

MEETING OF SEPTEMBER 1, 2010

MINUTES OF A MEETING OF THE COUNCIL OF THE CITY OF HOBOKEN, NEW JERSEY, HELD IN THE COUNCIL CHAMBERS, CITY HALL, HOBOKEN, NEW JERSEY, WEDNESDAY, SEPTEMBER 1, 2010 AT 7:00 PM

President Marsh 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, Lenz, Mason, Mello, Russo and President Marsh.

ABSENT: None.

Councilwoman Castellano: suggests to suspend the meeting to go to Public Portion and a second by Councilman Russo.

Council President: asks to suspend the agenda and explain the process for tonight. Council President suggests the Mayor to introduce the Budget and is seconded by Councilman Lenz.

10-561

Mayor Zimmer remarks -Introduction of the Budget TY 2010

Good evening everyone. I'd like to thank Council President Marsh, Vice-President Bhalla and all of the members of the City Council for giving my Administration the opportunity to present the Transition Year 2010 budget for introduction.

The budget we are presenting today accomplishes three very important things.

1. First it provides a 5 percent reduction in the Municipal Tax Levy – the maximum amount permitted without State approval during a transition year, and an amount we can sustain with cost reductions currently in process.
2. Second, and most importantly, this fully-funded, and gimmick-free budget puts us on sound financial footing that – combined with further savings opportunities being developed – will enable us to reduce taxes further in 2011.
3. Third, by establishing a responsible surplus, it prepares us for the rainy days ahead, ensures cash flow, helps improve our bond rating, and allows us to address our desperate infrastructure needs.

To understand where we are today and to avoid making the same mistakes of the past, we need to consider how we got here.

Over the last several years Hoboken has endured a fiscal crisis so serious that we could not even pay our health care bills on time. Budgets were overspent by millions of dollars.

Much has changed in Hoboken since I sat up on this podium as a member of the City Council to consider the 2008 Fiscal year budget. That year, the Administration presented the City Council with a budget for introduction that we later discovered was underfunded by almost 12 million. I am proud to have been one of five members of that City Council who had the courage to say NO to continuing the fiscal mismanagement that had become Hoboken's normal way of doing business. That difficult decision began the painful but necessary process of facing up to our problems and turning our City's finances around.

Hoboken was placed under State Supervision, and our State Fiscal Monitor determined that a nearly 80 percent Municipal tax increase was necessary to fully fund the actual cost of the City's operations. The news was painful, but it was better to know the truth about our financial position than to continue to make matters worse by sticking our heads in the sand.

That tax increase addressed our immediate problem, but it highlighted an even bigger problem. Simply put, we were spending more than we could afford, leaving us with a tax burden that is unacceptably high.

The budget we present to you today illustrates that we are addressing our fiscal crisis, but our tax crisis remains. We have severely high taxes that must continue to be reduced on a sustainable long-term basis.

As I stated, my Administration is committed to making the difficult decisions that will enable us to deliver significant and sustainable tax relief. The Transition Year 2010 budget that is being presented today for introduction includes a 5% reduction in the Municipal Tax Levy, the maximum amount permitted to reduce taxes without State approval in a transition year.

More importantly, this budget puts our City on the kind of sound financial footing that will enable us to reduce taxes further in 2011, while helping us to qualify for a bond rating that will reduce our borrowing costs for years to come. This is an honest, fiscally smart budget that is fully-funded, and not reliant on one-shot revenues to pay operating expenses.

Tonight, I'd like to focus on talking about the surplus. A sufficient surplus is imperative for four important reasons:

1. Building a Rainy Day Fund
2. Maintaining an adequate cash flow without borrowing
3. Improving our Bond Rating
4. Providing for an ability to address our desperate infrastructure needs

The rule of thumb for financially sound towns is to maintain a surplus of between 5 and 10 percent of the annual budget, and given our recent history, there is every reason to aim for the higher end of that range. Based on these four factors and current operating costs, my Administration believes that the City of Hoboken needs to maintain a \$10 million surplus at this time. The budget presented to you today anticipates using \$1.9 million of our \$11.9 million surplus, reducing our cash surplus to approximately \$10 million.

As I said, there are four important reasons why this is needed.

First and foremost a Rainy Day Fund will enable our City to address the expected and unexpected costs that are out our control, but which we face nevertheless. These costs include our potential litigation exposure of well over \$3 million based on an analysis of our current legal cases. It will plan for possible increases in labor costs and deferred pension costs. Without an adequate surplus, an expensive emergency our unanticipated cost could result in a sharp tax increase for Hoboken taxpayers as we experienced two years ago. We need to learn from the mistakes of the past and ensure an adequate surplus to protect us from the rainy days that may lie ahead.

Second, maintaining a proper level of cash flow is an essential component of being a fiscally responsible municipality. Simply put, Hoboken must be able to pay its bills as they come due. Whereas in the past we couldn't even pay our health care bills on time, we must ensure that we have enough funds on hand to meet our financial obligations on a timely basis.

Third, a sufficient surplus is needed to improve our bond rating and reduce our borrowing costs. Unfortunately Hoboken is currently has a near junk bond rating. This means we do not currently have the ability to borrow at reasonable rates. While we have benefited greatly from the County's bonding program through the HCIA, this is not a sustainable course for long-term financing, and I believe it is critical that our City stand on its own. This means having a bond rating of at least "Aa" that will enable us to borrow at reasonable rates so our City can properly address its needs.

Finally, during my short time in office, I have discovered many unexpected fiscal challenges, but none worse than the fact that our infrastructure is worse than I could have imagined, and we cannot fail to address these growing problems any longer. A surplus can be used to help address these unexpected infrastructure crises, such as the collapse of Sinatra Park. Hoboken needs an adequate surplus so we have the highest bond rating possible and therefore can borrow at the lowest interest rate as we address our infrastructure needs.

For all these reasons, the bottom line is that maintaining a proper surplus will repay taxpayers many times over because it will reduce the cost of running the City every year.

Just last week, the Christie Administration issued a "Best Practice checklist to every municipality which, depending on how many of those practices we follow, will directly determine how much State Aid we will receive. Three of those questions are about our City's surplus level.

Some have said that the existence of this surplus means that there is no reason to cut spending. If we felt that our taxes were not too high, then I would agree with them. Our budget is fully funded and we no longer face a fiscal crisis. The backbreaking municipal tax increase of two year ago "paid the bill" for years of irresponsible "credit card" spending, but it replaced our fiscal crisis with a tax crisis. The only way to reduce taxes in a sustainable way is to reduce the amount that it costs to run our City each year, and maintaining a responsible surplus level is an integral part of stabilizing costs.

Some have asserted that the mere existence of this surplus is a bad thing – a sign that the taxpayers of Hoboken were somehow "overcharged." Nothing could be further from the truth. Families that live paycheck to paycheck instead of saving for a rainy day fund live in constant fear of an illness or accident that could plunge them into crisis, and our City is no different. We've been down that road before, and it led to a huge tax hike.

The taxpayers of Hoboken are entitled to a City that is fiscally strong, not a City that barely makes ends meet. They are entitled to a City that doesn't have to spend millions of dollars in unnecessary borrowing costs to make sure it can pay its bills on time. They are entitled to a City that won't face a financial crisis every time it is hit with a bill for a one-shot cost. And they are entitled to a City with a bond rating of at least "Aa", so that we can reduce our borrowing costs and lower taxes.

Through fiscal prudence and various cost-cutting measures, Hoboken has moved through its fiscal crisis and now must focus on its tax crisis. My Administration has and will continue to make the difficult but necessary decisions needed to cut costs and ultimately reduce the strenuous tax burden for Hoboken residents. We are not there yet, but through hard work and perseverance, I believe we can reach a goal of significantly reducing our City's tax burden.

The budget we have prepared is an important step in that direction. It provides a 5 percent reduction in the Municipal Tax Levy – the maximum amount permitted without State approval during a transition year. It is fully-funded, gimmick-free, does not rely on one-shot revenue sources, and puts us on sound financial footing for further tax cuts in 2011. Finally, through the establishment of a responsible surplus, it prepares us for the rainy days ahead, ensures cash flow, helps improve our bond rating, and allows us to address our desperate infrastructure needs.

During the budget workshops, my directors and the Police and Fire Chiefs will be providing detailed analyses of their budgets, comparisons to previous years, and, as requested by the Finance committee, additional recommendations on strategies to reduce costs further going forward.

This budget introduction is the beginning of a process, and I respectfully request that the Council vote to introduce this budget as presented and take on its responsibility of reviewing, amending as needed, and ultimately adopting a budget. A vote for this budget introduction is not an expression of support, but simply a vote to begin the Council's job of reviewing the budget. My Administration is open to your suggestions, and looks forward to working with the Council as you complete your obligations.

Now I am going to turn everything over to Finance Director Nick Trasente, who will provide a brief explanation of the budget. Before I do that, I want to publicly thank him. Despite moving to a new position several months ago, he has and will continue to help the City of Hoboken on a transitional basis until a new Finance Director is retained.

In closing, I pledge that I, my Directors and Chiefs, and our professionals will work hand-in-hand with the Council and its Revenue and Finance Committee, now and into the future, to create a budget that serves our residents, and which is deserving of their support.

Thank you.

