BUZAK, ESQ. AS TRANSITION COUNSEL FOR THE CITY OF HOBOKEN

WHEREAS, the City of Hoboken faces a number of extremely pressing legal issues; and,

WHEREAS, Acting Mayor Dawn Zimmer, with the concurrence of Fiscal Control Officer Judith L. Tripodi, has determined that there is an urgent and immediate need for “Transition Counsel” to assist the Administration in the performance of its duties;

WHEREAS, Edward J. Buzak of The Buzak Law Group LLC is a widely recognized expert in the area of New Jersey municipal law; 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; and,

WHEREAS, The Buzak Law Group LLC will be required to abide by the “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, said service 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, funds are available for this purpose.

NOW THEREFORE, BE IT RESOLVED (a majority of the whole Council concurring) that a professional services contract be authorized in the amount not to exceed Twenty-Five Thousand ($25,000.00) Dollars for the services of Edward J. Buzak, Esq. of The
BE IT FURTHER RESOLVED that this firm shall be paid an hourly rate of $150.00 per hour based on actual time and expenses; and,

BE IT FURTHER RESOLVED 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.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided to Acting Mayor Dawn Zimmer for action in accordance therewith and to take any other actions necessary to complete and realize the intent and purpose of this resolution.

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

BE IT RESOLVED, that the following SFY 2009 budget Current Fund appropriation reserve transfers are hereby authorized for the City of Hoboken:

<table>
<thead>
<tr>
<th>CURRENT FUND</th>
<th>TO</th>
<th>FROM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operations - Within &quot;Caps&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Board of Health O/E</td>
<td>$4,000.00</td>
<td></td>
</tr>
<tr>
<td>Unemployment Ins O/E</td>
<td>$50,000.00</td>
<td></td>
</tr>
<tr>
<td>Business Admin S/W</td>
<td></td>
<td>$25,000.00</td>
</tr>
<tr>
<td>Grants Mangnt S/W</td>
<td></td>
<td>$12,000.00</td>
</tr>
<tr>
<td>Collector of Revenue S/W</td>
<td></td>
<td>$17,000.00</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>$54,000.00</strong></td>
<td><strong>$54,000.00</strong></td>
</tr>
</tbody>
</table>

---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, and President Zimmer.
---Nays: None.
09-65
---By Councilman Cunningham

RESOLUTION AMENDING AN AWARDED CONTRACT FOR THE SFY 2009 ROADWAY IMPROVEMENT PROJECT BASED UPON THE LOWEST RESPONSIBLE BIDDER.

WHEREAS, on 17 June 2009, the City Council of Hoboken awarded a contract to AJM Contractors, Inc. for City bid number 09-18; SFY 2009 Roadway Improvements, and

WHEREAS, there were typographical errors in the numbers presented to the City Council at that meeting (copy of original resolution attached), and,

WHEREAS, the correct numbers should have been:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Base Bid</th>
<th>Alt. #1</th>
<th>Alt. #2</th>
<th>Alt. #3</th>
<th>$ Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>English Paving</td>
<td>$335,448.30</td>
<td>$25,151.46</td>
<td>$18,160.51</td>
<td>$25,160.51</td>
<td>$403,985.59</td>
</tr>
<tr>
<td>1087 Edgewater Ave</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ridgefield, NJ 07657</td>
<td></td>
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</tr>
<tr>
<td>Cifelli &amp; Son General Con.</td>
<td>$321,505.00</td>
<td>$30,522.90</td>
<td>$24,862.40</td>
<td>$31,020.40</td>
<td>$407,910.70</td>
</tr>
<tr>
<td>4 Coppola St.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nutley, NJ 07110</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Crossroad Const.</td>
<td>$325,140.00</td>
<td>$43,453.90</td>
<td>$32,973.00</td>
<td>$45,812.90</td>
<td>$447,379.80</td>
</tr>
<tr>
<td>312 Emmet Street</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Newark, NJ 07114</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AJM Contractors, Inc</td>
<td>$290,290.40</td>
<td>$22,994.18</td>
<td>$16,710.03</td>
<td>$23,631.95</td>
<td>$33,626.56</td>
</tr>
<tr>
<td>300 Keller Road</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clifton, NJ 07011</td>
<td></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 in length.
2. The Council hereby authorizes the Mayor, or her designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
3. This contract shall be awarded inclusive of all alternates ot to exceed $353,626.56.
4. The Mayor, or her designee, is hereby authorized to execute an agreement, contingent on all mandated requirements being met, for the above referenced goods and/or services based upon the following information:

   AJM Contractors, Inc.
   300 Keller Road
   Clifton, NJ 07011

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

Meeting of September 2, 2009
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, and President Zimmer.
---Nays: None.

09-66
---By Councilman Cunningham

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS

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

WHEREAS, Sharon Curran, 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 $34,228.89

WELLS FARGO
REAL ESTATE      261.03/1/CP224     1125 MAXWELL LA  3/09 $    31.43
TAX SERVICE, LLC
ATTN: FINANCIAL SUPPORT UNIT – REGION 1
1 HOME CAMPUS
MACX2302-04D
DES MOINES, IA 50328-001

WELLS FARGO
REAL ESTATE      261.03/1/CP357     1125 MAXWELL LA  3/09 $    31.43
TAX SERVICE, LLC
ATTN: FINANCIAL SUPPORT UNIT – REGION 1
1 HOME CAMPUS
MACX2302-04D
DES MOINES, IA 50328-001

WELLS FARGO
REAL ESTATE      261.03/1/CP360     1125 MAXWELL LA  3/09 $    31.43
TAX SERVICE, LLC
ATTN: FINANCIAL SUPPORT UNIT – REGION 1
1 HOME CAMPUS
MACX2302-04D
DES MOINES, IA 50328-001

WELLS FARGO
REAL ESTATE      261.04/1/C0405     1025 MAXWELL LA  3/09 $2,292.34
TAX SERVICE, LLC
ATTN: FINANCIAL SUPPORT UNIT – REGION 1
1 HOME CAMPUS
MACX2302-04D
DES MOINES, IA 50328-001

WELLS FARGO

Meeting of September 2, 2009
REAL ESTATE 261.04/1/C1206 1025 MAXWELL LA 3/09 $3,316.65
TAX SERVICE, LLC
ATTN: FINANCIAL SUPPORT UNIT – REGION 1
1 HOME CAMPUS
MACX2302-04D
DES MOINES, IA 50328-001

WELLS FARGO
REAL ESTATE 261.04/1/CP147 1025 MAXWELL LA 3/09 $132.85
TAX SERVICE, LLC
ATTN: FINANCIAL SUPPORT UNIT – REGION 1
1 HOME CAMPUS
MACX2302-04D
DES MOINES, IA 50328-001

WELLS FARGO
REAL ESTATE 268.01/2/C003C 1500 WASH. ST 3/09 $1,647.18
TAX SERVICE, LLC
ATTN: FINANCIAL SUPPORT UNIT – REGION 1
1 HOME CAMPUS
MACX2302-04D
DES MOINES, IA 50328-001

WELLS FARGO
REAL ESTATE 268.01/3/C003U 1500 HUDSON ST 3/09 $2,191.34
TAX SERVICE, LLC
ATTN: FINANCIAL SUPPORT UNIT – REGION 1
1 HOME CAMPUS
MACX2302-04D
DES MOINES, IA 50328-001

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

09-67
---By Councilman Cunningham

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS

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

WHEREAS, Sharon Curran, 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 $21,367.99

Meeting of September 2, 2009
<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LT/UNIT</th>
<th>PROPERTY</th>
<th>QTR/YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law Office of Rylak &amp; Gianos</td>
<td>20/28/C0028</td>
<td>82 Clinton St</td>
<td>4/09</td>
<td>$ 182.68</td>
</tr>
<tr>
<td>12 Lower Center Street</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Post Office Box 5365</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clinton, NJ 08809</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Law Office of Rylak &amp; Gianos</td>
<td>20/28/C003B</td>
<td>82 Clinton St</td>
<td>3/09</td>
<td>$2,399.93</td>
</tr>
<tr>
<td>12 Lower Center Street</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Post Office Box 5365</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clinton, NJ 08809</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First American Real Estate Tax</td>
<td>33/9/C000D</td>
<td>119 Clinton St</td>
<td>1/09&amp;2/09</td>
<td>$1,719.95</td>
</tr>
<tr>
<td>Service</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>P.O. Box 961230</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ft Worth, TX 76161-0230</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Teresa Craft</td>
<td>68/14/C0004</td>
<td>531 Madison St</td>
<td>3/09</td>
<td>$ 823.40</td>
</tr>
<tr>
<td>Bank of America</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>VA2-410-01-02</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>PO Box 26389</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Richmond, VA 23286-8218</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First American</td>
<td>84/1/C02-N</td>
<td>450 Seventh St</td>
<td>2/09</td>
<td>$1,093.07</td>
</tr>
<tr>
<td>Attn: Tax Dept.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 First American Way</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Westlake, TX 76262</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kristin Curley</td>
<td>91/1.2/CP093</td>
<td>812 Grand St</td>
<td>2/09</td>
<td>$ 161.26</td>
</tr>
<tr>
<td>108 Hendrickson Place</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fair Haven, NJ 07704</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Robert Morrison</td>
<td>155/3/C0PHH</td>
<td>1021 Grand St</td>
<td>1/09&amp;2/09</td>
<td>$2,412.85</td>
</tr>
<tr>
<td>1021 Grand Street #PHH</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sally Won</td>
<td>175/16/C004L</td>
<td>72 Garden St</td>
<td>1/09</td>
<td>$1,173.32</td>
</tr>
<tr>
<td>72 Garden St #4L</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>John Manganaro</td>
<td>177/16/C0004</td>
<td>135 Park Ave.</td>
<td>1/09</td>
<td>$1,654.37</td>
</tr>
<tr>
<td>135 Park Ave. #4</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chase Home Finance</td>
<td>188/38</td>
<td>110 Bloomfield St</td>
<td>3/09</td>
<td>$2,683.19</td>
</tr>
<tr>
<td>P.O. Box 961227</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forth Worth, TX 76161</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thomas Foley</td>
<td>21/16/C0002</td>
<td>1028 Hudson St</td>
<td>1/09&amp;2/09</td>
<td>$1,031.96</td>
</tr>
<tr>
<td>36-42 Newark St #201</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Michael &amp; Jane Laitman</td>
<td>250/32</td>
<td>1232 Bloomfield St</td>
<td>2/09</td>
<td>$2,955.57</td>
</tr>
</tbody>
</table>

Meeting of September 2, 2009
RESOLUTION AUTHORIZING THE REFUND OF TAX OVER PAYMENTS

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that refunds be made;

now, therefore, be it-

RESOLVED, that a warrant be drawn on the City Treasurer made payable to the taxpayer appearing on the attached list totaling $33,371.06

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LT/UNIT</th>
<th>PROPERTY</th>
<th>QTR/YR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>First American Real Estate</td>
<td>8/1/C004K</td>
<td>550-554 Newark St</td>
<td>1/05-3/05</td>
<td>$2,060.88</td>
</tr>
<tr>
<td>Tax Service</td>
<td></td>
<td></td>
<td>1/06</td>
<td>EXCEL 1</td>
</tr>
<tr>
<td>P.O. Box 961230</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ft Worth, TX 76161-0230</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Flagstar Bank</td>
<td>32/21</td>
<td>118 Clinton St</td>
<td>4/08</td>
<td>$5,267.84</td>
</tr>
<tr>
<td>5151 Corporate Drive</td>
<td></td>
<td></td>
<td></td>
<td>EXCEL 1</td>
</tr>
<tr>
<td>Troy, MI 48098</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Attn: Eunice Brance/Clerk/W-160-3</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First American Real Estate</td>
<td>159/15</td>
<td>728 Willow Ave</td>
<td>3/07</td>
<td>$3,086.02</td>
</tr>
<tr>
<td>Tax Service</td>
<td></td>
<td></td>
<td></td>
<td>EXCEL 1</td>
</tr>
<tr>
<td>P.O. Box 961230</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ft Worth, TX 76161-0230</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Meeting of September 2, 2009
RESOLUTION AUTHORIZING THE REFUND OF TAX APPEALS STATE TAX COURT

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the 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 $6,439.50

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
<th>YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>BRACH EICHLER LLC AND 323 BLOOMFIELD LP 101 EISENHOWER PARKWAY</td>
<td>202/12</td>
<td>323-325 BLOOMFIELD ST</td>
<td>2008</td>
<td>$6,439.50</td>
</tr>
</tbody>
</table>

---

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

09-69
---By Councilman Cunningham

Meeting of September 2, 2009
09-70
---By Councilman Giacchi

AUTHORIZING SUBMISSION OF 2010 APPLICATION TO THE HUDSON COUNTY OFFICE OF CULTURAL & HERITAGE AFFAIRS/TOURISM DEVELOPMENT FOR FUNDS FOR THE ARTISTS STUDIO TOUR & SUMMER ENCHANTED EVENINGS

WHEREAS, the City of Hoboken has, for many years, been the recipient of funds for the Artists Studio Tour & Summer Enchanted Evenings through the Hudson County Office of Cultural & Heritage Affairs/Tourism Development; and

WHEREAS, the Hudson County Office of Cultural & Heritage Affairs/Tourism Development has once again invited the City of Hoboken to submit an application for funding for 2010 Local Arts Program Funds (LAP); now therefore, be it –

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

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

1. Execute and submit such application to the Hudson County Office of Cultural & Heritage Affairs/Tourism Development;
2. Furnish such documents as may be required;
3. Act as authorized correspondent of the City of Hoboken;
4. Execute necessary contracts, if funding is awarded.

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

09-71
---By Councilman Mello

RESOLUTION FOR HANDICAPPED 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 reimbursement for handicap parking fees:

<table>
<thead>
<tr>
<th>NAME/ADDRESS</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eleuterio Colon 5 Church Towers Apt. 3K</td>
<td>$125.00</td>
</tr>
</tbody>
</table>

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

ORDINANCES

Introduction and First Reading

09-72 Z-6

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE CODE OF THE CITY OF HOBOKEN, ENTITLED, “VEHICLES AND TRAFFIC”, TO REMOVE PARKING METERS ON SINATRA DRIVE NORTH OF 5TH STREET.

WHEREAS, the City of Hoboken has the authority to designate parking areas on City streets as “time-limit parking locations,” and,

WHEREAS, last year the City designated the east side of Sinatra Drive north of 5th Street as such as location, however, it appears that these metered spots have not been utilized to the extent anticipated while reducing parking available to City residents;

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, to DELETE the following time limit parking location:

<table>
<thead>
<tr>
<th>Street Location</th>
<th>Side</th>
<th>Hours/Time Limit</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sinatra Drive</td>
<td>East</td>
<td>9 AM – 9 PM 12.0 hours</td>
<td>$0.25/15 min</td>
</tr>
</tbody>
</table>

All other streets listed in Section §190-29 shall remain unchanged.
SECTION TWO:

The east side of Sinatra Drive from 5th Street until its end shall be re-designated as “permit parking only,” as provided for by Section 141-1 of the Code of the City of Hoboken.

SECTION THREE:

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.

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

SECTION FIVE:

This Ordinance shall take effect according to law.

SECTION SIX:

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.

---Councilwoman Castellano moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on September 16, 2009 at 7:00 PM.

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

09-73
Z-7


Meeting of September 2, 2009
WHEREAS, on August 5, 2009, the City Council of the City of Hoboken adopted Ordinance Z-2, an ordinance establishing the Hoboken City Council as the appointment authority for the Hoboken Zoning Board of Adjustment and confirming the governing body's role as the city redevelopment agency;

WHEREAS, Section 2 of Ordinance Z-2 purported to repeal Chapter 37 of the Code of the City of Hoboken, entitled “Hoboken Redevelopment Agency,” in its entirety;

WHEREAS, Section 3 of Chapter 37 of the Code of the City of Hoboken provides for the reinstatement of the provision of the Amended Urban Renewal Plan for Project No. N.J.R.-144, commonly known as the “River Street Redevelopment Plan” and does not contain any provisions affecting or pertaining to either (1) the appointment authority for the Hoboken Zoning Board of Adjustment, or (2) the designation of the City’s redevelopment agency;

WHEREAS, accordingly, it is necessary to correct Ordinance Z-2 to save Section 3 of Chapter 37 of the Code from repeal.

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

Section 1. Section 2 of Ordinance Z-2 is hereby corrected to read as follows:

Sections 1, 2, 4 and 5 of Chapter 37 of the Code of the City of Hoboken, entitled “Hoboken Redevelopment Agency,” are hereby repealed in their entirety; provided, however, Section 3 of Chapter 37 shall be unaffected thereby.

Section 2. All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

Section 3. 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 4. This Ordinance shall take effect upon passage and publication as provided by law.

Section 5. 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.

Meeting of September 2, 2009
---Councilwoman Marsh moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on September 16, 2009 at 7:00 PM.

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

09-74
Z-8

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 1405-1429 MADISON STREET AND 1404-1428 JEFFERSON STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS LOT 1 THROUGH 26, IN BLOCK 119, ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY.

WHEREAS, the applicant, Jefferson Street Partners, LLC, has petitioned the City of Hoboken for the granting of a certain easement over municipal lands at 1405-1429 Madison Street and 1404-1428 Jefferson Street, Hoboken, New Jersey, (“the premises”) which premises is more particularly described as Lots 1 through 26, in Block 119, on the Tax Map of the City of Hoboken, New Jersey, in order to maintain an encroachment on municipal lands for the purpose of satisfying a condition set forth in a resolution adopted by the Zoning Board of Adjustment of the City of Hoboken in which the owner, Jefferson Street Partners, LLC, secured a use variance and preliminary and final site plan approval to operate a vehicle storage facility on the aforesaid property. The Resolution, which is attached hereto as Exhibit A, requires that the owner, which has operated the property as a storage yard for buses for a period dating back to at least 1990, to secure and Easement Agreement from the City of Hoboken since the fence that surrounds the property encroaches into the public right of way. The applicant, as a condition of approval, is required to install landscaping around the entire inside parameter of the existing fence line, which is being permitted to remain for security purposes on the aforesaid property. The landscaping consists of arborvitae which will be planted in a manner consistent with the aforesaid approval. The easements are described as follows:

METES AND BOUNDS
(TRACT 1 OF PROPOSED PLAN)

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 intersection formed by the southerly line of Fifteenth Street with the westerly line of Jefferson Street:
THENCE S-76° - 56 minutes and 00 seconds East, along the easterly prolongation of the southerly line of Fifteenth Street 8 00/100 feet to a point

THENCE S-13° - 04 minutes 00 seconds West, parallel with an distant 8 feet measured westerly from and at right angles to the westerly line of Jefferson street 331 50/100 feet to a point in Fourteenth Street;

THENCE N-76° - 56 minutes 00 seconds West, by a line through Fourteenth Street being measured 6.5 feet southerly from and at right angles to the northerly line of Fourteenth Street 216 50/100 feet to a point in Madison Street;

THENCE N-13° - 04 minutes 00 seconds East, 6 50/100 feet to a point in the westerly prolongation of the northerly line of Fourteenth Street;

THENCE S-76° - 56 minutes 00 seconds East, passing over the corner formed by the easterly line of Madison Street with the northerly line of Fourteenth Street at a distance of 8 50/100 feet, and along the northerly line of Fourteenth Street for a total distance of 208 50/100 feet to its intersection with the westerly line of Jefferson Street;

THENCE N-13° - 04 minutes 00 seconds East, along the westerly line of Jefferson Street 325 00/100 feet to the place of Beginning.

METES AND BOUNDS
(TRACT II OF PROPOSED PLAN)

Beginning at the intersection formed by the northerly line of Fourteenth Street with the easterly line of Madison Street;

THENCE N-76° 56 minutes 00 seconds West, along the westerly prolongation of the northerly line of Fourteenth Street 8 50/100 feet to a point in Madison Street;

THENCE N-13° 04 minutes 00 seconds East, parallel with and distant 8.5 feet measured westerly from and at right angles to the westerly line of Madison Street 330 50/100 feet to a point in Fifteenth Street;

THENCE S-76° 56 minutes 00 seconds East, by a line through Fifteenth Street being measured 5.5 feet northerly from and at right angles to the Southerly line of Fifteenth Street 120 00/100 to a point;

THENCE S-13° 04 minutes 00 seconds West, 2 00/100 feet to a point;

THENCE S-76° 56 minutes 00 seconds East, by a line through Fifteenth Street being measured 3.5 feet northerly from and a right angles to the Southerly line of Fifteenth Street 96 50/100 feet to a point in Jefferson Street;

THENCE S-13° 04 minutes 00 seconds West, 3 50/100 feet to a point in the easterly prolongation of the southerly line of Jefferson Street;

THENCE N-76° 56 minutes 00 seconds West, in part along the easterly prolongation of the Southerly line of Jefferson Street and in part along the southerly line of Jefferson Street 208 00/100 feet to its intersection with the easterly line of Madison Street;
THENCE S-13° 04 minutes 00 seconds West, along eh same 325 00/100 feet to the place of Beginning.

Known as Lots 1 through 26, in Block 119, as shown on the official tax assessment map for the City of Hoboken, Hudson County, New Jersey, and more commonly known as 1405-1429 Madison Street and 1404-1428 Jefferson 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 1405-1429 MADISON STREET AND 1404-1428 JEFFERSON 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.
---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 September 16, 2009 at 7:00 PM.

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

09-75
Z-9

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 617 BLOOMFIELD STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS LOT 10, IN BLOCK 205, ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY

WHEREAS, the applicant, Dennis M. Devino, Architect, has petitioned the City of Hoboken for the granting of a certain easement over municipal lands at 617 Bloomfield Street, Hoboken, New Jersey, (“the premises”) which premises is more particularly described as Lot 10, in Block 205, on the Tax Map of the City of Hoboken, New Jersey, in order to maintain an encroachment on municipal lands for the purpose of placing planters along the front of the building on Monroe Street as outlined in the attached drawing. The easements are described as follows:

METES AND BOUNDS
(Bay Window)

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 line of Bloomfield Street, distant 157.17 feet northerly from the intersection formed by the northerly line of Sixth Street with the easterly line of Bloomfield Street, said point being opposite the center of a party wall standing partly on the premises being described and partly on the premises adjoining the south and running:

THENCE S-76°-40'-E, to thru and beyond the center of said party wall S distance of 75.00 feet to a point;

THENCE N-13°-04'-E and parallel to Bloomfield Street a distance of 19.18 feet to a point;

THENCE N-77°-21'-W a distance of 75.00 feet to a point in the easterly line of Bloomfield Street;

THENCE S-13°-04'-W and along the easterly line of Bloomfield Street a distance of 18.58 feet to a point, said point being the point or place of beginning.
Known as Lot 10, in Block 205, as shown on the official tax assessment map for the City of Hoboken, Hudson County, New Jersey, and more commonly known as 617 Bloomfield Street, Hoboken, New Jersey; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF HOBNOKEN THAT THE CITY OF HOBNOKEN HEREBY GRANTS 617 BLOOMFIELD 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, and 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 a minimum amount of $1,000,000.00 with a policy to be issued by an insurance company approved by the Office of the Corporation Counsel, naming the City of Hoboken, the Mayor and the City Council Members as an additional insureds.

5. These easements shall run with the land and 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 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 16, 2009 at 7:00 PM.

---Motion duly seconded by Councilman Bhalla
---Adopted by the following vote: YEAS: 8 - NAYS: 1
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 142 GARDEN STREET & 207 SECOND STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS LOTS 18 & 21.2, IN BLOCK 117, ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY

WHEREAS, the applicant, Richard Kocher, has petitioned the City of Hoboken for the granting of a certain easement over municipal lands at 142 Garden Street & 207 Second Street, Hoboken, New Jersey, (“the premises”) which premises is more particularly described as Lots 18 and 21.2, in Block 117, on the Tax Map of the City of Hoboken, New Jersey, in order to maintain an encroachment on municipal lands for the purpose of placing entrance stairs and elevated bay windows which extend over the public sidewalk along Second Street as outlined in the attached drawing. The easements are described as follows:

METES AND BOUNDS
(TRACT 1 OF PROPOSED PLAN)

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 line of Garden Street, a distance of 14.00 feet southerly from the intersection formed by the southerly line of Second Street with the westerly line of Garden Street and running:

THENCE S-13°-04'-W and along the westerly line of Garden Street, a distance of 8.00 feet to a point;

THENCE S-76°-56'-E and onto the R.O.W. of Garden Street, a distance of 1.00 feet to a point;

THENCE S-13°-04'-E and continuing in the R.O.W. of Garden Street, a distance of 3.00 feet to a point;

THENCE S-76°-56'-E and continuing in the R.O.W. of Garden Street, a distance of 3.00 feet to a point;

THENCE N-13°-04'-E and continuing in the R.O.W. of Garden Street, a distance of 5.00 feet to a point;

THENCE N-76°-56'-W a distance of 4.00 feet to a point in the westerly line of Garden Street, said point being the place of beginning.

METES AND BOUNDS

Meeting of September 2, 2009
(TRACT II OF PROPOSED PLAN)

BEGINNING at a point in the southerly line of Second Street, a distance of 5.00 feet westerly from intersection formed by the westerly line of Garden Street with the southerly line Second Street and running:

THENCE N-76°-56'-W, and along the southerly line of Second Street, a distance of 5.00 feet to a point;

THENCE N-58°-04'-E, and onto the R.O.W. of Second Street, a distance of 3.70 feet to a point,

THENCE S-31°-04'-E, a distance of 3.70 feet to a point in the southerly line of Second Street said point being the point or place of beginning.

METES AND BOUNDS

(TRACT III OF PROPOSED PLAN)

BEGINNING at a point in the southerly line of Second Street, a distance of 22.50 feet westerly from the intersection formed by the westerly line of Garden Street with the southerly line of Second Street and running:

THENCE N-76°-56'-W and along the southerly line of Second Street, a distance of 10.00 feet to a point;

THENCE N-13°-04'-E and onto the R.O.W. of Second Street, a distance of 2.50 feet to a point;

THENCE S-76°-56'-E and continuing in the R.O.W. of Second Street a distance of 10.00 feet to a point;

THENCE S-13°-04'-W a distance of 2.50 feet to a point in the southerly line of Second Street, and point being the point or place of beginning.

METES AND BOUNDS

(TRACT IV OF PROPOSED PLAN)

BEGINNING at a point in the southerly line of Second Street, a distance of 46.00 feet westerly from the intersection formed by the westerly line of Garden Street with the southerly line of Second Street and running:

THENCE N-76°-56'-W and along the southerly line of Second street, a distance of 11.00 feet;

THENCE N-13°-04'-E and onto the R.O.W. of Second Street, a distance of 2.50 feet to a point;

THENCE S-76°-56'-W and continuing in the R.O.W. of Second Street a distance of 11.00 feet to a point;

THENCE S-13°-04'-W a distance of 2.50 feet to a point in the southerly line of Second Street, said point being the point or place of beginning.
METES AND BOUNDS
(TRACT V OF PROPOSED PLAN)

BEGINNING at a point in the southerly line of Second Street, a distance of 55.50 feet westerly from intersection formed by the westerly line of Garden Street with the southerly line Second Street and running:

THENCE N-76°-56'-W and along the southerly line of Second Street, a distance of 11.00 feet to a point;

THENCE N-13°-04'-E and onto the R.O.W. of Second Street, a distance of 5.00 feet to a point;

THENCE S-76°-56'-E and continuing in the R.O.W. of Second Street, a distance of 11.00 feet to a point;

THENCE S-13°-04'-W a distance of 5.00 feet to a point in the southerly line of Second Street, said point being the point or place of beginning.

METES AND BOUNDS
(TRACT VI OF PROPOSED PLAN)

BEGINNING at a point in the southerly line of Second Street, a distance of 67.50 feet westerly from the intersection formed by the westerly line of Garden Street with the southerly line of Second Street and running:

THENCE N-76°-56'-W and along the southerly line of Second Street, a distance of 11.00 feet to a point;

THENCE N-13°-04'-E and onto the R.O.W. of Second Street, a distance of 11.00 feet to a point:

THENCE S-76°-56'-E and continuing in the R.O.W. of Second Street, a distance of 11.00 feet to a point;

THENCE S-13°-04'-W a distance of 2.50 feet to a point in the southerly line of Second Street, said point being or place of beginning.

