

**MEETING OF OCTOBER 20, 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, OCTOBER 20, 2010 AT 7:00 PM**

---

---

President Marsh opened the meeting at 7:02 p.m. and stated, "I would like to advise all those present that notice of this meeting has been provided to the public in accordance with the provisions of the Open Public Meeting Act, and that notice was furnished to The Jersey Journal and The Hoboken Reporter, The Record, The Newark Star - Ledger and also placed on the bulletin board in the lobby of City Hall."

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

The Clerk then called the roll:

PRESENT: Council persons Castellano, Mason, Lenz, Marsh, Mello, Russo, and Cunningham

ABSENT: Bhalla.

Councilman Giacchi has arrived at the meeting at 7:07 PM

**PUBLIC HEARING and FINAL VOTE ON ORDINANCES**

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

---

**AN ORDINANCE AMENDING HOBOKEN GENERAL CODE SECTION 128-5 ENTITLED BUSINESS LICENSES – FEES (Z-61)**

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 Bhalla

---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.

---Absent: Bhalla.

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

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

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

---Nays: None.

---ABSENT: Bhalla

**AN ORDINANCE DELETING THE CURRENT CHAPTER 133 IN ITS ENTIRETY AND REPLACING IT WITH A NEW CHAPTER 133 ENTITLED “ NOISE CONTROL” (Z-62)**

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

---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.

---Absent: Bhalla.

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

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

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

---Nays: None.

---ABSENT: Bhalla

**AN ORDINANCE TO AMEND AND SUPPLEMENT SECTIONS 190-41.1 OF THE GENERAL CODE OF THE CITY OF HOBOKEN TO AMEND THE DRIVEWAY PARKING PERMITS REQUIREMENTS (Z-63)**

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

---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.  
---Absent: Bhalla.  
President Marsh then instructed the City Clerk to call the Final Vote for the above Ordinance.

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

### **Petitions and Communications**

#### **10-645**

#### **COMMUNICATION FROM MAYOR ZIMMER REGARDING THE SINATRA NORTH ROAD COLLAPSE**

To all citizens and person within the **CITY OF HOBOKEN**, New Jersey, and to all departments, divisions, and bureaus of the municipal government of City of Hoboken, New Jersey:

WHEREAS, pursuant to the powers vested in me by Chapter 251 of the Laws of 1942 as amended and supplemented, N.J.S.A. App. A-9-30 et. seq.: N.J.S.A. 40-48-1(6), N.J.S.A. 40A:11-6, City Ordinance 60-11 and ordinances enacted pursuant thereto; N.J.S.A. 2C:33-1 et. seq.; --whichever law or laws apply, and by ordinances adopted by the City of Hoboken, I have declared that a local emergency exists within the City of Hoboken; and

WHEREAS, the aforesaid laws authorize the promulgation of such orders, laws, rules and regulations, as are necessary to meet the various problems which have or may be presented by such a emergency; and

WHEREAS, by reason of the collapse of a portion of Sinatra Drive which presently exists in the City of Hoboken which may affect the health, safety, and welfare of the people of City of Hoboken; and

WHEREAS, it has been determined that these areas of 11<sup>th</sup> to 15<sup>th</sup> Streets on Sinatra Drive should be then declared emergency areas, and further that certain measures must be taken to insure that the authorities will be unhampered in their efforts to maintain law and order as well as an orderly flow of traffic and further to protect the persons and property of the residents affected by the conditions; and

WHEREAS, the following areas of the City of Hoboken are designated emergency areas: 11<sup>th</sup> to 15<sup>th</sup> Streets on Sinatra Drive.

NOW, THEREFORE, IN ACCORDANCE WITH the aforesaid laws, we do hereby promulgate and declare the following regulations: (1) no parking in areas listed, (2) no driving in areas listed, (3) no walking in areas listed, and (4) no deliveries in area listed; which regulations shall be in addition to all other laws of the State of New Jersey of the City of Hoboken.

Received and Filed.

**10-645A**

Communication from Thomas H. Neff, Director of Local Government Services informing the City of Hoboken that they are no longer under State Supervision

Received and Filed.

**APPLICATIONS FOR MISCELLANEOUS LICENSES**

**10-646**

---By Councilman Lenz

Raffles-----1

---duly seconded by Councilman Cunningham

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

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

Nays: None

Absent: Bhalla.

**10-647**

---By Councilman Lenz

Claims for this agenda Total - **\$20,812.50 (PO# 10-02706) = ~~\$1,092,588.15~~  
(with amendment excluding Claim No. 11-00025) \$1,077,030.96**

---duly seconded by Councilman Cunningham

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

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

---Nays: None.