10-562

INTRODUCTION OF THE TY 2010 BUDGET INTRODUCTION

---Adopted by the following vote: YEAS: 5 - NAYS: 4

---Yeas: Council persons Bhalla, Cunningham, Lenz, Mello, and President Marsh.

---Nays: Castellano, Giacchi, Mason, Russo.

Council President Marsh calls for a five minute recess at 11:40 PM

Council President Marsh calls everyone to return to the table at 11:56 PM to continue the meeting and back in session

City Clerk calls the roll, Everyone was present upon the return to the table.

PRESENT: Council persons Bhalla Castellano, Cunningham, Giacchi, Lenz, Mason, Mello, Russo and President Marsh.

PUBLIC PORTION

The following members of the public spoke at the "Public Portion" of the meeting: Anthony Weiners, Vince Lombardi, Eddie Drishti, Ken Ferrante, Robert Fulton, Josh Velez, Lauren Mecka, Ramon Calderon, Chris Markey, Daniel Chirino, Wilfredo Gomez, Andrew Perez, Madhu Chohaw, Chrissy Collins, David DiMartino, Adams Colon, Frank Francolino, Anthony Olivera, Francisco Rosa, Anthony Romano, Charles Campbell, Melissa Gigante, Edwin Pantoja, Pete Zavin, pat McNamara, Arbad Drishti, Joe Lucignano, Melissa Blanco, March Bodganos, Marc Marci, Mario Novo, Joe Cahill, Rino Binetti, Dan Simone III, Dylan Archilla, Margie Biart, Thomas Cahill, Justin DePascale, Perry Belfiore, Kyelia Colon, Helen Hirsch, Lane Bajardi, Mark Tabakin, Arlette Braxton, Patricia Waiters, Margaret O'Brien, Scott Siegel, Tim Occhipinti.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE TO AMEND AND SUPPLEMENT SECTION 196-63 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN ENTITLED "ZONING – APPLICATION AND ESCROW FEES" **(Z-53)**

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

President Marsh 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, Lenz, Mason, Mello, Russo and President Marsh.

---Nays: None.

President Marsh 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, Lenz, Mason, Mello, Russo and President Marsh.
---Nays: None.

AN ORDINANCE TO AMEND AND SUPPLEMENT SECTION 5 OF CHAPTER 190 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN ENTITLED "VEHICLES AND TRAFFIC" – OVERNIGHT PARKING OF COMMERCIAL VEHICLES PROHIBITED **(Z-54)**

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

President Marsh 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, Lenz, Mason, Mello, Russo and President Marsh.
---Nays: None.

President Marsh 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, Lenz, Mason, Mello, Russo and President Marsh.
---Nays: None.

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 180 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN ENTITLED "VEHICLES AND TRAFFIC" "LIMOUSINES AND LIVERIES" **(Z-55)**

President Marsh 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: George N. Pappas.

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

President Marsh 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, Lenz, Mason, Mello, Russo and President Marsh.
---Nays: None.

President Marsh 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 Bhalla, Cunningham, Giacchi, Lenz, Mason, Mello, and President Marsh.

---Nays: Russo.

Petitions and Communications

10-563

Memo from Mayor Dawn Zimmer to Hoboken City Clerk regarding Personnel

Memo from Mayor Dawn Zimmer to Hoboken City Clerk regarding Municipal Alliance Board Membership

Memo from Mayor Dawn Zimmer to Hoboken City Clerk regarding Office of Emergency Management (OEM)

Memo from Mayor Dawn Zimmer to Hoboken City Clerk regarding the Budget Process

Councilwoman Castellano leaves the table at 12:22 AM

Councilwoman Castellano returns to the table at 12:26 AM

Reports of City Officers

10-564

Claims total for this agenda **\$4,096,198.42**

Adopted as by the following vote: YEAS: 9 - NAYS: 0

YEAS: Council persons Bhalla, Castellano, Cunningham, Giacchi, Lenz, Mason, Mello, Russo, and President Marsh.

NAYS: None.

PAYROLLS

10-565

For the two week period starting August 5 – August 25, 2010

Regular Payroll	O/T Pay	Pay
\$1,471,371.82	\$53,937.15	\$1,584,861.23

Adopted by the following vote: YEAS: 7 - NAYS: 1 - ABSTAIN 1

YEAS: Council persons Bhalla, Cunningham, Giaachi, Lenz, Mello, Russo, and President Marsh.
NAYS: Castellano
Abstain: Mason

RESOLUTIONS

Presented and Read

10-566

---By President Marsh

APPOINTING STUART ROSEN AS BOARD MEMBER TO THE HOBOKEN ALCOHOL BEVERAGE CONTROL BOARD FOR A THREE YEAR TERM TO EXPIRE ON JUNE 30, 2013

WHEREAS, N.J.S.A. 33:1-1 et seq., and Chapter 9 of the Code of the City of Hoboken establishes the City' s Alcohol Beverage Control Board; and

WHEREAS, N.J.S.A. 33:1-5 and Section 9-2 of the Code of the City of Hoboken provide for appointment of Hoboken Alcohol Beverage Control Board Members by the Governing Body; and

WHEREAS, the term of one Board Member expired on June 30, 2010, and a new Board Member is needed to fill the current three (3) year term which began July 1, 2010 and expires on June 30, 2013; and

WHEREAS, the Governing Body believes Stuart Rosen should serve in the position of Hoboken Alcohol Beverage Control Board Member.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken hereby appoints Stuart Rosen as a Hoboken Alcohol Beverage Control Board Member, effective immediately, to fill the term beginning July 1, 2010 and expiring June 30, 2013, pursuant to §9-2 of the Code of the City of Hoboken and N.J.S.A. 33:1-5; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Hoboken Alcohol Beverage Control Board Secretary expeditiously.

The speaker who spoke: Lane Bajardi.

---Motion duly seconded by Councilman Bhalla

---Adopted by the following vote: YEAS: 7 - NAYS: 1 --ABSTAIN - 1

---Yeas: Council persons Bhalla, Cunningham, Giacchi, Lenz, Mello, Russo, and President Marsh.

---Nays: Castellano.

---Abstain: Mason.

10-567

---By President Marsh

CONFIRMING REAPPOINTMENT OF TEJAL DESAI TO THE HOBOKEN MUNICIPAL HOSPITAL AUTHORITY FOR AN ADDITIONAL FIVE-YEAR TERM TO EXPIRE ON JUNE 30, 2015.

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 Tejal Desai was June 30, 2010, and she is currently serving in a holdover capacity; and,

WHEREAS, Mayor Dawn Zimmer has re-nominated Tejal Desai to this position, which is to be for an additional five (5) year appointment to expire on June 30, 2015; and,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby confirms the reappointment of **Tejal Desai, 610 Newark Street, #9F, Hoboken, NJ**, to serve as a member of the Hoboken Municipal Hospital Authority for an additional five (5) year term, as a Class III member, to expire on **June 30, 2015**.

The speakers who spoke: Scott Seigel.

---Motion duly seconded by Councilman Bhalla

---Adopted by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Lenz, Mason, Mello, Russo, and President Marsh.

---Nays: None.

10-568

---By Councilman Lenz

THIS RESOLUTION AUTHORIZES THE TRANSFER OF FUNDS WITHIN ACCOUNTS IN THE RESERVE YEAR 2010 CURRENT FUND APPROPRIATIONS.

BE IT RESOLVED, that the following SFY 2010 budget Current Fund appropriation reserve transfers are hereby authorized for the City of Hoboken:

<u>CURRENT FUND</u>	<u>TO</u>	<u>FROM</u>
Operations - Within "Caps"		
Street & Roads O/E	\$ 5,500.00	
Legal Ads O/E	\$ 10,500.00	
Workers 's Comp O/E	\$ 41,500.00	

Liability Insurance	\$ 107,000.00	
City Clerk O/E		\$ 10,500.00
Parks O/E		\$ 5,500.00
Group Health Insurance		<u>\$ 148,500.00</u>
TOTALS	\$ 164,500.00	\$ 164,500.00

---Motion duly seconded by Councilman Cunningham
 ---Adopted by the following vote: YEAS: 9 - NAYS: 0
 ---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Lenz, Mason, Mello, Russo, and President Marsh.
 ---Nays: None.