METES AND BOUNDS
(TRACT VII OF PROPOSED PLAN)

BEGINNING at a point in the southerly line of Second Street, a distance of 92.50 feet westerly from the intersection formed by the westerly line of Garden Street with the southerly line of Second Street and running:

THENCE N-76°-56'-W and along the southerly line of Second Street, a distance of 10.00 feet to a point;

THENCE N-13°-04'-E and onto the R.O.W. of Second Street, a distance of 2.50 feet to a point;

THENCE S-76°-56'-E and continuing in the R.O.W. of Second Street, a distance of 10.00 feet to a point;
THENCE S-13°-04'-W a distance of 2.50 feet to a point in the southerly line of Second, said point being or place of beginning.

Known as Lots 18 & 21.2, in Block 117, as shown on the official tax assessment map for the City of Hoboken, Hudson County, New Jersey, and more commonly known as 142 Garden Street and 207 Second 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 142 GARDEN STREET AND 207 SECOND 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 and 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 a minimum amount of $1,000,000.00 with a policy to be issued by an insurance company approved by the Office of the Corporation Counsel, naming the City of Hoboken, the Mayor and the City Council Members as an additional insureds.

5. These easements shall run with the land and 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 Castellano moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on September 16, 2009 at 7:00 PM.

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

09-77
Z-11

AN ORDINANCE AMENDING CHAPTER 56 OF THE CODE OF THE CITY OF HOBOKEN TO REESTABLISH THE HOBOKEN PARKING UTILITY AS THE HOBOKEN TRANSPORTATION AND PARKING UTILITY

WHEREAS, the City of Hoboken has previously established the Hoboken Parking Utility, codified at Chapter 56 of the Code of the City of Hoboken; and,

WHEREAS, the Hoboken Parking Utility is a significant source of revenue for the City and the issue of parking within the City has been a major quality of life concern for many years; and,

WHEREAS, it is apparent that the existing structure of the Hoboken Parking Utility should be updated to reflect the importance parking holds within the City, more specifically, by elevating the Utility to the status of a City department as recognized by the Faulkner Act; and,

WHEREAS, the Utility's role should be expanded to deal with related transportation issues, requiring it to be renamed the “Hoboken Transportation and Parking Utility.”

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

SECTION ONE:

Chapter 56 of the Code of the City of Hoboken is amended as follows: [NOTE: deletions in the text are indicated by strikeouts, additions are noted by underline]

§ 56-1. Utility created.

From and after the effective date of the dissolution of the Authority,¹ the parking system and properties comprising said parking system obtained by the city through the dissolution of the Authority, and the services rendered through the employment of said properties to certain residents, commercial enterprises and visitors to the city, shall be known and designated as the City of Hoboken Transportation and Parking Utility. The

¹ Editor's Note: The Parking Authority, previously codified herein and containing portions of Ordinance Nos. 240, V-19 and DR-11 was dissolved 10-16-2002 by Ordinance No. DR-61.
Transportation and Parking Utility shall be designated as a separate department of City government pursuant to N.J.S.A. 40:69A-43.


The City of Hoboken Transportation and Parking Utility shall be operated in accordance with statutes applicable thereto under the Local Budget Law, N.J.S.A. 40A:4-1 et seq. (40A:4-33 to 35 and 62) and the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (40A:2-45 to 48) and the regulations promulgated by the Local Finance Board in the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

§ 56-3. Assumption of obligations and revenues of the former Parking Authority.

The City of Hoboken Transportation and Parking Utility shall assume all the obligations and receive all of the revenues arising from all contracts and service charges to provide parking services heretofore entered into or imposed by the Authority.

§ 56-4. Function.

It shall be the function of the City of Hoboken Transportation and Parking Utility to construct, maintain, improve and operate the parking system in the city; to construct, reconstruct, alter, provide, renew and maintain buildings or other structures and equipment and provide for the care, custody and control thereof in the operation of the City of Hoboken Transportation and Parking Utility; to raise money necessary to pay for the lands, rights or interest therein acquired for the traffic and parking system, and for improving and equipping the same; to pay or make provision for the payment of the reasonable expenses in each fiscal year of the City of Hoboken Transportation and Parking Utility; to pay to those persons entitled thereto the interest and principal on notes and bonds of the City of Hoboken Transportation and Parking Utility, and to deposit and accumulate reserve funds or reserves; and to oversee the city's multi-modal transportation network of pedestrians, bicycles, buses, and vehicular traffic.

§ 56-5. Acquisition of property.

The City of Hoboken Transportation and Parking Utility may, from time to time, acquire such real property as may be authorized by the City Council by duly adopted ordinances according to the laws of the State of New Jersey.

§ 56-6. Costs and expenses.

All costs and expenses, direct or indirect, attributable or allocable to the operation of the City of Hoboken Transportation and Parking Utility, shall be charged to it, including debt service on obligations issued or to be issued on account of capital improvements heretofore or hereafter made to the transportation or parking system.

§ 56-7. Authority to charge and collect monies.

The City of Hoboken Transportation and Parking Utility shall have authority to charge and collect monies for the use of the City of Hoboken Transportation and Parking Utility’s facilities whether they be user charges, rental fees, or lease payments, for the operation of the City of Hoboken Transportation and Parking Utility as a Self-liquidating Enterprise as provided in N.J.S.A. 40A:2-45.
§ 56-8. Director.

There is hereby created the office of Director of the Department of Transportation and Parking Utility. The Director shall be appointed by the Mayor with the advice and consent of the Council and shall serve during the term of the Mayor appointing him and until the appointment and qualification of his/her successor and shall be subject to removal as provided by law. Vacancies in the office of Director shall be filled in the same manner as the original appointment but for the unexpired term only. The compensation of the Director shall be established by the Council of the City of Hoboken pursuant to N.J.S.A. 40:69A-43a and N.J.S.A. 40:69-180.

§ 56-9. Director's Duties and Authority.

A. The Director shall be head of the City of Hoboken Transportation and Parking Utility and Department and, in addition to the functions, powers and duties that are hereby or may hereafter be conferred and imposed upon him/her by law and the ordinances of the city, shall:

1) Exercise supervision and have general responsibility for all the operations of said Utility and of the personnel employed herein.

2) Supervise the organization of the Utility and changes in the organization thereof, and, to the extent to which the organization of the Utility is not prescribed by law, may organize the Utility into such divisions and bureaus and make such assignment of powers and duties among them and, from time to time, change such organization or assignments as he/she may deem advisable, except that the boards, offices and other governmental agencies and positions hereby allocated and assigned to said Utility shall be maintained.

3) Formulate and adopt rules and regulations for the efficient conduct of the work and general administration of the Utility and the officers and employees thereof.

4) Make periodic reports with such recommendations as he/she deems appropriate to the Mayor concerning the affairs of the Utility.

B. In addition and without limitation to the general duties set forth herein, the Director of Transportation and Parking Utility shall have the following responsibilities:

1) To direct and administer the operation and maintenance and existing parking facilities by directing and supervising administrative, operational, and maintenance staff, ensuring all aspects of the Utility are operating effectively and efficiently to the benefit of the city.

2) To make recommendations to the mayor and the City Council with respect to increasing the availability of parking, ameliorating traffic, and in general making transportation safer and more efficient.

3) To create an overall transportation strategy with an integrated approach to parking, pedestrian and vehicular traffic issues.

4) To coordinate with the Director of Community Development to create a strategy for ensuring that parking, pedestrian and vehicular traffic issues are fully addressed in an integrated and comprehensive manner in all development and redevelopment plans reviewed by the City.
5) To coordinate with the Director of Revenue and Finance in assisting organizing, developing, directing and performing the work involved in the management of the financial affairs of the Utility.

6) To coordinate with the Director of Revenue and Finance in supervising and performing professional functions involved in the analysis and audits of the accounts, vouchers and other records and prepare statements concerning the financial condition of the Utility.

7) To coordinate with the Director of Revenue and Finance to develop, coordinate and execute financial policies, procedures and plans involving the Utility.

§ 56-10. Employees.

The city shall appoint and employ all necessary employees for the City of Hoboken Transportation and Parking Utility in accordance with applicable law. Salaries of the employees will be in accordance with classification and salary ordinances duly adopted by the City Council.

§ 56-11. Division of Signal and Traffic; Staff.

There is hereby established a Division of Signal and Traffic in the Hoboken Transportation and Parking Utility, which shall be responsible for the installation and maintenance of traffic signals, striping and signage, including street and curb markings and street signs related to parking and transportation in the City, as well as assisting the Division of Police in parking enforcement. Staff within the Division of Signal and Traffic may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

§ 56-12. Division of Transportation; Staff.

There is hereby established a Division of Transportation in the Hoboken Transportation and Parking Utility, which shall be responsible for the operations of a cross-town bus service and senior bus service as authorized by referendum of the voters of the City of Hoboken, adopted November 5, 1968. Staff within the Division of Transportation may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

SECTION TWO:

Sections 39-17, 39-18, 58-11 and 58-12 of the Code of the City of Hoboken are hereby repealed.

SECTION THREE:

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 FOUR:

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

Meeting of September 2, 2009
SECTION FIVE:
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

---Council President 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 September 16, 2009 at 7:00 PM.

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

Council persons Giacchi and Mason voted Yes for Introduction Only.

09-78
Z-12

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 625 BLOOMFIELD STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS LOT 14, IN BLOCK 205, ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY

WHEREAS, the applicant, Jose Carballo, Architect, has petitioned the City of Hoboken for the granting of a certain easement over municipal lands at 625 Bloomfield Street, Hoboken, New Jersey, (“the premises”) which premises is more particularly described as Lot 14, in Block 205, on the Tax Map of the City of Hoboken, New Jersey, in order to maintain an encroachment on municipal lands for the purpose of a new stairway and concrete patio at 625 Bloomfield Street as outlined in the attached drawing. The easements are described as follows:

METES AND BOUNDS
(Proposed stairway and concrete patio)

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 Bloomfield Street, distant 170.33 feet southerly from the intersection formed by the southerly line of Seventh Street with the easterly line of Bloomfield Street, said point being opposite the center of a party wall

Meeting of September 2, 2009
THENCE S-13°-04'-W and along the easterly line of Bloomfield Street a distance of 20.00 feet to a point opposite the center of another party wall standing partly on the premises being described and partly on the premises adjoining the south;

THENCE S-76°-56'-E, to thru and beyond the center of said party wall a distance of 75.00 feet to a point;

THENCE N-13°-04'-E and parallel to Bloomfield Street a distance of 20.00 feet to a point opposite the center of the first mentioned party wall;

THENCE N-76°-56'-W, to thru and beyond the center of said party wall a distance of 75.00 feet to a point in the easterly line of Bloomfield Street, said point being the point or place of beginning.

Known as Lot 14, in Block 205, as shown on the official tax assessment map for the City of Hoboken, Hudson County, New Jersey, and more commonly known as 625 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 625 BLOOMFIELD 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, and 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 a minimum amount of $1,000,000.00 with a policy to be issued by an insurance company approved by the Office of the Corporation Counsel, naming the City of Hoboken, the Mayor and the City Council Members as an additional insureds.
5. These easements shall run with the land and 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 Bhalla 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 16, 2009 at 7:00 PM.

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

NEW BUSINESS

Councilman Castellano discussed three (3) items of new business (1) working on a resolution for reading meter for Marine View Plaza tenants. (2) Resolution supporting the application for Bike and Pedestrian Safety. (3) Introducing a resolution sponsored by Councilwoman Castellano and co-sponsored by Councilman Russo calling for a permanent chief executive (Mayor).

Councilman Cunningham noted there will be a resolution on the next meeting's agenda to request for qualifications proposal of a forensic account of the monies missing from Parking Utility and the overspending of the city.

Councilman Russo thanked his constituents on congratulating him on his wedding. Also, hiring a company to sterilize schools, office buildings. Urges Mayor to consider this company to protect citizens and employees of the City of Hoboken. Over the course of his absence – (honeymoon) some stolen identify and started a Facebook page. Wants to make clear he will be pressing charges against this person when caught.

Councilwoman Mason notifying the public of upcoming Rent Control meetings – first meeting 9-21-09, 2nd 10-5-09, 3rd 10-19-09. Six items on the agenda will announce specific topics. Also, 2nd Ward Public Safety set for Sept. 22- location to be determined. Councilwoman Mason will hold two constituent coffee 1st at Café Ganache on Sept. 11th from 9am-10am; and Starbucks on Sept. 14 from 7pm-8pm.
Councilman Mello along with Councilwoman Castellano putting together a letter of support to request public funding from DOT. A grant that would help study pedestrian safety. Thanks constituents in helping put letter together to show support from the City.

Council President Zimmer gave a briefing of the status on the decision of Lt. Andriani by the hearing officer. Pushing for it to be resolved in the next couple of weeks, Municipal Garage update process did not move as swiftly as hoped. Will be visiting different sites. Thanks Councilwoman Mason for setting up meetings for Rent Control concerns.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: William Dimin, (attorney) addressing ABC approval for client Frank Tatoli) Lane Bajardi, Terry LaBruno, Patricia Waiters.

At this time, 12:30 a.m., on a motion by Councilman Russo duly seconded by Councilwoman Marsh and voted on unanimously, the City Council entered into closed (executive) session.

09-79
Closed Session

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 or anticipated litigation in which the public entity is a party or is anticipated to be a party, and another reason is to receive advice from its attorney; 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 Paff v. Hoboken City Council, HUD-L-3919-09, and also to receive advice of legal counsel regarding a legal matter involving Council appointee to the North Hudson Sewerage Authority Michael Schaffer;

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 this time, 1:14 A.M., on a motion by Councilwoman Russo; duly seconded by Council President Zimmer and voted on unanimously, the City Council came out of closed (executive) session.

Meeting of September 2, 2009
Council President Zimmer then adjourned the meeting at 1:15 p.m.

__________________________________________

PRESIDENT OF THE COUNCIL
President Zimmer 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 Castellano, Cunningham, Marsh, Mason, Mello, Russo, President Zimmer

ABSENT: Bhalla, Giacchi. Councilman Bhalla called in on speakerphone at 7:25 pm but connection failed at 7:40 pm.

Councilwoman Mason called point of order to Council President Zimmer – Introduction of Budget – Council was promised, where and when are we going to receive it? Promised two meetings ago that Council would have a draft to work with. Finance sub-committee should have had meetings from July about Budget.

Council President responded – Need to have union negotiations included in the budget

Councilman Cunningham stated that Administration, Director of Finance and State Fiscal Monitor and Mayor needs to negotiate what to present it to Council the correct way as other cities do. Do not want to rush a bad budget.

Council President Zimmer stated she is advocating that Council should know about union negotiations. Fiscal Monitor gave President Zimmer part of budget.
At this time Councilwoman Castellano motion to suspend the order of agenda to present a resolution regarding Senior Housing application to Dept. of Housing - wishes to address this resolution tonight have present it in the past without a problem.

Council President Zimmer suggested that the Council needs to review resolution before voting.

Vote to suspend agenda – YEAS – 7 – NAYS – 0
Yeas – Castellano, Cunningham, Marsh, Mason, Mello, Russo and President Zimmer.
Nays – None.
Absent – Bhalla, Giacchi.

Councilwoman Castellano asked Council President to have a constituent address the Council before starting Agenda.

The speaker who spoke: James Brennan – spoke about Professional Services Group.

**PUBLIC HEARING and FINAL VOTE ON ORDINANCES**

Second Reading / Public Hearing and Final Vote

AN AMENDED ORDINANCE ESTABLISHING THE SALARIES OF MAYOR, COUNCIL AND DEPARTMENT HEADS. **ORD. Z-13 Ordinance revised by Corporation Counsel Kleinman. Will be presented at next meeting for First Reading.**

The speaker who spoke: Scott Siegel, Lane Bajardi.

President Zimmer stated that this Ordinance was incorrect and needed to be pulled and will be corrected will be addressed for a First Reading at the next meeting.

**NO VOTE TAKEN.**

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOKEN TO ESTABLISH THE DEPARTMENT OF TRANSPORTATION AND PARKING. **ORD. Z-14**

President Zimmer 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 speaker who spoke: Mo DeGennaro, Don Pellicano Lane Bajardi.

Council President Zimmer asked Ian Sacs to speak about parking solutions in Hoboken.
Both Councilwoman Castellano and Mason voted no, reason – Not without a budget and not without a plan with a job description that works.

President Zimmer moved that the hearing be closed.
---Motion duly seconded by Councilman Cunningham
---Adopted by the following vote: YEAS: 5 - NAYS: 2
---Yeas: Council persons Cunningham, Marsh, Mello, Russo and President Zimmer.
---Nays: Castellano, Mason
---Absent: Bhalla, Giacchi.

AN ORDINANCE INITIATING THE STATUTORY RE-EXAMINATION OF THE MASTER PLAN AND AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:53. ORD. Z-15

President Zimmer 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 speaker who spoke: Gary Holtzman, Dan Tumpson.

Councilwoman Marsh commented that it is appropriate to revisit this ordinance.

Councilwoman Mason actually set aside money for this in the 2009 budget and hoping it will be in the 2010. Budget.

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

Council President Zimmer moved that the hearing be closed.
Motion duly seconded by Councilwoman Mason
---Adopted by the following vote: YEAS: 7 - NAYS: 0
---Yeas: Council persons Castellano, Cunningham, Marsh, Mason, Mello, Russo and President Zimmer.
---Nays: None.
---Absent: Bhalla, Giacchi.

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN ENTITLED, VEHICLES AND TRAFFIC. (Jubilee All Saints Day School). ORD. Z-16.

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

Councilwoman Mason had a question regarding the above ordinance - does this interfere with Bus Stops?

Councilman Cunningham addressed this issue and it does interfere with bus stops – closes to metered spots. He spoke to Director Jill Singleton about considering the Seventh Street location or both locations because both public and private school we have created drop off and pick up at all four corners.

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

Council President Zimmer moved that the hearing be closed. Motion duly seconded by Councilman Russo.

---Adopted by the following vote: YEAS: 7 - NAYS: 0
---Yeas: Council persons Castellano, Cunningham, Marsh, Mason, Mello, Russo and President Zimmer.
---Nays: None.
---Absent: Bhalla, Giacchi.

PETITIONS AND COMMUNICATIONS

09-107

Councilwoman Mason presents the following proclamation:

PROCLAMATION FROM ALL COUNCIL MEMBERS HONORING HOBO肯
PUBLIC SAFETY FIRST RESPONDERS FOR THEIR ACTIONS TAKEN ON
AUGUST 8, 2009 TO THE TRAGIC PLANE HELICOPTER COLLISION OVER THE
HUDSON RIVER.

WHEREAS, the truest test of a communities strength and character is proven in how it responds to tragedy; and

WHEREAS, the City of Hoboken was so tested on August 8, 2009 by the mid-air collision of an airplane and helicopter over the Hudson River and by the days dedicated to rescue and recovery that followed;

NOW, THEREFORE, I, BETH MASON, Second Ward Councilperson of the City of Hoboken, along with City Council members whose names are affixed hereto, acknowledge and commend the bravery of Hoboken Public Safety first responders for their actions of August 8, 2009 in response to the tragic plane helicopter collision over the Hudson River; and
BE IT FURTHER PROCLAIMED, that residents of the Second Ward and across the City of Hoboken do hereby express the full measure of their gratitude to those members of the Hoboken Police, Fire, Office of Emergency Management, Volunteer Ambulance Squad and City Parks Department who participated in the rescue and recovery efforts; and

BE IT FURTHER PROCLAIMED, that the residents of the Second Ward and the City of Hoboken do hereby extend that gratitude to include public safety responders from New York City, Weehawken and Jersey City, NY-NJ Port Authority, the Federal Bureau of Investigations and the National Transportation Safety Board; and

BE IT FURTHER PROCLAIMED, that a debt of gratitude is owed to all those residents and local business owners who heeded the call for food, water and supplies and who, without hesitation did provide for the rescue workers at their time of need.

Received and Filed.

09-108

APPLICATIONS FOR MISCELLANEOUS LICENSES

Mechanical Amusement Devices ------------------------------------------ 2
Limousine, Livery & Taxi Drivers---------------------------------------- 17
Vendors--------------------------------------------------------------- 2

---Councilman Cunningham moved that the licenses be granted.
---Motion duly seconded by Councilwoman Marsh
---Adopted by the following vote: YEAS: 7 - NAYS: 0
---Yeas: Council persons Castellano, Cunningham, Mason, Marsh, Mello, Russo, and President Zimmer
---Nays: None.
---Absent: Bhalla, Giacchi.

09-108

REPORTS OF CITY OFFICERS

A report of the Municipal Tax Clerk Sharon Curran for taxes collected; for the month ending September 2009- $1,016,040.78.

---Received and Filed.

RESOLUTIONS
Presented and Read

09-109
---By Councilwoman Mason

RESOLUTION REAFFIRMING THE CITY COUNCIL’S COMMITMENT TO CREATING SOUTHWEST PARK AND DIRECTING THE PLANNING BOARD TO COMPLETE THE SOUTHWEST REDEVELOPMENT STUDY.

WHEREAS, September 19th, 2009 marked the second anniversary of the introduction of “SW6, A Greener, Greater Hoboken,” a plan that was the first of its kind, created by community activist members of Hoboken Southwest Parks Coalition; and

WHEREAS, the SW6 plan which proposed a 6 acre park and included flood remediation measures and neighborhood “green building” targets was widely accepted by the public and unanimously endorsed by the City Council at the time of its introduction; and

WHEREAS, all current City Council members have publicly committed to the creation of additional park and recreational space within the City of Hoboken; and

WHEREAS, events of the past few weeks have brought to the forefront the dire need for active space to service youth athletic programs citywide; and

WHEREAS, members of Hoboken Southwest Parks Coalition on behalf of the City of Hoboken did submit to the Hudson County Open Space Trust Fund an application for grant funding to be applied to the purchase of land in Southwest Hoboken for park space, and were awarded a grant of $500,000; and

WHEREAS, the City of Hoboken has since submitted a grant application to New Jersey Green Acres for additional funding;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken, Hudson County, State of New Jersey, does hereby renew its commitment to the furtherance of the objectives put forth in the SW6, A Greener, Greater Hoboken plan; and

BE IT FURTHER RESOLVED, that the Planning Board is hereby directed to take up the southwest redevelopment study that was underway, rectify any outstanding issues impeding the progress of that study and return the completed study to the City Council for its consideration at the earliest reasonable date.

The speakers who spoke: Mo DeGennaro, Jim Vance, Lane Bajardi, Dennis Shah.

Director Forbes spoke on the above resolution.

---Motion duly seconded by Councilwoman Castellano
---Adopted by the following vote: YEAS: 7- NAYS: 0
---Yeas: Council persons Castellano, Cunningham, Marsh, Mason, Mello, Russo, and President Zimmer.
---Nays: None.
---Absent: Bhalla Giacchi.
RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS

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

WHEREAS, Sharon Curran, 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 $31,424.30

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LT/UNIT</th>
<th>PROPERTY</th>
<th>QTR/YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>PIERRE R. HINTON</td>
<td>194/10</td>
<td>711 GARDEN STREET</td>
<td>1/09</td>
<td>$3,126.89</td>
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Speakers on the above resolution: Mo DeGennaro.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 7 - NAYS: 0
---Yeas: Council persons Castellano, Cunningham, Marsh, Mason, Mello, Russo, and President Zimmer.
---Nays: None.
---Absent: Bhalla, Giacchi.

09-112
---By Councilwoman Cunningham

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/her 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.

  Speakers on the above resolution: Scott De Lea, Gary Holtzman.

Director Forbes spoke on the above resolution.

---Motion duly seconded by Councilwoman Castellano
---Adopted by the following vote: YEAS: 7 - NAYS: 0
---Yeas: Council persons Castellano, Cunningham, Marsh, Mason, Mello, Russo, and President Zimmer
---Nays: None.
---Absent: Bhalla, Giacchi.

09-113
---By Councilman Cunningham

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE FUNDING AGREEMENT WITH HOBNOK 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/her 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 Councilwoman Castellano.
---Adopted by the following vote: YEAS: 7 - NAYS: 0
---Yeas: Council persons Castellano, Cunningham, Mason, Marsh, Mello, Russo, and President Zimmer
---Nays: None.
---Absent: Bhalla, Giacchi.

09-114
---By Councilman Cunningham

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/her 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 Councilwoman Castellano.
---Adopted by the following vote: YEAS: 7 - NAYS: 0
---Yees: Council persons Castellano, Cunningham, Mason, Marsh, Mello, Russo, and President Zimmer
---Nays: None.
---Absent: Bhalla, Giacchi.

09-115
---By Councilman Cunningham

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/her 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 Councilwoman Castellano.
---Adopted by the following vote: YEAS: 7 - NAYS: 0
---Yees: Council persons Castellano, Cunningham, Mason, Marsh, Mello, Russo, and President Zimmer
---Nays: None.
---Absent: Bhalla, Giacchi.

09-116
---By Councilman Cunningham

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/her 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 Councilwoman Castellano.
---Adopted by the following vote: YEAS: 7 - NAYS: 0
---Yeas: Council persons Castellano, Cunningham, Mason, Marsh, Mello, Russo, and President Zimmer
---Nays: None.
---Absent: Bhalla, Giacchi.

09-117
---By Councilman Cunningham

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/her 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 Councilwoman Castellano.
---Adopted by the following vote: YEAS: 7 - NAYS: 0
---Yeas: Council persons Castellano, Cunningham, Mason, Marsh, Mello, Russo, and President Zimmer
---Nays: None.
---Absent: Bhalla, Giacchi.

09-118
---By Councilman Cunningham

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/her 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 Councilwoman Castellano.
---Adopted by the following vote: YEAS: 7 - NAYS: 0
---Yeas: Council persons Castellano, Cunningham, Mason, Marsh, Mello, Russo, and President Zimmer
---Nays: None.
---Absent: Bhalla, Giacchi.

09-119
---By Councilman Cunningham

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.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 6- NAYS: 0 – ABSTAIN -1
---Yeas: Council persons Castellano, Cunningham, Marsh, Mello, Russo, and President Zimmer
---Nays: None.
---Abstain: Mason
---Absent: Bhalla, Giacchi.

09-120
---By Councilman Mello

RESOLUTION APPROVING PARTICIPATION IN THE “PUT THE BRAKES ON FATALITIES DAY” WITH THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION AND THE NEW JERSEY DIVISION OF HIGHWAY SAFETY.

WHEREAS, the City of Hoboken is interested in participating in a program with the New Jersey Division of Highway Traffic Safety, “Put the Brakes on Fatalities Day,” which has been declared for October 10, 2009; and,

WHEREAS, across the nation, traffic crashes caused more than 40,000 fatalities in 2008, and are the leading cause of death for young people ages 3 through 34; and,

WHEREAS, in New Jersey, 591 individuals lost their lives in traffic crashes in 2008; and,

WHEREAS, alcohol-related crashes accounted for 26 percent of the State’s traffic fatalities, while 22,000 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 alternative modes of transportation; and,

WHEREAS, 78 motorcyclists, 21 bicyclists and 135 pedestrians were killed in New Jersey in traffic-related crashes in 2008; 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 gear 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 on our roadways;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken that October 10, 2009 is hereby declared “Put the Brakes on Fatalities Day” within the City and the Council calls upon everyone to put these lifesaving behaviors into practice to improve safety on the roadways in our community and throughout the State.

The speakers who spoke: Mo DeGennaro, Jim Vance.

---Motion duly seconded by Councilwoman Marsh
---Adopted by the following vote: YEAS: 7 - NAYS: 0
---Yeas: Council persons Castellano, Cunningham, Mason, Marsh, Mello, Russo, and President Zimmer
---Nays: None.
---Absent: Bhalla, Giacchi.

09-121
---By Councilman Russo

RESOLUTION OF THE CITY COUNCIL, CITY OF HOBOKEN ADOPTING MINUTES OF REGULAR MEETING AND SPECIAL MEETINGS.

RESOLVED, that filed minutes for the Hoboken City Council regular meetings of February –June 17, 2009 have been reviewed and approved as to legal form and content.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 3 - NAYS: 2 –ABSTAIN - 2
---Yeas: Council persons Castellano, Russo, and President Zimmer
---Nays: Cunningham, Mason
---Abstain: Marsh, Mello.
---Absent: Bhalla, Giacchi.

09-122
---By Councilman Russo

RESOLUTION APPROVING CERTAIN CLOSED SESSION MINUTES FOR CONTENT, BUT NOT FOR RELEASE.