---Absent: Bhalla

**10-648**

---By Councilman Lenz

**For the two week period starting September 16, 2010 – September 29, 2010**

<b>Regular Payroll</b>	<b>O/T Pay</b>	<b>Pay</b>
\$1,468,548.56	\$41,178.21	\$1,615,352.60

---duly seconded by Councilman Cunningham

---Adopted by the following vote: YEAS: 9 - NAYS: 0 – ABSENT -1

---Yeas: Council persons Castellano, Cunningham, Giacchi, Lenz, Mason, Mello, Russo, and President Marsh.  
---Nays: None.  
---Absent: Bhalla,

---

**RESOLUTIONS**

**Presented and Read**

**10-649**

---Councilman Lenz

**RESOLUTION AUTHORIZING CONTINUATION OF THE CONTRACT AND PAYMENT FOR THE FINAL PHASE OF THE CONTRACT WITH REMINGTON & VERNICK FOR DESIGN & ENGINEERING SERVICES FOR CONSTRUCTION OF A SEPTEMBER 11<sup>TH</sup> MEMORIAL ON PIER A**

**WHEREAS**, the City of Hoboken was previously awarded a grant for the construction of a September 11<sup>th</sup> Memorial on Pier A; and ,

**WHEREAS**, the City Council previously authorized a contract with Remington & Vernick for the initial phases of the project, which resolution was dated December 2, 2009 and which awarded Twenty Eight Thousand (\$28,000) Dollars of the total contractual and bid specification amount of Fifty Eight Thousand (\$58,000) Dollars; and,

**WHEREAS**, the project is now entering its final phase, for which Remington & Vernick must be paid the remaining amount of the contract, pursuant to the bid specifications, which amounts to Thirty Thousand Seven Hundred Twenty (\$30,720.00) Dollars.

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Hoboken, hereby authorizes payment to Remington & Vernick of the remaining Thirty Thousand Seven Hundred Twenty (\$30,720.00) Dollars; and,

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to take any other actions necessary to complete and realize the intent and purpose of this resolution;

**BE IT FURTHER RESOLVED** that the Council of the City of Hoboken hereby authorizes continuation and completion of the final phase of the contract.

---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.

---Absent: Bhalla

**10-650**

---By Councilman Lenz

**SCHEDULING PUBLIC HEARING TO DISCUSS CONCEPTUAL DESIGN FOR CONSTRUCTION OF A SEPTEMBER 11 MEMORIAL TO BE LOCATED ON PIER A**

**WHEREAS**, the City of Hoboken has been awarded a grant from the Department of Community Affairs for the Construction of a September 11<sup>th</sup> Memorial; and

**WHEREAS**, a design had been selected by the September 11<sup>th</sup> Committee which would have constructed a walkway from Pier A to a newly constructed Pier on which the Memorial would be constructed of tempered glass with the names of the 57 Hoboken residents lost on 9/11; and

**WHEREAS**, preliminary cost estimates received by the Committee to construct such walkway and new Pier would far exceed the remaining available grant funds of \$250,000; and

**WHEREAS**, due to the original concept being cost-prohibitive, the City of Hoboken September 11<sup>th</sup> Committee desires the placement of a modified Memorial on Pier A; and

**WHEREAS**, the City Council desires to make the decision on the final location of the memorial, being respectful of the September 11<sup>th</sup> Committee' s public process on such; and

**WHEREAS**, the City Ordinance DR-363 requires that a public hearing be held for a change in purpose or use of parkland.

**NOW THEREFORE BE IT RESOLVED**, that the Council of the City of Hoboken does hereby officially schedule the public hearing to discuss the conceptual design and placement of the proposed September 11 Memorial to be located on Pier A; and

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

1. The public hearing be held on Tuesday, November 30, 2010 at 6:00 p.m. in the basement conference room at City Hall, 94 Washington Street opposite the violations department; and
2. The City Clerk is directed to provide proper notice of this public hearing as designated in Ordinance DR-363 at least 30 days prior to the hearing; and
3. The conceptual drawings are to be made available to the public via the City of Hoboken website and in the City Clerk' s office in advance of the public hearing; and
4. This resolution shall take effect immediately.

---Motion duly seconded by Councilman Cunningham.

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

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

---Nays: Giacchi, Russo.

---Absent: Bhalla.

**10-651**

---By Councilman Lenz

**Inserting a Special Item of Revenue into the TY 2010 Municipal Budget –  
HOBOKEN 911 MEMORIAL FUND – TY 2010**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any county or municipality when such item shall have been made available By law and the amount thereof was not determined at the time of the adoption of the Budget, and

**WHEREAS**, said Director may also approve the insertion of an item of Appropriation for an equal amount, and

**WHEREAS**, the City of Hoboken has received notice of an award of \$250,000.00 from N.J. Department of Community Affairs, Div of Local Govt. to amend its TY 2010 Budget to include this amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, hereby requests the Director Of the Division of Local Government Services to approve the insertion of an item of Revenue in the budget of the year TY 2010 in the sum of.....\$250,000.00

This is now available as revenue from:

Miscellaneous Revenues:

- Special Items of General Revenue Anticipated
- With Prior Written Consent of the Director of the
- Division of Local Government Services:
- State and Federal Revenues Off-set with
- Appropriations:
- Hoboken 911 Memorial Fund O/E

**NOW, THEREFORE, BE IT RESOLVED** that the like sum of: \$250,000.00 Be and the same is hereby appropriated under the caption of:

General Appropriations:

- (a) Operations Excluded from CAPS
- State and Federal Programs Off-Set by
- Revenues:
- Hoboken 911 Memorial Fund O/E
- Other Expenses

**NOW, THEREFORE, BE IT RESOLVED**, that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

---Motion duly seconded by Councilman Cunningham

---Adopted by the following vote: YEAS: 9 - NAYS: 0 – Absent: 1

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

---Nays: None.