10-569

---By Councilman Lenz

RESOLUTION AUTHORIZING TEMPORARY APPROPRIATIONS FOR THE TY 2010

WHEREAS, the City of Hoboken is expected to enter into contracts, commitments or payments prior to the adoption of the TY 2010 budget and no adequate provision has been made in the TY 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 appropriations adopted in the TY 2010 pursuant to the provisions of N.J.S.A. 40A:4-20 including this resolution total \$29,314,393.47 for Current Expenses and \$3,775,109.89 for the Parking Utility.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, City of Hoboken, 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 are hereby made in the amount of \$476,550.00 for Current Expenses and;
- 2) \$0.00 for the Parking Utility as follows:

**City of Hoboken
 Temporary Appropriations
 TY 2010**

		Temp Appr 9/1/2010
Operations Within CAPS		
Mayor Office	1-01-20-110-011	S/W
	1-01-20-110-021	O/E
City Council	1-01-20-111-011	S/W
	1-01-20-111-021	O/E
Office of Clerk	1-01-20-120-011	S/W

	1-01-20-120-021	O/E	
Legal Advertising	1-01-20-121-020	O/E	
Cod of Ordinances	1-01-20-123-020	O/E	
Elections	1-01-20-122-011	S/W	
	1-01-20-122-021	O/E	
Bus Administrators	1-01-20-112-011	S/W	
	1-01-20-112-021	O/E	
Purchasing	1-01-20-114-011	S/W	
	1-01-20-114-021	O/E	
Licensing Bureau	1-01-20-115-011	S/W	
	1-01-20-115-021	O/E	
Personnel & Health Benefits	1-01-20-105-011	S/W	
	1-01-20-105-021	O/E	
Zoning Administration	1-01-21-186-011	S/W	3,950.00
	1-01-21-186-021	O/E	
Uniform Construcion Code	1-01-22-195-011	S/W	
	1-01-22-195-021	O/E	
Corporation Counsel	1-01-20-155-011	S/W	
	1-01-20-155-021	O/E	
Special Counsel	1-01-20-156-021	O/E	
Expert Witness & Appraisal	1-01-20-158-021	O/E	
Revenue & Finance Director	1-01-20-130-011	S/W	
	1-01-20-130-021	O/E	
Annual Audit	1-01-20-135-020	O/E	
Tax Collections	1-01-20-145-011	S/W	
	1-01-20-145-021	O/E	
Information Technology	1-01-20-147-011	S/W	
	1-01-20-147-021	O/E	
Municipal Court	1-01-43-490-011	S/W	
	1-01-43-490-021	O/E	
Public Defender	1-01-43-495-011	S/W	
	1-01-43-495-021	O/E	
Office of Tax Assessor	1-01-20-150-011	S/W	
	1-01-20-150-021	O/E	
Human Services Director	1-01-27-330-011	S/W	
	1-01-27-330-021	O/E	
Rent Leveling	1-01-27-347-011	S/W	
	1-01-27-347-021	O/E	
Housing Inspection	1-01-21-187-011	S/W	21,600.00
	1-01-21-187-021	O/E	
Health	1-01-27-332-011	S/W	
	1-01-27-332-021	O/E	
Senior Citizens	1-01-27-336-011	S/W	
	1-01-27-336-021	O/E	
Recreation & Cultural Affairs	1-01-28-370-011	S/W	
	1-01-28-370-021	O/E	
Cultural Affairs	1-01-27-176-011	S/W	
	1-01-27-176-021	O/E	
Director Environmental Svc	1-01-26-290-011	S/W	
	1-01-26-290-021	O/E	

Parks	1-01-28-375-011	S/W	
	1-01-28-375-021	O/E	
Public Property	1-01-28-377-011	S/W	
	1-01-28-377-021	O/E	
Streets & Roads	1-01-26-291-011	S/W	
	1-01-26-291-021	O/E	
Emergency Road Repair	1-01-40-701-040	O/E	
Central Garage	1-01-26-301-011	S/W	
	1-01-26-301-021	O/E	20,000.00
Sanitation	1-01-26-305-011	S/W	
	1-01-26-305-021	O/E	
Director Community Develop	1-01-20-160-011	S/W	
	1-01-20-160-021	O/E	
Grants Management	1-01-20-116-021	O/E	
Planning Board	1-01-21-180-011	S/W	
	1-01-21-180-021	O/E	
Zoning Board of Adjustments	1-01-21-185-021	O/E	
Redevelopment	1-01-21-181-000	O/E	83,000.00
Historic Preservation Comm	1-01-20-175-021	O/E	
Police	1-01-25-241-011	S/W	
	1-01-25-241-021	O/E	
Acquisition of Vehicles	1-01-25-242-000	O/E	
Fire	1-01-25-266-011	S/W	
	1-01-25-266-021	O/E	
Uniform Fire Safety	1-01-25-265-010	S/W	
Office of Emergency Mgnt	1-01-25-252-011	S/W	
	1-01-25-252-021	O/E	
Insurance			
General Liability	1-01-30-400-010	O/E	
Workers Compensation	1-01-30-400-020	O/E	
Employee Group Health	1-01-30-400-029	O/E	
Unclassified			
ABC Board	1-01-20-113-011	S/W	
	1-01-20-113-021	O/E	
Volunteer Ambulance	1-01-25-260-020	O/E	
N H Reg Council of Mayor	1-01-23-222-020	O/E	
Settlements of Claims	1-01-23-219-020	O/E	
Towing/Storage of Aband Veh	1-01-23-223-020	O/E	
Engineering	1-01-31-461-000	O/E	48,000.00
Labor Arbitrations	1-01-20-157-020	O/E	
Municipal Dues & Membership	1-01-23-212-020	O/E	
Celebration of Public Events	1-01-23-216-020	O/E	
Postage	1-01-23-211-020	O/E	
Copiers/Printers O/E	1-01-23-213-020	O/E	
Central Office Supplies O/E	1-01-23-218-020	O/E	
Electricity	1-01-31-430-000	O/E	
Street Lighting	1-01-31-435-000	O/E	
Gasoline	1-01-31-460-000	O/E	
Fuel	1-01-31-447-000	O/E	
Water & Sewer	1-01-31-445-000	O/E	

Communications	1-01-31-440-000	O/E	
TeleCommunications Equipment	1-01-31-450-000	O/E	
Salary Adjustment	1-01-36-478-000	O/E	
Master Plan	1-01-31-463-000	O/E	
Salary Settlements	1-01-36-479-000	O/E	300,000.00
Sub Total Within CAPS			476,550.00
Statutory Expenditures			
Pension Adjustment	1-01-36-470-000		
Social Security System	1-01-36-472-000		
Consol Police/Fire Pension	1-01-36-474-000		
Public Employees Retirement (PERS)	1-01-36-471-000		
Early Retirement Pension Adjustment	1-01-36-470-000		
Unemployment Compensation	1-01-23-225-020		
Police/Firemen's Retirement	1-01-36-475-000		
Subtotal Statutory Expenditures			0.00
Outside Caps			
Maintenance of Free Public Library	1-01-29-390-021		
Public Employee Retirement	1-01-36-471-000		
Police & Fireman's Retirement			
Hoboken Housing Authority			
Tax Maps	1-01-23-227-020	O/E	
Matching Funds for Grant	1-01-46-892-001		
Subtotal Outside caps			0.00
Total Appropriations Included in 26.25% limit			476,550.00
Capital Improvements Outside "CAPS"			
Capital Improvement Fund	1-01-44-900-001		
Computer Technology upgrades	1-01-44-900-002		
Emergency Repair City Piers	1-01-44-900-003		
Total Capital Improvements From CAP			0.00
Municipal Debt Service			
Payment Bond Principal	1-01-45-900-001		
Interest on Bonds	1-01-45-930-000		
Interest on Notes	1-01-45-935-000		
Interest on Tax Anticipation Notes	1-01-45-936-000		
BAN Notes Principle	1-01-45-925-000		
Green Trust Loan Repayment	1-01-45-940-001		
Underground Storage Tank Loan	1-01-45-940-020		
Interest of Garage Sale	1-01-45-937-001		
Principal on HCIA Police Car 2008	1-01-45-937-020		
Total Municipal Debt			0.00

Judgement	1-01-37-480-000	
Total		<u><u>476,550.00</u></u>

Grants

Deferred Charges

Over-expenditure 2 of 7	1-01-46-870-002	
Reserve of Uncollected Taxes	1-01-50-899-000	
Total Temporary Municipal Budget		<u><u>476,550.00</u></u>

Parking Utility

Salary Wages	1-31-55-501-100	
Other Expenses	1-31-55-502-101	
Group Health	1-31-55-503-102	
Capital Outlay	1-31-55-540-100	
Statutory Expenditures		
Public Employee Retirement System	1-31-55-541-100	
Social Security System	1-31-55-541-200	
Unemployment Compensation Insurance	1-31-55-541-300	
Total Appropriations Included in 26.25% limit		<u><u>0.00</u></u>

Debt Service

Payment of Bond Principal	1-31-55-545-001	
Interest on Bonds	1-31-55-545-002	
Payment of Note Interest (916)	1-31-55-545-004	
Payment of Note Principal (916)	1-31-55-545-003	
Trustee Fee	1-31-55-502-108	
Surplus (General Budget)	1-31-55-600-000	
Total Parking Debt		<u><u>0.00</u></u>

Total Temporary Parking utility Budget		<u><u>0.00</u></u>
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The speaker who spoke: Helen Hirsch, Donald Pellicano.

--Motion duly seconded by Councilman Cunningham.

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

--Yeas: Council persons Bhalla, Cunningham, Giacchi, Lenz, Mello, and President Marsh.

--Nays: Castellano, Mason, Russo.

10-570

---By Councilman Mello

THIS RESOLUTION AWARDS A CONTRACT TO A & A CURBING, INC. FOR THE IMPROVEMENTS TO HUDSON PLACE IN ACCORDANCE WITH THE SPECIFICATIONS IN BID NUMBER 10-27.