WHEREAS, on July 18, 2007; October 17, 2007; November 21, 2007; December 13, 2007; December 19, 2007; February 6, 2008; June 18, 2008; August 13, 2008; September 3, 2008; November 5, 2008; December 17, 2008; January 7, 2009; January 21, 2009 and June 3, 2009, the Hoboken City Council met in closed executive session for the purposes provided for by the Open Public Meetings Act, N.J.S.A. 10:4-12(b); and,
WHEREAS, the City Clerk’s office has prepared minutes of these closed executive sessions, but they have not been formally approved by the Council; and,

WHEREAS, these closed executive session minutes contain information that may continue to be privileged and confidential;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Hoboken, that it approves the content of the closed executive session minutes for the dates listed above; and,

BE IT FURTHER RESOLVED that these minutes may be disclosed to the public at an appropriate time when the need for confidentiality no longer exists, in accordance with applicable law, and that any such release shall be approved by separate resolution.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 4 - NAYS: 1 - ABSTAIN - 1
---Yea: Council persons Castellano, Cunningham, Russo, and President Zimmer
---Nays: Mason
---Abstain: Marsh, Mello.
---Absent: Bhalla, Giacchi.

09-123
---Councilman Cunningham

RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS FOR THE SFY 2010 BUDGET

WHEREAS, the City of Hoboken is expected to enter into contracts, commitments or payments prior to the adoption of the SFY 2010 budget and no adequate provision has been made in the SFY 2010 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 2010 pursuant to the provisions of N.J.S.A. 40A:4-20 including this resolution total $49,881,382.64 for Current Expenses and $5,217,826.39 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 $15,792,300.00
2) for Current Expenses and $938,200.00 for the Parking Utility as follows:

City of Hoboken
Temporary

Meeting of October 7, 2009  15
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<td>Uniform Fire Safety</td>
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<tr>
<td>Office of Emergency Mgmt</td>
<td>45,000.00</td>
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<tr>
<td><strong>Insurance</strong></td>
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<td>General Liability</td>
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<tr>
<td>Workers Compensation</td>
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<tr>
<td>Employee Group Health</td>
<td>2,500,000.00</td>
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<tr>
<td><strong>Unclassified</strong></td>
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<tr>
<td>ABC Board</td>
<td>1,200.00</td>
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<tr>
<td>Volunteer Ambulance</td>
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</tr>
</tbody>
</table>

**Meeting of October 7, 2009**

17
N H Reg Council of Mayor O/E 13,400.00
Settlements of Claims O/E 2,500.00
Towing/Storage of Aband Veh O/E
Engineering O/E 16,400.00
Labor Arbitrations O/E
Municipal Dues & Membership O/E 650.00
Celebration of Public Events O/E 2,800.00
Postage O/E 27,100.00
Office Machines O/E
Copiers/Printers O/E
Stationary & Office Supply O/E
Central Office Supplies O/E 50,000.00
Electricity O/E 100,300.00
Street Lighting O/E 166,000.00
Gasoline O/E 30,500.00
Fuel O/E
Water & Sewer O/E 30,000.00
Communications O/E 68,400.00
TeleCommunications Equipment O/E 1,400.00
Salary Adjustment O/E
Master Plan O/E 2,700.00
Salary Settlements O/E

Sub Total Within CAPS 14,992,300.00

Statutory Expenditures
Social Security System 415,000.00
Consol Police/Fire Pension
Unemployment Compensation 23,000.00
Police/Firemen's Retirement

Subtotal Statutory Expenditures 438,000.00

Outside Caps
Maintenance of Free Public Library
Public Employee Retirement
Hoboken Housing Authority
Police SW
Matching Funds for Grant

Subtotal Outside caps 0.00

Total Appropriations Included in 26.25% limit 15,430,300.00

Capital Improvements Outside "CAPS"
Capital Improvement Fund
Computer Technology upgrades
Emergency Repair City Piers 350,000.00

Total Capital Improvements From CAP 350,000.00
Municipal Debt Service
Payment Bond Principal
Interest on Bonds
Interest on Notes
Interest on Tax Anticipation Notes
Notes Principle
Green Trust Loan Repayment
Underground Storage Tank Loan
Interest of Garage Sale
Principal on HCIA Police Car

Total Municipal Debt 0.00
Judgement 12,000.00

Total 15,792,300.00

Grants
Deferred Charges

Total Temporary Muni Budget 15,792,300.00

Parking Utility
Salary Wages 535,000.00
Other Expenses 403,200.00
Group Health

Statutory Expenditures
Public Employee Retirement System
Social Security System
Unemployment Compensation
Insurance

Total Appropriations Included in 26.25% limit 938,200.00

Debt Service
Payment of Bond Principal
Interest on Bonds
Payment of Note Interest (916)
Payment of Note Principal (916)
Trustee Fee

Total Parking Debt 0.00

Total Temporary Parking utility Budget 938,200.00

Police Department
Police
Crossing Guards
Housing Authority
**Total Police**

Recreational
Recreational Seasonal
Recreation
**Total Recreation**

**Difference**
Prior Year Settlement
Summer Lunch
OEP
Police Grant
Fire Education

Speakers on the above resolution: Mo De Gennaro, Mark Villimar, Ron Simoncini, Lane Bajardi

Motion duly seconded by Councilwoman Marsh.
---**FAILED** by the following vote: YEAS: 3 - NAYS: 4
---Yeas: Council persons Cunningham, Marsh, Mello and President Zimmer
---Nays: Castellano, Mason, Russo.
---Absent: Bhalla, Giacchi.

**APPROVED BY STATE FISCAL MONITOR JUDITH TRIPODI ON OCTOBER 8, 2009**

**09-124**
---By Councilman Castellano

**RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR SECTION 202 FUNDING FOR ELDERLY HOUSING.**

**WHEREAS**, the Columbian towers development co. of Hoboken, New Jersey is the Owner of an existing 135 units, 16 story, aged and handicapped restricted Section 202 housing development which is also subsidized by Section 8 and located at 76 Bloomfield Street, Hoboken, New Jersey between Observer Highway and Newark Street (“Property”); and

**WHEREAS**, the Columbian Towers Development Co. of Hoboken, New Jersey and/or its non profit assignee (hereinafter referred to individually and/or collectively as the “Sponsor”) proposes to develop an affordable Section 8 housing project of up to 50 units for the elderly and handicapped (hereinafter referred to as the “development”) pursuant to the United Stated Department of Housing and Urban Development’s Section 202 Supportive Housing for the Elderly (hereinafter referred to as “HUD”) within the City of Hoboken (hereinafter referred to as the “Municipality”) on the existing parking lot on the Property along Bloomfield Street; and
WHEREAS, there exists a shortage of affordable housing for the elderly and handicapped in the Municipality; and

WHEREAS, no such affordable housing for the elderly and handicapped has been built since 1993; and

WHEREAS, there is a significant population of the elderly and handicapped living on fixed incomes who resides in the Municipality seeking affordable housing within the Municipality; and

WHEREAS, it is necessary in order to make application for the Development HUD funding for the governing body of the Municipality to certify that it approves of the Development and that the proposed housing meets or will meet an existing housing need; and

WHEREAS, the Development must also demonstrate operational financial feasibility which must include a Payment in Lieu of Taxes (hereinafter referred to as the “PILOT”) agreement between the Sponsor and Municipality for the Development; and

WHEREAS, there will be need for other grant and loan funding in order to gap the Development cost shortfall created by the actual cost of development versus the capital advance to be given by HUD; and

WHEREAS, this project remains fully subject to approval from the Hoboken Planning board and Hoboken Zoning board, and is subject to compliance with the requirements of any City, State or Federal agency or entity that may have jurisdiction over this project, now, therefore, be it

RESOLVED, by the council of city of Hoboken (hereinafter referred to as the “Council”) that it finds and states that the proposed Development will meet in part the existing housing needs with in the Municipality for the elderly and handicapped and support such Developments; and

FURTHER RESOLVED, that the Council supports the application to HUD; and

FURTHER RESOLVED, that the Council support an application for PILOT subject to receipt of evidentiary documents showing the need and legal eligibility; and

FURTHER RESOLVED, that the Council supports applications to be made to other jurisdictions (namely the County of Hudson and its agencies, State of New Jersey and its agencies and the United States of America and its agencies) for grants and loans that can demonstrate a need for support of the Development; and

FURTHER RESOLVED, that the Council requests the Mayor of the Municipality to provide additional support as necessary to effectuate the goals set forth above.

Corporation Counsel Kleinman amended the above resolution.

---Motion duly seconded by Councilman Russo
---Adopted as amended by the following vote: YEAS: 7 - NAYS: 0
---Yeas: Council persons Castellano, Cunningham, Mason, Marsh, Mello, Russo, and President Zimmer

Meeting of October 7, 2009
RESOLUTION APPROVING CHANGE ORDERS TO 2008 ROADWAY IMPROVEMENTS PROJECT FUNDED BY THE NEW JERSEY DEPARTMENT OF TRANSPORATION – CONTRACTOR ENGLISH PAVING CO., INC.

WHEREAS, on August 13, 2008, the Council of the City of Hoboken approved a contract in the amount of $374,976.32 to be awarded to English Paving Company, Inc. for Hoboken’s 2008 Roadway Improvements; and,

WHEREAS, two change orders totaling $57,193.00 (Change Order #1 plus $6,561.25 and Change Order #2 minus $63,754.25) less than the original contract anticipated were issued;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Hoboken formally approves the change orders decreasing the contract amount by 15.25% or a final contract amount of $317,783.32; and,

BE IT FURTHER RESOLVED, that the Mayor or her designee is hereby authorized to sign such change order documents as required by the New Jersey Department of Transportation and to take any further actions necessary to realize the intent and purpose of this resolution.

---Nays: None.
---Absent: Bhalla, Giacchi.

09-125
---BY Councilwoman Castellano


WHEREAS, the Council of the City of Hoboken is aware of the growing need for dog day care and boarding kennel services for the many owners of dogs that reside in our community; and,
WHEREAS, the Code of the City of Hoboken requires amendment to provide for standards under which these services may be provided, and the appropriate locations within the City where these services will be considered permitted “conditional uses”; and,

WHEREAS, this Ordinance will promote the health, safety and general welfare of the City of Hoboken and its people and will advance the purposes of the Municipal Land Use Law set forth at N.J.S.A. 40:55D-2.

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:

Chapter 93 of the Code of the City of Hoboken, entitled “Dogs and Other Animals,” more specifically, Sections 93-1, “Definitions,” and 93-7, “Kennels, pet shops and pounds,” is hereby amended, in part, as follows, (additions noted by underline, deletions by strikethrough):

Chapter 93--DOGS AND OTHER ANIMALS

§93-1. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

AUTHORIZED AGENT -- Sanitary Inspector First Grade Registered Environmental Health Specialist or a Public Health Nuisance Investigator of the Hoboken Board of Health.

DOG--Any dog, bitch or spayed bitch.

DOG OF LICENSING AGE--Any dog which has attained the age of seven (7) months or which possesses a set of permanent teeth.

GUIDE DOG--Any dog certified to serve and aid those members of our nation who suffer from a verified disability, and are at the time serving or aiding a person with a verified disability.

HEALTH OFFICER--The legally designated Health Officer of the City of Hoboken or his authorized representative.

KENNEL--Any establishment wherein or whereon the business of boarding or selling dogs or breeding dogs for sale is carried on, except a pet shop. See particular sub-categories below:

KENNEL, BOARDING--Any establishment wherein or whereon the business of boarding dogs on an overnight basis is carried on, except a pet shop.

KENNEL, BREEDING--Any establishment wherein or whereon the business of breeding dogs for sale is carried on, except a pet shop.
DOGGIE DAYCARE--An organized, controlled and monitored environment in which a group of friendly dogs from multiple households can interact and play throughout the day between the hours of 7:00 A.M. and 10:00 P.M. for the purpose of daytime care. In no event may the dogs stay overnight in such facility unless the facility is also licensed as a "boarding kennel." A "doggie daycare" facility, with or without overnight kenneling, may include such services as grooming and may offer dog-related items or sale.

OWNER (when applied to the proprietorship of a dog)--Includes every person having a right of property in such dog and every person who has such dog in his keeping.

PET GROOMING SHOP--Any room or group of rooms wherein dogs, cats or other animals are washed, cleaned or groomed.

PET SHOP--Any room or group of rooms, cage or exhibition pen, not part of a kennel, wherein dogs, cats, birds, fish, reptiles, lawful wildlife, rodents or insects for sale are kept or displayed.

POUND--An establishment for the confinement of dogs seized either under the provisions of this chapter or otherwise.

RULE OR ORDER - Directive of the Health Officer.

SHELTER--Any establishment where dogs are received, housed and distributed without charge.

§ 93-7. Kennels, pet shops, doggie daycare, shelters and pounds.

A. Any person who keeps or operates or proposes to establish a kennel, a pet shop, a doggie daycare, a shelter or a pound shall apply to the Board of Health for a license entitling him to keep or operate such establishment, on an application form furnished by the Clerk of the Board.

B. The application shall describe the premises where the establishment is located or is proposed to be located, the purpose or purposes for which it is to be maintained and shall show compliance with the local and state rules and regulations governing location and sanitation of such establishments.

C. All licenses issued for a kennel, pet shop, doggie daycare, shelter or pound shall state the purpose for which the establishment is maintained, and all such licenses shall expire on the last day of January of each year and be subject to revocation on recommendation of the State Department of Health or the Board of Health for failure to comply with the rules and regulations of the State Department of Health or the Board of Health. Revocation of the operating license shall be reported to the Zoning Officer who shall revoke the certificate of occupancy until the license is restored.

D. Any person holding such license shall not be required to secure individual licenses for dogs owned by such licensee and kept at such establishments.
Such licenses shall not be transferable to another owner or different premises.

E. The annual license fee for a kennel or doggie daycare providing accommodations for ten (10) or less dogs at any one time shall be one hundred fifty dollars ($150.00) and for more than ten (10) dogs, three hundred dollars ($300.00). The annual license fee for a pet shop shall be twenty-five dollars ($25.00). No fee shall be charged for a shelter or pound.

F. No dog kept in a kennel, pet shop, doggie daycare, shelter or pound shall be permitted off such premises, except on a leash or in a crate or other safe control.

The remainder of Chapter 93 shall remain unchanged.

SECTION TWO:


I) The following definitions are hereby added to §196-6, “Definitions.”

DOGGIE DAYCARE--Any establishment wherein dogs may be left in an organized, controlled and monitored environment in which a group of friendly dogs from multiple households can interact and play throughout the day between the hours of 7:00 AM and 10:00 PM for the purpose of daytime care. In no event may the dogs stay overnight in such facility unless the facility is also licensed as a “boarding kennel”. A “doggie daycare” facility, with or without overnight kenneling may include such services as grooming and may offer dog-related items for sale.

KENNEL, BOARDING--Any establishment wherein or whereon the business of boarding dogs on an overnight basis is carried on, except a pet shop.

KENNEL, BREEDING--Any establishment wherein or whereon the business of breeding dogs for sale is carried on, except a pet shop.

II) The following conditional uses are added to §196-17, “I-1 District.”

D. Conditional uses shall be as follows:
   (1) I-1 District
       (j) Doggie Daycare
       (k) Boarding Kennel

III) The following provisions are added to §196-38, “Standards for particular use.”

X. Doggie Daycare/Boarding Kennel. Such facilities, whether provided independently or combined into one facility, shall require a license as a “kennel” from the City’s Board of Health and shall be maintained in a completely enclosed structure and shall be of soundproof construction and so operated as to produce no objectionable odors or excessive
1. The facilities for housing dogs shall be structurally sound and shall be maintained in good repair to prevent injury to the dogs, to contain the dogs and restrict the entrance of other animals. Sufficient space shall be provided indoors for all animals kept at the facility.

2. Dogs are permitted in outdoor kennels, pens or runs only while fully supervised by staff for limited time periods to be specified at the time of site plan approval. The Planning Board shall evaluate the impact of such outdoor activities based on adjacent conditions.

3. Hot and cold water facilities shall be provided.

4. Detailed plans and proposals for sanitary sewage and solid waste disposal approved by the Hoboken Board of Health, shall be submitted to the Planning Board. Feces and other excreta shall be removed at least once daily and the runs washed down with hot water and disinfectant cleaner. Excreta shall be disposed of in a sanitary manner.

5. The kennel space shall be ventilated in such a manner as will provide fresh air at all times. The kennel temperature shall be maintained at a reasonable and suitable level to promote the health and comfort of the type of dog or dogs housed.

6. Lighting by either natural or artificial means shall provide a minimum of thirty candle power for at least eight hours per day except where contraindicated for health reasons.

7. Provisions shall be made for noise control which at a minimum shall include soundproofing of all enclosed structures.

8. All such facilities shall be licensed by the City’s Board of Health and shall also meet the requirements of all appropriate county, state or federal regulatory agencies.

9. Revocation of the operating license shall be reported to the Zoning Officer who shall revoke the certificate of zoning compliance until the license is restored. The Zoning Officer shall send a report to the City Council bi-annually to report any noise and/or odor complaints made against the facility. Repeated violations shall result in revocation of the certificate of zoning compliance.

The remainder of Chapter 196 shall remain unchanged.

SECTION THREE: REFERRAL TO PLANNING BOARD

In accordance with N.J.S.A. 40:55D-26 and 64, 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 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 to the extent of such conflict or inconsistency it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in 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

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.

---Council President 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 21, 2009 at 7:00 PM.

---Motion duly seconded by Councilman
---Adopted by the following vote: YEAS: 7 - NAYS: 0
---Yeas: Council persons Castellano, Cunningham, Marsh, Mason, Mello, Russo, and President Zimmer
---Nays: None.
---Absent: Bhalla, Giacchi.

09-127
AN ORDINANCE OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE CITY OF HOBOKEN AND APPROPRIATING $4,127,000 THEREFORE (INCLUDING GREEN ACRES GRANTS/LOANS IN THE TOTAL AMOUNT OF $2,700,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW JERSEY, A GRANT IN THE AMOUNT OF $877,000 EXPECTED TO BE RECEIVED FROM THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY, A GRANT IN THE AMOUNT OF $350,000 EXPECTED TO BE RECEIVED FROM THE HUDSON COUNTY OPEN SPACE FUND AND $200,000 EXPECTED TO BE RECEIVED THE HUDSON COUNTY OPEN SPACE TRUST FUND), AND PROVIDING FOR THE ISSUANCE OF $4,127,000 IN BONDS OR NOTES OF THE CITY OF HOBOKEN TO FINANCE THE SAME.

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 purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City of Hoboken, in the County of Hudson, New Jersey (the “City”) as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of money therein stated as the appropriation made for the improvement or purpose, such sum amounting to $4,127,000 (including Green Acres grants/loans in the total amount of $2,700,000 expected to be received from the New Jersey Economic Development Authority, a grant in the amount of $350,000 expected to be received from the Hudson County Open Space Fund and $200,000 expected to be received from the Hudson County Open Space Trust Funding, collectively, the “Grants”). No down payment is required in connection with the authorization of bonds and notes pursuant to N.J.S.A. 40A:2-11(c) as it involves projects funded by State grants or other similar programs, within the meaning of N.J.S.A. 40A:2-11(c).

Section 2. In order to finance the cost of the improvement or purpose provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of $4,127,000 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 purpose for which the bonds are to be issued is (i) the design and construction of a new park located at 1600 Park Avenue in the City; and (ii) the remediation, construction and design of Hoboken Cove located in the City, including all work, materials and services necessary therefore or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 thereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made thereof.

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 on 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, 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 improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an important or purpose the City may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 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 $4,127,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding $706,400 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 improvement or purpose.

(e) The City reasonably expects to commence the acquisition and/or construction of
the improvement or purpose 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 or other monies received for the purpose described in Section 3 hereof, including the Grants expected to be received, 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 10 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 or may be required thereunder.

Section 12. This bond ordinance shall take effect 20 days, after the first publications thereof after final adoption, as provided by Section 10 hereof and the Local bond Law.

---Council President 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 21, 2009 at 7:00 PM.

---Motion duly seconded by Councilwoman Marsh.
---Adopted by the following vote: YEAS: 7 - NAYS: 0
09-128
Z-19


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 metered parking be established in the vicinity of the new Clearview Cinemas so as to provide for appropriate vehicle management within that area; and,

WHEREAS, the Administration and Hoboken Parking Utility further recommend the establishment of a taxi stand and loading zone adjacent to the Clearview Cinemas to allow for the smooth pickup and drop off of movie theatre patrons.

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 hereby amended to add the following time-limit parking locations and fees:

<table>
<thead>
<tr>
<th>Street Location</th>
<th>Side</th>
<th>Hours/Time Limit</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams Street</td>
<td>West</td>
<td>11 a.m. to 11 p.m. 4 Hours</td>
<td>$0.25/15 min.</td>
</tr>
<tr>
<td>from 14th Street to 15th Street</td>
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<td></td>
</tr>
<tr>
<td>Adams Street</td>
<td>Both</td>
<td>11 a.m. to 11 p.m.</td>
<td>$0.25/15 min.</td>
</tr>
<tr>
<td>from 15th Street to 16th Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grand Street</td>
<td>Both</td>
<td>11 a.m. to 11 p.m. 4 Hours</td>
<td>$0.25/15 min.</td>
</tr>
<tr>
<td>from 15th Street to 16th Street</td>
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</tbody>
</table>

The remainder of Section 190-29 shall remain unchanged.

SECTION TWO:

Section 141-2 of the Code of the City of Hoboken is amended as follows:

141-2. Resident Permits.
Name of Street     Side     Limits                           Rate
Adams Street      West     24 hours                       Beginning at the northernmost curbline of Observer Hwy & extending to 14th Street
Grand Street      West     24 hours                       Beginning at the northernmost Curbline of Observer Hwy & Extending to 15th Street

All other streets listed in Section §141-2 shall remain unchanged.

SECTION THREE:

Section 190-11 of the Code of the City of Hoboken is amended to add the following loading zone for the dropping off and picking up of patrons of the Clearview Theatre as follows:

<table>
<thead>
<tr>
<th>Name of Street</th>
<th>Times</th>
<th>Sides</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams Street</td>
<td>24 Hours</td>
<td>East</td>
<td>Beginning at the northerly curbline of Fourteenth Street and extending 55 feet north therefrom.</td>
</tr>
</tbody>
</table>

The remainder of Section 190-11 shall remain unchanged.

SECTION FOUR:

Section 190-12 of the Code of the City of Hoboken is amended to add the following taxi stand as follows:

<table>
<thead>
<tr>
<th>Name of Street</th>
<th>Side</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grand Street</td>
<td>West</td>
<td>Beginning at the southerly curbline of Fourteenth Street and extending 55 feet southerly therefrom.</td>
</tr>
</tbody>
</table>

The remainder of Section 190-12 shall remain unchanged.

SECTION FIVE:

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 SIX:

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

SECTION SEVEN

This Ordinance shall take effect according to law.
---Council President 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 21, 2009 at 7:00 PM.

---Motion duly seconded by Councilwoman Marsh.
---Adopted by the following vote: YEAS: 7 - NAYS: 0
---Yeas: Council persons Castellano, Cunningham, Marsh, Mason, Mello, Russo, and President Zimmer.
---Nays: None.
---Absent: Bhalla, Giacchi.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Helen Hirsch, Eric Volpe, Jim Vance, Simoncini, Lane Bajardi. Kim Glatt, Jim Doyle.

Councilwoman Mason left meeting at 11:45 pm
Councilwoman Mason returns at 11:48 pm

At this time, 11:59 P.M., on a motion by Councilman Russo; duly seconded by Councilwoman Marsh and voted on unanimously, the City Council entered into closed (executive) session.

RESOLUTIONS (Continued)

09-129
---By Councilman Russo

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-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 this time, 12:22 A.M., on a motion by Councilman Russo; duly seconded by Councilwoman Mason and voted on unanimously, the City Council came out of closed (executive) session.

________________________________

PRESIDENT OF THE COUNCIL

________________________________

CITY CLERK
President Zimmer opened the meeting at 7:15 p.m. and stated, "I would like to advise all those present that notice of this meeting has been provided to the public in accordance with the provisions of the Open Public Meeting Act, and that notice was furnished to The Jersey Journal and The Hoboken Reporter, The 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 Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer

ABSENT: Mason.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE OF THE COUNCIL OF THE CITY OF HOBOKEN GRANTING AN EASEMENT FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY AT THE SITE OF REAL PROPERTY AT 1405-1429 MADISON STREET AND 1404-1428 JEFFERSON STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS LOT 1 THROUGH 26, IN BLOCK 119, ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY. (ORD. Z-8)

President Zimmer 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. Councilwoman Marsh motion that the above ordinance be TABLED.
Motion duly seconded by Councilman Russo.
---**TABLED** by the following vote: **YEAS: 8 - NAYS: 0** – **ABSENT - 1**
---Yeas: Council persons Bhalla, Cunningham, Giacchi, Marsh, Mello, Russo, and President Zimmer.
---Nays: None.
---Absent: Mason.

AN ORDINANCE AMENDING CHAPTER 93 OF THE CODE OF THE CITY OF HOBOoken, “DOGS AND OTHER ANIMALS,” AND CHAPTER 196 OF THE CODE OF HOBOken “ZONING,” WITH RESPECT TO DOG DAY CARE AND BOARDING KENNEL SERVICES. (ORD. Z-17) **TABLED** (Counsel Corporation needs to be advertised)

President Zimmer 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 speaker who spoke: Scott Siegel.

Councilman Cunningham motion that the above ordinance be **TABLED**. Motion duly seconded by President Zimmer.
---**TABLED** by the following vote: **YEAS: 8 - NAYS: 0** – **ABSENT - 1**
---Yeas: Council persons Bhalla, Cunningham, Giacchi, Marsh, Mello, Russo, and President Zimmer.
---Nays: None.
---Absent: Mason.

**Councilwoman Mason arrived at 7:25 p.m.**

AN ORDINANCE OF THE CITY OF HOBOoken, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE CITY OF HOBOken AND APPROPRIATING $4,127,000 THERFOR (INCLUDING GREEN ACRES GRANTS/LOANS IN THE TOTAL AMOUNT OF $2,700,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW JERSEY, A GRANT IN THE AMOUNT OF $877,000 EXPECTED TO BE RECEIVED FROM THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY, A GRANT IN THE AMOUNT OF $350,000 EXPECTED TO BE RECEIVED FROM THE HUDSON COUNTY OPEN SPACE FUND AND $200,000 EXPECTED TO BE RECEIVED FROM THE HUDSON COUNTY OPEN SPACE TRUST FUND), AND PROVIDING FOR THE ISSUANCE OF $4,127,000 IN BONDS OR NOTES OF THE CITY OF HOBOken TO FINANCE THE SAME. (ORD. Z-18)

President Zimmer 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 speaker who spoke: Helen Hirsch, Lane Bajardi.

President Zimmer moved that the hearing be closed. Motion duly seconded by Councilman Cunningham
---Adopted by the following vote: **YEAS: 9 - NAYS: 0**
---Yeas: Council persons Bhalla, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, and President Zimmer.
---Nays: None.


President Zimmer 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 speakers who spoke Helen Hirsch, Kim Glatt, Lane Bajardi.

President Zimmer moved that the hearing be closed.

Councilman Russo motion that the above ordinance be TABLED. Motion duly seconded by Councilman Cunningham
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Cunningham, Giacchi, Marsh, Mason, Mello, Russo, and President Zimmer.
---Nays: Bhalla.

Councilwoman Mason left meeting at 8:55 p.m.

09-130

APPLICATIONS FOR MISCELLANEOUS LICENSES

Raffles ----------------------------------------------------- 2

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

Councilwoman Mason returned to the meeting at 8:57 p.m.
REPORTS OF CITY OFFICERS

09-131
A report of the Municipal Court indicating receipts for the month ending September 2009 - $381,111.18.

RESOLUTIONS

Presented and Read

09-132
---By Councilwoman Marsh

CONFIRMING APPOINTMENT OF TEJAL DESAI TO THE HOBOKEN MUNICIPAL HOSPITAL AUTHORITY FOR A FIVE-YEAR TERM TO EXPIRE ON JUNE 30, 2014.

WHEREAS, pursuant to the Code of the City of Hoboken, §36A-1, the City of Hoboken has established the Hoboken Municipal Hospital Authority; and,

WHEREAS, §36A-3 further provides that six (6) Class III public members shall be appointed to the Authority with the advice and consent of the City Council; and,

WHEREAS, Class III member Camille Corea resigned from her position on September 7, 2009, creating a vacancy; and

WHEREAS, the expiration date for the term of office for the Class III position previously held by Camille Corea is June 30, 2010;

WHEREAS, Acting Mayor Dawn Zimmer has nominated Tejai Desai to fill the remainder of the term to which Camille Corea has been appointed.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby confirms Tejal Desai of 610 Newark Street, #9F, Hoboken, NJ to serve as a member of the Hoboken Municipal Hospital Authority to fill the vacancy caused by the resignation of Class III member Camille Corea; and

BE IT FURTHER RESOLVED, that this appointment will expire on June 30, 2010.