---Absent: Bhalla

**10-652**

---By Councilman Lenz

**RESOLUTION AUTHORIZING CONTRACTS FOR SPECIAL COUNSEL TO THE CITY OF HOBOKEN FOR A PERIOD OF ONE (1) YEAR**

**WHEREAS**, a Request for Qualifications to perform legal services for the City in various areas was published in September of 2010; and

**WHEREAS**, responses to said Request were received by the deadline of 4:00 p.m. on October 15, 2010; and

**WHEREAS**, a contract for the performance of legal services may be entered without competitive bidding in accordance with N.J.S.A. 40A:11-5(1)(a)(i); and

**WHEREAS**, the procedure followed in solicitation of qualifications was in accordance with the Fair and Open Process pursuant to N.J.S.A. 19:44A-20.5 and Hoboken City Ordinance 20A-4; and

**WHEREAS**, it is in the best interests of the City to award a one (1) year contract for the performance of legal services on an as needed basis to the below named Law Firm in the area(s) referenced.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF HOBOKEN** that contracts for legal services on an as needed basis are hereby awarded to the following Law Firm in the following area(s) of expertise:

**Chasan, Leyner, & Lamparello, P.C.**

300 Harmon Meadow Boulevard

Secaucus, New Jersey 07094

***General Litigation***

**BE IT FURTHER RESOLVED** that said contract shall be for a period of one (1) year commencing October 21, 2010.

**BE IT FURTHER RESOLVED** that the above listed Law Firm, including firm members and associates where applicable, shall be paid for such services at the rate of \$150.00 per hour together with reimbursement for reasonable disbursements, the total appropriation for all legal service providers approved in Resolutions 4A, 4B, 4C and 4D of October 20, 2010 will not exceed the budgeted amount for outside counsel services.

**BE IT FURTHER RESOLVED** that the Municipal Clerk shall publish a notice of these contracts as required by law.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to the above mentioned attorneys.

---Motion duly seconded by Councilman Cunningham

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

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

---Nays: Castellano, Mason, Russo.

---Absent: Bhalla

**10-653**

---By President Lenz

**RESOLUTION AUTHORIZING CONTRACTS FOR SPECIAL COUNSEL TO THE CITY OF HOBOKEN FOR A PERIOD OF ONE (1) YEAR**

**WHEREAS**, a Request for Qualifications to perform legal services for the City in various areas was published in September of 2010; and

**WHEREAS**, responses to said Request were received by the deadline of 4:00 p.m. on October 15, 2010; and

**WHEREAS**, a contract for the performance of legal services may be entered without competitive bidding in accordance with N.J.S.A. 40A:11-5(1)(a)(i); and

**WHEREAS**, the procedure followed in solicitation of qualifications was in accordance with the Fair and Open Process pursuant to N.J.S.A. 19:44A-20.5 and Hoboken City Ordinance 20A-4; and

**WHEREAS**, it is in the best interests of the City to award a one (1) year contract for the performance of legal services on an as needed basis to the below named Law Firm in the area(s) referenced.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF HOBOKEN** that contracts for legal services on an as needed basis are hereby awarded to the following Law Firm in the following area(s) of expertise:

**Florio & Kenny, LLP**  
100 Hudson Street  
PO BOX 771  
Hoboken, New Jersey 07030  
*General Litigation*

**BE IT FURTHER RESOLVED** that said contract shall be for a period of one (1) year commencing October 21, 2010.

**BE IT FURTHER RESOLVED** that the above listed Law Firm, including firm members and associates where applicable, shall be paid for such services at the rate of \$150.00 per hour together with reimbursement for reasonable disbursements, the total appropriation for all legal service providers approved in Resolutions 4A, 4B, 4C and 4D of October 20, 2010 will not exceed the budgeted amount for outside counsel services.

**BE IT FURTHER RESOLVED** that the Municipal Clerk shall publish a notice of these contracts as required by law.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to the above mentioned attorneys.

---Motion duly seconded by Councilman Cunningham.

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

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

---Nays: None.