WHEREAS, proposals were received on 13 August 2010 for Improvements to Hudson Place, as specified in Bid Number 10-27, and

WHEREAS, three (3) proposals were received in good stead, these being:

<u>VENDOR</u>	<u>BASE BID</u>	<u>ALT. #1</u>	<u>TOTAL BID</u>
Reggio Construction, Inc. 1575 West Street Fort Lee, NJ 07024	\$ 75,252.80	\$ 27,780.00	\$ 103,032.80
A & A Curbing, Inc. 15 Terry Avenue South River, NJ 08882	\$ 65,545.00	\$ 16,575.00	\$ 82,120.00
4 Clean Up, Inc. P.O. Box 5098 North Bergen, NJ 07047	\$ 86,740.00	\$ 20,380.00	\$ 107,120.00

WHEREAS, A & A Curbing, Inc. submitted the lowest, responsible, bid,

AND WHEREAS, Boswell McClave, the City Engineers on this project have recommended that the City award a contract for the Base Bid of this project to A & A Curbing, Inc. for an amount not to exceed \$82,120.00,

NOW THEREFORE BE IT RESOLVED as follows:

- A. This resolution awards a contract to A & A Curbing, Inc., in an amount not to exceed \$82,120.00, for the Improvements to Hudson Place in accordance with the specifications set forth.
- 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 an agreement with A & A Curbing, Inc.
- C. This resolution shall take effect immediately upon passage.

---Motion duly seconded by Councilman Giacchi

---Adopted by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Lenz, Mason, Mello, Russo, and President Marsh.

---Nays: None.

10-571

---By President Marsh

AUTHORIZING SUBMISSION OF 2011 APPLICATION TO THE HUDSON COUNTY OFFICE OF CULTURAL & HERITAGE AFFAIRS/TOURISM DEVELOPMENT FOR LOCAL ARTS PROGRAM GRANT 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 2011 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, Cunningham, Giacchi, Lenz, Mello, Russo, and President Marsh.

---Nays: None

10-572

---By Councilman Lenz

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 Premium #3982550112

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 Cunningham.

---Adopted by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Lenz, Mason, Mello, Russo and President Marsh.

---Nays: None.

10-573

---By Councilman Lenz

THIS RESOLUTION RATIFIES THE ACTION OF THE ADMINISTRATION IN THE PUBLIC AUCTION OF ABANDONED VEHICLES/SURPLUS EQUIPMENT/BICYCLES HELD ON 6 AUGUST 2010.

WHEREAS, pursuant to the resolution of the Council of the City of Hoboken, a vehicle auction was held on Friday, 6 August 2010 in the Court Room of City Hall, and,

WHEREAS, three (3) bids were received for the bulk sale of two (2) abandoned cars with a high bid of Six Hundred Ten Dollars and Fifty Cents (\$610.50), and,

WHEREAS, four (4) bids were received for the bulk sale of five (5) pieces of surplus equipment with a high bid of Four Thousand Three Hundred Fifty-Five Dollars (\$4,355.00) with one original title pending to the final buyer, and

WHEREAS, said bidders, Westside Auto Wreckers, North Bergen, NJ 07047, tendered a check in full payment, for the bulk sale of the abandoned vehicles, in the amount of Six Hundred Ten Dollars and Fifty Cents (\$610.50) and Jersey One Auto Sales, 7 County Road, Jersey City, NJ 07307 has tendered cash in full payment, for the bulk sale of the surplus vehicles, in the amount of Four Thousand Three Hundred Fifty-Five Dollars (\$4,355.00), and,

WHEREAS, the City also sold, individually, Twenty-Three (23) abandoned bicycles for a total price of Nine Hundred Forty Dollars (\$940.00), said payments deposited with the Finance division, now, therefore, be it

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

---Motion duly seconded by Councilman Cunningham.

---Adopted by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Lenz, Mason, Mello, Russo and President Marsh.

---Nays: None.

10-574

---By Councilman Bhalla

THIS RESOLUTION AWARDS A CONTRACT TO TSUJ CORP. FOR PROVIDING (3) 25Kw GENERATORS TO THE FIRE DEPARTMENT OF THE CITY IN ACCORDANCE WITH THE SPECIFICATIONS IN BID NUMBER 10-11.

WHEREAS, proposals were received on 16 July 2010 for (3) 25Kw Generators for the Hoboken Fire Department, as specified in Bid Number 10-11, and

WHEREAS, three (3) proposals were received in good stead, these being:

VENDOR	BASE BID
Foley Incorporated 855 Centenial Avenue	\$ 194,182.00

Piscataway, NJ 08855

**Vanore Electric, Inc.
375 North Street
Teterboro, NJ 07608**

\$ 148,940.00

**TSUJ Corporation
P.O. Box 4621
Wayne, NJ 07474**

\$ 87,890.00

WHEREAS, TSUJ Corporation submitted the lowest, responsible, bid,

NOW THEREFORE BE IT RESOLVED as follows:

- A. This resolution awards a contract to TSUJ Corporation, in an amount not to exceed \$87,890.00, for the provision of three (3) 25Kw Generators in accordance with the specifications set forth.
- 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 an Agreement with TSUJ Corporation.
- C. This resolution shall take effect immediately upon passage.

---Motion duly seconded by Councilman Mello.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Lenz, Marsh Mello, Russo and President Marsh.
---Nays: None.

10-575
---By Councilman Mello

RESOLUTION TO EXTEND THE MAY 19, 2010 RESOLUTION ESTABLISHING “ HOBOKEN CORNER CARS” FOR AN ADDITIONAL NINETY (90) DAY PERIOD, AND TO ESTABLISH SPECIFIC PARKING SPACES AND RELATED RULES FOR “ HOBOKEN CORNER CARS” ON A PILOT BASIS

WHEREAS, at the May 19, 2010 meeting of the Hoboken City Council a resolution was passed granting “ Hoboken Corner Cars” a ninety (90) day pilot period;

WHEREAS, the initial success of the “ Hoboken Corner Car” program has necessitated creating established parking spaces and related rules on a pilot basis before determining final legislation to be incorporated into the City’ s municipal code; and,

WHEREAS, pursuant to N.J.S.A. 39:4-8c and N.J.S.A. 39:4-197 the City Council is authorized to set rules and regulations related to parking on municipal streets.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken, the term “ Corner Car” shall mean a vehicle located on-street by the City of Hoboken or its designee for the purposes of car sharing amongst residents and businesses, where Corner Cars are distinguishable by the logo on the side of the car as well as the temporary parking permit on the dashboard of the vehicle; and

BE IF FURTHER RESOLVED that during the ninety (90) temporary period of this resolution, no person shall park a vehicle at any time upon the following streets or portion thereof unless such vehicle is a “Corner Car” and failure to comply with this regulation shall result in towing at the vehicle owner’s expense:

Name of Street	Side	Location
Clinton Street	East	Beginning at a point 35 feet south of the southerly curblines of Seventh Street and extending for 32 feet southerly therefrom
Clinton Street	East	Beginning at a point 35 feet south of the southerly curblines of Ninth Street and extending for 32 feet southerly therefrom
Fourth Street	South	Beginning at a point 35 feet east of the easterly curblines of Jefferson Street and extending for 32 feet easterly therefrom
Bloomfield Street	East	Beginning at a point 35 feet south of the southerly curblines of Fourth Street and extending for 32 feet southerly therefrom
Garden Street	East	Beginning at a point 35 feet north of the northerly curblines of Eighth Street and extending for 32 feet northerly therefrom
Second Street	South	Beginning at a point 35 feet east of the easterly curblines of Adams Street and extending for 32 feet easterly therefrom
Park Avenue	East	Beginning at a point 35 feet south of the southerly curblines of Sixth Street and extending for 32 feet southerly therefrom
Harrison Street	East	Beginning at a point 35 feet north of the northerly curblines of Second Street and extending for 32 feet northerly therefrom
First Street	South	Beginning at a point 35 feet west of the westerly curblines of Jefferson Street and extending 32 feet westerly therefrom
Monroe Street	West	Beginning at a point 35 feet north of the northerly curblines of Eighth Street and extending for 32 feet northerly therefrom
Eighth Street	South	Beginning at a point 35 feet east of the easterly curblines of Adams Street and extending for 32 feet easterly therefrom
Eleventh Street	South	Beginning at a point 35 feet west of the westerly

		curbline of Hudson Street and extending for 32 feet westerly therefrom
Twelfth Street	South	Beginning at a point 35 feet west of the westerly curbline of Grand Street and extending for 32 feet westerly therefrom
Clinton Street	East	Beginning at a point 35 feet north of the northerly curbline of Newark Street and extending for 32 feet northerly therefrom
First Street	South	Beginning at a point 35 feet west of the westerly curbline of Washington Street and extending for 32 feet westerly therefrom
Willow Avenue East	Beginning at a	point 35 feet north of the northerly curbline of Tenth Street and extending for 32 feet northerly therefrom
Clinton Street	East	Beginning at a point 35 feet north of the northerly curbline of Fourth Street and extending for 32 feet northerly therefrom
Hudson Street	East	Beginning at a point 35 feet south of the southerly curbline of Fifteenth Street and extending for 32 feet southerly therefrom
Tenth Street	South	Beginning at a point 35 feet west of the westerly curbline of Jefferson Street and extending for 32 feet westerly therefrom
Vezzetti Way	North	Beginning at a point 43 feet west of the southerly curbline of Observer Highway and extending 32 feet westerly therefrom
Vezzetti Way	North	Beginning at a point 12 feet east of the easterly curbline of Observer Highway and extending 32 feet easterly therefrom

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided to Mayor Dawn Zimmer, the Department of Parking and Transportation and the Hoboken Police Department to take any actions necessary to complete and realize the intent and purpose of this resolution, including but not limited to installation of temporary signage;

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

The speaker who spoke: Ines Garcia Keim

---Motion duly seconded by Councilman Giacchi

---Adopted by the following vote: YEAS: 7 - NAYS: 2

---Yeas: Council persons Bhalla, Cunningham, Giacchi, Lenz, Mello, Russo and President Marsh.