The speakers who spoke: Kevin Kramer, Lane Bajardi,

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

Meeting of October 21, 2009  4
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, President Zimmer.
---Nays: None.

09-133
---By Councilwoman Marsh

APPOINTING ANTHONY SOARES TO THE HOBOKEN ZONING BOARD OF ADJUSTMENT TO FILL A VACANCY IN A TERM TO EXPIRE ON DECEMBER 31, 2010.

WHEREAS, pursuant to the Code of the City of Hoboken, §44-11, the City of Hoboken has established a Zoning Board of Adjustment; and,

WHEREAS, pursuant to a recent amendment to §44-11, members of the Zoning Board of Adjustment are now appointed by the City Council, rather than the Mayor, and,

WHEREAS, there is a current vacancy in the Zoning Board of Adjustment due to the resignation of Randall Underwood, whose term was to run through December 31, 2010; and,

WHEREAS, the City Council has followed the process contemplated by the “Citizens Service Act,” in applications for the position were publicly sought and reviewed, and Anthony Soares has timely submitted his application to the Clerk of the City of Hoboken;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby appoints Anthony Soares residing at 551 Observer Hwy. #7B, to serve as a member of the Hoboken Zoning Board of Adjustment to fill the vacancy caused by the resignation of Randall Underwood, which shall expire on December 31, 2010.

The speakers who spoke: Mo DeGennaro, Dan Tumpson, Lane Bajardi, Mary Ondrejka.

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

09-134
---By Councilwoman Marsh

APPOINTING JAMES AIBEL AS AN ALTERNATE TO THE HOBOKEN ZONING BOARD OF ADJUSTMENT TO FILL A VACANCY IN A TERM TO EXPIRE ON DECEMBER 31, 2010.

WHEREAS, pursuant to the Code of the City of Hoboken, §44-11, the City of Hoboken has established a Zoning Board of Adjustment; and,

WHEREAS, pursuant to a recent amendment to §44-11, members of the Zoning Board of Adjustment are now appointed by the City Council, rather than the Mayor; and,
WHEREAS, §44-11(D) provides for the appointment of up to two (2) alternate members to the Zoning Board of Adjustment who serves for a term of two (2) years; and,  

WHEREAS, there is a current vacancy for an alternate to the Zoning Board of Adjustment; and,  

WHEREAS, the City Council has followed the process contemplated by the “Citizens Services Act,” in applications for the position were publicly sought and reviewed, and James Aibel has timely submitted his application to the Clerk of the City of Hoboken;  

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby appoints James Aibel resident at 1004 Garden Street, to fill the vacant position of alternate member of the Hoboken Zoning Board of Adjustment, which shall expire on December 31, 2010.

The speakers who spoke: Mo DeGennaro, Dan Tumpson, Lane Bajardi, Mary Ondrejka.

---Motion duly seconded by Councilman Cunningham.  
---Adopted by the following vote: YEAS: 8 - NAYS: 1  
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mello, Russo and President Zimmer.  
---Nays: Mason.  
09-135  
---By Council President Zimmer

RESOLUTION URGING NORTH HUDSON SEWERAGE AUTHORITY TO IMPLEMENT SENSOR MONITORING TECHNOLOGY TO AUGMENT HOBOKEN FLOOD CONTROL PROJECT

WHEREAS, The North Hudson Sewerage Authority (“NHSA”) has begun the process of building a wet weather pump station on the eastern portion of Observer Highway to alleviate weather related flooding in the southwestern section of the City; and,  

WHEREAS, an easement for the pumping station site was granted by the Hudson County Board of Freeholders in September 2009; and,  

WHEREAS, NHSA has committed to fund the full $14 million cost of the construction of this pump through a Federal stimulus grant and the Authority’s participation in the New Jersey State Revolving Loan Fund; and,  

WHEREAS, while the pump being constructed by NHSA is designed with the largest capacity to alleviate the majority of Hoboken’s flooding problems, the complete flood control program recommended by NHSA requires 3 additional pump stations to be funded by the City of Hoboken, at an estimated cost to the City of approximately $30 million; and,  

WHEREAS, in light of the substantial cost of this project and Hoboken’s difficult fiscal situation, it is unclear when it will be possible for Hoboken to move forward on the 3 additional pump stations; and,  

WHEREAS, the City of Hoboken has received a proposal from EmNet, LLC to provide sensor monitoring technology that would better enable us to understand what is actually occurring within our storm water and sewerage system during flood events, and
enable us to evaluate which pumps should be prioritized and whether all 4 pumps are necessary; and,

WHEREAS, EmNet reviewed all SWMM engineering models from North Hudson Sewerage Authority, and conducted an on-site evaluation of Hoboken’s sewer system;

WHEREAS, EmNet provided an extensive presentation to the City Council and the public explaining this technology and how it could significantly reduce costs while assisting in crafting the best possible flood remediation solution;

WHEREAS, the information obtained through the use of this technology could enable Hoboken and the NHSA to optimize the efficiency of the flood control program, possibly reducing the number of pumps and significantly reducing the cost to the City of Hoboken;

WHEREAS, the City of Hoboken is seeking to solve its flooding problem as quickly and cost effectively as possible;

WHEREAS, the City of Hoboken and NHSA will need to address the issue of Combined Sewerage Overflows into the Hudson River over the long term with the stricter enforcement of the Clean Water Act, and this technology could help to evaluate alternative control strategies;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken does hereby recommend to the North Hudson Sewerage Authority the incorporation of EmNet, LLC’s sensor monitoring technology in to the development and implementation of the Hoboken flood control project.

The speakers who spoke: Lane Bajardi.

---Motion duly seconded by: Councilman Cunningham.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, Zimmer.
---Nays: None.

RESOLUTION #5 - Authorization of one (1) year contract for the Hoboken Police Department to provide security services to the Hoboken Housing Authority.

TABLED NO ACTION TAKEN.

09-136
---By Councilman Cunningham

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS.

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

WHEREAS, Sharon Curran, 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 $36,852.21

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LT/UNIT</th>
<th>PROPERTY</th>
<th>QTR/YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>FIRST AMERICAN REAL ESTATE TAX</td>
<td>28/32/C0006</td>
<td>550 FIRST ST</td>
<td>4/04</td>
<td>$1,076.29</td>
</tr>
<tr>
<td>SERVICE P.O. BOX 961230</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FT WORTH, TX 76161-0230</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CITIMORTGAGE 70/1/T01</td>
<td>501-515 ADAMS ST</td>
<td>4/07</td>
<td>$1,212.75</td>
<td></td>
</tr>
<tr>
<td>P.O. BOX 9444 GAITHERSBURG, MD</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20898-9444</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AHMSI 70/11/C0305</td>
<td>522-532 GRAND ST</td>
<td>3/09</td>
<td>$2,669.06</td>
<td></td>
</tr>
<tr>
<td>P.O. BOX 13922 DURHAM, NC 27709</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MANISHA DROSKOSKI 75/2.1/C0009</td>
<td>603-607 MONROE ST</td>
<td>1/09</td>
<td>$4,937.32</td>
<td></td>
</tr>
<tr>
<td>603-607 MONROE STREET #9</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HOBOKEN, NJ 07030</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JOSEPH FARCO 156/5/CG-4C</td>
<td>1117 GRAND ST/1118 CLIN</td>
<td>3/09</td>
<td>$836.52</td>
<td></td>
</tr>
<tr>
<td>1115 GRAND STREET APT 4C</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>HOBOKEN, NJ 07030</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JOSEPH FARCO 156/5/CGP11</td>
<td>1117 GRAND ST/1118 CLIN</td>
<td>3/09</td>
<td>$98.68</td>
<td></td>
</tr>
<tr>
<td>1115 GRAND STREET APT 4C</td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>HOBOKEN, NJ 07030</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JOSEPH MURRAY 189/44</td>
<td>154 SECOND ST</td>
<td>3&amp;4/08</td>
<td>6,956.61EXCEL1</td>
<td></td>
</tr>
<tr>
<td>154 SECOND STREET</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>HOBOKEN, NJ 07030</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZOREL DESIGNS 221/24/C0109</td>
<td>1000-12 HUDSON ST</td>
<td>4/08/1&amp;2/09</td>
<td>$9,375.50EXCEL1</td>
<td></td>
</tr>
<tr>
<td>1000 HUDSON STREET #109</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>HOBOKEN, NJ 07030</td>
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<td></td>
</tr>
<tr>
<td>WILLIAM MURPHY 268.1/2/C012P</td>
<td>1500 WASHINGTON ST</td>
<td>2006/2007</td>
<td>$9,689.48EXCEL1 &amp; 2008</td>
<td></td>
</tr>
<tr>
<td>P.O. BOX 878</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MANTOLOKING, NJ 08738</td>
<td></td>
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</tbody>
</table>

---Motion duly seconded by Councilwoman Marsh.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer.
---Nays: None.
RESOLUTION AUTHORIZING THE PLANNING BOARD OF THE CITY OF HOBOKEN TO CONDUCT A PRELIMINARY INVESTIGATION OF PROPOSED AREA IN NEED OF REDEVELOPMENT (SOUTHWEST AREA/PROPOSED “IT” ZONING DISTRICT) IN ACCORDANCE WITH 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 the City are 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, the City Council at its meeting on January 19, 2006 in Resolution #06-264 authorized the Planning Board to perform a preliminary investigation and hold a public hearing to determine whether the proposed area was in need of redevelopment, and to submit its recommendations to the City Council in accordance with N.J.S.A. 40A:12A-6; and

WHEREAS, the Planning Board has such preliminary investigation completed and held a public hearing on June 6, 2006 and made the recommendation that the area is in need of redevelopment; and

WHEREAS, the City Council designated said study area as an area in need of redevelopment on June 21, 2006; and

WHEREAS, as on May 16, 2007 the Superior Court of Hudson County ruled in favor of members of the Southwest Parks Coalition finding that the City has violated the procedures of the Local Redevelopment and Housing Law in the manner in which the hearing was conducted before the Planning Board;

WHEREAS, the Court ordered the City and the Planning Board to hold a new public hearing on this matter; and

WHEREAS, a new Redevelopment Study was completed and multiple public hearings were held by the Planning Board on the study; and

WHEREAS, no further public hearings have been held and the Planning Board has failed to complete the hearings and take action on this matter.

WHEREAS, the City Council therefore desires that the Planning Board conduct a preliminary investigation and public hearing in accordance with N.J.S.A. 40A:12A-6 to determine whether certain areas of the City are in need of redevelopment of the following areas:

The study area encompasses the blocks in the southwest corner of the City which are designated as proposed “IT (Industrial Transition)” zoning district by the City’s Master Plan as follows:
Beginning at Henderson Street and its intersection with the boundary between Hoboken and Jersey City, continuing west along the City boundary line in a westerly direction, then continuing along the boundary as it turns north until it intersects Paterson Avenue, then following Paterson Avenue in a southeasterly direction to its intersection with First Street, then following First Street in an easterly direction to its intersection with Harrison Street, then following Harrison Street in a southerly direction to its intersection with Paterson Avenue, then following Paterson Avenue in a southeasterly direction to its intersection with Observer Highway and Monroe Street then easterly along Observer Highway to Jefferson Street, then in a southerly direction back along Henderson Street to the point of beginning.

The following blocks are included in the study area in their entirety (i.e. all lots in each block inclusive):

BLOCKS: 3, 3.1, 3.2, 139.1
        4, 5, 6, 7, 8, 8.1
        9, 10, 11, 12, 14, 23

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

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

1. That the Planning Board of the City of Hoboken is hereby authorized and directed to perform a current preliminary investigation and hold a public hearing to determine whether the proposed areas as set forth above and on attached map are in need of redevelopment and to submit its recommendation to the City Council in accordance with the Redevelopment Law; and

2. That this Resolution shall be effective immediately.

The speakers who spoke: Lane Bajardi, Dan Tumpson, Dennis Shah.

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

09-138
--- By Councilwoman Castellano

RESOLUTION AUTHORIZING AGREEMENT WITH THE HOBOKEN UNIVERSITY MEDICAL CENTER TO PROVIDE H1N1 VACCINATIONS.
WHEREAS, the H1N1 virus is a potentially serious health threat within Hoboken and surrounding areas during the upcoming winter; and,

WHEREAS, the City of Hoboken has received a notice of intent letter from the New Jersey Department of Health and Senior Services (NJDHSS) stating that the NJDHSS will be providing a grant to the City in the amount of $104,454 in order to implement a voluntary program of vaccinations against the H1N1 virus; and,

WHEREAS, it is critical that these vaccinations be provided by appropriately trained personnel so as to ensure the safety of the community; and,

WHEREAS, the Hoboken University Medical Center (HUMC) has agreed to provide trained staff for up to eight (8) clinics in order to administer the H1N1 vaccine to residents of the City who wish to be vaccinated; and,

WHEREAS, pursuant to N.J.S.A. 40A:11-5(2), public bidding is not required to enter into an agreement for HUMC to provide this service; and,

WHEREAS, the total cost of this service shall not exceed $44,832.00 all of which shall come from the aforementioned grant from the NJDHS.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken that immediately upon the City's formal acceptance of grant funding from the NJDHSS, it does hereby authorize a contract between the City of Hoboken and the Hoboken University Medical Center 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, including the negotiation and execution of appropriate contract documents.

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

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

ORDINANCES

Introduction and First Reading
AN ORDINANCE ESTABLISHING THE SALARIES OF MAYOR, COUNCIL, AND DEPARTMENT HEADS.

WHEREAS, the City of Hoboken is governed by the Faulkner Act Mayor-Council form of government; and,

WHEREAS, pursuant to the Faulkner Act, N.J.S.A. 40:69A-180(c), the salary, wages or other compensation paid to the Mayor and members of the City Council must be fixed by the council immediately upon reorganization; and,

WHEREAS, N.J.S.A. 40:69A-180(c) further provides that the compensation of all department heads shall be also fixed by the council upon reorganization; and,

WHEREAS, N.J.S.A. 40:69A-43a provides that the salary, wages or other compensation paid to all other municipal employees is established by the Mayor, except as specifically otherwise provided by law;

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

[NOTE: deletions in the text are indicated by strikeouts, additions are noted by underline]

SECTION ONE

The annual salary for the Mayor of Hoboken, effective July 1, 2009, shall be $103,500. The Mayor shall be entitled to equivalent benefits as are set forth in the current collective bargaining agreement between the City and the Hoboken Municipal Supervisors Association but shall not receive longevity pay or overtime. All vacation days shall accrue pro-rata on a monthly basis.

SECTION TWO

The annual salary for a member of the Hoboken City Council, effective July 1, 2009, shall be $24,130. The annual salary for the Hoboken City Council President, effective July 1, 2009, shall be $26,541. All members of the Hoboken City Council shall be entitled to receive equivalent health care benefits as are set forth in the current collective bargaining agreement between the City and the Hoboken Municipal Supervisors Association but shall not receive longevity pay or any other benefits.

SECTION THREE

The annual salary for Department Heads (Directors), effective July 1, 2009, shall be determined by the Mayor but in no event shall exceed $115,000 annually, except for the Director of Public Safety, whose salary shall not exceed $27,500 annually. All Department Heads shall be entitled to equivalent benefits as are set forth in the current collective bargaining agreement between the City and the Hoboken Municipal Supervisors Association,
but shall not receive longevity pay or overtime. All vacation days shall accrue pro-rata on a monthly basis.

SECTION FOUR

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

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

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

SECTION SEVEN

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 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 NOVEMBER 4, 2009 at 7:00 PM.

---Motion duly seconded by Councilwoman Marsh
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mello, Russo, and President Zimmer.
---Nay: Mason.
AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 101 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN, ENTITLED “FIRE PREVENTION,” TO CREATE A NEW PROVISION REGARDING FALSE FIRE ALARMS

WHEREAS, the Council of the City of Hoboken declares it to be in best interest of public health, safety and welfare of the City to ensure that false fire alarms are minimized to the extent possible; and,

WHEREAS, false fire alarms caused by malfunctioning or poorly maintained equipment incur a significant cost to the City due to the expenses incurred each time the Fire Department is summoned to an apparent fire; and,

WHEREAS, false fire alarms also threaten public safety since precious resources and manpower are forced to respond each time such a false alarm is sounded; and,

WHEREAS, the Fire Marshal and Acting Fire Chief have advised that an ordinance establishing fines for false fire alarms would be greatly beneficial in reducing this continuing problem;

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 of the Code of the City of Hoboken is amended to add a new section, §101-10.4, as follows:

§101-10.4. False Fire Alarms

A. It shall be unlawful to permit a “false fire alarm” in any building in the City of Hoboken. False fire alarm defined. As used in this Ordinance, a "false fire alarm" shall mean the transmission, either directly or indirectly, to the Hoboken Fire Division of any automatic fire alarm, smoke alarm, fire sprinkle water flow alarm, that was not caused by an actual fire, smoke condition or other condition beyond the control of the owner.

B. The Hoboken Fire Division shall investigate and determinate the cause of any false alarm, as it is defined in this Ordinance, and shall maintain a list of all false alarms. Said list shall identify the location of each false alarm the number of false alarms at the location, and the determined reason for the false alarm.

C. Upon the determination that a false alarm has occurred, the Fire Chief or his designated representative shall promptly notify the Fire Marshal, who shall issue a municipal summons to the property.

D. The following penalties shall apply to false alarms:
False Alarm#  FINE
1   WARNING ONLY
2   $ 25.00
3   $100.00
4   $150.00
5   $200.00
6 and above $250.00 (per each violation)

These penalties shall reset and start anew on January 1st of each year.

E. All provisions of the New Jersey Uniform Fire Code with respect to the maintenance of fire alarms shall continue to apply.

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 repealers of existing provisions not intended to be repealed.

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 NOVEMBER 4, 2009 at 7:00 PM.

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

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Scott Siegel, Helen Hirsch, Perry Belfiore Kim Glatt, Lane Bajardi.

President Zimmer then adjourned the meeting at 12:23 p.m.
PRESIDENT OF THE COUNCIL

CITY CLERK
President Zimmer 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 Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo, President Zimmer.

President Zimmer states she is still Acting Mayor until County Clerk certifies the election. Her role now has changed and she is recusing herself after the Proclamations are read.

President Zimmer asked Councilman Cunningham to take over the meeting.

Councilman Russo ask to suspend the Agenda so that the Proclamation may be read. Seconded by Councilwoman Castellano.

---YEAS: 7 - NAYS: 0 – ABSENT: 1
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mello and Russo.
---NAYS: None
---ABSENT: Mason

09-141

PROCLAMATION COMMENDING AND CONGRATULATING ELAINE DEPINTO AND THE ENTIRE MAKING STRIDES “THE HOBOKENITES” TEAM

WHEREAS, October has been designated as National Breast Cancer Awareness Month by the American Cancer Society; and
WHEREAS, 2009 marks the 25th Anniversary of this important designation which is supported by the citizens of Hoboken, many of whom have been affected by this tragic disease; and

WHEREAS, many Hoboken and Hudson County residents actively participated in this effort through the “Making Strides” fundraising walk on October 18th and continued to contribute monetary donations throughout the month; and

WHEREAS, through this selfless and heartfelt team effort, The Hobokenites ranked as one of the County’s top 5 teams, and Elaine DePinto finished as the County’s top participant, raising over $3,000 for the American Cancer Society;

NOW, THEREFORE, BE IT PROCLAIMED, THAT I DAWN ZIMMER, Acting Mayor of the City of Hoboken, do commend and congratulate Elaine DePinto and the entire Making Strides “The Hobokenites” team for their efforts to increase awareness of breast cancer prevention and treatment and for volunteering their time to raise funds to fight the disease.

Received and Filed.

09-143
PROCLAMATION HONORING FIRST RESPONDERS POLICE OFFICERS ANGEL VELEZ AND ARMANDO CARABELLO

WHEREAS, the residents of Hoboken place tremendous value in their public safety and recognize the courage and dedication of the Hoboken Police Department; and;

WHEREAS, during the late morning of Friday, September 18, 20098, residents of the 600 block of Garden Street spotted a man in their neighborhood brandishing a handgun and quickly reported the incident to the police; and

WHEREAS, Police Officers Angel Velez and Armando Carabello were the first to respond to the call where they quickly and safely apprehended the individual and placed him under arrest; and

WHEREAS, Officers Velez and Carabello were swiftly assisted in the effort and subsequent search and investigation by fellow Hoboken Police Officers, other members of the Hoboken Department of Public Safety, the Hoboken Office of Emergency Management, the Hoboken Fire Department, the Jersey City Police Department Bomb Squad, Port Authority Police, the FBI, the ATF and others; and

WHEREAS, public safety personnel ensured the safety of residents by closing nearby schools and streets and conducting a thorough search of the perpetrator’s house and backyard, finding a large number of shotguns, rifles, grenades and other vintage weapons; and

WHEREAS, the incident resulted in a quick apprehension and arrest with no injuries or damage to personal property;

NOW, THEREFORE, BE IT PROCLAIMED that I, DAWN ZIMMER, Acting Mayor of the City of Hoboken and ANGELO “NINO” GIACCHI, Sixth Ward Councilman, do hereby commend Police Officers Angel Velez and Armando Carabello for their bravery and
courage in this matter, as well as acknowledge and appreciate the valiant efforts of all responding individuals and agencies.

Received and Filed.

City Clerk Farina addresses Council President and states that the two ordinances for second reading are to be tabled until next meeting. Corporation Counsel Kleinman explains that changes are to be made. Zoning change was mailed to property district tabled to next meeting.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE OF THE COUNCIL OF THE CITY OF HOBOoken GRANTING AN EASEMENT FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY AT THE SITE OF REAL PROPERTY AT 1405-1429 MADISON STREET AND 1404-1428 JEFFERSON STREET, HOBOoken, NEW JERSEY, MORE PARTICULARLY KNOWN AS LOT 1 THROUGH 26, IN BLOCK 119, ON THE TAX MAP OF THE CITY OF HOBOoken, COUNTY OF HUDSON, STATE OF NEW JERSEY. (ORD. Z-8)

Councilman Cunningham 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.

Councilwoman Marsh motion that the above ordinance be TABLED.
Motion duly seconded by Councilman Russo.
---TABLED by the following vote: YEAS: 7 - NAYS: 0 --ABSENT - 1
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mello, Russo
---Nays: None.
---Absent: Mason.

AN ORDINANCE AMENDING CHAPTER 93 OF THE CODE OF THE CITY OF HOBOoken, “DOGS AND OTHER ANIMALS,” AND CHAPTER 196 OF THE CODE OF HOBOkenM “ZONING,” WITH RESPECT TO DOG DAY CARE AND BOARDING KENNEL SERVICES. (ORD. Z-17) TABLED (Counsel Corporation needs to be advertised)

Councilman Cunningham 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 speaker who spoke: Scott Siegel.
Councilman Cunningham motion that the above ordinance be **TABLED**.
Motion duly seconded by Councilwoman Marsh.
---**TABLED** by the following vote: YEAS: 7 - NAYS: 0 –ABSENT - 1
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mello, Russo.
---Nays: None.
---Absent: Mason.

Councilwoman Mason arrived at 7:25 p.m.

**AN ORDINANCE ESTABLISHING THE SALARIES OF MAYOR, COUNCIL AND DEPARTMENT HEADS. ORD. Z-20**

Councilman Cunningham 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 speaker who spoke: Patricia Waiters, Helen Hirsch, Scott Seigel.

Councilman Cunningham moved that the hearing be closed.
Motion duly seconded by Councilman Giacchi
---Adopted by the following vote: YEAS: 7 – NAYS: 1
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mello, Russo.
---Nays: Mason.

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 101 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN, ENTITLED, “FIRE PREVENTION,” REGARDING FALSE FIRE ALARMS.**

Councilman Cunningham 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 speakers who spoke: Helen Hirsch.

Councilman Cunningham moved that the hearing be closed.
Motion duly seconded by Councilwoman Marsh
---Adopted by the following vote: YEAS: 8 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo.
Nays: None

09-143

APPLICATIONS FOR MISCELLANEOUS LICENSES

<table>
<thead>
<tr>
<th>License Description</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taxi Owners</td>
<td>1</td>
</tr>
<tr>
<td>Vendors (Christmas Trees)</td>
<td>1</td>
</tr>
<tr>
<td>Mechanical Amusement Devices/Pool Tables</td>
<td>1</td>
</tr>
</tbody>
</table>

---Councilwoman Castellano moved that the licenses be granted.
---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 8 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo.
---Nays: None.

REPORTS OF CITY OFFICERS

RESOLUTIONS

09-144
---By Councilman Cunningham

RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION BY THE HOBOKEEN MUNICIPAL ALLIANCE COMMITTEE

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, 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 2010 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.

The speakers who spoke: Helen Hirsch

---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 8 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo.
---Nays: None.

09-145
---By Councilman Mello

A RESOLUTION APPROVING PARTICIPATION WITH THE NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY'S “OVER THE LIMIT UNDER ARREST 2009 YEAR-END STATEWIDE CRACKDOWN”

WHEREAS, the City of Hoboken is interested in participating with the New Jersey Division of Highway Traffic Safety and supporting their “Over the Limit Under Arrest 2009 year-end Statewide Crackdown;” and,

WHEREAS, 26% of motor vehicle fatalities in New Jersey are alcohol related, and impaired drivers on our nation’s roads kill someone every 30 minutes, or 50 people per day, or almost 18,000 people each year; and,

WHEREAS, the end of the year is traditionally a time of social gatherings which often include alcohol, and 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
WHEREAS, a further increase in the awareness of the dangers of drinking and driving in New Jersey will save lives on our roadways.

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

1) The Mayor or his/her designee is authorized to take any and all actions necessary to further the intent and purpose of this resolution, including, but not limited to, the execution of any application for grant funds available to participants in this program.

2) As a matter of public policy, the City of Hoboken shall participate to the fullest extent possible with the “Over the Limit Under Arrest 2009 Year End Statewide Crackdown” both locally and nationally from December 7, 2009 through January 3, 2010 and pledges to increase awareness of the dangers of drinking and driving.

The speakers who spoke: Helen Hirsch.

---Motion duly seconded by Councilwoman Marsh.
---Adopted by the following vote: YEAS: 8 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo.
---Nays: None.

09-146
---By Councilwoman Castellano

RESOLUTION AUTHORIZING THE CORPORATION COUNSEL’S OFFICE TO FILE AN AMICUS BRIEF IN SUPPORT OF THE SUSPENSION OF THE SUB-METERING PILOT PROGRAM AT MARINEVIEW HOUSING.

WHEREAS, it is the objective of the City Council of the City of Hoboken to support efforts to improve the quality of life for all residents; and,

WHEREAS, for many years, the cost of electric utilities at Marineview Plaza within the City of Hoboken was included as a fixed part of the monthly rent paid by each tenant; and,

WHEREAS, a pilot program allowing for sub-metering of electric utilities was initiated at Marineview Plaza, meaning that rather than paying a uniform charge for
electricity, each individual unit would be separately billed for electric usage; and

WHEREAS, upon implementation of this program, it led to significant unexplained billing discrepancies and the widespread belief that this program is unfair to tenants as it is currently operating; and,

WHEREAS, based upon these problems, the New Jersey Board of Public Utilities has issued an Order to Show Cause as to why a final order should not be issued suspending the sub-metering program at Marineview Plaza; and,

WHEREAS, the residents of Marineview Plaza have requested that the City support the suspension of the sub-metering program; and

WHEREAS, the NJBPU has advised that interested parties may file a brief on this matter by November 13, 2009;

NOW, THEREFORE, be it resolved by the Council and the City of Hoboken that it authorizes the Corporation Counsel's office to file a brief in support of the suspension of the sub-metering program, which shall be filed no later than November 13, 2009;

BE IT FURTHER RESOLVED that the council declares its intention to follow through with efforts to ensure that the resolution to this issue culminates in a fair and equitable result between tenants and the management of Marineview Plaza.

---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 7 – NAYS: 0 – ABSTAIN: 1
---Yeas: Council persons Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo.
---Nays: None
---Abstain: Bhalla.

09-147
---By Councilman Mello

A RESOLUTION APPROVING PARTICIPATION IN THE FY2010 WALK SAFE HOBOKEN PROGRAM 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 New Jersey Division of Highway Traffic Safety to reduce pedestrian injuries through education, enforcement, and engineering; and,

WHEREAS, the City of Hoboken is seeking funding from the New Jersey Division of Highway Traffic Safety in the amount of $16,000 for the FY2010 Walk Safe Hoboken Program; and,

WHEREAS, the Hoboken City Council has reviewed and approved the accompanying application and agrees to participate in this program; and,
WHEREAS, the project is a joint effort between the New Jersey Division of Highway Traffic Safety and the City of Hoboken for the purposes described in the application.