**10-654**

---By Councilman Lenz

**RESOLUTION AUTHORIZING CONTRACTS FOR SPECIAL COUNSEL TO THE CITY OF HOBOKEN FOR A PERIOD OF ONE (1) YEAR**

**WHEREAS**, a Request for Qualifications to perform legal services for the City in various areas was published in September of 2010; and

**WHEREAS**, responses to said Request were received by the deadline of 4:00 p.m. on October 15, 2010; and

**WHEREAS**, a contract for the performance of legal services may be entered without competitive bidding in accordance with N.J.S.A. 40A:11-5(1)(a)(i); and

**WHEREAS**, the procedure followed in solicitation of qualifications was in accordance with the Fair and Open Process pursuant to N.J.S.A. 19:44A-20.5 and Hoboken City Ordinance 20A-4; and

**WHEREAS**, it is in the best interests of the City to award a one (1) year contract for the performance of legal services on an as needed basis to the below named Law Firm in the area(s) referenced.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF HOBOKEN** that contracts for legal services on an as needed basis are hereby awarded to the following Law Firm in the following area(s) of expertise:

**Weiner Lesniak**  
629 Parsippany Road  
P.O. Box 0438  
Parsippany, New Jersey 07054  
*General Litigation*  
*Land Use*

**BE IT FURTHER RESOLVED** that said contract shall be for a period of one (1) year commencing October 21, 2010.

**BE IT FURTHER RESOLVED** that the above listed Law Firm, including firm members and associates where applicable, shall be paid for such services at the rate of \$150.00 per hour together with reimbursement for reasonable disbursements, the total appropriation for all legal service providers approved in Resolutions 4A, 4B, 4C and 4D of October 20, 2010 will not exceed the budgeted amount for outside counsel services.

**BE IT FURTHER RESOLVED** that the Municipal Clerk shall publish a notice of these contracts as required by law.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to the above mentioned attorneys.

---Motion duly seconded by Councilman Cunningham

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

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

---Nays: Castellano, Mason, Russo.

**10-655**

---By Councilman Lenz

**Inserting a Special Item of Revenue into the TY 2010 Municipal Budget**

**BODY ARMOR REPLACEMENT FUND PROGRAM – TY 2010**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any county or municipality when such item shall have been made available By law and the amount thereof was not determined at the time of the adoption of the Budget, and

**WHEREAS**, said Director may also approve the insertion of an item of Appropriation for an equal amount, and

**WHEREAS**, the City of Hoboken has received notice of an award of \$12,642.44 from State of N.J., Division of Criminal Justice to amend its TY 2010 Budget to include this amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, hereby requests the Director Of the Division of Local Government Services to approve the insertion of an item of Revenue in the budget of the year TY 2010 in the sum of.....\$12,642.44 This is now available as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated  
With Prior Written Consent of the Director of the  
Division of Local Government Services:

State and Federal Revenues Off-set with  
Appropriations:

Body Armor Replacement Grant O/E

**NOW, THEREFORE, BE IT RESOLVED** that the like sum of: \$12,642.44 Be and the same is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from CAPS

State and Federal Programs Off-Set by  
Revenues:

Body Armor Replacement Grant  
Other Expenses

**NOW, THEREFORE, BE IT RESOLVED**, that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

---Motion duly seconded by Councilman Cunningham

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

---Yeas: Council persons Castellano, Cunningham, Marsh Mello, Russo and President Marsh.

---Nays: None.

---Absent: Bhalla

**10-656**

---By Councilman Lenz

**Inserting a Special Item of Revenue into the TY 2010 Municipal Budget**

**FIRE DEPARTMENT SAFER GRANT – TY 2010**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any county or municipality when such item shall have been made available By law and the amount thereof was not determined at the time of the adoption of the Budget, and

**WHEREAS**, said Director may also approve the insertion of an item of Appropriation for an equal amount, and

**WHEREAS**, the City of Hoboken has received notice of an award of \$54,433.50 from Federal Government, Department of Homeland Security to amend its TY 2010 Budget to include this amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, hereby requests the Director Of the Division of Local Government Services to approve the insertion of an item of Revenue in the budget of the year TY 2010 in the sum of.....\$54,433.50 This is now available as revenue from:

Miscellaneous Revenues:

- Special Items of General Revenue Anticipated
- With Prior Written Consent of the Director of the
- Division of Local Government Services:
- State and Federal Revenues Off-set with
- Appropriations:
- Fire Department Safer Grant 2010 O/E

**NOW, THEREFORE, BE IT RESOLVED** that the like sum of: \$54,433.50 Be and the same is hereby appropriated under the caption of:

General Appropriations:

- (a) Operations Excluded from CAPS
- State and Federal Programs Off-Set by
- Revenues:
- Fire Department Safer 2010 O/E
- Other Expenses

**NOW, THEREFORE, BE IT RESOLVED**, that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

The speakers who spoke: Moe DeGennaro, Scott Siegel, Richard Tremitedi.

---Motion duly seconded by Councilman Cunningham

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

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

---Nays: None.

---Absent: Bhalla, Lenz, Mason.