---Nays: Castellano, Mason.

10-576

---By Councilman Mello

RESOLUTION AUTHORIZING RECISSION OF TEMPORARY CLOSURE OF CLINTON STREET BETWEEN 15TH AND 16TH STREETS.

WHEREAS, the City Council on July 14, 2010 authorizing the temporary closing of Clinton Street, between 15th & 16th Streets, in order to relocate trucks and other rolling stock of the Department of Environmental Services; and

WHEREAS, since July 14, 2010 alternative locations have been become available, obviating the necessity for closing Clinton Street;

NOW, THEREFORE, BE IT RESOLVED that Resolution No 10-505 is hereby recinded.

The speakers who spoke: Lane Bajardi, Perry Belfiore.

---Motion duly seconded by President Marsh

---Adopted by the following vote: YEAS: 6- NAYS: 1 – ABSTAIN -2

---Yeas: Council persons Bhalla, Cunningham, Lenz, Mason, Mello, and President Marsh.

---Nays: Castellano

---Abstain: Giacchi, Russo.

Councilman Lenz leaves the table at 1:10 AM

Councilman Lenz returns to the table at 1:13 AM

10-577

---By Councilman Russo

RESOLVED, that filed minutes for the Hoboken City Council regular meetings of March 3, March 10, (Special Meeting) and March 17, 2010 (w/corrections April 7, April 21, 2010 have been reviewed and approved as to legal form and content.

---Motion duly seconded by Councilwoman Castellano.

---Adopted by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Lenz, Mason, Mello, Russo and President Marsh.

---Nays: None.

10-578

---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 following totaling **\$ 11,436.10**

<u>NAME</u>	<u>BL/LT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
GOLDBERG, MICHAEL & JODI 70 ADAMS ST APT HOBOKEN, NJ 07030	18/4/C0P38	70 ADAMS ST	4/09	\$ 158.10
HAVEN SAVINGS BANK 621 WASHINGTON ST HOBOKEN, NJ 07030	39/26/	218 JEFFERSON ST	3/10	\$ 3,357.55
JONES, LENORE J & JOHN D PETERSON 318 MONROE ST UNIT #2 HOBOKEN, NJ 07030	47/24/C0002	318 MONROE ST	2/10	83.59
THIRD & MADISON LLC C/O A BUZZETTI 467 SYLVAN AVENUE ENGLEWOOD CLIFFS, NJ 07632	49/1.1/	301 MADISON ST	2/10	\$ 4,667.95
ACTORS FEDERAL CREDIT UNION 165 WEST 46 TH ST STE 418 NEW YORK, NY 10036	79/20/C003F	600 CLINTON ST	1/10	\$ 1,253.33
CORELOGIC /CHASE I CORELOGIC WAY WESTLAKE, TX 76262	220/22/C00U2	938 HUDSON ST	4/08	\$1,915.58 EXCEL I

---Motion duly seconded by Councilman Cunningham
 ---Adopted by the following vote: YEAS: 9 – NAYS - 0
 ---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Lenz, Mason, Mello, Russo and President Marsh.
 ---Nays: None.

10-579

---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 following totaling **\$ 2,397.12**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>YEAR</u>	<u>AMOUNT</u>
MICHAEL A VESPASIANO, ESQ 331 MAIN STREET CHATHAM, NJ 07928	15/6/C003D	81-87 JACKSON ST	2009	\$ 1,198.56
MICHAEL A VESPASIANO, ESQ 331 MAIN CHATHAM, NJ 07928	15/6/C005C	81-87 JACKSON ST	2009	\$ 1,198.56

---Motion duly seconded by Councilman Cunningham
---Adopted by the following vote: YEAS: 8 - NAYS: 0 – ABSENT -1
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Lenz, Mason, Mello, Russo and President Marsh.
---Nays: None

10-580

---By President Marsh

RESOLUTION APPOINTING FOURTEEN (14) MEMBERS TO THE HOBOKEN MUNICIPAL ALLIANCE COMMITTEE FOR ONE YEAR TERMS PURSUANT TO MAYOR ZIMMER’ S NOMINATIONS

WHEREAS, N.J.S.A. 26:2BB-9 and N.J.A. C. 17:40 2.4 provide for appointment of volunteer members to the Hoboken Municipal Alliance Committee by the Governing Body;

WHEREAS, Mayor Dawn Zimmer has provided the Governing Body with fourteen (14) nominations for membership to the Hoboken Municipal Alliance Committee;

WHEREAS, the Governing Body has reviewed the nominations provided by Mayor Dawn Zimmer;

WHEREAS, the Governing Body believes the fourteen (14) nominated individuals should serve in the positions of volunteer members of the Hoboken Municipal Alliance Committee because each has specific expertise, skill and character to be a successfully representative of the City of Hoboken; and,

WHEREAS, each appointment is to begin immediately and be for a term of one(1) year, to terminate on August 31, 2011.

NOW, THERFORE, BE IT RESOLVED, that the City Council of the City of Hoboken hereby appoints the fourteen (14) members listed on the Letter of Nomination, attached hereto, from Mayor Dawn Zimmer as volunteer members of the Hoboken Municipal Alliance Committee, each for a term of one year to begin immediately and terminate on August 31, 2011; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Hoboken City Clerk and the Hudson County Division of the Governor’s Council on Alcoholism and Drug Abuse expeditiously.

The speakers who spoke: Patricia Waiters, Margaret O’Brien, Helen Hirsch, .

---Motion duly seconded by Councilman Lenz
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Lenz, Mason, Mello, Russo
and President Marsh.
---Nays: None.

10-581

---By Councilman Lenz

RESOLUTION CALLING UPON NEW JERSEY TRANSIT TO IMMEDIATELY RESTORE FULL WEEKEND LIGHT RAIL SERVICE TO HOBOKEN'S WESTSIDE STATION

WHEREAS, the citizens of Hoboken fought long and hard to bring light rail service to Hoboken's least served neighborhoods on Hoboken's west side;

WHEREAS, New Jersey Transit supports smart growth in and around their properties and light rail stops;

WHEREAS, New Jersey Transit while seeking to locate massive large scale development in Hoboken has repeatedly voiced its commitment to light rail; and

WHEREAS, light rail provides essential services to the disabled, senior citizens, the poor, and other non-car owners who will be greatly inconvenienced by having to transfer at Pavonia/Newport just to get across town.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Hoboken calls upon New Jersey Transit to keep its commitment to the citizens of Hoboken and restore equality and fairness in services to the citizens of Hoboken's Westside by immediately restoring weekend direct service to Lackawanna terminal from 2nd and 9th Streets stations; and,

BE IT FURTHER RESOLVED that the City Clerk of the City of Hoboken be directed to forward copies of this resolution to New Jersey Transit, its Governing Board, and the Governor of the State of New Jersey.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Cunningham, Giacchi, Lenz, Mason, Mello, Russo
and President Marsh.
---Nays: None.

10-582

---By President Marsh

RESOLUTION ACKNOWLEDGING MAYOR ZIMMER'S AUGUST 27, 2010 SCHEDULING MEMORANDUM AND CALLING SPECIAL MEETINGS OF THE CITY COUNCIL ON

MONDAY SEPTEMBER 13, 2010 FOR A BUDGET WORKSHOP AND WEDNESDAY, SEPTEMBER 22, 2010 AT 6:00 PM FOR THE INTRODUCTION OF THE WESTERN EDGE PLAN

WHEREAS, N.J.S.A. 10:4-6 et seq. allows a municipality to call a Special Meeting of the Governing Body upon proper notice and procedure;

WHEREAS, Mayor Zimmer, by way of a Memorandum dated August 27, 2010, has called a Special Meeting for Wednesday, September 22, 2010 at 6:00 p.m. in Council Chambers for the purpose of introducing the Western Edge Plan and reviewing the proposed budget;

WHEREAS, Mayor Zimmer, by way of the same Memorandum, has called a Special Meeting for Wednesday, September 29, 2010 at 7:00 p.m. in Council Chambers for the purpose of adopting the municipal budget; and,

WHEREAS, the Governing Body acknowledges the need for the two aforementioned Special Meetings on the dates called by Mayor Zimmer, and concurs with the Mayor that the purposes of both meetings require the calling of Special Meetings within the month of September.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken hereby acknowledges and consents to Mayor Zimmer's calling of a Special Meeting on Wednesday, September 22, 2010 at 6:00 p.m. in Council Chambers for the purpose of introducing the Western Edge Plan and reviewing the proposed budget;

BE IT FURTHER RESOLVED that the City Council hereby acknowledges and consents to Mayor Zimmer's calling of an additional Special Meeting on Wednesday, September 22, 2010 at 7:00 p.m. in Council Chambers for the purpose of adopting a municipal budget; and,

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Hoboken City Clerk, and the City Clerk is hereby directed to publish notice of the two aforementioned Special Meetings in accordance with all requirements of the Open Public Meetings Act, N.J.S.A. 10:-4-6 et seq. as well as any other applicable laws.