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

1) The Mayor or his/her designee is authorized to take any and all actions necessary to further the intent and purpose of this resolution, including, but not limited to, the execution of any application for grant funds available to participants in this program.

2) As a matter of public policy, the City of Hoboken wishes to participate in this program to the fullest extent possible with the New Jersey Division of Highway Traffic Safety.

3) The Attorney General’s office shall receive the funds on behalf of the applicant.

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

The speakers who spoke: Helen Hirsch.

---Motion duly seconded by: Councilwoman Marsh
---Adopted by the following vote: YEAS: 8 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo.
---Nays: None.

09-148
---By Councilman Cunningham

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS.

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

WHEREAS, Sharon Curran, 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 $4,432.81.

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LT/UNIT</th>
<th>PROPERTY</th>
<th>QTR/YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>BAC TAX SERVICES</td>
<td>25/1/C015B</td>
<td>700 FIRST ST</td>
<td>3/08</td>
<td>$1,799.86</td>
</tr>
<tr>
<td>MAIL STOP, CA6-913-LB-01 P.O. BOX 10211 VAN NUYS, CA 91499-6089</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FARETS</td>
<td>32/23</td>
<td>550 FIRST ST</td>
<td>2/06</td>
<td>$1,542.13 EXCEL I</td>
</tr>
<tr>
<td>P.O. BOX 961230</td>
<td></td>
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</table>
---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 8 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo.
---Nays: None.

09-149
By Councilman Cunningham

RESOLUTION AUTHORIZING THE REFUND OF TAX APPEALS STATE TAX COURT

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the 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 $12,803.81

<table>
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<tr>
<th>NAME</th>
<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
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<th>AMOUNT</th>
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<tbody>
<tr>
<td>Michael A. Vespasiano, Esq.</td>
<td>28/1/</td>
<td>564 FIRST ST</td>
<td>2006</td>
<td>$1,581.31</td>
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<tr>
<td>331 MAIN STREET</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CHATHAM, NJ 07928</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>DANIEL POLLAK, ESQ</td>
<td>202/12</td>
<td>323-325 BLOOMFIELD ST</td>
<td>2009</td>
<td>$11,222.50</td>
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<tr>
<td>720 MONROE ST STE E200</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>HOBOKEN, NJ 07030</td>
<td></td>
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</tr>
</tbody>
</table>

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 8 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo.
---Nays: None.

09-150
---By Councilwoman Marsh

RESOLUTION AWARDING A CONTRACT FOR THE SITE REMEDIATION OF 1600 PARK AVENUE BASED ON THE LOWEST RESPONSIVE BIDDER.
WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposal was received for the site remediation of 1600 Park Avenue for the City of Hoboken in accordance with the specifications set forth in City of Hoboken Bid 10-14.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Base Bid</th>
<th>Alternate “A”</th>
<th>Total $</th>
</tr>
</thead>
<tbody>
<tr>
<td>JAC Excavating, Inc.</td>
<td>$271,940.00</td>
<td>$ 26,400.00</td>
<td>$298,340.00</td>
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<tr>
<td>14 Morello Court</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Farmingdale, NJ 07727</td>
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<td></td>
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<tr>
<td>TTI Environmental, Inc.</td>
<td>$405,400.00</td>
<td>$ 69,600.00</td>
<td>$475,000.00</td>
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<tr>
<td>1253 Church Street</td>
<td></td>
<td></td>
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<tr>
<td>Moorestown, NJ 08057</td>
<td></td>
<td></td>
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<tr>
<td>Aurora Environmental, Inc.</td>
<td>$437,440.00</td>
<td>$ 55,200.00</td>
<td>$492,640.00</td>
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<tr>
<td>1102 Union Avenue</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Union Beach, NJ 07735</td>
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<tr>
<td>Yannuzzi &amp; Sons, Inc.</td>
<td>$448,000.00</td>
<td>$ 62,000.00</td>
<td>$510,000.00</td>
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<td>152 U.S. Highway 206</td>
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<td>Hillsborough, NJ 08844</td>
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<td>T. Stack Environmental, Inc.</td>
<td>$472,267.00</td>
<td>$ 55,440.00</td>
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<td>Somerville, NJ 08876</td>
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<tr>
<td>Nacirema Environmental, Inc.</td>
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<td>$ 67,200.00</td>
<td>$693,800.00</td>
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<tr>
<td>Bayonne, NJ 07002</td>
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</tbody>
</table>

AND, WHEREAS, the attached recommendation from the contracted engineering firm for this project requests that the City choose between the base bid and total bid of JAC Excavating, Inc.,

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

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

   JAC Excavating, Inc.
   14 Morello Court
---Motion duly seconded by Councilman Mello
---Adopted by the following vote: YEAS: 8 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo.
---Nays: None.

09-151
---By Councilman Cunningham

RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS
FOR THE SFY 2010 BUDGET

WHEREAS, the City of Hoboken is expected to enter into contracts, commitments or payments prior to the adoption of the SFY 2010 budget and no adequate provision has been made in the SFY 2010 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 2010 pursuant to the provisions of N.J.S.A. 40A:4-20 including this resolution total $50,088,382.64 for Current Expenses and $5,217,826.39 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 $207,000.00
2) for Current Expenses and $0.00 for the Parking Utility as follows:

<table>
<thead>
<tr>
<th>Operations Within CAPS</th>
<th>Code</th>
<th>Type</th>
</tr>
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<tbody>
<tr>
<td>Mayor Office</td>
<td>0-01-20-110-011</td>
<td>S/W</td>
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<td>0-01-20-110-021</td>
<td>O/E</td>
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<tr>
<td>City Council</td>
<td>0-01-20-111-011</td>
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<td>0-01-20-111-021</td>
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<td>Office of Clerk</td>
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<td>0-01-20-120-021</td>
<td>O/E</td>
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<tr>
<td>Legal Advertising</td>
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<tr>
<td>Department</td>
<td>Code</td>
<td>Type</td>
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<tr>
<td>Director Environmental Svc</td>
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<td>Parks</td>
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<td>Public Property</td>
<td>0-01-28-377-011</td>
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<td>Streets &amp; Roads</td>
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<td>Emergency Road Repair</td>
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<td>Sanitation</td>
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<td>Volunteer Ambulance</td>
<td>0-01-25-260-020</td>
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<td>N H Reg Council of Mayor</td>
<td>0-01-23-222-020</td>
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<td>Settlements of Claims</td>
<td>0-01-23-219-020</td>
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<td>Towing/Storage of Aband Veh</td>
<td>0-01-23-223-020</td>
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<td>Labor Arbitrations</td>
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<td>Municipal Dues &amp; Membership</td>
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<td>Celebration of Public Events</td>
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<tr>
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<td>0-01-23-211-020</td>
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<td>Copiers/Printers</td>
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<td>Stationary &amp; Office Supply</td>
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<tr>
<td>Central Office Supplies</td>
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<td>0-01-31-430-000</td>
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<td>Status</td>
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<td>Master Plan</td>
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<td>Salary Settlements</td>
<td>0-01-36-479-000</td>
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<tr>
<td><strong>Sub Total Within CAPS</strong></td>
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<td>260,000.00</td>
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</table>

| Statutory Expenditures                    |                            |         |
| Social Security System                    | 0-01-34-472-000             |         |
| Consol Police/Fire Pension                | 0-01-36-474-000             |         |
| Unemployment Compensation                 | 0-01-23-225-020             |         |
| Police/Firemen's Retirement               | 0-01-36-475-000             |         |
| **Subtotal Statutory Expenditures**       |                             | 0.00    |

| Outside Caps                              |                            |         |
| Maintenance of Free Public Library        | 0-01-29-390-021             |         |
| Public Employee Retirement                | 0-01-36-471-000             |         |
| Hoboken Housing Authority                 |                            |         |
| Police SW                                 | 0-01-44-101-011             |         |
| Matching Funds for Grant                  | 0-01-46-892-001             |         |
| **Subtotal Outside caps**                 |                             | 0.00    |

| Total Appropriations Included in 26.25% limit |                             | 260,000.00 |

| Capital Improvements Outside “CAPS”         |                            |         |
| Capital Improvement Fund                    | 0-01-44-900-001             |         |
| Computer Technology upgrades                | 0-01-44-900-002             |         |
| Emergency Repair City Piers                 | 0-01-44-900-003             |         |
| **Total Capital Improvements From CAP**     |                             | 0.00    |

| Municipal Debt Service                     |                            |         |
| Payment Bond Principal                     | 0-01-45-900-001             |         |
| Interest on Bonds                          | 0-01-45-930-000             |         |
| Interest on Notes                          | 0-01-45-935-000             |         |
| Interest on Tax Anticipation Notes         | 0-01-45-936-000             |         |
| Notes Principle                            | 0-01-45-925-000             |         |
| Green Trust Loan Repayment                 | 0-01-45-940-001             |         |
| Underground Storage Tank Loan              | 0-01-459-40-020             |         |
| Interest of Garage Sale                    | 0-01-45-937-001             |         |
| Principal on HCIA Police Car               | 0-01-45-937-020             |         |
| **Total Municipal Debt**                   |                             | 0.00    |

| Judgment                                  |                            |         |

| Total                                     |                             | 260,000.00 |
Grants
Deferred Charges

Total Temporary Mun Budget

260,000.00

Parking Utility
Salary Wages 0-31-55-501-100
Other Expenses 0-31-55-502-200
Group Health 0-31-55-506-000

Statutory Expenditures
Public Employee Retirement System 0-31-55-541-100
Social Security System 0-31-55-541-020
Unemployment Compensation Insurance 0-31-55-541-300

Total Appropriations Included in 26.25% limit

0.00

Debt Service
Payment of Bond Principal 0-31-55-503-000
Interest on Bonds 0-31-55-504-000
Payment of Note Interest (916) 0-31-55-503-010
Payment of Note Principal (916) 0-31-55-505-000
Trustee Fee 0-31-55-503-050

Total Parking Debt

0.00

Total Temporary Parking utility Budget

0.00

Police Department
Police
Crossing Guards
Housing Authority

Total Police

Recreational
Recreational Seasonal
Recreation

Total Recreation

Difference
Prior Year Settlement
Summer Lunch
OEP
Police Grant
Fire Education

---Motion duly seconded by Councilwoman Marsh
09-152
---By Councilman Russo

RESOLUTION APPROVING MINUTES FOR REGULAR COUNCIL MEETINGS

RESOLVED, that filed minutes for the Hoboken City Council regular meetings of July 1, 2009 – September 2, 2009 have been reviewed and approved as to legal form and content.

---Motion duly seconded by Councilwoman Castellano
---Adopted by the following vote: YEAS: 7 - NAYS: 1
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mello, Russo.
---Nays: Mason.

ORDINANCES

Introduction and First Reading

NEW BUSINESS

Councilwoman Mason announced a Rent Control meeting will take place on Monday, November 9, 2009 – Topics will be Statue of Limitations, Disclosure statements and filing fees.

Councilwoman Mason would like to have the contract for Animal Control that has not been renewed since 2005, can a report be prepared before the next meeting. Draft Bid- Local No Kill Shelter.

Councilman Mason questioned the repair of the clock on Washington Street, didn’t we pay $22,000.00 for clock.

Director Pope responded that we tried to fix it manually but it works by satellite and it an hour fast. We are purchasing new controls for a cost of $1200.00.
Councilman Cunningham spoke about Revenue & Finance meeting Councilwoman Marsh & Councilman Russo in attendance – topic was Budget – Collective Bargaining Agreements are 50% of budget, salary & benefits of current contract. He is disappointed that we do not have a costing out of the current contract, & proposed contract so that we have something to compare it to. Hope to have budget as soon possible -next meeting.

Councilman Cunningham stated that Mr. Trasante earlier discussed the hospital debt, and Hoboken's low debt ratio and will have a more definitive report at the next meeting.

Councilwoman Mason would like to have hospital administrators attend next council meeting.

Councilwoman Castellano asked if the Quality of Life committee discussed St. Patrick's Day Parade at their meetings. Suggest that committee introduce legislation regarding parade so as not to have any problems as in the past.

Councilman Giacchi who chairs Quality of Life committee will start discussion on the parade. Also, discussed at meeting Maxwell House easement and a revised copy will be given to each Council person and will meet as a whole to discuss terms and what make council happy.

Also discussed Parks and Public Space, maybe at League of Municipalities convention, knows how to handle this or has a model ordinance or guidelines on how to advertise Public Parks & playgrounds.

Councilman Bhalla has two items – Public Safety sub-committee met and discussed the contract between City of Hoboken and Hoboken Housing Authority to have security services in certain areas and buildings. Councilman Giacchi and Councilwoman Mason will meet to identify concerns either side might have and will be planning a meeting next week.

Councilman Bhalla congratulates all candidates and Mayor Zimmer and wishes her great success. Hope we can agree to disagree. Wish Mayor Zimmer all her success because her success is our success.

Councilman Mello reports that the Parking & Transportation sub-committee met last week to discuss parking at movie theatre - metered parking will not be considered at time, will continue to discuss at next meeting. It’s a good practice to keep issues separate. Taxi stand and drop-off will be brought in front of council. Public meeting was well attended it showed communication with community is very important and try to have more of these meetings.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Patricia Waiters, Scott Siegel, Richard Tremitiedi, Mo DeGennaro, Charles Mancini, Helen Hirsch.

Councilman Cunningham then adjourned the meeting at 9:24 p.m.
Vice-President Cunningham 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 Bhalla, Castellano Cunningham, Giacchi, Marsh, Mason, Mello, Russo.

ABSENT: None.

At this time Councilman Cunningham wished to suspend the order of the agenda (Resolution #1)
Motion duly seconded by Councilwoman Marsh.

Councilman Cunningham then instructed the City Clerk to call the Final Vote to suspend the order of the agenda.

---FAILED by the following vote: YEAS: 4 – NAYS: 4
--- Yeas: Councilperson Bhalla, Marsh, Mello, Cunningham
---Nays: Castellano, Giacchi, Mason, Russo.

Vice-President Cunningham wished to suspend the order of the agenda to have the Hospital Authority administrators give their presentation.
Motion duly seconded by Councilwoman Marsh.
Councilman Cunningham motioned to suspend the order of the agenda.
Motion duly seconded by Councilwoman Castellano.
---PASSED by the following vote: YEAS: 8 – NAYS: 0
---Yeas: Councilperson Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo.
---Nays: None.
Councilman Cunningham called the Hospital Authority administrators to speak at this time. Administrators attending meeting: Chairman Kevin Kramer and CEO Hatiras Spiro.

Vice-President Cunningham called for a recess at 8:40 pm

Continued regular meeting at 8:54 pm

**Second Reading / Public Hearing and Final Vote**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF HOBOKEN GRANTING AN EASEMENT FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY AT THE SITE OF REAL PROPERTY AT 1405-1429 MADISON STREET AND 1404-1428 JEFFERSON STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS LOT 1 THROUGH 26, IN BLOCK 119, ON THE TAX MAP OF THE CITY OF HOBOKEN COUNTY, OF HUDSON, STATE OF NEW JERSEY. **Z-8**

Vice-President Cunningham 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: Mo DeGennaro.

No other person present desiring to be heard and no written protests or objections received, Vice-President Cunningham moved that the hearing be closed.

Motion duly seconded by Councilwoman Marsh.
--- Adopted by the following vote: YEAS: 8 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo.
---Nays: None.

Vice-President Cunningham then instructed the City Clerk to call the Final Vote for the above Ordinance.
Motion to **TABLE** ordinance Councilwoman Marsh
Seconded by Councilman Cunningham
---**TABLED** by the following vote: YEAS: 8 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason Mello, Russo.
---Nays: None.

Vice-President Cunningham 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:, Scott Siegel, Curtis Crystal, Deno Bogdanos. Mo DeGennaro, Jim Doyle.

Director Forbes was called to give explanation on I-1 Zone the above ordinance.

Vice-President Cunningham stated no other person present desiring to be heard and no written protests or objections received.

Vice President Cunningham moved that the hearing be closed. Motion duly seconded by Councilwoman Marsh.

---Adopted by the following vote: YEAS: 8 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo.
---Nays: None.

Vice-President Cunningham then instructed the City Clerk to call the Final Vote for the above Ordinance.

---FAILED by the following vote: YEAS: 4 - NAYS: 4
---Yeas: Council persons Bhalla, Cunningham, Marsh, Mello
---Nays: Castellano, Giacchi, Mason, Russo.

09-153

APPLICATIONS FOR MISCELLANEOUS LICENSES

Vendor (Christmas trees) ----------------------------------------------- 2

---Councilman Russo moved that the licenses be granted.
---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mason, Mello, Russo.
---Nays: None.

REPORTS OF CITY OFFICERS

09-154

A report of James J. Farina, City Clerk from Barbara A. Netchert, County Clerk certifying the Special Election of (Mayor Dawn Zimmer) held on November 3, 2009. Received and filed.

09-155

A report of the Municipal Court indicating receipts for the month of October 2009 as $398,397.28.
---Received and filed.

09-156
A report of the Municipal Tax Collector Sharon Curran indicating receipts for the month of October 2009 as $13,549,527.03. (Abatement Totals - $684,092.77)
---Received and filed.

RESOLUTIONS
Presented and Read

09-157
---By Councilman Cunningham

APPOINTING MICHAEL LENZ TO THE POSITION OF FOURTH WARD COUNCIL PERSON

WHREAS, former Fourth Ward Councilperson Dawn Zimmer has resigned her position due to her recent election as Mayor of the City of Hoboken; and,

WHEREAS, a vacancy now exists in the position of Fourth Ward Councilperson; and,

WHEREAS, pursuant to the “Municipal Vacancy Law,” N.J.S.A. 40A:16-1 et. seq., (“Law”), the Council of the City of Hoboken is permitted to fill this vacancy temporarily by appointment until such time as an election can be held to permanently fill the position of Fourth Ward Councilperson; and

WHEREAS, the Law provides that the Council has 30 days from the occurrence of the vacancy to appoint a temporary successor to fill the vacancy without regard to party; and,

WHEREAS, the Law provides that an appointment to fill a vacancy in the membership of a governing body shall be a majority vote of the remaining members, and that in the case of a tie vote the Mayor shall be permitted to vote on this question;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken hereby appoints Michael Lenz to the position of Fourth Ward Councilperson until an election can be held in accordance with the Law; and,

BE IT FURTHER RESOLVED, that the City Clerk shall swear in the appointee immediately.

The speakers who spoke: Rachel Goldberg, Perry Belfiore, Tony Soares, Mike Evers, Rami Pinchevsky, Mo DeGennaro, Gina Tosatto. Jake Stiver,
The candidates who spoke: Tony Soares, Rami Pinchevsky, Michael Lenz, Jake Stiver.

---Motion duly seconded by Councilwoman Marsh.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 PRESENT: 1
---Yeas: Council persons Bhalla, Cunningham, Marsh, Mello and Mayor Zimmer.
---Nays: Castellano, Giacchi, Russo.
---Present: Mason

Corporation Counsel Buzak advised that Mayor Zimmer can cast vote to break the tie.

At this time, James Farina, City Clerk swears in Michael Lenz as the Fourth Ward Council Person.

Councilman Cunningham calls for a break at 11:20 pm

Meeting is back in session at 12:11 pm

**09-158**  
---By Councilwoman Marsh

**APPOINTING PETER H. CUNNINGHAM TO THE POSITION OF COUNCIL PRESIDENT**

WHEREAS, former Fourth Ward Councilperson Dawn Zimmer has resigned her seat due to her recent election as Mayor of the City of Hoboken; and

WHEREAS, Mayor Zimmer was also serving in the position of Council President, and therefore a vacancy exists in this position;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken hereby appoints Peter J. Cunningham to the position of Council President for the remainder of the term to fill the aforementioned vacancy; and,

BE IT FURTHER RESOLVED, that the City Clerk shall swear in the appointee immediately.

The speaker who spoke; Patricia Waiters.

Motion duly seconded by Councilman Bhalla
---Adopted by the following vote: YEAS: 7 - NAYS: 1
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mello, Russo.
---Nays: Mason

James Farina, City Clerk swears in Councilman Cunningham as Council President.

**09-159**  
---By Councilman Mello

**APPOINTING CAROL MARSH TO THE POSITION OF COUNCIL VICE-PRESIDENT**
WHEREAS, Councilman Peter Cunningham been appointed as Council President of the City Council of the City of Hoboken; and,

WHEREAS, Councilman Peter Cunningham was also serving in the position of Council Vice-President and therefore a vacancy now exists in this position;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken hereby appoint Carol Marsh to the position of Council Vice-President for the remainder of the term to fill the aforementioned vacancy; and,

BE IT RESOLVED, that the City Clerk shall swear in the appointee immediately.

---Motion duly seconded by Council President Cunningham
---Adopted by the following vote: YEAS: 8 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Mason, Mello, Russo, and President Cunningham
---Nays: None.

09-160
---By Council President Cunningham


WHEREAS, the City of Hoboken sought competitive proposals for the installation of a new roof at the Multi-Service Center, and

WHEREAS, the below listed bids were submitted in compliance with the original bid specifications as advertised, and

WHEREAS, bid inconsistency has made a reasonable award extremely difficult, and

WHEREAS, the below listed vendors must be notified:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Laurant Construction Co., Inc.</td>
<td></td>
</tr>
<tr>
<td>3 Meadows Court</td>
<td>$ 247,800.00</td>
</tr>
<tr>
<td>Pennington, NJ 08534</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>VMG Group</th>
<th>Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>27 East 33rd Street</td>
<td>$ 202,025.00</td>
</tr>
<tr>
<td>Paterson, NJ 07514</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ER Barrett, Inc.</th>
</tr>
</thead>
</table>
NOW, THEREFORE BE IT RESOLVED by the Council of the City of Hoboken in the County of Hudson that:

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

---Motion duly seconded by Councilwoman Marsh.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo and President Cunningham
---Nays: None.

09-161
---By Council President Cunningham

RESOLUTION OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51 AND N.J.S.A. 40A:3-4

WHEREAS, the City Council of the City of Hoboken, in the County of Hudson, New Jersey (the “City”) desires to make application to the Local Finance Board for (i) its review and consent to the adoption by the City of a refunding bond ordinance (the “Ordinance”) providing for the issuance of bonds or notes (the “Refunding Obligations”) in order to pay amounts owing to others for taxes levied in and by the City and (ii) its approval of the proposed maturity schedule for such Refunding Obligations to the extent such Refunding Obligations will be issued in the form of “qualified bonds” under the Municipal Qualified Bond Act, N.J.S.A. 40A:3-1 et seq. (the “MQBA”); and

WHEREAS, the City believes that:

(a) it is in the public interest to accomplish such purpose;
(b) such purpose is in compliance with the requirements of the MQBA;
(c) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the City;

(d) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant and are consistent with the requirements of the MQBA; and

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

WHEREAS, the City believes that the maturity schedule contained in the Application to the Local Finance Board is in the best interests of the City;

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

Section 1. The Application to the Local Finance Board is hereby approved, and the City's Bond Counsel, Chief Financial Officer, along with other representatives of the City, are hereby authorized to prepare such application, to file such application with the Local Finance Board and to represent the City in matters pertaining thereto.

Section 2. The Clerk is hereby directed to prepare and file a copy of this Resolution and the Ordinance (if necessary) 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, including causing its consent to be endorsed upon a certified copy of the Ordinance.

Section 4. This Resolution shall take effect immediately upon its adoption.

The above resolution was adopted on the following roll call vote:

---Motion duly seconded by Councilwoman Marsh
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo and President Cunningham.
---Nays: None.

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS

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

WHEREAS, Sharon Curran, 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 **$6,205.14**

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LT/UNIT</th>
<th>PROPERTY</th>
<th>QTR/YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>FIRST AMERICAN R/E TAX SERVICE REFUND DEPARTMENT</td>
<td>15/29/C0002</td>
<td>66 MONROE ST</td>
<td>4/09</td>
<td>$1,015.53</td>
</tr>
<tr>
<td>TAX SERVICE REFUND DEPARTMENT</td>
<td>P O BOX 961250</td>
<td>FORT WORTH, TX 76161-9887</td>
<td></td>
<td></td>
</tr>
<tr>
<td>METLIFE HOME LOANS</td>
<td>25/1/C014B</td>
<td>700 FIRST ST</td>
<td>3/09</td>
<td>$1,684.13</td>
</tr>
<tr>
<td>C/O TOTAL MORTGAGE SOLUTIONS LP 1555 W. WALNUT HILL LANE STE #200A IRVING, TX 75038</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>METLIFE HOME LOANS</td>
<td>217.1/26</td>
<td>610 HUDSON ST</td>
<td>3/09</td>
<td>$3,505.48</td>
</tr>
<tr>
<td>C/O TOTAL MORTGAGE SOLUTIONS LP 1555 W WALNUT HILL LANE STE #200A IRVING, TX 75038</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---Motion duly seconded by Councilwoman Marsh
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo and President Cunningham.
---Nays: None.

---By Councilwoman Marsh

**RESOLUTION AUTHORIZING CONTRACT FOR ENVIRONMENTAL ENGINEERING SERVICES FOR THE HOBOKEN COVE (FORMER TODD SHIPYARDS) SITE TO BIRDSALL ENGINEERING, INC.**

**WHEREAS,** the City of Hoboken wishes to under take an environmental remediation of the Hoboken Cove (former Todd Shipyards) site, which has been dedicated for the development of open space/parkland; and,

**WHEREAS,** funding from the Hazardous Discharge Site Remediation Fund of the New Jersey Economic Development Authority has been awarded for the remediation of the Hoboken Cove (former Todd Shipyards) site in an amount of $877,193.00 (but not to exceed 75% of project costs); and

**WHEREAS,** the Hazardous Discharge Site Remediation award, if not spent (and project closed) by November 29,2009 will terminate and the Authority will have no further obligation under the award agreement; and

**WHEREAS,** Bid Documents, Construction Administration, Groundwater Monitoring Activities, Sensitive Receptor Survey/BEE and NJDEP Reporting (as per the Remedial Action Workplan

Meeting of November 16, 2009
WHEREAS, Birdsall Engineering, Inc. (BEI) has submitted a proposal for the work necessary to accomplish the aforementioned tasks (proposal attached) for an amount not to exceed Forty-Eight Thousand Nine Hundred Dollars ($48,000.00); and

WHEREAS, BEI has already completed substantial work for the City with respect to the Hoboken Cove (former Todd Shipyards) site, and therefore 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 negotiations 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 BEI is required to fully abide to the anti “pay to play” requirements of the Hoboken Public Contract 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:11-2-2(b) and as such, is exempt from public bidding requirements pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, funding for the aforementioned contract is available from the proceeds of Bond Ordinance Z-18;

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Hoboken (a majority of the full Council concurring) does hereby authorize a contract between the City of Hoboken and Birdsall Engineering, Inc. to provide environmental engineering services for the Hoboken Cove (former Todd Shipyards) project 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 professional 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 07242-2213

2. This agreement shall be effective November 16, 2009 and terminate November 16, 2010.

3. The Mayor is hereby authorized to execute a contract with Birdsall Engineering, Inc. for environmental 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 public notice of this resolution in one newspaper authorized by law to publish the City's legal advertisements in the format 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.

The speaker who spoke: Jim Doyle
---Motion duly seconded by Councilman Mello
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo and President Cunningham.
---Nays: None.

**ORDINANCES**

**Introduction and First Reading**

09-164
Z-22

REFUNDING BOND ORDINANCE PROVIDING FOR PAYMENT OF AMOUNTS OWING TO OTHERS FOR TAXES LEVIED IN AND BY THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING $2,595,731 THEREFOR AND AUTHORIZING THE ISSUANCE OF $2,595,731 BONDS OR NOTES OF THE CITY OF HOBOKEN FOR FINANCING THE COST THEREOF.

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 City of Hoboken, in the County of Hudson, New Jersey (the "City") is hereby authorized to pay an aggregate amount not exceeding $2,595,731 for amounts owed by the City to the owners of various properties for taxes levied in the City, as more particularly described on the List of Owners and Properties involved in Tax Appeals available for inspection in the office of the City Clerk, which list is hereby incorporated by reference as if set forth at length herein, and which amounts are due and owing from the City on or before June 30, 2010.

Section 2. An aggregate amount not exceeding $100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 3. In order to finance the cost of the project described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount of $2,595,731 pursuant to the Local Bond Law.