Councilwoman Mason has left the table at 8:51 PM  
Councilwoman Mason has returned to the table at 8:54 PM

Councilman Lenz has left the table at 8:52 PM  
Councilman Lenz has returned to the table at 8:55 PM

**10-657**

---By Councilman Lenz

**Inserting a Special Item of Revenue into the TY 2010 Municipal Budget**

**HOBOKEN POLICE ATHLETIC LEAGUE – TY 2010**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any county or municipality when such item shall have been made available By law and the amount thereof was not determined at the time of the adoption of the Budget, and

**WHEREAS**, said Director may also approve the insertion of an item of Appropriation for an equal amount, and

**WHEREAS**, the City of Hoboken has received notice of an award of \$30,000.00 from Police Athletic League N.J., Office if Juvenile Justice Programs to amend its TY 2010 Budget to include this amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, hereby requests the Director Of the Division of Local Government Services to approve the insertion of an item of Revenue in the budget of the year TY 2010 in the sum of.....\$30,000.00  
This is now available as revenue from:

Miscellaneous Revenues:

- Special Items of General Revenue Anticipated
- With Prior Written Consent of the Director of the
- Division of Local Government Services:
- State and Federal Revenues Off-set with
- Appropriations:
- Hoboken Police Athletic League O/E

**NOW, THEREFORE, BE IT RESOLVED** that the like sum of: \$30,000.00  
Be and the same is hereby appropriated under the caption of:

General Appropriations:

- (a) Operations Excluded from CAPS
- State and Federal Programs Off-Set by
- Revenues:
- Hoboken Police Athletic League O/E
- Other Expenses

**NOW, THEREFORE, BE IT RESOLVED**, that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

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

**10-658**

---By Councilman Lenz

**Inserting a Special Item of Revenue into the TY 2010 Municipal Budget**

**JUSTICE ASISTANCE GRANT 2010 – TY 2010**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any county or municipality when such item shall have been made available By law and the amount thereof was not determined at the time of the adoption of the Budget, and

**WHEREAS**, said Director may also approve the insertion of an item of Appropriation for an equal amount, and

**WHEREAS**, the City of Hoboken has received notice of an award of \$20,858.00 from Hudson County Grant, Office of the Hudson County Prosecutor to amend its TY 2010 Budget to include this amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, hereby requests the Director Of the Division of Local Government Services to approve the insertion of an item of Revenue in the budget of the year TY 2010 in the sum of.....\$20,858.00  
This is now available as revenue from:

- Miscellaneous Revenues:
  - Special Items of General Revenue Anticipated
  - With Prior Written Consent of the Director of the
  - Division of Local Government Services:
    - State and Federal Revenues Off-set with
    - Appropriations:
      - Justice Assistance Grant 2010 O/E

**NOW, THEREFORE, BE IT RESOLVED** that the like sum of: \$20,858.00 Be and the same is hereby appropriated under the caption of:

- General Appropriations:
  - (a) Operations Excluded from CAPS
    - State and Federal Programs Off-Set by
    - Revenues:
      - Justice Assistance Grant O/E
      - Other Expenses

**NOW, THEREFORE, BE IT RESOLVED**, that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

---Motion duly seconded by Councilman Cunningham

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

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

---Nays: None.

---Absent: Bhalla

**10-659**

---By Councilman Lenz

**Inserting a Special Item of Revenue into the TY 2010 Municipal Budget**

**OVER THE LIMIT UNDER ARREST IMPAIRED DRIVING CRACKDOWN GRANT –  
TY 2010**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any county or municipality when such item shall have been made available By law and the amount thereof was not determined at the time of the adoption of the Budget, and

**WHEREAS**, said Director may also approve the insertion of an item of Appropriation for an equal amount, and

**WHEREAS**, the City of Hoboken has received notice of an award of \$4,400.00 from State of N.J., Division of Highway Safety to amend its TY 2010 Budget to include this amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, hereby requests the Director Of the Division of Local Government Services to approve the insertion of an item of Revenue in the budget of the year TY 2010 in the sum of.....\$4,400.00

This is now available as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated  
With Prior Written Consent of the Director of the  
Division of Local Government Services:

State and Federal Revenues Off-set with  
Appropriations:

Over Limit Under Arrest Grant 2010 O/E

**NOW, THEREFORE, BE IT RESOLVED** that the like sum of: \$4,400.00 Be and the same is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from CAPS

State and Federal Programs Off-Set by  
Revenues:

Over Limit Under Arrest Grant 2010 O/E

Other Expenses

**NOW, THEREFORE, BE IT RESOLVED**, that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

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

**10-660**

---By Councilman Lenz

**Inserting a Special Item of Revenue into the TY 2010 Municipal Budget**

**MUNICIPAL COURT ALCOHOL EDUCATION, REHABILITATION AND ENFORCEMENT FUND (2009 DWI) – TY 2010**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any county or municipality when such item shall have been made available By law and the amount thereof was not determined at the time of the adoption of the Budget, and