---Motion duly seconded by Councilman Bhalla

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

---Yeas: Council persons Bhalla, Cunningham, Giacchi, Lenz, Mello, Russo and President Marsh.

---Nays: Mason.

10-583

---By President Marsh

RESOLUTION ACKNOWLEDGING MAYOR ZIMMER'S AUGUST 27, 2010 SCHEDULING MEMORANDUM AND CALLING SPECIAL MEETINGS OF THE CITY COUNCIL ON WEDNESDAY, SEPTEMBER 22, 2010 AT 6 P.M. AND WEDNESDAY, SEPTEMBER 29, 2010 AT 7 P.M.

WHEREAS, N.J.S.A. 10:4-6 et seq. allows a municipality to call a Special Meeting of the Governing Body upon proper notice and procedure;

WHEREAS, Mayor Zimmer, by way of a Memorandum dated August 27, 2010, has called a Special Meeting for Wednesday, September 22, 2010 at 6:00 p.m. in Council Chambers for the purpose of introducing the Western Edge Plan and reviewing the proposed budget;

WHEREAS, Mayor Zimmer, by way of the same Memorandum, has called a Special Meeting for Wednesday, September 29, 2010 at 7:00 p.m. in Council Chambers for the purpose of adopting the municipal budget; and,

WHEREAS, the Governing Body acknowledges the need for the two aforementioned Special Meetings on the dates called by Mayor Zimmer, and concurs with the Mayor that the purposes of both meetings require the calling of Special Meetings within the month of September.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken hereby acknowledges and consents to Mayor Zimmer’ s calling of a Special Meeting on Wednesday, September 22, 2010 at 6:00 p.m. in Council Chambers for the purpose of introducing the Western Edge Plan and reviewing the proposed budget;

BE IT FURTHER RESOLVED that the City Council hereby acknowledges and consents to Mayor Zimmer’ s calling of an additional Special Meeting on Wednesday, September 22, 2010 at 7:00 p.m. in Council Chambers for the purpose of adopting a municipal budget; and,

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Hoboken City Clerk, and the City Clerk is hereby directed to publish notice of the two aforementioned Special Meetings in accordance with all requirements of the Open Public Meetings Act, N.J.S.A. 10:-4-6 et seq. as well as any other applicable laws.

---Motion duly seconded by Councilman Cunningham.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 – ABSENT -1

---Yeas: Council persons Bhalla, Cunningham, Giacchi, Lenz, Mason, Mello, Russo, and President Marsh.

---Nays: None.

ORDINANCES

Introduction and First Reading

10-584

Z-56

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 1425 GARDEN STREET, HOBOKEN, NEW JERSEY, MOR PARTICULARLY KNOWN AS BLOCK 255 LOT 1 ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY

WHEREAS, the applicant, Robert C. Matule, Esq. on behalf of Bijou Properties, has petitioned the City of Hoboken for the granting of a certain easement over municipal lands at 1425 Garden Street, Hoboken, New Jersey, (“ the premises”) which premises is more particularly described as Block 255, Lot 1, on the Tax Map of the City of Hoboken, New Jersey, in order to install a handicap access ramp on the building located at 1425 Garden Street as outlined in the attached drawing. The easements are described as follows:

METES AND BOUNDS

(Proposed Ramp Easement for ADA compliant access to commercial space fronting on 14th Street)

ALL that certain lot, parcel or tract of land, situated and lying in the City of Hoboken, County of Hudson, State of New Jersey, and being more particularly described as follows:

BEGINNING at a point in the northeasterly line of Fourteenth Street, a distance of 51.50 feet southeasterly from its intersection with the southeasterly line of Garden Street, running thence:

1. S-66°-00' -E, along the northeasterly line of Fourteenth Street, a distance of 38.75 feet to a point; thence
2. S-24°-00' -W, a distance of 5.70 feet to a point; thence
3. N-66°-00' -W, a distance of 38.75 feet to a point; thence
4. N-24°-00' -E, a distance of 5.70 feet to a point in the northeasterly line of Fourteenth Street, said point being the paint of place of beginning.

Known as a portion of the public right of way in Fourteenth Street adjacent to Lot 1 in Block 255, as shown on the Official Tax Assessment Map for Hoboken, Hudson County, New Jersey.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF HOBOKEN THAT THE CITY OF HOBOKEN HEREBY GRANTS 1425 GARDEN STREET, THE AFORMENTIONED EASEMENT SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:

1. The following 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 damages or money loss occasioned by the City of Hoboken or its officers or agents by any neglect, wrongdoing, 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 and amount of one million (\$1,000,000.00) dollars 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 as additional insured' s.
5. These easements shall run with the land and inure to the benefits of the applicant' s successors and assigns in title and interest to the property served by these easements. The covenants and conditions set forth herein shall similarly be the obligation of the applicant' s successors and assigns in title and interest to the property served by the within easements.

6. The permission granted herein is conditioned upon and shall be effective only upon the applicant obtaining any and all other necessary permits and consent that may be required by local or state law, including but not limited to approval by the Hudson County Planning Board.
7. This ordinance shall take effect as provided by law.

---Motion duly seconded by Councilman Cunningham

---Adopted by the following vote: YEAS: 9 – NAYS: 0

---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Lenz, Mason, Mello, Russo and President Marsh.

---Nays: None.

10-585

Z-57

AN ORDINANCE TO AMEND AND SUPPLEMENT ARTICLE XXXIII OF CHAPTER 190 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN ENTITLED VEHICLES AND TRAFFIC – BICYCLE LANES.

WHEREAS, pursuant to Chapter 190 of the City of Hoboken Administrative Code, bicycle lanes and bicycle rules and regulations are set forth; and

WHEREAS, the Council has the authority to amend the bicycle lane rules and regulations as is necessary for the safety, health and general welfare of the residents and visitors of the City.

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

Section One: Amendments

The following amendments are hereby made to **Article XXXIII of Chapter 190** the City Code of the City of Hoboken (additions noted in underline; deletions noted in strikethrough).

§ 190-46. ~~Bicycle lanes.~~ Scope.

The provisions of this Section shall apply whenever a bicycle is operated upon any street or upon any public way within the City of Hoboken, subject only to those exceptions stated in this Section.

~~A. Streets designated. The governing body of the City of Hoboken that the City Council designates that Madison Street and Grand Street from Observer Highway and Newark Avenue, respectively, to 15th Street in the City of Hoboken shall have five (5) foot bicycle lanes on the left side of each street; these lanes shall include standard bicycle symbols painted on the street within the bike lanes to notify drivers that they need to share the road with bicyelists.~~

~~B. No cars shall be permitted to either travel or park in these lanes.~~

~~C. Motorized vehicles must yield to bicycle riders in these lanes, and that bicycle riders shall yield to pedestrians at all crosswalks.~~

~~D. In addition to bicycle riders, individuals using roller blades, motorized wheelchairs with an orange safety flag at least five (5) feet above street level, and bicyclers with attached trailers for children will also have the same orange safety flag attached to the rear of the portage vehicle, shall also be permitted to use the bike lanes.~~

~~E. In the event that any individual violates the terms of this section he/she shall be subject to a fine in the Municipal Court of the City of Hoboken in an amount of one hundred dollars (\$100.) for the first offense and two hundred dollars (\$200.) per violation for any subsequent offenses.~~

§190-47 Streets Designated

A. Street segments with sufficient adjacent right-of-way shall be considered acceptable for installation of Class I bicycle lanes physically separated from the street consisting of a five (5) foot wide bicycle lane per travel direction demarcated with solid white lane striping and yellow striping bifurcating opposing bicycle travel lanes; these lanes shall include standard bicycle symbols painted on the street and optional contrast coloring within the bike lanes clearly indicating the space as a bicycle lane

B. Streets segments with a travel lane of fifteen (15) feet or greater shall be considered acceptable for installation of Class II bicycle lanes consisting of a five (5) foot wide bicycle lane demarcated with solid white line lane striping; these lanes shall include standard bicycle symbols painted on the street and optional contrast coloring within the bike lanes clearly indicating the space as a bicycle lane.

C. Streets segments with a travel lane of less than fifteen (15) feet or with traffic patterns that make Class I or II bicycle lanes impractical, shall be considered acceptable for installation of Class III bicycle route markings consisting of standard bicycle symbols and double chevrons, also known as sharrows, painted on the street to communicate that drivers shall share the road with bicyclists; these routes shall also include “ Share the Road” posted signage.

D. Street designations and typical lane configurations are meant to be standard guidelines; however, all final bicycle lane and route configurations are subject to professional review and recommendation by the Department of Transportation and Parking, and shall be included in the City Code.

E. The following roadways are hereby designated as bicycle lanes and/or routes

Street	Begin	End	Class
Madison Street	Observer Highway	16 th Street	II/III
Grand Street	16 th Street	Newark Street	II/III
Sinatra Drive	Newark Street	4 th Street	I
2 nd Street	Sinatra Drive	River Street	II
8 th Street	Hudson Street	Jackson Street	III
9 th Street	Jackson Street	Hudson Street	III
12 th Street	Monroe Street	Hudson Street	III
13 th Street	Hudson Street	Madison Street	III

§190-48 Lane Configuration

- A. Class I bicycle lanes shall be separated from vehicle traffic by a curb or median.
- B. Class II bicycle lanes shall be located on the right side of two-way streets and the left side of one-way streets, between parking and travel lanes.