Section 4. In anticipation of the issuance of the refunding bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. All refunding bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer’s signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time, but all such notes including renewals shall mature and be paid no later than the
tenth anniversary of the date of the original notes; provided, however, that no notes
shall be renewed beyond the first or any succeeding anniversary date of the original
notes unless an amount of such notes, at least equal to the first legally payable
installment of the bonds in anticipation of which the notes are issued, determined in
accordance with the maturity schedule for the bonds approved by the Local Finance
Board, is paid and retired on or before such anniversary date; and provided, further,
that the period during which the bond anticipation notes and any renewals thereof
and any permanent bonds are outstanding, shall not exceed the period set for the
maturity of the bonds by the Local Finance Board. The Chief Financial Officer is
hereby authorized to sell part or all of the notes from time to time at public or private
sale and to deliver them to the purchasers thereof upon receipt of payment of the
purchase price plus accrued interest from their dates to the date of delivery thereof.
The Chief Financial Officer is directed to report in writing to the governing body at
the meeting next succeeding the date when any sale or delivery of the notes pursuant
to this ordinance is made. Such report must include the amount, the description, the
interest rate and the maturity schedule of the notes sold, the price obtained and the
name of the purchaser.

Section 5. A certified copy of this refunding bond ordinance as adopted on first
reading has been filed with the Director of the Division of Local Government Services
in the Department of Community Affairs of the State of New Jersey prior to final
adoption, together with a complete statement in the form prescribed by the Director
and signed by the Chief Financial Officer of the City as to the indebtedness to be
financed by the issuance of the refunding bonds authorized herein. 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 refunding bond ordinance by
$2,595,731, but that the net debt of the City determined as provided in the Local Bond
Law is not increased by virtue of a deduction pursuant to N.J.S.A. 40A:2-52.

Section 6. To the extent the refunding bonds or notes authorized hereunder are
issued as tax-exempt obligations, the City hereby covenants to take any action
necessary or refrain from taking such action in order to preserve the tax-exempt
status of the refunding 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. The City reasonably expects to
expend general funds or other available moneys for the purpose described in Section
1 hereof prior to the issuance of refunding bonds or notes hereunder. To the extent
such funds are spent, the City further reasonably expects to reimburse such
expenditures from the proceeds of the refunding bonds or notes authorized by this
refunding bond ordinance, in an aggregate, not to exceed the amount of refunding
bonds or notes authorized in Section 3 hereof.

Section 7. The City hereby covenants to comply with Rule 15c2-12 promulgated
under the Securities Exchange Act of 1934 to the extent applicable to the issuance of
refunding bonds or notes issued pursuant to this refunding bond ordinance.

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
refunding bond ordinance. The obligations shall be direct, unlimited obligations of the
City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real
property within the City for the payment of the obligations and the interest thereon
without limitation of rate or amount.

Section 9. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

---Council President 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 December 2, 2009 at 7:00 PM.

---Motion duly seconded by Councilwoman Marsh
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Bhalla, Giacchi, Lenz, Marsh, Mello, and President Cunningham.
---Nays: Castellano, Mason, Russo.

09-165
Z-23

AN ORDINANCE OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF A FIRE ENGINE, APPARATUS AND EQUIPMENT FOR THE CITY OF HOBOKEN FIRE DEPARTMENT AND APPROPRIATING $610,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $579,500 IN BONDS OR NOTES OF THE CITY OF HOBOKEN TO FINANCE THE SAME.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City of Hoboken, in the County of Hudson, New Jersey (the “City”) as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of money therein stated as the appropriation made for the improvement or purpose, such sum amounting to $610,000 including the sum of $30,500 as the down payment for the improvement or purpose 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 improvement or purpose provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of $579,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds are to be issued is the acquisition of a fire engine, apparatus and all NFPA approved/required equipment for the City of Hoboken Fire Department, including all work, materials and services necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the...
improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefore.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this 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 improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the City may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 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 $579,500 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding $50,000 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 improvement or purpose.

(e) The City reasonably expects to commence the acquisition and/or construction of the improvement or purpose 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 or other moneys received for the purpose 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. 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.

---Council President 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 December 2, 2009 at 7:00 PM.

---Motion duly seconded by Councilman Mello
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham
---Nays: None.

AN ORDINANCE TO AMEND THE SALARY OF THE MAYOR.
FAILED INTRODUCTION –NO ORDINANCE NUMBER GIVEN

AN ORDINANCE TO AMEND THE SALARY OF THE DEPARTMENT HEADS.
FAILED INTRODUCTION - NO ORDINANCE NUMBER GIVEN
NEW BUSINESS

Council President Cunningham stated that the council members will try and set a date so Council of the whole can meet discuss Hospital Authority. Council should contact Councilwoman Castellano with comments and questions as soon as possible to so she can schedule the date and time for a council of the whole to meet. Sub-committee will be meet first. (Councilwoman Castellano, Councilmen Giacchi and Council President Cunningham.)

Councilwoman Marsh spoke about the Historical Museum has received a grant for community outreach program, but the museum should reach out to various waterfront groups to get the information out there.
Meeting on the 24th if there are any specific issues that people want to discuss I appreciate any suggestions.

Councilman Mello met with the Transportation sub-committee and there are issues with the ordinance not matching the procedures that go on, so Director Sacs is looking for specific changes to the ordinance and things being done by habit or according to local law.

Director Pope reported that a light pole fell at the Boys and Girls Club. It fell near the pool cover no damage removed this morning Jay Garcia is taking care of this.

Councilman Mello asked Director Pope what is the best way to contact this kind of problem if this happens?

Director Pope stated that residents may either call my office during office hours or e-mail me with any complaints or requests. They can access this on the Hoboken website.

Councilman Bhalla suggested that when ordinances come up instead of wasting time and having Directors come up to explain these ordinances and the language, I suggest a paragraph or brief summary be prepared by the Corporation Counsel or City Clerk explaining the intend and what the ordinance is or what it means for the benefit of the audience.

Councilwoman Mason suggest that it would be premature and time consuming for the Corporation Counsel or City Clerk to do this until we have a sponsor and a second to take up this kind of procedure.

Councilman Bhalla if that is the case the Administration should have a summary of the ordinance when they submit legislation to the city. Also, we had a Public Safety Sub-Committee meeting - Councilman Giacchi and I had a brief discussion and received a letter from Director Garcia of the Hoboken Housing Authority identifying issues that need to be addressed with the Housing Authority contract. Director Garcia also requested that for any future meetings if possible could have Chief Falco, Corporation Counsel Steve Kleinman and Director of Public Safety Angel Alicia involved in these meetings.

Councilman Russo would like to be cc’ed on this and if there is an opportunity for have a 4th Council person attend meeting.

Councilman Giacchi attempting to schedule Quality of Life sub-committee meeting to address the St. Patrick’s Day parade – house ordinance. Need to set a date to meet – we
would have to schedule a new date Councilwoman Mason cannot attend on Monday. Please e-mail me with available dates so we can meet on this issue.

Council President Cunningham would like to be included in the Quality of Life sub-committee meeting. Also, announcing Mayor Zimmer’s inauguration on Saturday, everyone is invited at Hoboken High School.

**PUBLIC PORTION**

Michael Stiglione, suggested that being a new council person was sworn in if it is at all possible to have Ordinance Z-17 be addressed and to re-consider and have a new vote be taken.

Corporation Counsel advised that to re-consider motion would have to be brought by the people who voted no on the ordinance. Its needs to have a motion and a second because there was not an affirmative vote on it. It could have a reconsideration of it and then table it at that point but somewhat unusual, but I see any reason why u couldn’t because we are in the same meeting but again most appropriate to have the people who voted no were the ones to sponsor it and second it as opposed to the ones who were affirmative for it.

Then willing to do it bring it back and then make a motion to table I do not see any legal concern with that I would obviously look at it more closely –before it came back second vote. I would give the opinion that it cannot be done then you can start from scratch and then if you do not decide to do it then back to a first reading. Probably need to provide notice again to residents.

Notice was for tonight there are some issues with this certainly the last opportunity to do this. Up to council look to issue a formal legal opinion on the issue.

Council President Cunningham asked if there is any further consideration that can be given to this … Councilwoman Mason, Councilman Russo, Councilwoman Castellano stated that they cannot see considering this ordinance again mainly because it of rezoning issues and also considering the people who opposed this left the meeting it should not be reconsidered without them.

Public speaker Curtis Crystal again opposed this consideration.

Councilwoman Mason stated that another additional challenge is that the Zoning Board is backlogged and that is another issue that should be addressed.

Councilman Mello asked Mr. Stignone when is lease is up, Mr. Stignone answered that he has a month to month lease. Doesn’t know when the owner will sell the building. There are other tenants there too. If this doesn’t get passed tonight I will have to take my business and move to Jersey City and that will be ashamed because the dog owners of this town will be hurt.

Council persons Mason, Giacchi, Mello continue their discussion on this issue.

Corporation Counsel Kleinman again reminded Council at to the point he made earlier.
All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Michael Stiglione, (Z-17) Curtis Crystal, (Z-17) Mo DeGennaro (hospital presentation), Patricia Waiters, John Branciforte (Citizens’ Campaign seminar).

Motion to close meeting Councilman Russo.
Seconded by Councilman Giacchi.

President Cunningham then adjourned the meeting at 1:49 a.m.

______________________________
PRESIDENT OF THE COUNCIL

______________________________
CITY CLERK
President Cunningham 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 Bhalla, Castellano, Giacchi, Marsh, Mason, Mello, Russo and President Cunningham.

ABSENT: None.

INTRODUCTION OF THE SFY 2010 BUDGET

Council President Cunningham introduces Director Tresante for the presentation of the 2010 Budget.

Director Tresante begins presentation of the 2010 Budget.

Budget workshop hearing dates will be available at the December 16, 2009 Council Meeting.

Council Members requested from Director Tresante copies of back-up and capital plan. Also, several members requested for it to be placed on CD.

09-166

Accepting the introduced SFY 2010 Municipal Budget.
Motion duly seconded by Councilwoman Marsh.
--- Adopted by the following vote: YEAS: 9 – NAYS: 0
--- Yeas: Councilperson Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham
--- Nays: None
Council President Cunningham asked Corporation Counsel Kleinman to inform him when the Labor Counsel arrived so he may then suspend agenda to go into Executive Closed Session.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

REFUNDING BOND ORDINANCE PROVIDING FOR PAYMENT OF AMOUNTS OWING TO OTHER FOR TAX LEVIED IN AND BY THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING $2,595,731 THEREFOR AND AUTHORIZING THE ISSUANCE OF $2,595,731 BONDS OR NOTES OF THE CITY OF HOBOKEN FOR FINANCING THE COST THEREOF. (Z-22) PULLED NO ACTION TAKEN.

“AN ORDINANCE OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING THE ACQUISITION OF A FIRE ENGINE APPARATUS AND EQUIPMENT FOR THE CITY OF HOBOKEN FIRE DEPARTMENT AND APPROPRIATING $610,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $579,000 IN BONDS OR NOTES OF THE CITY OF HOBOKEN TO FINANCE THE SAME” (Z-23)

President Cunningham 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.

Council President Cunningham introduces Battalion Chief Green.

Battalion Chief Green gives an overview of the ordinance.

The speakers who spoke: Scott Siegel.

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

President Cunningham moved that the hearing be closed.
Motion duly seconded by Councilwoman Marsh.
--- Adopted by the following vote: YEAS: 8 - NAYS: 0
--- Yeas: Council persons Bhalla, Castellano, Giacchi, Marsh, Mason, Mello, Russo and President Cunningham.
--- Nays: None.
President Cunningham 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 Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason Mello, Russo, and President Cunningham.
---Nays: None.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF HOBOKEN GRANTING AN EASEMENT FOR CERTAIN ENCROACEMENTS WITHIN THE PUBLIC RIGHT OF WAY AT THE SITE OF THE REAL PROPERTY AT 1405-1429 MADISON STREET AND 1404-1428 JEFFERSON STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS LOT 1 THROUGH 26, IN BLOCK 119, ON THE TAX MAP OF THE CITY OF HOBOGEN. (Z-8)

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

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

CORPORATION COUNSEL KLEINMAN PROVIDED TO THE COUNCIL AMENDMENTS FOR THE ABOVE ORDINANCE.

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

Councilwoman Marsh sponsors the above ordinance with the amendments.
Motion duly seconded by Councilwoman Mason

---Ordinance Amended by the following vote: YEAS: 9 - NAYS: 0
Motion duly seconded by Councilwoman Mason
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason Mello, Russo, and President Cunningham.
---Nays: None

President Cunningham 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 Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason Mello, Russo, and President Cunningham.
---Nays: None.

09-167

APPLICATIONS FOR MISCELLANEOUS LICENSES

Livery/Taxi, Limo Drivers ----------------------------------------------- 2
Vendors--------------------------------------------------------------- 1
Raffles--------------------------------------------------------------- 1
Bingo--------------------------------------------------------------- 2

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

RESOLUTIONS

Presented and Read

09-168

---By Councilman Lenz

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS

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

WHEREAS, Sharon Curran, 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 $20,632.28

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Meeting of December 2, 2009
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<th>Phone</th>
<th>Address</th>
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<th>Amount</th>
<th>Notes</th>
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<td>69/27/C0003</td>
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---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason Mello, Russo, and
President Cunningham.
---Nays: None.

**09-169**
---By Councilman Lenz

RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY TAX COURT JUDGEMENTS 2009 TAX APPEALS

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the 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 **$216,223.35**

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ZHANG, NAI & ZARAH J PUA 18/4/C0P65 70 ADAMS ST $39.42
70 ADAMS ST #3G HOBOKEN, NJ 07030

SNIDER, BRIAN & STACY SPATOLA 18/4/C0P67 70 ADAMS ST $39.42
70 ADAMS ST #2M HOBOKEN, NJ 07030

ANDINO, KENNETH & K KOVACS 18/4/C0P68 70 ADAMS ST $39.42
70 ADAMS ST #5F HOBOKEN, NJ 07030

PATEL, HETAL & JUNG YUN KIM 18/4/C0P71 70 ADAMS ST $197.52
70 ADAMS ST #3I HOBOKEN, NJ 07030

MALOY, SEAN & KATHLEEN 18/9/C0002 71 JEFFERSON ST $626.97
71 JEFFERSON ST #2 HOBOKEN, NJ 07030

BELL, PAUL & ALISON 18/9/C0004 71 JEFFERSON ST $970.96
71 JEFFERSON ST #4 HOBOKEN, NJ 07030

SAMAYOA, JOHN 18/28/C0002 92 ADAMS ST $1,906.92
209 COLONIAL ROAD EMERSON, NJ 07630

GUNNING, ELIZABETH 18/30/C002I 78-88 ADAMS ST $294.61
84 ADAMS ST #2I HOBOKEN, NJ 07030

HOFFMAN, BRYAN & TRACY 18/30/C005F 78-88 ADAMS ST $294.61
84 ADAMS ST #5F HOBOKEN, NJ 07030

GUNNING, ELIZABETH 18/30/C0P30 78-88 ADAMS ST $59.77
84 ADAMS ST #2I HOBOKEN, NJ 07030

KING, KENNY 18/30/C0P31 78-88 ADAMS ST $59.77
84 ADAMS ST #3H HOBOKEN, NJ 07030

HUANG, YAN & LI YANG 20/2.1/C003B 71-75 GRAND ST $2,181.65
100 BLOOMFIELD ST #4 HOBOKEN, NJ 07030

SPRANG, HEIDI 20/28/C004D 82 CLINTON ST $2,123.30
82 CLINTON ST #4D HOBOKEN, NJ 07030

DONG, HANSU & LISA OKESSON 20/28/C0026 82 CLINTON ST $89.78
45 PLATINUM CIRCLE
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530 MADISON ST #4A HOBOKEN, NJ 07030

KARRAS, NICHOLAS 67/17/C0P-2 530-532 MADISON ST $ 232.72
530 MADISON ST #4B HOBOKEN, NJ 07030

FONTAINE, FREDERIC & SOHO 67/17/C0P-3 530-532 MADISON ST $ 93.68
530-532 MADISON ST #6A HOBOKEN, NJ 07030

BARRY, RICHARD SCOTT 67/17/C0P-4 530-532 MADISON ST $ 232.72
1135 PARK AVE HOBOKEN, NJ 07030

GROM, CHARLES 67/17/C0P-5 530-532 MADISON ST $ 232.70
16 GLENMERE DR CHATHAM, NJ 07928

BURNS, MICHAEL, AARON & C RITT 67/17/C0P-9 530-532 MADISON ST $ 93.68
530-32 MADISON ST #6B HOBOKEN, NJ 07030

PERCONTINO, MATTEO & ELIZABETH 68/1.2/ 508 FIFTH ST $ 563.54
4 MARIANI DRIVE LITTLE FERRY, NJ 07643
PORGES, JANE M 69/11/C0003 523 JEFFERSON ST $3,402.66
523 JEFFERSON ST #3 HOBOKEN, NJ 07030

COLLI, MICHAEL 70/4/C0002 521 ADAMS ST $ 30.89
521 ADAMS ST #2 HOBOKEN, NJ 07030

SPINA, PALMA & FRANK 70/11/C0203 522-532 GRAND ST $1,198.56
536 GRAND ST UNIT #203 HOBOKEN, NJ 07030

MARAFIOTI, PETER 74/31/C0003 604-606 MONROE ST $ 87.98
604-606 MONROE ST #3 HOBOKEN, NJ 07030

FINNERTY, JENNIFER & DANIEL 74/31/C0004 604-606 MONROE ST $3,806.67
604-606 MONROE ST #4 HOBOKEN, NJ 07030

CUOMO, JOSEPH 74/31/C0006 604-606 MONROE ST $ 587.33
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Meeting of December 2, 2009
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1327 GRAND ST #502  
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$ 39.42

VENEZIA, LOUIS A  
70 ADAMS ST #4J  
HOBOKEN, NJ 07030  
115/9.01/C0P45  
1317-27 GRAND ST  
$ 39.42

GORMLEY, SEAN P & CRISTINA C  
402 NINTH ST #E2A  
HOBOKEN, NJ 07030  
149/1/C0E2A  
400-414 NINTH ST  
$2,675.44

MODDER, LAWRENCE M & LAUREEN  
402 NINTH ST #E3G  
HOBOKEN, NJ 07030  
149/1/C0E3G  
400-414 NINTH ST  
$2,186.14

LEVOY, BENJAMIN  
52 FOURTH ST  
HOBOKEN, NJ 07030  
149/1/C0E4F  
400-414 NINTH ST  
$ 223.17

BERRY, CHRISTIAN & JANET  
402 NINTH ST #E5E  
HOBOKEN, NJ 07030  
149/1/C0E5E  
400-414 NINTH ST  
$4,206.19

SEGEV, ODED & ZINAIDA  
402 NINTH STREET #E6B  
HOBOKEN, NJ 07030  
149/1/C0E6B  
400-414 NINTH ST  
$2,639.53

EASTON, DERRICK & EVE  
400 NINTH ST #W5H  
HOBOKEN, NJ 07030  
149/1/C0W5H  
400-414 NINTH ST  
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1026 CLINTON ST LLC  
922 WASHINGTON ST  
HOBOKEN, NJ 07030  
155/5/C0103  
1026-34 CLINTON ST  
$1,001.05

1026 CLINTON ST LLC  
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155/5/C0104  
1026-34 CLINTON ST  
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1026 CLINTON ST LLC  
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155/5/C0106  
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155/5/C0108  
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1026 CLINTON ST LLC  
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155/5/C0202  
1026-34 CLINTON ST  
$1,351.19
BOGDANOS, DAVID & ANNE MARGARET 155/5/C0208 1026-34 CLINTON ST $1,369.15
156 PROSPECT PLACE RUTHERFORD, NJ 07070

MONTARESI, ANTONIO & MARY MC CATHY 155/5/C0210 1026-34 CLINTON ST $1,409.55
1026-34 CLINTON ST #210 HOBOKEN, NJ 07030

1026 CLINTON ST LLC 155/5/C0402 1026-34 CLINTON ST $1,364.66
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1026 CLINTON ST LLC 155/5/C0403 1026-34 CLINTON ST $1,871.91
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1026 CLINTON ST LLC 155/5/C0408 1026-34 CLINTON ST $1,871.91
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1026 CLINTON ST LLC 155/5/C0412 1026-34 CLINTON ST $1,364.66
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1026 CLINTON ST LLC 155/5/C0416 1026-34 CLINTON ST $1,871.91
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ANDREULA, TIMOTHY & J ABRAHMS 159/4/C005A 711 CLINTON ST $1,072.87
711 CLINTON ST #5A HOBOKEN, NJ 07030

VIGGIANO, ANTHONY 159/4/C005F 711 CLINTON ST $1,665.42
711 CLINTON ST #5F HOBOKEN, NJ 07030

MANDELBAUM, KEITH & MAUREEN 159/4/C007B 711 CLINTON ST $ 187.60
711 CLINTON ST #7B HOBOKEN, NJ 07030

REIDINGER, CHRISTINE 162/3/C0P-4 1021A-27 CLINTON ST $ 76.73
63 CLUBHOUSE ROAD TUXEDO PARK, NY 10987

CAPITOL BUILDING, LLC 162/4/ 1031-1035 CLINTON ST $6,688.61
419 FIFTH ST

Meeting of December 2, 2009
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Meeting of December 2, 2009
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The speakers who spoke: Scott Seigel

---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason Mello, Russo, and President Cunningham.
---Nays: None.

09-170
---By Councilwoman Lenz

RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY TAX COURT JUDGEMENTS 2009 TAX APPEALS

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the 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 $95,334.89
*REFUNDS ON THE FOLLOWING TAX APPEALS ARE TO BE MADE PAYABLE TO:
GESS GESS & SCANLON
89 HUDSON STREET
HOBOKEN, NJ 07030*

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---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham.
---Nays: None.

09-171
---By Councilwoman Lenz

RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY TAX COURT JUDGEMENTS 2009 TAX APPEALS

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the 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 $40,188.77

*REFUNDS ON THE FOLLOWING TAX APPEALS ARE TO BE MADE PAYABLE TO:
DAVENPORT & ASSOCIATES
219 CHANGEBRIDGE ROAD
MONTVILLE, NJ 07045

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Meeting of December 2, 2009
S SARM 18/4/C0P64 70 ADAMS ST $ 39.42
MITROVSKI, ZORAN 18/30/C0P26 78-88 ADAMS ST $ 59.77
SHEHADY, RANDY J & C. 25/1/C005F 700 FIRST ST $1,050.43
CARUSO, ROBERT T JR 25/1/C007A 700 FIRST ST $1,050.43
PINCHEVSKY, RAMI 25/1/C007D 700 FIRST ST $ 745.17
LEUNG, WAITONG M & SOYING K CH 25/1/C009L 700 FIRST ST $1,077.36
ASARAK, PAUL 25/1/C010F 700 FIRST ST $1,697.39
RODRIQUE, SANDRA 25/1/C010H 700 FIRST ST $1,481.37
VAN DER LAND, HARRY NICO & CEL 25/1/C011W 700 FIRST ST $1,593.60
SCHULMAN, JONATHAN 25/1/C015W 700 FIRST ST $1,593.60
WADHWA, GAURAV & ANJALI 25/1/C12RS 700 FIRST ST $ 105.19
LIANG, ANTHONY 25/1/C16PP 700 FIRST ST $4,179.26
GALLAGHER, CARRIE A 25/1/C16PW 700 FIRST ST $ 63.87
HUANG, JENNIFER & CHIA 25/1/C17PT 700 FIRST ST $1,616.04
NOLAND, CHARLES W 25/1/C17PV 700 FIRST ST $2,666.47
SNYDER, BARBARA L 75/2.1/C0008 603-607 MONROE ST $ 453.74
MASON, JUANA G 95/1/C0P-1 901-909 MADISON ST $ 22.47
DELLA CHIAE, LAUREN 95/21/C0604 920 JEFFERSON ST $ 650.91
DELLA CHIAE, LAUREN 95/21/C0P-1 920 JEFFERSON ST $ 197.52
TURANO, MARCO 95/21/C0P30 920 JEFFERSON ST $ 55.89
SIGNORIELLO, MICHAEL J 160/3/C0P14 807-809 CLINTON ST $ 2.12
NASTASI, GERALDINE & B KORMOS 160/3/C0P15 807-809 CLINTON ST $ 2.12
ZUCKERMAN, ERIC 160/3/C0P16 807-809 CLINTON ST $ 2.12
KEELING, BRYAN 174/19/C000B 1228 PARK AVE $ 207.41
SCHMIDT, MAXIM & NARGIZ 262.3/1/C0502 2 CONSTITUTION CT $134.84
SILBERMAN, DANIEL & C A  
FRIEDL 262.3/1/C0602 2 CONSTITUTION CT $139.21

BUTLER, MARTIN 262.3/1/C0614 2 CONSTITUTION CT $2,280.41

BREINES, BRET 262.3/1/C1002 2 CONSTITUTION CT $3,972.77

PARRAGA, CARLOS JAVIER 262.3/1/C1201 2 CONSTITUTION CT $2,190.63

---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham
---Nays: None.

09-172
---By Councilman Lenz

RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY TAX COURT JUDGEMENTS 2009 TAX APPEALS

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the 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 $6,961.87

- REFUNDS ON THE FOLLOWING TAX APPEALS ARE TO BE MADE PAYABLE TO:
  - NOWELLAMOROSOKLEIN  BIERMAN, P.A.
    155 POLIFLY ROAD
    HACKENSACK, NJ 07601

<table>
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<th>NAME</th>
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<td>REED, ROBYN B</td>
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---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham
RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY TAX COURT JUDGEMENTS 2009 TAX APPEALS

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the 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 $6,195.39

REFUNDS ON THE FOLLOWING TAX APPEALS ARE TO BE MADE PAYABLE TO:

STEVEN J EISENSTEIN, ESQ
LUM, DRASCO & POSITAN, LLC
103 EISENHOWER PARKWAY
ROSELAND, NJ 07068

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<td>VALLABHANENI, JAYARAM</td>
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<td>217.1/30/C00P4</td>
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---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham

RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY TAX COURT JUDGEMENTS 2009 TAX APPEALS

WHEREAS, an overpayment of taxes has been made on property listed below: and
WHEREAS, Sharon Curran, Collector of Revenue recommends that the 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 $2,447.49

* REFUNDS ON THE FOLLOWING TAX APPEALS ARE TO BE MADE PAYABLE TO:
CUTOLO LAW FIRM LLC
151 HIGHWAY 33 EAST
MANALAPAN, NJ 07726

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<td>400-414 NINTH ST</td>
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<td>MEANEY, SHARYN C</td>
<td>262.3/1/C1105</td>
<td>2 CONSTITUTION CT</td>
<td>$837.85</td>
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---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham 09-175
---By Councilman Lenz

RESOLUTION AUTHORIZING THE REFUND OF TAX APPEALS
STATE TAX COURT

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the 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 $3,290.44

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---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham 09-175
---By Councilman Lenz
RESOLUTION AUTHORIZING THE REFUND OF TAX APPEALS STATE TAX COURT

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the refunds be made; now, therefore, be it --

RESOLVED, that a warrant be drawn on the City Treasurer made payable to the appearing attached list totaling $3,290.00.

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<tr>
<th>NAME</th>
<th>BL/LOT/UNIT</th>
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---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham

09-176
---By Councilman Lenz

RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY TAX COURT JUDGEMENTS 2009 TAX APPEALS

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the 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 $1,669.91

REFUNDS ON THE FOLLOWING TAX APPEALS ARE TO BE MADE PAYABLE TO:
KATES NUSSMAN RAPONE
ELLIS & FARHI, LLP
190 MOORE STREET
SUITE 306
HACKENSACK, NJ 07601-7418

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LOT/UNIT</th>
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<tr>
<td>SIEGEL, LAURA &amp;</td>
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<td>37-39 PARK AVE</td>
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<td>BRIAN CRITZ</td>
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---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham
RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY
TAX COURT JUDGEMENTS 2009 TAX APPEALS

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the 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 $839.44

REFUNDS ON THE FOLLOWING TAX APPEALS ARE TO BE MADE PAYABLE TO:
MICHAEL I. SCHNECK,
TRUSTEE FOR 900 GARDEN ST ASSOC, LLC NJ CO.
301 SOUTH LIVINGSTON AVENUE, SUITE 105
LIVINGSTON, NJ 07039

<table>
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---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham

RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY
TAX COURT JUDGEMENTS 2009 TAX APPEALS

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the 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 $4,807.72

REFUNDS ON THE FOLLOWING TAX APPEALS ARE TO BE MADE PAYABLE TO:
NASHEL AND NASHEL, LLC
415 SIXTEENTH STREET
WEST NEW YORK, NJ 07093
---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham

09-179
---By Councilman Lenz

RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY TAX COURT JUDGEMENTS 2009 TAX APPEALS

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the 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 $ 30.89

REFUNDS ON THE FOLLOWING TAX APPEALS ARE TO BE MADE PAYABLE TO: MC CARTER & ENGLISH LLP, C/O FRANK E. FERRUGGIA PO BOX 652 NEWARK, NJ 07101

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<td>521 ADAMS ST</td>
<td>$30.89</td>
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---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham

09-180
---By Councilman Lenz

RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY TAX COURT JUDGEMENTS 2009 TAX APPEALS
WHEREAS, an overpayment of taxes has been made on property listed below: and

WHEREAS, Sharon Curran, Collector of Revenue recommends that the 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 $9,227.64

* REFUNDS ON THE FOLLOWING TAX APPEALS ARE TO BE MADE PAYABLE TO: VENINO & VENINO, ESQS 8000 KENNEDY BLVD NORTH BERGEN, NJ 07047

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<td>WEIL, JONATHAN &amp; JEN</td>
<td>152/1/C0P13</td>
<td>701-709 GRAND ST</td>
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---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham

09-181
---By Councilman Giacchi

AUTHORIZING CONTRACT WITH REMINGTON & VERNICK FOR DESIGN & ENGINEERING SERVICES FOR CONSTRUCTION OF A SEPTEMBER 11 MEMORIAL TO BE LOCATED ON PIER A OR OTHER LOCATION

WHEREAS, the City of Hoboken has been awarded a grant from the Department of Community Affairs for the Construction of a September 11th Memorial; and

WHEREAS, a design has been selected by the September 11th Committee which would have constructed a walkway from Pier A to a newly constructed Pier on which the Memorial would be constructed of tempered glass with the name of the 57 Hoboken residents lost on 9/11; and
WHEREAS, preliminary cost estimates received by the Committee to construct such walkway and new Pier would far exceed the remaining available grant funds of $250,000; and

WHEREAS, due to the original concept being cost prohibitive, the City of Hoboken September 11th Committee is seeking design/engineering services to place the Memorial on Pier A using the glass panels already purchased and in storage; and

WHEREAS, the City Council desires to make the decision on the final location of the memorial, being respectful of the September 11th Committee’s public process on such; and

WHEREAS, the Department of Community Affairs would like to see the project completed without further delay and would not intending to grant additional deadline extensions, thus putting the City in danger of losing $250,000 in grant funds;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken does hereby authorize a contract between the City of Hoboken and Remington & Vernick Engineers to provide the necessary design/engineering services to accomplish the above described plan; and

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

1. A contract for professional engineering services for the City of Hoboken shall be prepared and executed with Remington & Vernick Engineers for the proposal for Phases I and II, such firm to be paid a total amount not to exceed twenty seven thousand two hundred and eighty dollars ($27,280.00) for services as set forth in its proposal attached hereto and made a part hereof, or such lesser amount so that the total amount of engineering and construction not exceed $200,000 or such greater amount if additional funding is secured; and
2. The City Council, working with the September 11th Committee and respectful of the Committee’s recommendation, shall determine the final location of the September 11th Memorial; and
3. The contract for professional engineering services between the City of Hoboken and Remington & Vernick shall begin once the final location is determined by the City Council; and
4. The City shall inform the engineering firm of the limits of the construction funds available and direct them to design within that restriction; and
5. The engineer is to perform Phases I and II and receive approval from the City Council prior to continuing on with the contract; and
6. The Mayor is hereby authorized to execute a contract with Remington & Vernick Engineers for design 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; and
7. This resolution shall take effect immediately.

The speakers who spoke: Moe DeGennnaro, Jim Doyle

Director Forbes was asked to speak regarding the above resolution.
---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham

09-182
---By Councilman Lenz

RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS FOR THE SFY 2010 BUDGET

WHEREAS, the City of Hoboken is expected to enter into contracts, commitments or payments prior to the adoption of the SFY 2010 budget and no adequate provision has been made in the SFY 2010 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 2010 pursuant to the provisions of N.J.S.A. 40A:4-20 including this resolution total $60,423,282.64 for Current Expenses and $5,480,826.39 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 $10,332,900.00
2) for Current Expenses and $263,000.00 for the Parking Utility as follows:

City of Hoboken
Temporary Appropriations
SFY 2010

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<td><strong>Sub Total Within CAPS</strong></td>
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<td>9,267,900.00</td>
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<td><strong>Outside Caps</strong></td>
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<td>Maintenance of Free Public Library</td>
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<td>750,000.00</td>
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<td>Public Employee Retirement</td>
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<td><strong>Total Appropriations Included in 26.25% limit</strong></td>
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<td>Computer Technology upgrades</td>
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<td>Payment Bond Principal</td>
<td>0-01-45-900-001</td>
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<td>Interest on Bonds</td>
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<td>Interest on Notes</td>
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<td>Interest on Tax Anticipation Notes</td>
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<td>Notes Principle</td>
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<td>Underground Storage Tank Loan</td>
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**Grants**
### Deferred Charges

<table>
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<tr>
<th>Description</th>
<th>Budget</th>
<th>Amount</th>
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<tr>
<td>Total Temporary Muni Budget</td>
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<td>10,332,900.00</td>
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### Parking Utility

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<tr>
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<tbody>
<tr>
<td>Salary Wages</td>
<td>0-31-55-501-100</td>
<td>235,000.00</td>
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<tr>
<td>Other Expenses</td>
<td>0-31-55-502-200</td>
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<tr>
<td>Group Health</td>
<td>0-31-55-506-000</td>
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<tr>
<td>Capital Outlay</td>
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<td>28,000.00</td>
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### Statutory Expenditures

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<tr>
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<tbody>
<tr>
<td>Public Employee Retirement System</td>
<td>0-31-55-541-100</td>
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<td>Social Security System</td>
<td>0-31-55-541-020</td>
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<tr>
<td>Unemployment Compensation Insurance</td>
<td>0-31-55-541-300</td>
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### Total Appropriations Included in 26.25% limit

<table>
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<th>Description</th>
<th>Amount</th>
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<td>Total Appropriations</td>
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### Debt Service

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<tr>
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<tbody>
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<td>Payment of Bond Principal</td>
<td>0-31-55-503-000</td>
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<td>Interest on Bonds</td>
<td>0-31-55-504-000</td>
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<tr>
<td>Payment of Note Interest (916)</td>
<td>0-31-55-503-010</td>
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<td>Payment of Note Principal (916)</td>
<td>0-31-55-505-000</td>
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<tr>
<td>Trustee Fee</td>
<td>0-31-55-503-050</td>
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### Total Parking Debt

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### Total Temporary Parking Utility Budget

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<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Total Temporary Parking Utility Budget</td>
<td>263,000.00</td>
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</tbody>
</table>

The speakers who spoke: Mo DeGennaro

---Motion duly seconded by President Cunningham
---Motion to TABLE resolution: Councilman Lenz
--Motion duly seconded by Councilwoman Mason
---TABLED by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham

**APPROVED BY FISCAL STATE MONITOR JUDITH TRIPODI ON 12/3/09**

**09-183**
---By Councilman Lenz

**RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS**

**WHEREAS,** an overpayment of taxes has been made on property listed below: and
WHEREAS, Sharon Curran, 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 **$15,884.10**

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LT/UNIT</th>
<th>PROPERTY</th>
<th>QTR/YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wells Fargo Bank, NA</td>
<td>268.1/1C004F</td>
<td>1501 Garden/1500 Bloomfield St.</td>
<td>4/09</td>
<td>$15,884.10</td>
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</table>

---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham

09-183
---By Councilwoman Castellano


WHEREAS, the City of Hoboken has sought competitive proposals for the installation of a new roof at the Multi-Service Center; and,

WHEREAS, the below listed bids were submitted in compliance with the original bid specifications as advertised:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Proposal</th>
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<tbody>
<tr>
<td>ER Barrett, Inc.</td>
<td>$ 194,950.00</td>
</tr>
<tr>
<td>110 Paris Street Newark, NJ 07105</td>
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</tr>
<tr>
<td>Northeast Roof</td>
<td>$ 258,227.50</td>
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<tr>
<td>649 Catherine Ave. Perth Amboy, NJ 08861</td>
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</tbody>
</table>

WHEREAS, the City’s engineers recommend the contract be awarded to ER Barrett, Inc., for a total amount of $194,950.00.

NOW, THEREFORE BE IT RESOLVED by the City 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 awards a contract to following vendor:
   E.R. Barrett, Inc.
   110 Paris Street
   Newark, NJ 07105

3. The $194,950.00 required for this project is available in accounts G-55-56-CD7-307 (2007) $115,695.00 and G-55-56-CD8-308 (2008) $79,255.00 for a total of $194,950.00.
4. The Mayor or her designee is hereby authorized to enter into a contract and to take any and all actions necessary to further the intent and purpose of this resolution.

---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham.
---Nays: None.

ORDINANCES

Introduction and First Reading

09-184
Z-24

AN ORDINANCE ACCEPTING A DEED OF DEDICATION FOR BLOCK 261.05, LOT 1 BLOCK 261.06, LOT 1 AND BLOCK 261.07, LOT 2 FROM P.T. MAXWELL, LLC TO THE CITY OF HOBOKEN.

WHEREAS, the City of Hoboken is a municipal entity organized under the laws of New Jersey and located in Hudson County; and,

WHEREAS, P.T. Maxwell LLC is a New Jersey Limited Liability Company that is the sponsor of a condominium project commonly known as Maxwell Place Condominium, located at 1101-1125 Hudson Street within the City of Hoboken; and,

WHEREAS, P.T. Maxwell LLC is the successor in interest to 1101-1125 Hudson Street LLC, which received approval from the Hoboken Planning Board to construct the Maxwell Place Condominium project in 2003; and,

WHEREAS, in conjunction with the aforementioned Planning Board approval, 1101-1125 Hudson Street LLC entered into a Developer’s Agreement (“Agreement”) with the City of Hoboken, which in pertinent part committed it to the construction of a waterfront park adjacent to the Maxwell Place Condominium; and,

WHEREAS, the Agreement further stated that this waterfront park was to be conveyed to the City of Hoboken so that the citizens of Hoboken can use it as a park in perpetuity; and,

WHEREAS, the Agreement further established that a funding agreement for the waterfront park would be implemented so that funding for the operation and maintenance of this waterfront park will come from the owners of the Maxwell Place Condominium project; and,

WHEREAS, P.T. Maxwell LLC has completed the waterfront park and is prepared to transfer it to the City of Hoboken pursuant to its obligations under the Agreement via a Deed of Dedication; and,

WHEREAS, the City agrees to accept this transfer in exchange for the sum of One Dollar ($1.00); and,
WHEREAS, this action is authorized pursuant to the Local Lands and Buildings Law, N.J.S.A. 40A:12-3 through 5.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Hoboken, County of Hudson, State of New Jersey that the Deed of Dedication by and between the City of Hoboken and P.T. Maxwell LLC, and attached hereto as “Exhibit A” is hereby approved;

BE IT FURTHER ORDAINED that Mayor Dawn Zimmer is authorized to execute any all documents and to take any and all other actions necessary on behalf of the City of Hoboken to realize the intent and purpose of this Ordinance; and,

BE IT FURTHER ORDAINED that 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; and,

BE IT FURTHER ORDAINED that 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; and,

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon passage and publication as provided by law.

BE IT FURTHER ORDAINED that a copy of the Deed of Dedication shall be maintained in the Office of the Hoboken City Clerk.

---President 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 JANUARY 6, 2009 at 7:00 PM.

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

At 10:30 pm Council recessed.

Returned from recess at 10:41 pm.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Scott Seigel, Eric Kurta, Helen Hirsch, John Branciforte, Alan Welner, Jamie Cryzn, Richard Tremitiedi
Council President Cunningham announced that next Tuesday, December 8th is the deadline for candidates submitting applications for Zoning Board openings. Then a Zoning & Economic Development sub-committee will meet (Tuesday, at 4:30 pm) and they will have a list of candidates that submitted applications to the City Clerk’s office. It is important that the applicants fill out applications and submit it to the Clerk’s office. Then a list of their names, telephones #’s and e-mails will be available.

We will reach out to applicants, either the sub-committee or the Clerk’s office and that there will be an informational session that will be held on the 10th of December at 7 pm at the Multi-center. All applicants will be invited to attend and actually learn from members of the administration what the responsibilities are as a Zoning board member. Then members of the sub-committee will be there to discuss the applications, some policy issues, whatever they would like to discuss. It will be a meet and greet informational session and I encourage everyone to attend this next Thursday. Most importantly there may be council members that would like to see candidates put up for consideration. There should be a two way discussion between the council members and candidates, so it is up to the candidates to reach out to the council members to lobby for their consideration and at the meeting on the 16th will come to a consensus and people can put forward resolutions for consideration and at that time candidates can speak can be there if they wish to. That is how I envision this process going and comments, questions can be addressed at the new business part of meeting.

At this time, 11:17 p.m., on a motion by Councilman Russo duly seconded by Councilwoman Marsh and voted on unanimously, the City Council entered into closed (executive) session.

Councilwoman Castellano asked Corporation Counsel if she should recuse herself from the Closed Session meeting reason being that family members will be affected by these negotiations. (PBA and POSA). Corporation Counsel advised that if the certain issues come up she can then recuse herself from the meeting.

Councilwoman Mason left meeting at 11:17 pm
Councilwoman Mason returns at 11:26 pm

09-186
CLOSED SESSION

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 receive advice from legal counsel and another reason is to discuss ongoing contract negotiations involving the City; and

WHEREAS, the Council has determined that it is necessary to go into closed executive session for the purpose of receiving a briefing from Labor Negotiations Counsel on the current status of negotiations with the City’s collective bargaining units;

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 this time, 12:37 a.m., on a motion by Councilman Russo duly seconded by Councilman Lenz and voted on unanimously, the City Council came out of closed (executive) session.

President Cunningham then adjourned the meeting at 12:41 a.m.

__________________________________________

PRESIDENT OF THE COUNCIL

__________________________________________

CITY CLERK
President Cunningham 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 Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and Council President Cunningham

ABSENT: None.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE ACCEPTING A DEED OF DEDICATION FROM BLOCK 261.05, LOT 1, BLOCK 261.06, LOT 1 AND BLOCK 261.07, LOT 2 FROM P.T. MAXWELL, LLC TO THE CITY OF HOBOKEN Z-24

President Cunningham 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: Jim Doyle.

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

Councilman Cunningham moved that the hearing be closed.
Motion duly seconded by Councilwoman Marsh.
Motion to TABLE ordinance Councilwoman Marsh
Motion duly seconded by Councilwoman Castellano

---TABLED by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo and President Cunningham.
---Nays: None.

09-187
PROCLAMATION THANKING MAYOR RICHARD F. TURNER FOR ALLOWING HOBOKEN RESIDENTS AND TEAMS FOR UTILIZING ITS ATHLETIC FACILITIES.

WHEREAS, the City of Hoboken and the Township of Weehawken have always been good neighbors, sharing similar histories, common boundaries and great friendships; and

WHEREAS, the two great communities share in their vision to provide public access to one of the world’s most spectacular waterfronts which serve as public gathering places and fields that encourage residents involvement in active recreation and team sports; and

WHEREAS, Hoboken’s stunning Sinatra Park Soccer Field, as well as the underpinnings of the waterfront walkway, were compromised due to structural failure caused by aquatics “shipworms” and other structural failures; and

WHEREAS, the Sinatra park Soccer Field was deemed unsafe for public use as a result of these conditions, prohibiting utilization by popular youth and adult athletic programs; and

WHEREAS, our good neighbor, Weehawken, thanks to the invitation of its Mayor, Richard F. Turner and his administration, allowed Hoboken residents and teams to utilize its athletic facilities during this unforeseen and ongoing period of damage assessment and repair, providing a seamless transition; and

NOW, THEREFORE, BE IT PROCLAIMED, that I, DAWN ZIMMER, Mayor of the City of Hoboken, express sincere gratitude and thanks, on behalf of the residents of the Mile Square City, to Mayor Richard F. Turner, his Administration and the residents of the Township of Weehawken, for providing Hoboken residents an attractive and suitable alternate recreational venue to meet the needs of our active community.

---Received and Filed.

09-188
PROCLAMATION THANKING SUPERINTENDENT PETER CARTER AND THE SCHOOLS’ TRUSTEES FOR ALLOWING HOBOKEN RESIDENTS AND COMMUNITY TEAMS FOR UTILIZING ITS ATHLETIC FACILITIES.
WHEREAS, The City of Hoboken and the Hoboken Board of Education have always been partners, sharing a common goal of serving the residents of the Mile Square City by providing a wide variety of community services; and

WHEREAS, both the City and the Hoboken Board of Education share in their vision of offering the public access to public spaces that serve as venues that encourage involvement in active recreation and team sports; and

WHEREAS, Hoboken’s stunning Sinatra Park Soccer Field, as well as the underpinnings of the waterfront walkway, were compromised due to structural failures; and

WHEREAS, Hoboken's stunning Sinatra Park Soccer Field, as well as the underpinnings of the waterfront walkway, were compromised due to structural failures; and

WHEREAS, Hoboken's stunning Sinatra Park Soccer Field, as well as the underpinnings of the waterfront walkway, were compromised due to structural failures; and

WHEREAS, the Sinatra Park Soccer Field was deemed unsafe for public use as a result of these conditions, prohibiting utilization by popular youth and adult athletic programs; and

WHEREAS, our good friends, the Hoboken Board of Education, thanks to the invitation of Superintendent Peter Carter and the Schools’ Trustees, have allowed Hoboken residents and community teams to utilize their athletic facilities during this unforeseen and ongoing period of damage assessment and repair, providing a seem less transition; and

NOW, THEREFORE BE IT PROCLAIMED, that I, DAWN ZIMMER, Mayor of the City of Hoboken, express sincere gratitude and thanks, on behalf of the active, sports-minded residents of the Mile Square City, to Superintendent Peter Carter, and the Trustees of the Hoboken Board of Education for providing all Hoboken residents an attractive and suitable alternate recreational venue to meet needs of our active community.

---Received and Filed.

Council President Cunningham has called a Special meeting of the Hoboken City Council was called for December 30, 2009 at 7PM to discuss:

Ordinance accepting a Deed for Block 261.05, Lot 1, Block 261.06, Lot 1 and Block 261.07, Lot 2 from P.T. Maxwell LLC to the City of Hoboken (Z-24)

Adoption of a resolution confirming the appointment of Dominic J. Segalla to the Hoboken Municipal Hospital Authority for a five-year term to expire on June 30, 2013.

09-189
---By Councilman Lenz

FOR MISCELLANEOUS LICENSES APPLICATIONS

Parking Facilities---------------------------------------------------------- 3

---Councilman Russo moved that the licenses be granted.
---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo and President Cunningham.
---Nays: None.
REPORTS OF CITY OFFICERS

09-190
A report of the Municipal Tax Collector Sharon Curran indicating receipts for the month of November 2009 as $21,668,144.43. (Abatement Totals - $655,214.71)

---Received and filed.

09-191
A report of the Municipal Court indicating receipts for the month of November 2009 as $368,244.74.

---Received and filed.

RESOLUTIONS

Presented and Read

09-192
---By President Cunningham

CONFIRMING APPOINTMENT OF TONI TOMARAZZO TO THE HOBOKEN MUNICIPAL HOSPITAL AUTHORITY FOR A FIVE-YEAR TERM TO EXPIRE ON JUNE 30, 2014.

WHEREAS, pursuant to the Code of the City of Hoboken, §36A-1, the City of Hoboken has established the Hoboken Municipal Hospital Authority; and,

WHEREAS, §36A-3 of the Code of the City of Hoboken provides for eleven (11) members to serve on the Authority; and,

WHEREAS, §36A-3 further provides that six (6) Class III public members shall be appointed to the Authority with the advice and consent of the City Council; and,

WHEREAS, the expiration date for the term of office for the Class III position held by Eric Lawton was June 30, 2009, and he is currently serving in a holdover capacity;

WHEREAS, Mayor Dawn Zimmer has nominated Toni Tomarazzo to this position, which is a five (5) year appointment to expire on June 30, 2014; and,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby confirms Toni Tomarazzo of __________, Hoboken, NJ, to serve as a member of the Hoboken Municipal Hospital Authority for a term of five (5) years to expire on June 30, 2014.

The speaker who spoke: Jim Vance.

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

09-193
---By Councilwoman Marsh

APPOINTING JAMES AIBEL AS AN ALTERNATE TO THE HOBOKEEN ZONING BOARD OF ADJUSTMENT TO FILL A VACANCY IN A TERM TO EXPIRE ON DECEMBER 31, 2013.

WHEREAS, pursuant to the Code of the City of Hoboken, §44-11, the City of Hoboken has established a Zoning Board of Adjustment; and,

WHEREAS, pursuant to a recent amendment to §44-11, members of the Zoning Board of Adjustment are now appointed by the City Council, rather than the Mayor; and,

WHEREAS, §44-11(D) provides for the appointment of up to two (2) alternate members to the Zoning Board of Adjustment who serve for a term of two (2) years; and,

WHEREAS, there is a current vacancy for an alternate to the Zoning Board of Adjustment; and,

WHEREAS, this term is set to expire on December 31, 2010; and,

WHEREAS, the City Council has followed the process contemplated by the “Citizens Service Act,” in applications for the position were publicly sought and reviewed, and James Aibel as timely submitted his/her application to the Clerk of the City of Hoboken;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby appoints James Aibel, residing at ______, to fill the vacant position of alternate member of the Hoboken Zoning Board of Adjustment for a term to expire on December 31, 2010.

The speakers who spoke: Scott Siegel, Patricia Waiters, Don Pellicano, Gary Holtzman, Mike Evers, Irene Smith, Nadia Miga, Jason Arcino, John Branciforte, Jonathan Samon, Richard Pasgugrola, Dan Weaver, Ann Graham, Leon Gold.

---Motion duly seconded by Councilman Lenz
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham
---Nays: None.

09-194
---By Councilwoman Marsh

APPOINTING NANCY PINCUS TO THE HOBOKEN ZONING BOARD OF ADJUSTMENT FOR THE TERM JANUARY 1, 2010 - DECEMBER 31, 2013

WHEREAS, pursuant to the Code of the City of Hoboken, §44-11, the City of Hoboken has established a Zoning Board of Adjustment; and,
WHEREAS, pursuant to a recent amendment to §44-11, members of the Zoning Board of Adjustment are now appointed by the City Council, rather than the Mayor; and,

WHEREAS, the term of Zoning Board of Adjustment member James Perry expires on December 31, 2009, and the City Council wishes to name a replacement to be effective on January 1, 2010 so as to ensure continuity of membership on the Board; and,

WHEREAS, the City Council has followed the process contemplated by the “Citizens Service Act,” in applications for the position were publicly sought and reviewed, and Nancy Pincus has timely submitted his/her application to the Clerk of the City of Hoboken;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby appoints Nancy Pincus, residing at __________, to serve as a member of the Hoboken Zoning Board of Adjustment to fill the seat currently held by James Perry, which appointment shall be effective on January 1, 2010 and expire on December 31, 2013.

The speakers who spoke: Don Pellicano, Phil Cohen, Irene Smith, Nadia Miga, Jason Arcino, John Branciforte, Jonathan Samon, Richard Pasugrola, Dan Weaver, Ann Graham, Leon Gold,

---Motion duly seconded by Councilman Lenz.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 – ABSTAIN - 1
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mello, Russo and President Cunningham.
---Nays: None.
---Abstain: Mason

09-195
---By Councilman Mello

APPOINTING PHILLIP COHEN AS AN ALTERNATE TO THE HOBOKE N ZONING BOARD OF ADJUSTMENT FOR THE TERM JANUARY 1, 2010 - DECEMBER 31, 2011.

WHEREAS, pursuant to the Code of the City of Hoboken, §44-11, the City of Hoboken has established a Zoning Board of Adjustment; and,

WHEREAS, pursuant to a recent amendment to §44-11, members of the Zoning Board of Adjustment are now appointed by the City Council, rather than the Mayor; and,

WHEREAS, §44-11(D) provides for the appointment of up to two (2) alternate members to the Zoning Board of Adjustment who serve for a term of two (2) years; and,

WHEREAS, the term of the alternate seat on the Zoning Board of Adjustment currently held by Michael Novak expires on December 31, 2009, and the City Council wishes to name a replacement effective January 1, 2010 so as to ensure continuity of membership on the Board; and,

WHEREAS, this term is set to expire on December 31, 2011; and,
WHEREAS, the City Council has followed the process contemplated by the “Citizens Service Act,” in applications for the position were publicly sought and reviewed, and Phillip Cohen has timely submitted his/her application to the Clerk of the City of Hoboken;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby appoints Phillip Cohen, residing at_____, to fill the position of alternate member of the Hoboken Zoning Board of Adjustment currently held by Michael Novak, which appointment shall be effective on January 1, 2010 and expire on December 31, 2011.

The speaker who spoke: Don Pellicano, Phil Cohen, Irene Smith, Nadia Miga, Jason Arcino, John Branciforte, Jonathan Samon, Richard Pasgugrola, Dan Weaver, Ann Graham, Leon Gold,

---Motion duly seconded by Councilman Lenz
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham.
---Nays: None.

09-196
Councilman Lenz

APPOINTING MICHAEL EVERS AS 2ND ALTERNATE TO THE HOBOoken ZONING BOARD OF ADJUSTMENT TO FILL A VACANCY IN A TERM TO EXPIRE DECEMBER 31, 2010.

WHEREAS, pursuant to the Code of the City of Hoboken, §44-11, the City of Hoboken has established a Zoning Board of Adjustment; and,

WHEREAS, pursuant to a recent amendment to §44-11, members of the Zoning Board of Adjustment are now appointed by the City Council, rather than the Mayor; and,

WHEREAS, §44-11(D) provides for the appointment of up to two (2) alternate members to the Zoning Board of Adjustment who serve for a term of two (2) years; and,

WHEREAS, there is a current vacancy for an alternate to the Zoning Board of Adjustment; and,

WHEREAS, this term is set to expire on December 31, 2010; and,
WHEREAS, the City Council has followed the process contemplated by the “Citizens Service Act,” in applications for the position were publicly sought and reviewed, and Michael Evers has timely submitted his/her application to the Clerk of the City of Hoboken;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby appoints Michael Evers, residing at __________, to fill the vacant position of alternate member of the Hoboken Zoning Board of Adjustment for a term to expire on December 31, 2010.

---Motion duly seconded by Councilwoman Castellano
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham.
---Nays: None.

09-197
---By Councilman Bhalla

AUTHORIZATION OF ONE (1) YEAR CONTRACT FOR THE HOBOKEN POLICE DEPARTMENT TO PROVIDE SECURITY SERVICES TO THE HOBOKEN HOUSING AUTHORITY

WHEREAS, the City of Hoboken is desirous of continuing its relationship with the Hoboken Housing Authority (“HHA”) for the provision of security services and personnel to HHA facilities by the Hoboken Police Department; and

WHEREAS, the services provided by the Hoboken Police Department include vertical patrols and specific operations which are over and beyond the basic service afforded to the HHA; and,

WHEREAS, the Council wishes to formalize this continuing relationship by entering into a contractual agreement, which is exempt from public bidding under the Local Public Contracts Law, N.J.S.A. 40A:11-5(2), since it is between two governmental entities; and,

WHEREAS, this contract shall run for a one (1) year period from the date of contract execution; and,

WHEREAS, in return for the services provided by the Hoboken Police Department, the HHA shall pay the City an amount not to exceed $540,000 for the one (1) year period.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Hoboken, County of Hudson, State of New Jersey, that a contract is hereby authorized between the City of Hoboken and the Hoboken Housing Authority for the Hoboken Police Department to provide security services as set forth above; and,

BE IT FURTHER RESOLVED this contract shall run for a one (1) year period from the date the contract is executed; and,

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute a contract with the Hoboken Housing Authority for security services to be provided by the City
of Hoboken and to take any other actions necessary to complete and 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 Lenz
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham.
---Nays: None.