C. Class III bicycle routes shall offset markings to the right of the travel lane center line so that bicyclists are guided outside of the door sweep area of parked cars.

D. Appropriate striping, pavement markings, and/or signage shall be used at intersections where streets transition between one-way and two-way traffic flow.

§190-49 Application of traffic laws to bicycles

Every person riding a bicycle upon a roadway shall be granted all the rights and shall be subject to all the duties applicable to the driver of a vehicle by the laws of this State and the traffic provisions of this Code applicable to the driver of a vehicle, except as to special regulations in this article and except as to those provisions of laws and ordinances which by their nature are inapplicable to such persons.

§190-50 Bicycle Rules and Regulations

A. Obedience to traffic control devices.

(1) Any person operating a bicycle shall obey the instructions of official traffic control signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer.

(2) Whenever authorized signs are erected indicating that a turning movement is restricted no person operating a bicycle shall disobey the direction of any such sign, except where that person dismounts from the bicycle to make the turn, in which event such person shall then obey the regulations applicable to pedestrians.

(3) No person shall ride or operate a bicycle in any direction except that permitted of vehicular traffic traveling on the same side of the roadway.

(4) Any person operating a bicycle shall stop for pedestrians in crosswalks

B. Riding on roadways and bicycle paths generally.

(1) Every person operating a bicycle upon a roadway shall ride as near to the right hand side of the roadway as practicable, exercising due care when passing a standing vehicle or a vehicle proceeding in the same direction, unless an exclusive bicycle lane is provided.

(2) Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

(3) Whenever a bicycle lane has been established on a roadway, any person operating a bicycle upon the roadway at a speed less than the normal speed of traffic moving in the same direction shall ride within the bicycle lane, except that such person may move out of the lane under any of the following situations:

(a) Whenever overtaking or passing another bicycle, vehicle or pedestrian within the lane or about to enter the lane if such overtaking and passing cannot be done safely within the lane.

(b) When preparing for a turn at an intersection or into a private road or driveway.

(c) When reasonably necessary to leave the bicycle lane to avoid debris or other hazardous conditions.

C. Manner of riding bicycle.

(1) A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto.

(2) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

D. Speed restrictions. No person shall operate a bicycle at a speed greater than is reasonable and prudent under the condition then existing.

E. Yielding right-of-way from bicycle path or sidewalks. Every person riding a bicycle on a bike path or sidewalk that is about to enter or cross a roadway shall yield the right-of-way to all traffic on such roadway.

F. Leaving bicycle lanes. No person operating a bicycle shall leave a bicycle lane until the movement can be made with reasonable safety and then only after giving an appropriate signal.

G. Motor vehicles in bicycle lanes. Whenever a bicycle lane has been established on a roadway any person operating a motor vehicle on such a roadway shall not drive or park in the bicycle lane except for the purposes of performing a parking maneuver where parking is permitted, to enter or leave the roadway, or to maneuver around a parked vehicle impeding traffic flow.

H. Bicycles emerging from alleys or driveways; yielding right-of-way. The operator of a bicycle emerging from an alley, driveway, or building, shall, upon approaching a sidewalk area extending across any alleyway or driveway, yield the right-of-way to all pedestrians approaching on the sidewalk or sidewalk area. Upon entering the roadway the operator shall yield the right-of-way to all vehicles approaching on the roadway.

I. Clinging to vehicles prohibited. No person riding upon any bicycle shall attach the same or himself to any streetcar or vehicle upon a roadway.

J. Riding on sidewalks.

(1) No person shall ride a bicycle upon a sidewalk at a speed greater than the walking speed of pedestrians.

(2) Persons riding a bicycle upon a sidewalk shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing any pedestrian.

(3) Persons riding a bicycle upon a sidewalk shall keep as close to the curb as is practicable to allow pedestrians to walk along sidewalks without impedance.

K. Carrying articles. No person operating a bicycle shall carry any package, bundle, or article which prevents the rider from keeping at least one hand upon the handlebars.

L. Parking. No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle, or against a building or at the curb in such manner as to afford the least obstruction to pedestrian traffic.

M. Lamps and equipment on bicycles.

(1) Bicycles in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type which shall be visible from 50 feet to 300 feet to the rear. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.

(2) A bicycle shall not be equipped with, nor shall any person use, any siren or whistle upon a bicycle.

(3) Bicycles shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

(4) Bicycles may be equipped with a bell to serve as audible signal for the purposes of overtaking and passing any pedestrian or other bicycles.

§190-51 Other Users of Bike Lanes

In addition to bicycle riders, individuals using roller blades, motorized wheelchairs with an orange safety flag at least five (5) feet above street level, and bicyclers with attached trailers for children will also have the same orange safety flag attached to the rear of the portage vehicle, shall also be permitted to use the bike lanes.

§190-52 Penalties

In the event that any individual violates the terms of this section he/she shall be subject to a

fine in the Municipal Court of the City of Hoboken in an amount of one hundred dollars (\$100.) for the first offense and two hundred dollars (\$200.) per violation for any subsequent offenses.

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 notwithstanding 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.

---Motion duly seconded by Councilman Giacchi

---Adopted by the following vote: YEAS: 9 – NAYS: 0

---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Lenz, Mason, Mello, Russo and President Marsh.

---Nays: None.

10-586

Z-58

**AN ORDINANCE TO AMEND AND SUPPLEMENT ARTICLE XVII OF
CHAPTER 190 OF THE ADMINISTRATIVE CODE OF THE CITY OF
HOBOKEN ENTITLED VEHICLES AND TRAFFIC – TIME LIMIT
PARKING.**

WHEREAS, pursuant to N.J.S.A. 39:4-197 and N.J.S.A. 39:4-8c the City of Hoboken is entitled to create, repeal and amend ordinances relating to time limit parking and metered parking and pay-stations, without the approval of the State;

WHEREAS, the Administrative Code, at Section 190-29, currently regulates time limited parking within the City; and

WHEREAS, the City has determined time limited parking shall be converted to pay-station and metered parking.

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

Section One: Amendments

Article XVII of the Administrative Code of the City of Hoboken, currently titled “ Time Limit Parking” is hereby repealed in its entirety and replaced with the following:

ARTICLE XVII METERED AND PAY STATION PARKING.

190-29 DEFINITIONS.

For purposes of Article XVII, the following definitions shall apply:

(A) PAID PARKING SPACE means a space that is delineated on a public right-of-way for which payment is required to park a vehicle.

(B) PAID PARKING ZONE means a group of parking spaces, on a public right-of-way or on City property, that are delineated by a posted sign and for which payment is required to park a vehicle.

(C) PARKING METER means any mechanical or electronic device that the City places or erects on City property, adjacent to a paid parking space for the purpose of managing and controlling the use of paid parking spaces and that requires payment for use.

(D) PARKING OCCASION means the uninterrupted period of time that a vehicle is parked in a paid parking space or a paid parking zone while paid parking time limits are in effect.

(E) PARKING PAY STATION means any electronic device, except a parking meter, that the City places or erects on City property, for the purpose of managing and controlling the use of paid parking spaces and paid parking zones and that requires payment for use.

(F) PAY AND DISPLAY STATION means a parking pay station that dispenses a receipt, as proof of payment, to be displayed as required Section 190-29.5(F).

(G) PAY BY SPACE STATION means a parking pay station that measures the lawful parking occasion and its expiration for specific paid parking spaces without issuing a receipt for display on a vehicle.

190-29.1 PARKING METERS AND PARKING PAY STATIONS.

(A) The Department of Transportation and Parking may use parking meters and parking pay stations to assist in the enforcement of parking time restrictions.

(B) A parking meter must:

- (1) be installed adjacent to the parking space it monitors or be labeled to indicate the space;
- (2) indicate the maximum uninterrupted time a vehicle may remain parked in the space during any parking occasion; and
- (3) display the amount of time a vehicle may remain legally parked in the space after the deposit of payment.

(C) A parking pay station must:

- (1) be installed on the same City block or at the same City-owned or controlled parking lots or facilities as the paid parking space or paid parking zone it monitors;
- (2) indicates the maximum uninterrupted time a vehicle may remain parked within the paid parking space or the paid parking zone during any parking occasion; and
- (3) either:
 - (a) measure and store the amount of time a vehicle may remain legally parked after the deposit of payment; or
 - (b) issue a receipt that indicates the amount of time a vehicle may remain legally parked after the deposit of payment.

(D) A parking meter or a parking pay station shall indicate the hours and days that paid parking time limits are in effect.

(E) A parking meter or a parking pay station shall indicate the amount of the fee for parking a vehicle.

(F) The Department of Transportation and Parking shall equip parking meters and parking pay stations to accept coins in denominations appropriate to pay the fee for parking a vehicle.

190-29.2 PAID PARKING SPACES AND PAID PARKING ZONES.

(A) The Department of Transportation and Parking shall establish the location of paid parking spaces and paid parking zones on the streets and in City-owned or controlled parking lots or facilities where the city traffic engineer determines that the strict enforcement of parking time limits is appropriate.