09-198
---By Councilman Lenz

GARDEN STATE MUNICIPAL JOINT INSURANCE FUND JOINT TRUST AGREEMENT AND RESOLUTION TO REJOIN

WHEREAS, a number of local governmental units in the State of New Jersey have joined together to form a Joint Insurance Fund as permitted by P.L 1983, c. 372 (N.J.S.A. 40A:10-36); and,

WHEREAS, the statutes and regulations governing the creation and operation of a Joint Insurance Fund contain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a Fund; and,

WHEREAS, the Governing Body of the City of Hoboken has determined that membership in the Garden State Municipal Joint Insurance Fund (hereinafter referred to as the “Fund”) is in the best interest of itself and its citizens; and,

WHEREAS, the Governing Body of the City of Hoboken has previously executed a resolution to join the Garden State Municipal Joint Insurance Fund subject to the acceptance of its assessment.

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the City of Hoboken (hereinafter referred to as the “Municipality”) does hereby resolve and agree to renew its membership in the Fund for a period not to exceed three (3) years beginning January 1, 2010 to December 31, 2012 for the purpose of establishing the following types of coverage:

- Employer’s Liability;
- General Liability including law enforcement and public officials liability;
- Motor vehicle liability;
- Property damage (buildings, contents, equipment, and motor vehicle)

BE IT FURTHER RESOLVED, that the Municipality has never defaulted on claims and has not been canceled for nonpayment of insurance premiums for a period of at least two (2) years prior to the adoption of this Resolution; and,

BE IT FURTHER RESOLVED, that the Mayor and the City Clerk are authorized and directed to execute the Indemnity and Trust Agreement and such other documents
signifying membership in the Fund and to deliver same to the Executive Director of the Fund with the express reservation that said document shall become effective only upon approval by the New Jersey Department of Insurance and the New Jersey Department of Community Affairs.

A comprehensive report will be submitted to Council on the 23rd of December by Corporation Counsels Kleinman and Kates regarding litigation against the City of Hoboken.

---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 7 - NAYS: 0
---Yeas: Council persons Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo.
---Nays: Bhalla, President Cunningham.

09-199
---By Councilman Giacchi

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FY'2010 NJDOT CENTERS OF PLACE FUNDING ROUND TO SUPPORT RECONSTRUCTION OF CASTLE POINT PARK WALKWAY

WHEREAS, the City of Hoboken wishes to submit an application for 2010 Centers of Place funding to the New Jersey Department of Transportation for the Reconstruction of Castle Point Park Walkway;

NOW, THEREFORE, BE IT RESOLVED that Council of the City of Hoboken formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as #00032 to the New Jersey Department of Transportation on behalf of City of Hoboken.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of City of Hoboken and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

---Motion duly seconded by Councilwoman Castellano
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham.
---Nays: None.

09-200
---By Councilman Giacchi

RESOLUTION IN SUPPORT OF THE HOBOKEN HISTORICAL MUSEUM'S OPEN RIVER PROGRAM
WHEREAS, the Hoboken Historical Museum and Cultural Center has been selected out of 433 applicants across the United States, and the only applicant from New Jersey, for the honor of being one of the 167 museums in 46 states and Puerto Rico selected to receive a 2009 federal Institute of Museum and Library Services (IMLS) Museums for America (MFA) grant; and,

WHEREAS, the Institute of Museum and Library Services is the primary source of federal support for the nation’s 123,000 libraries and 17,500 museums, creating strong libraries and museums that connect people to information and ideas; and,

WHEREAS, the Institute works at the national level and in coordination with state and local organizations, such as the Hoboken Historical Museum, to sustain heritage, culture, and knowledge enhancing learning and innovation; and,

WHEREAS, the Museum’s Open River two-year program has been recognized by the Institute for preserving Hoboken’s rich heritage and telling Hoboken’s many historical stories, which is consistent with the City’s efforts to preserve our historical resources, as they make a substantial contribution to our community identity, sense of place, quality of life, economic vitality and civic pride; and,

WHEREAS, the Museum’s Open River program is an extension of the 2009 Hudson, Stevens, Fulton Anniversaries which mark the 400th anniversary of Henry Hudson’s exploration of the Hoboken Riverfront in October 1609; and,

WHEREAS, the IMLS grant allows the Museum to provide educational programming to the citizens of and visitors to Hoboken through its Open River program, which uses the Hoboken River Walk as an interpretive tool for understanding and exploring Hoboken’s cultural heritage; and,

WHEREAS, the Museum has sought the City of Hoboken’s support for the Open River program by the assigning of representatives from the Mayor’s Office and the City Council to advise the Museum on the Open River program; and,

WHEREAS, the Museum intends to install historical markers, with the assistance of the City and other appropriate entities, which will be produced by the Museum to be consistent with the established Riverfront Walkway design; and,

WHEREAS, the grant project allows for the flexibility and placement of the signs and the Museum and the City agree to work together to ensure the integrity and character of the walkway and the safety of the public; and,

WHEREAS, numerous community groups including the Hoboken Historical Preservation Commission, the Veterans of American Legion Post 107, The Hoboken Cove Community Boathouse, The Quality of Life Coalition and The Hudson River Waterfront Conservancy have expressed their support for this project.

NOW, THEREFORE BE IT RESOLVED that the City confirms its support for the Hoboken Historical Museum’s Open River program and congratulates the Museum on being selected for the honor of an IMLS Museums for America grant, and will appoint advisory representatives to work with the Museum, and will install interpretive historical markers and signage when they are provided by the Museum at such locations that shall maintain the integrity of the walkway.

The speaker who spoke: Bob Foster.
---Motion duly seconded by Councilwoman Castellano
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham.
---Nays: None.

09-201
---By Councilman Lenz

RESOLUTION WITH RESPECT TO ADOPTING A NEW JERSEY GOVERNMENTAL
§457 DEFERRED COMPENSATION PLAN DOCUMENT

WHEREAS, the City of Hoboken (hereinafter referred to as the “Employer”) by resolution adopted a Deferred compensation Plan (hereinafter referred to as the “Plan”) effective March 1, 1984, date the initial Plan was adopted for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

WHEREAS, the Employer desires to adopt a restated Plan Document; and

WHEREAS, such revised Plan Document shall supersede the previously adopted Plan Document.

NOW, THEREFORE BE IT RESOLVED that the governing body of the City of Hoboken hereby adopts a deferred compensation plan provided by Great-West Life & Insurance Company that has been assigned the plan identifier 74-PD-GWL-120208 by the Division of Local Government Services.

BE IT FURTHER RESOLVED that the Employer is adopting a deferred compensation plan substantially similar to one on which a favorable Private Letter Ruling has been previously obtained from the federal Internal Revenue Service except for provisions added by reason the Small Business Job Protection Act of 1996 (United States Public Law No. 104-188), the Taxpayer Relief Act of 2001 (PPA), the Heroes Earnings Assistance and Relief Tax Act of 2008 (HEART Act), and final Treasury Regulation §1.457-4, and all such provisions are stated in the plan in terms substantially similar to the text of those provisions in the Internal Revenue Code Section 457. The use of the Ruling is for guidance only and acknowledges that for Internal Revenue Service purposes, the Ruling of another employer is not to be considered precedent, and;

BE IT FURTHER RESOLVED, Michael Korman, Personnel Officer, the is hereby designated as the Local Plan Administrator of the Plan; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services at P.O. Box 803; Trenton, New Jersey 08625-0803.

---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham.
---Nays: None.

09-202
---By Councilwoman Castellano

RESOLUTION SUPPORTING HOBOKEN UNIVERSITY MEDICAL CENTER’S EFFORTS TO SECURE ADDITIONAL FUNDING

WHEREAS, it is the intention of the Hoboken City Council to support the Hoboken University Medical Center (“HUMC”) in its efforts to secure additional funding; and,

WHEREAS, in 2007, the Council unanimously agreed to co-sign a bond for $52,000,000 in a “do or die situation;” and,

WHEREAS, HUMC, which as St. Mary’s Hospital was the first teaching hospital in the State of New Jersey, has a rich history and demonstrated commitment to the countless patients it has served over more than 100 years; and,

WHEREAS, the closure of HUMC would have a devastating impact on this community because of the medical services and employment it provides; and,

WHEREAS, the Council also recognizes the impact the economic downturn has had on many businesses, and believes that it is incumbent on the Hospital’s Administration and the Mayor and Council of the City of Hoboken to act in unison to insure that HUMC remains a strong, viable part of the very fabric of our City.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Hoboken supports Hoboken University Medical Center in its efforts to secure additional funding; and the Council intends to provide its assistance in this important endeavor to the extent possible; and,

BE IT FURTHER RESOLVED that a certified copy of this resolution be provided by the City Clerk to appropriate officials of the Hoboken University Medical Center.

The speakers who spoke: Leon Gold.

---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Mason, Marsh, Mello, Russo, and President Cunningham.
---Nays: None.

09-203
---By Councilman Lenz

RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS FOR THE SFY 2010 BUDGET

WHEREAS, the City of Hoboken is expected to enter into contracts,
commitments or payments prior to the adoption of the SFY 2010 budget and no adequate provision has been made in the SFY 2010 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 2010 pursuant to the provisions of N.J.S.A. 40A:4-20 including this resolution total $61,008,282.64 for Current Expenses and $5,480,826.39 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 $585,000.00
2) for Current Expenses and $0.00 for the Parking Utility as follows:

<table>
<thead>
<tr>
<th>Meeting City of Hoboken Temporary Appropriations SFY 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operations Within CAPS</td>
</tr>
<tr>
<td>Mayor Office</td>
</tr>
<tr>
<td>0-01-20-110-011 S/W</td>
</tr>
<tr>
<td>0-01-20-110-021 O/E</td>
</tr>
<tr>
<td>City Council</td>
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<tr>
<td>0-01-20-111-011 S/W</td>
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<tr>
<td>0-01-20-111-021 O/E</td>
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<tr>
<td>Office of Clerk</td>
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<tr>
<td>0-01-20-120-011 S/W</td>
</tr>
<tr>
<td>0-01-20-120-021 O/E</td>
</tr>
<tr>
<td>Legal Advertising</td>
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<tr>
<td>0-01-20-121-020 O/E</td>
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<tr>
<td>Cod of Ordinances</td>
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<tr>
<td>0-01-20-123-020 O/E</td>
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<tr>
<td>Elections</td>
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<tr>
<td>0-01-20-122-011 S/W</td>
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<tr>
<td>0-01-20-122-021 O/E</td>
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<tr>
<td>Bus Administrators</td>
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<tr>
<td>0-01-20-112-011 S/W</td>
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<td>0-01-20-112-021 O/E</td>
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<tr>
<td>0-01-20-114-011 S/W</td>
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<td>0-01-20-114-021 O/E</td>
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<tr>
<td>Licensing Bureau</td>
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<tr>
<td>0-01-20-115-011 S/W</td>
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<td>0-01-20-115-021 O/E</td>
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<td>Personnel &amp; Health Benefits</td>
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<tr>
<td>0-01-20-105-011 S/W</td>
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<td>0-01-20-105-021 O/E</td>
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<td>Constituent Services</td>
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<tr>
<td>0-01-27-333-011 S/W</td>
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<td>0-01-27-333-021 O/E</td>
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<td>Zoning Administration</td>
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<tr>
<td>0-01-21-186-011 S/W</td>
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<td>0-01-21-186-021 O/E</td>
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<td>Uniform Construction Code</td>
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<td>0-01-22-195-011 S/W</td>
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<td>0-01-22-195-021 O/E</td>
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<tr>
<td>Corporation Counsel</td>
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<tr>
<td>Special Counsel</td>
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<tr>
<td>Expert Witness &amp; Appraisal</td>
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<tr>
<td>Revenue &amp; Finance Director</td>
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<td>Annual Audit</td>
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<td>Information Technology</td>
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<td>Municipal Court</td>
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<td>Office of Tax Assessor</td>
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<td>Human Services Director</td>
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<td>Rent Leveling</td>
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<tr>
<td>Housing Inspection</td>
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<td>Health</td>
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<tr>
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<tr>
<td>Recreation &amp; Cultural Affairs</td>
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<tr>
<td>Cultural Affairs</td>
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<td></td>
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<tr>
<td>Director Environmental Svc</td>
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<tr>
<td>Parks</td>
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<td>Public Property</td>
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<tr>
<td>Streets &amp; Roads</td>
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<tr>
<td>Emergency Road Repair</td>
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<tr>
<td>Central Garage</td>
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<tr>
<td>Sanitation</td>
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<tr>
<td>Department</td>
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<td>---------------------------------------</td>
</tr>
<tr>
<td>Director Community Development</td>
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<tr>
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<tr>
<td>Grants Management</td>
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<td>Waterfront Development</td>
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<tr>
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<td>Zoning Board of Adjustments</td>
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<tr>
<td>Redevelopment</td>
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<tr>
<td>Historic Preservation Comm</td>
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<tr>
<td>Police</td>
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<td></td>
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<tr>
<td>Acquisition of Vehicles</td>
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<tr>
<td>Fire</td>
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<td></td>
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<td>Office of Emergency Mgmt</td>
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<tr>
<td><strong>Insurance</strong></td>
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<td>Workers Compensation</td>
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<tr>
<td>Volunteer Ambulance</td>
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<td>N H Reg Council of Mayor</td>
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<tr>
<td>Settlements of Claims</td>
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<tr>
<td>Towing/Storage of Aband Veh</td>
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<td>Engineering</td>
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<tr>
<td>Labor Arbitrations</td>
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<td>Municipal Dues &amp; Membership</td>
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<td>Celebration of Public Events</td>
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<td>Copiers/Printers</td>
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<td>Stationary &amp; Office Supply</td>
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<tr>
<td>Communications</td>
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<tr>
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<td>Salary Adjustment</td>
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<td>Master Plan</td>
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<tr>
<td>Salary Settlements</td>
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</table>

**Total:** 585,000.00
**Sub Total Within CAPS**

### Statutory Expenditures

<table>
<thead>
<tr>
<th>Description</th>
<th>Code</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Social Security System</td>
<td>0-01-34-472-000</td>
<td>0.00</td>
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<tr>
<td>Consol Police/Fire Pension</td>
<td>0-01-36-474-000</td>
<td>0.00</td>
</tr>
<tr>
<td>Unemployment Compensation</td>
<td>0-01-23-225-020</td>
<td>0.00</td>
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<tr>
<td>Police/Firemen's Retirement</td>
<td>0-01-36-475-000</td>
<td>0.00</td>
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</tbody>
</table>

### Subtotal Statutory Expenditures

<table>
<thead>
<tr>
<th>Description</th>
<th>Code</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintenance of Free Public Library</td>
<td>0-01-29-390-021</td>
<td>0.00</td>
</tr>
<tr>
<td>Public Employee Retirement</td>
<td>0-01-36-471-000</td>
<td>0.00</td>
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<tr>
<td>Hoboken Housing Authority</td>
<td>0-01-44-101-011</td>
<td>585,000.000</td>
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<tr>
<td>Matching Funds for Grant</td>
<td>0-01-46-892-001</td>
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</table>

### Subtotal Outside caps

<table>
<thead>
<tr>
<th>Description</th>
<th>Code</th>
<th>Amount</th>
</tr>
</thead>
</table>

**Total Appropriations Included in 26.25% limit**

<table>
<thead>
<tr>
<th>Description</th>
<th>Code</th>
<th>Amount</th>
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</thead>
</table>

**Capital Improvements Outside "CAPS"**

<table>
<thead>
<tr>
<th>Description</th>
<th>Code</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Capital Improvement Fund</td>
<td>0-01-44-900-001</td>
<td>0.00</td>
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<tr>
<td>Computer Technology upgrades</td>
<td>0-01-44-900-002</td>
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<tr>
<td>Emergency Repair City Piers</td>
<td>0-01-44-900-003</td>
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</table>

**Total Capital Improvements From CAP**

### Municipal Debt Service

<table>
<thead>
<tr>
<th>Description</th>
<th>Code</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payment Bond Principal</td>
<td>0-01-45-900-001</td>
<td>0.00</td>
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<tr>
<td>Interest on Bonds</td>
<td>0-01-45-930-000</td>
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<tr>
<td>Interest on Notes</td>
<td>0-01-45-935-000</td>
<td>0.00</td>
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<tr>
<td>Interest on Tax Anticipation Notes</td>
<td>0-01-45-936-000</td>
<td>0.00</td>
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<tr>
<td>Notes Principle</td>
<td>0-01-45-925-000</td>
<td>0.00</td>
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<tr>
<td>Green Trust Loan Repayment</td>
<td>0-01-45-940-001</td>
<td>0.00</td>
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<tr>
<td>Underground Storage Tank Loan</td>
<td>0-01-45-940-020</td>
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<tr>
<td>Interest of Garage Sale</td>
<td>0-01-45-937-001</td>
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<tr>
<td>Principal on HCIA Police Car</td>
<td>0-01-45-937-020</td>
<td>0.00</td>
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</tbody>
</table>

**Total Municipal Debt**

<table>
<thead>
<tr>
<th>Description</th>
<th>Code</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Judgment</td>
<td></td>
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</tr>
</tbody>
</table>

**Total**

**Grants**

**Deferred Charges**

**Total Temporary Muni Budget**

---

Meeting of December 16, 2009
The speakers who spoke: Mo DeGennaro.

---Motion duly seconded by Council President Cunningham.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Bhalla, Giacchi, Lenz, Marsh, Mello and President Cunningham.
---Nays: Castellano, Mason, Russo.

09-204
---By Councilman Lenz

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS

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

WHEREAS, Sharon Curran, 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 $55,940.71

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LT/UNIT</th>
<th>PROPERTY</th>
<th>QTR/YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>WELLS FARGO BANK, NA</td>
<td>268.1/1/C006J</td>
<td>1501 GARDEN/1500 BLOOMFIELD ST</td>
<td>4/09</td>
<td>$4,196.41</td>
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<tr>
<td>WELLS FARGO HOME MORTGAGE</td>
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<tr>
<td>MAC X2302-04D, TAX DEPT</td>
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<td></td>
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<tr>
<td>DES MOINES, IA 50328</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SANTARLAS, BRIEN</td>
<td>18/30/C005C</td>
<td>84 ADAMS ST</td>
<td>3/09</td>
<td>$157.97</td>
</tr>
<tr>
<td>84 ADAMS ST APT 5C</td>
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<tr>
<td>HOBOKEN, NJ 07030</td>
<td></td>
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<tr>
<td>REVINGTON, KATHRYN</td>
<td>85/9/C003R</td>
<td>717 ADAMS ST</td>
<td>3/09</td>
<td>$875.36</td>
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<td>717 ADAMS ST APT 3R</td>
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<tr>
<td>GOULD, MATTHEW</td>
<td>7/11/C0303</td>
<td>601 OBSERVER HWY</td>
<td>4/09</td>
<td>$6,142.55</td>
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<tr>
<td>601 OBSERVER HWY APT 303</td>
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<td>HOBOKEN, NJ 07030</td>
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<tr>
<td>LAPPIN, WILLIAM</td>
<td>170/16/C0008</td>
<td>839 WILLOW AVE</td>
<td>4/09</td>
<td>$1,478.36</td>
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<tr>
<td>839 WILLOW AVE #8</td>
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<td>HOBOKEN, NJ 07030</td>
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<tr>
<td>MATHUR, ANKUR</td>
<td>170/16/C0001</td>
<td>839 WILLOW AVE</td>
<td>4/09</td>
<td>$1,283.09</td>
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<td>839 WILLOW AVE #1</td>
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<tr>
<td>HOBOKEN, NJ 07030</td>
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</tbody>
</table>
---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchì, Lenz, Marsh Mason, Mello, Russo, and President Cunningham.
---Nays: None.

09-205
---By Councilman Lenz

RESOLUTION AUTHORIZING THE REFUND OF TAX APPEALS STATE TAX COURT

WHEREAS, an overpayment of taxes has been made on property listed below: and
WHEREAS, Sharon Curran, Collector of Revenue recommends that the 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 $421.97

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
<th>YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>MC CORMICK, LIANA</td>
<td>25/1/C001C</td>
<td>700 FIRST ST</td>
<td>2009</td>
<td>$421.97</td>
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<tr>
<td>700 FIRST ST #1C</td>
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---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham.
---Nays: None.

09-206
---By Councilwoman Castellano

RESOLUTION APPROVING REGULAR COUNCIL MINUTES.

RESOLVED, that filed minutes for the Hoboken City Council regular meeting of September 16 and October 7, 2009 have been reviewed and approved as to legal form and content.

---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 7 - NAYS: 1 – ABSTAIN - 1
---Yea: Council persons Bhalla, Castellano, Giacchi, Marsh, Mello, Russo, and President Cunningham.
---Nays: Mason
---Abstain: Lenz

09-207
---By Councilman Bhalla

RESOLUTION TO AWARD A CONTRACT TO CAMPBELL SUPPLY CO., L.L.C. FOR THE SUPPLY OF A TRIPLE COMBINATION PUMPER FOR THE HOBOoken FIRE DEPARTMENT AS THE LOWEST RESPONSIVE BIDDER ON BID NUMBER 10-17.

WHEREAS, proposals were received on 23 November 2009 for the supply of one (1) Triple Combination Pumper for the Hoboken Fire Department, and

WHEREAS, two (2) proposals were received in good stead, these being:

<table>
<thead>
<tr>
<th>VENDOR</th>
<th>$ AMOUNT</th>
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</table>

Meeting of December 16, 2009
NOW THEREFORE BE IT RESOLVED as follows:

A. This resolution awards a contract to the Campbell Supply Co., L.L.C. in the amount of $459,747.00 for the supply of one (1) Triple Combination Pumper according to the specifications set forth in Bid Number 10-17.

B. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor or her designee is hereby authorized to enter into an Agreement with the Campbell Supply Co., L.L.C. and to take any other actions necessary to complete and realize the intent and purpose of this Resolution.

C. This resolution shall take effect, and no contract shall be executed with Campbell Supply Co. LLC until the legally effective date of Ordinance Z-23, “An Ordinance of the City of Hoboken, in the County of Hudson, New Jersey, providing for the Acquisition of a Fire Engine, Apparatus and Equipment for the City of Hoboken Fire Department and Appropriating $610,000. Therefore, and Providing for the Issuance of $579,500 in Bonds or Notes of the City of Hoboken to Finance the Same,” and the execution of an appropriate certification of funds from the Chief Financial Officer of the City of Hoboken or other authorized City official.

The speaker who spoke: Mo De Gennaro.

---Motion duly seconded by Councilwoman Marsh
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham.
---Nays: None.

09-208
---By Councilman Bhalla


WHEREAS, on December 2, 2009, the Council of the City of Hoboken adopted Ordinance Z-23, entitled, “AN ORDINANCE OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF A FIRE ENGINE, APPARATUS AND
EQUIPMENT FOR THE CITY OF HOBOKEN FIRE DEPARTMENT AND APPROPRIATING $610,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $579,500 IN BONDS OR NOTES OF THE CITY OF HOBOKEN TO FINANCE THE SAME”.

WHEREAS, the purpose of this Ordinance is to provide funding for the purchase of a Triple Combination Pumper for the Hoboken Fire Department, and there is a urgent and critical public safety need for this equipment to be delivered as soon as feasible due to the age and condition of the Fire Department’s existing equipment; and,

WHEREAS, pursuant to N.J.S.A. 40:69A-181(b), no ordinance, other than the local budget ordinance, shall take effect less than 20 days after its final passage by Council and approval by the Mayor where such approval is required, unless the Council shall adopt a resolution declaring an emergency and at least two-thirds of all the members of the Council vote in favor of such resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken as follows (not less than two-thirds of all the members thereof concurring), in accordance with the provisions of N.J.S.A 40:69A-18(b), as follows:

1. The City of Hoboken hereby declares an emergency pursuant to N.J.S.A. 40:69A-181(b) so that Ordinance No. Z-23 shall be effective immediately.

2. The Mayor and City Clerk are hereby authorized and directed to take all steps necessary to effectuate the purposes of this Resolution and Ordinance No. Z-23.

3. This Resolution shall take effect immediately.

---Motion duly seconded by Councilman Russo
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham.
---Nays: None.

ORDINANCES

Introduction and First Reading

09-209
Z-25

AN ORDINANCE OF THE COUNCIL OF THE CITY OF HOBOKEN REPEALING CHAPTER 141 “PARKING PERMITS,” AND REPLACING IT WITH CHAPTER 141A “PARKING PERMITS”

WHEREAS, the Hoboken City Council seeks to make numerous substantive changes to Chapter 141 of the Code of the City of Hoboken, entitled, “Parking Permits;” and,

WHEREAS, in order to eliminate any confusion potentially resulting from these changes, it is most prudent to eliminate all of the existing Chapter 141 and replace it with a new Chapter 141A; and,

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

Meeting of December 16, 2009
1. Chapter 141 of the Code of the City of Hoboken hereby entirely repealed and is substituted with Chapter 141A, as attached hereto and made a part hereof.

2. The Council of the City of Hoboken hereby authorizes the Mayor, or her 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 parking permits previously issued by the City of Hoboken under the terms and conditions set forth in Chapter 141 shall remain effective under Chapter 141A, unless separately revoked by the City’s administrative action.

4. All violations issued by the Hoboken Parking Utility, Hoboken Police Department or other appropriate authority under the provisions of Chapter 141 shall remain valid and enforceable notwithstanding the adoption of this Ordinance, and shall be subject to the appropriate penalties provided for by law.

5. 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 in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

6. 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, 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.

7. This Ordinance shall take effect upon passage and publication as provided by law.

Director Sacs of Parking and Transportation was asked by Council President Cuningham to give a synopsis of the above ordinance.

---Councilman 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 6, 2010 at 7:00 PM.
---Motion duly seconded by Councilman Giacchi
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Giacchi, Lenz, Mason, Marsh, Mello, Russo, and President Cunningham.
---Nays: None

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Patricia Waiters, Richard Tremitiedi, Scott Siegel, Mo DeGennaro, Richard Pasquarelli, Leon Gold, Jim Doyle.

NEW BUSINESS

Councilwoman Castellano stated that a few items needed to be addressed: Jefferson Trust
Condo Assoc. representatives were here tonight and we spoke with Director Forbes the issue being that Jefferson Bank is being renovated and Jefferson Trust Condo Association is being inconvenience. Certain issues are not being addressed. The sub-committee meeting needs to meet. Councilwoman will e-mail committee members to decide on a date to meet.

Quality of Life committee about two years ago committee denounced pub crawls but now there is one every weekend in the city, hopefully the committee can take that issue up and Quality of Life committee can meet and come to an agreement with the Hospitality committee.

Wanted to thank people for their concern about Councilwoman’s son being attacked on Thanksgiving. Police, EMT, concerned citizen, Patrolman from Weehawken responded quickly.

Update on the Municipal Garage of the alternative site Director Forbes addresses this question and stated that looking at both a temporary solution and long term solution and are in discussions of various options and are moving forward with this issue and has the highest priority.

Councilwoman Mason called on Director Sacs to take a look at street signs especially at intersections and especially Maxwell Place. No Turn On Red sign is behind tree. Director Sacs stated that he is working with members of the community and business owners to install municipal garage signs to direct visitors who come into the city. Doing an inventory of all signage, i.e. traffic control.

Councilwoman Mason questioned the RFP for animal control and called Director Pelligrini he explained that City still has a contract with Associated Humane until end of January – 1st week of February – contract is now month to month.

Councilwoman Mason stated that this should change immediately.

Councilwoman Mason also called on Director Forbes for an update on the Master Plan she stated that she is working on a RFP with Corporation Counsel – an RFP gives you a dollar amount and provides the qualifications its also allows you to evaluate the price as well as past experience.

Councilwoman Mason wanted to know the status of the budget hearing, if on January 6th will it take place same night as Council meeting.

Councilman Russo announced that a public safety forum will take place in the 3rd Ward January 13. Also, Councilman Russo (admin. Committee miscommunication apologized to Corporation Counsel Kleinman awaiting the RFP for professional services, Corporation Counsel responded gave memo to all council members – six RFP’s were advertised and received numerous RFP’s – will give a copy to any member wishing to have a packet just call me and will deliver.

Councilman Lenz – spoke regarding budget hearing will not be ready for full scale budget on January 6, waiting for Director Tresante to set a new date. If date cannot not be moved hearing will have to be continued at that point because budget will not be ready. The plan for budget meeting that the budget will be presented in an open forum directors making own presentation and council members can ask questions.

Councilman Giacchi reporting regarding a Quality of Life meeting discussed St. Patrick’s Day parade set for March 6th to late to change date at this point. Next Quality of Life
meeting will involve the Hospitality Committee let them know what our intentions are and our expections.
Council members discussed further costs and issues of the parade.

President Cunningham then adjourned the meeting at 11:48 p.m.

_________________________________________________________

PRESIDENT OF THE COUNCIL

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CITY CLERK