(B) The Department of Transportation and Parking may paint or mark each individual paid parking space to prevent encroachment into adjacent paid parking spaces.

190-29.3 PARKING IN A PAID PARKING SPACE.

(A) A person must park a vehicle completely within the delineated parking space.

(B) A person may not park a vehicle in a paid parking space that is legally occupied by another vehicle.

190-29.4 TIME LIMITS ON PAID PARKING.

(A) Paid parking time limits are in effect from 9:00 a.m. to 9:00 p.m., Monday through Saturday, unless otherwise posted.

(B) The Department of Transportation and Parking shall establish the maximum uninterrupted time a person may continuously park a vehicle for each parking occasion.

(C) When paid parking time limits are in effect, a person may not park a vehicle for more than the maximum parking time limit established by the city traffic engineer for each parking occasion.

(D) A vehicle may not be moved and re-parked in the same paid parking space or paid parking zone to avoid violating the maximum parking time limit for each parking occasion.

(E) When paid parking time limits are in effect, a person may not allow a vehicle to remain parked in a paid parking space or a paid parking zone when the authorized parking time has expired.

(F) A person parking a motorcycle or moped is exempt from paying meter parking fees but may not exceed the maximum time allowed on the parking meter or parking pay station during a parking occasion at a paid parking space or paid parking zone.

190-29.5 FEE DUE FOR PARKING VEHICLE.

(A) Except as provided in Subsection (B), a person parking a vehicle in a paid parking space or paid parking zone shall immediately pay the parking fee due.

(B) This section does not apply to a person:

- (1) parking a vehicle defined by New Jersey Motor Vehicle Commission as a motorcycle or moped; or
- (2) occupying a parking space or parking zone as authorized by permit issued or approved by the Department of Transportation and Parking

(C) A person must deposit U.S. coins in denominations accepted by the parking meter or parking pay station or use a credit card, bank debit card, or a parking meter fee debit card to pay the parking fee.

(D) A person may not use foreign currency in a parking meter or a parking pay station.

(E) A person may not deposit more than the amount of payment necessary to obtain the maximum parking time limit allowed during a parking occasion.

(F) If parking a vehicle in a space monitored by a pay and display station, a person shall immediately locate the pay station receipt on the dashboard inside of the vehicle's windshield adjacent to the curb.

1. The receipt must be placed in a position so that it is as close to the sidewalk as possible and can be read from outside of the vehicle while standing on the sidewalk.
2. No more than one receipt shall be displayed in the windshield at a time
3. No other items shall be placed in proximity of the displayed receipt in such a way that they are confusing or impair the ability to read the receipt

(G) A person may not park at a paid parking space with an inoperable parking meter unless the person pays at the nearest pay and display station and locates the receipt to the window as required in Subsection (F).

(H) A person may not park in a paid parking zone monitored by a pay and display station without a receipt from the nearest operable pay and display station.

(I) The minimum amount of parking time that may be purchased is 15 minutes.

190-29.6 HOLIDAY EXEMPTIONS.

(A) Sections 190-29.4 (Time Limits on Paid Parking) and 190-29.6 (Fee Due for Parking Vehicle) do not apply on the following days:

- (1) January 1;
- (2) July 4;
- (3) the first Monday in September;
- (4) the last Thursday in November; and
- (5) December 25.

190-29.7 CREDIT CARD, BANK DEBIT CARD, AND PARKING METER FEE DEBIT CARDS

(A) The Department of Transportation and Parking may equip a parking meter or a parking pay station to accept parking meter fee via debit cards, credit cards, or bank debit cards in addition to coins.

(B) The Hoboken Parking Utility may issue a parking meter fee debit card for use in a parking meter and may establish rules to administer this section.

190-29.8 TIME LIMIT PARKING LOCATIONS AND FEES

In accordance with the provisions of this Article XVII, no person shall park or stand a vehicle for longer than the time limit posted upon any of the herein described streets or parts of streets:

Street Location	Side	Hours / Time Limits	Rate
Clinton Street from Third Street to Fourth Street	Both	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Eighth Street from Monroe Street to Jackson Street	South	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Fifth Street from Washington Street to Bloomfield Street	Both	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
First Street from Grand Street to Bloomfield Street	Both	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
First Street from 76 feet east of the easterly curbline of	North	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins

Bloomfield Street to the westerly curbline of Washington Street			
First Street from Washington Street to Hudson Street	Both	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
First Street from the westerly curbline of River Street to the easterly curbline of Hudson Street	North	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Fourteenth Street from the easterly curbline of Hudson Street to the westerly curbline of Sinatra Drive North	South	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 min
Fourteenth Street from the westerly curbline of Sinatra Drive North to the easterly curbline of McFeeley Lane	North	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 min
Fourth Street from Clinton Street to Willow Avenue	South	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Fourth Street from Willow Avenue to Clinton Street	North	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Fourth Street from Clinton Street to Willow Avenue	South	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Hudson Place from Hudson Street to River Street	North	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Hudson Place from River Street to the easterly boundary	North	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Hudson Place from 147 feet east of the easterly curbline of River Street to a point 72 feet east therefore		9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Hudson Street from First Street to Hudson Place	Both	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Hudson Street from 25 feet south of the southerly curbline of Hudson Place to a point 88 feet	West	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins

southerly therefrom			
Marshall Street from First Street to Second Street	East	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Monroe Street from Eighth Street to Seventh Street	West	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Newark Street from Garden Street to Willow Avenue	Both	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Newark Street from Hudson Street to easterly boundary	Both	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Newark Street from Hudson Street to Washington Street	North	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Newark Street from Willow Avenue to Grand Street	North	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Newark Street from Court Street to Washington Street	South	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Newark Street from Washington Street to Bloomfield Street	South	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Newark Street from Washington Street to River Street	North	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
River Street from First Street to Hudson Place	Both	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
River Street from First Street to Third Street	Both	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
River Street from Newark Street to First Street	East	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
River Street from the northerly curblineline of Third Street and extending to a point 191 feet northerly therefrom	East	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Second Street from Washington Street to Bloomfield Street	Both	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Second Street from Washington Street to Hudson Street	South	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Second Street from the westerly curblineline of River Street to a	South	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins

point 65 feet westerly therefrom			
Second Street from the westerly curblin e of River Street and extending to the easterly curblin e of Hudson Street	North	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Second Street from Sinatra Drive to River Street	Both	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Seventh Street from Bloomfield Street to Hudson Street	Both	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Sinatra Drive beginning 580 feet north of the easterly curblin e of River Street and extending 240 feet north therefrom	East	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Sinatra Drive from Second Street to Fourth Street	East	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Sixth Street from Hudson Street to Bloomfield Street	Both	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Third Street from Grand Street to Clinton Street	Both	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Third Street from Hudson Street to Bloomfield Street	Both	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Third Street from Willow Avenue to Park Avenue	Both	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Third Street from Clinton Street to Willow Avenue	South	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Washington Street from Observer Highway to Eighth Street	Both	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Washington Street from Fourteenth Street and Fifteenth Street	Both	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Willow Avenue from First Street to Newark Street	Both	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Willow Avenue from Newark Street to	Both	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins

Observer Highway			
Willow Avenue from Third Street to Fourth Street	Both	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins
Willow Avenue from Thirteenth Street to Sixteenth Street	Both	9:00 am to 9:00 pm / 2.0 hours	\$0.25 / 15 mins

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 notwithstanding 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.

---Motion duly seconded by Councilman Giacchi

---Adopted by the following vote: YEAS: 9 – NAYS: 0

---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Lenz, Mason, Mello, Russo and President Marsh.

---Nays: None.

10-587

Z-59

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

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

**ARTICLE XVI
ALTERNATE PARKING**

190-28 Alternate Parking

SECTION 1: THE LOCATION DESCRIBED IS HEREBY REPEALED FROM 190-28 ALTERNATE PARKING:

<u>Name of Street</u>	<u>Time</u>	<u>Side</u>	<u>Location</u>
Washington Street	8:00am to 9:00am Monday through Friday	west	Observer Highway to Northern Boundary
Washington Street	8:00 am to 9:00 am Monday through Friday	east	Between Newark Street & Seventh Street

SECTION 2: THE FOLLOWING DESCRIBED LOCATIONS ARE HERE BY ADDED TO SECTION 190-28 ALTERNATE PARKING:

<u>Name of Street</u>	<u>Time</u>	<u>Side</u>	<u>Location</u>
Washington Street	9:00am to 10:00 Monday through Friday	west	southerly curbline of Fifteenth Street to the northerly curbline of Eighth Street
Washington Street	8:00am to 9:00am Monday through Friday	west	southerly curbline of to Eighth Street to the southerly boundary

Section 3: 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 4: 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 5: Effective Date

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

Section 6: 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.

Proper signs shall be erected in accordance with the current “ Manual on Traffic Control Devices.”

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.

---Motion duly seconded by Councilman

---Adopted by the following vote: YEAS: 9 – NAYS: 0

---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Lenz, Mason, Mello, Russo and President Marsh.

---Nays: None.

President Marsh then adjourned the meeting at 1:53 A.M.

PRESIDENT OF THE COUNCIL

CITY CLERK