**WHEREAS**, said Director may also approve the insertion of an item of Appropriation for an equal amount, and

**WHEREAS**, the City of Hoboken has received notice of an award of \$1,253.06 from State of N.J. Administrative Office of Courts to amend its TY 2010 Budget to include this amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, hereby requests the Director Of the Division of Local Government Services to approve the insertion of an item of Revenue in the budget of the year TY 2010 in the sum of.....\$1,253.06  
This is now available as revenue from:

- Miscellaneous Revenues:
  - Special Items of General Revenue Anticipated
  - With Prior Written Consent of the Director of the
  - Division of Local Government Services:
    - State and Federal Revenues Off-set with
    - Appropriations:
      - State Alcohol Ed Rehab O/E

**NOW, THEREFORE, BE IT RESOLVED** that the like sum of: \$1,253.06 Be and the same is hereby appropriated under the caption of:  
General Appropriations:

- (a) Operations Excluded from CAPS
  - State and Federal Programs Off-Set by
  - Revenues:
    - State Alcohol Ed Rehab O/E

Other Expenses

**NOW, THEREFORE, BE IT RESOLVED**, that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

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

**10-661**

---By Councilman Lenz

**Inserting a Special Item of Revenue into the TY 2010 Municipal Budget**

**MUNICIPAL COURT ALCOHOL EDUCATION, REHABILITATION AND ENFORCEMENT FUND (DWI) – TY 2010**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any county or municipality when such item shall have been made available By law and the amount thereof was not determined at the time of the adoption of the Budget, and

**WHEREAS**, said Director may also approve the insertion of an item of Appropriation for an equal amount, and

**WHEREAS**, the City of Hoboken has received notice of an award of \$955.19 from State of N.J., Administrative Office of the Courts to amend its TY 2010 Budget to include this amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, hereby requests the Director Of the Division of Local Government Services to approve the insertion of an item of Revenue in the budget of the year TY 2010 in the sum of.....\$955.19  
This is now available as revenue from:

- Miscellaneous Revenues:
  - Special Items of General Revenue Anticipated
  - With Prior Written Consent of the Director of the
  - Division of Local Government Services:
    - State and Federal Revenues Off-set with
    - Appropriations:
      - State Alcohol Ed Rehab O/E

**NOW, THEREFORE, BE IT RESOLVED** that the like sum of: \$955.19 Be and the same is hereby appropriated under the caption of:  
General Appropriations:

- (a) Operations Excluded from CAPS
  - State and Federal Programs Off-Set by

Revenues:  
State Alcohol Ed Rehab O/E  
Other Expenses

**NOW, THEREFORE, BE IT RESOLVED**, that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

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

**10-662**

---By Councilman Lenz

**Inserting a Special Item of Revenue into the TY 2010 Municipal Budget**

**SUMMER FOOD SERVICE PROGRAM – TY 2010**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any county or municipality when such item shall have been made available By law and the amount thereof was not determined at the time of the adoption of the Budget, and

**WHEREAS**, said Director may also approve the insertion of an item of Appropriation for an equal amount, and

**WHEREAS**, the City of Hoboken has received notice of an award of \$31,373.66 from State of New Jersey, Department of Agriculture to amend its TY 2010 Budget to include this amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, hereby requests the Director Of the Division of Local Government Services to approve the insertion of an item of Revenue in the budget of the year TY 2010 in the sum of.....\$31,373.66  
This is now available as revenue from:  
Miscellaneous Revenues:

Special Items of General Revenue Anticipated  
With Prior Written Consent of the Director of the  
Division of Local Government Services:  
State and Federal Revenues Off-set with  
Appropriations:  
Summer Food Program Grant 2010 O/E

**NOW, THEREFORE, BE IT RESOLVED** that the like sum of: \$31,373.66 Be and the same is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from CAPS

State and Federal Programs Off-Set by  
Revenues:

Summer Food Program Grant 2010 O/E  
Other Expenses

**NOW, THEREFORE, BE IT RESOLVED**, that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

---Motion duly seconded by Councilman Cunningham.

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

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

---Nays: None.

---Absent: Bhalla

**10-663**

---By Councilman Lenz

**Inserting a Special Item of Revenue into the TY 2010 Municipal Budget**

**RECYCLING TONNAGE GRANT 2008 – TY 2010**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any county or municipality when such item shall have been made available By law and the amount thereof was not determined at the time of the adoption of the Budget, and

**WHEREAS**, said Director may also approve the insertion of an item of Appropriation for an equal amount, and

**WHEREAS**, the City of Hoboken has received notice of an award of \$25,021.15 from State of N.J., Department of Environmental Protection to amend its TY 2010 Budget to include this amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, hereby requests the Director Of the Division of Local Government Services to approve the insertion of an item of Revenue in the budget of the year TY 2010 in the sum of.....\$25,021.15  
This is now available as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated  
With Prior Written Consent of the Director of the  
Division of Local Government Services:

State and Federal Revenues Off-set with  
Appropriations:  
Recycling Tonnage Grant 2008 O/E

**NOW, THEREFORE, BE IT RESOLVED** that the like sum of: \$25,021.15

Be and the same is hereby appropriated under the caption of:  
General Appropriations:

- (a) Operations Excluded from CAPS
  - State and Federal Programs Off-Set by
  - Revenues:
    - Recycling Tonnage Grant 2008 O/E
    - Other Expenses

**NOW, THEREFORE, BE IT RESOLVED**, that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

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

**10-664**

---By Councilman Lenz

**Inserting a Special Item of Revenue into the TY 2010 Municipal Budget**

**FORESTRY GRANT – TY 2010**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any county or municipality when such item shall have been made available By law and the amount thereof was not determined at the time of the adoption of the Budget, and

**WHEREAS**, said Director may also approve the insertion of an item of Appropriation for an equal amount, and

**WHEREAS**, the City of Hoboken has received notice of an award of \$6,500.00 from State of N.J., Department of Environmental Protection to amend its TY 2010 Budget to include this amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, hereby requests the Director Of the Division of Local Government Services to approve the insertion of an item of Revenue in the budget of the year TY 2010 in the sum of.....\$6,500.00  
This is now available as revenue from:

- Miscellaneous Revenues:
  - Special Items of General Revenue Anticipated
  - With Prior Written Consent of the Director of the
  - Division of Local Government Services:
    - State and Federal Revenues Off-set with
    - Appropriations:
      - Forestry Grant O/E

**NOW, THEREFORE, BE IT RESOLVED** that the like sum of: \$6,500.00  
Be and the same is hereby appropriated under the caption of:  
General Appropriations:

- (a) Operations Excluded from CAPS
  - State and Federal Programs Off-Set by
  - Revenues:
    - Forestry Grant O/E
    - Other Expenses

**NOW, THEREFORE, BE IT RESOLVED**, that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

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

**10-665**

---By President Marsh

**RESOLUTION AMENDING THE PROPOSED AREA IN NEED OF REDEVELOPMENT (SOUTHWEST AREA/PROPOSED “IT” ZONING DISTRICT) AND AUTHORIZING THE PLANNING BOARD OF THE CITY OF HOBOKEN TO CONDUCT A PRELIMINARY INVESTIGATION OF THE AMENDED PROPOSED AREA IN NEED OF REDEVELOPMENT IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ., AND TO PROVIDE RECOMMENDATIONS TO THE CITY COUNCIL**

**WHEREAS**, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.* as amended from time to time (the “**Redevelopment Law**”), the City Council (the “**City Council**”) of the City of Hoboken (the “**City**”) may direct the Planning Board to conduct a preliminary investigation and public hearing to determine whether certain areas of the City constitute areas in need of redevelopment; and

**WHEREAS**, on October 21, 2009, the City Council adopted a resolution entitled, “Resolution Authorizing the Planning Board of the City of Hoboken to Conduct a Preliminary Investigation of Proposed Area in Need of Redevelopment (Southwest Area/Proposed “IT” Zoning District) in Accordance with Local Redevelopment and Housing Law and to Provide Recommendations to the City Council” (the “**Original Resolution**”) directing the Planning Board to undertake an investigation of the area more commonly known as (all lots in each block inclusive) Blocks 3, 3.1, 3.2, 139.1, 4, 5, 6, 7, 8, 8.1, 9, 10, 11, 12, 14 and 23 on the tax map of the City (the “**Original Study Area**”); and

**WHEREAS**, pursuant to the Original Resolution, the Planning Board commenced the investigation of the Original Study Area in accordance with the provisions of Section 6 of the Redevelopment Law, specifically N.J.S.A. 40A:12A- 6; and

**WHEREAS**, on September 8, 2010, Clarke Caton Hintz, the planners hired by the Planning Board to investigate the Original Study Area (the “**Planners**”), issued a letter recommending the removal of the area commonly known as (all lots in each block inclusive) Blocks 7 and 8 on the tax map of the City based on a preliminary review and assessment that those areas have recently been redeveloped with multi-family residential uses; and

**WHEREAS**, based upon the recommendation of the Planners, the City Council has determined to amend the Original Resolution directing the Planning Board to investigate the following area more commonly known as (all lots in each block inclusive) Blocks 3, 3.1, 3.2, 139.1, 4, 5, 6, 8.1, 9, 10, 11, 12, 14 and 23 on the tax map of the City (the “**Amended Study Area**”); and

**WHEREAS**, upon the completion of the preliminary investigation and public hearing, the Planning Board shall provide recommendations to the City Council as to its investigation of the Amended Study Area, all in accordance with Section 6 of the Redevelopment Law, specifically *N.J.S.A. 40A:12A- 6*.

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

1. The Planning Board is hereby authorized and directed to conduct a preliminary investigation pursuant to Section 6 of the Redevelopment Law, specifically, *N.J.S.A. 40A:12A-6*, to determine whether the Amended Study Area satisfies the criteria set forth in Section 5 of the Redevelopment Law, specifically, *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment.

2. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Amended Study Area and the location of the various parcels contained therein. There shall be a statement appended to the map setting forth the basis for the investigation.

3. The Planning Board shall conduct a public hearing, after giving due notice of the proposed boundaries of the Amended Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the area delineated in the notice is a redevelopment area in accordance with the requirements of Section 6 of the Redevelopment Law, specifically *N.J.S.A. 40A:12A- 6*.

4. At the hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Amended Study Area is a redevelopment area. All objections to a determination that the Amended Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

5. After conducting its investigation, preparing a map of the Amended Study Area, conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the City Council as to whether the City Council should designate all or a portion of the Amended Study Area as an area in need of redevelopment pursuant to the Redevelopment Law.

6. Notice all property owners within 200’ of the Amended Redevelopment Study Area of hearings in connection with this matter.

7. This Resolution shall take effect immediately.

The speakers who spoke: Dennis Shah, Lane Bajardi, Scott Siegel.

---Motion duly seconded by Councilman Mello

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

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

---Nays: None.

---Absent: Bhalla

**10-666**

---By Councilman Mello

**A RESOLUTION APPROVING PARTICIPATION WITH THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION THROUGH THE NEW JERSEY DIVISION OF HIGHWAY SAFETY.**

**WHEREAS**, the **City of Hoboken** is interested in participating in a program with the N.J. Division of Highway Traffic Safety to reduce pedestrian injuries through education, enforcement, and engineering, and

**WHEREAS**, the **City of Hoboken** wishes to receive approved funding for a project under the New Jersey Division of Highway Traffic Safety in the amount **\$15,000. for the FY2011 Walk Safe Hoboken Program.**, and

**WHEREAS**, the **Hoboken City Council** has reviewed and approved the submission of the initial application, and

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

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

- 1) The Mayor or her designee is authorized to execute the above referenced grant approval, and all other documents to fulfill the intent of the application.
  
- 2) As a matter of public policy, the **City of Hoboken**, wishes to participate to the fullest extent possible with the N.J. Division of Highway Traffic Safety.

---Motion duly seconded by Councilman Giacchi

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

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

---Nays: None.

---Absent: Bhalla

**10-667**

---By Councilman Mello

**A RESOLUTION APPROVING PARTICIPATION WITH THE NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY.**

**Over the Limit Under Arrest 2010 Year End Statewide Crackdown**

**WHEREAS**, the City of Hoboken is interested in participating with the N.J. Division of Highway Traffic Safety and supporting their **Over the Limit Under Arrest 2010 year end Statewide Crackdown**, and

**WHEREAS**, 25% of motor vehicle fatalities in New Jersey are alcohol related , and

**WHEREAS**, impaired drivers on our nation' s roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year, and

**WHEREAS**, the end of the year is traditionally a time of social gatherings which often include alcohol , an enforcement crackdown is planned to combat impaired driving, and

**WHEREAS**, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the Over the Limit Under Arrest 2009 Year End Statewide Crackdown from December 6 2010 through January 2 2011 in an effort to increase impaired driving enforcement , and

**WHEREAS**, a further increase in the awareness of the dangers of drinking and driving in New Jersey will save lives on our roadway.

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

- 1) The Mayor or her designee is authorized to execute the above reference grant application, and all other documents to fulfill the intent of the application.
  
- 2) As a matter of public policy, the City of Hoboken wishes to participate to the fullest extent possible with the **Over the Limit Under Arrest 2010 Year End Statewide Crackdown** both locally and nationally from December 6 2010 through January 2 2011 and pledges to increase awareness of the dangers of drinking and driving

---Motion duly seconded by Councilman Giacchi

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

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

---Nays: None.

---Absent: Bhalla

**10-668**

---By Councilman Lenz

**THIS RESOLUTION AWARDS A CONTRACT TO MALL CHEVROLET, FOR PROVIDING FIVE (5) 2011 CHEVROLET IMPALA POLICE CARS TO THE CITY IN ACCORDANCE WITH THE SPECIFICATIONS IN THE ATTACHED PROPOSAL.**

WHEREAS, the City is desirous of maintaining a, modern, functioning public safety fleet, and,

WHEREAS, this fleet, over time, must be replaced, and

WHEREAS, the last police cruiser purchased by the City was a 2005 model,

NOW THEREFORE BE IT RESOLVED as follows:

- A. This resolution awards a contract to Mall Chevrolet in an amount not to exceed \$150,000.00, for the provision of the five (5) 2011 Impalas outlined in 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 Mall Chevrolet.
- C. This resolution shall take effect immediately upon passage.

The speakers who spoke: Helen Hirsch, Scott Siegel.

---Motion duly seconded by Councilman Cunningham.

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

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

---Nays: None.

---Absent: Bhalla

**10-669**

---By Councilman Lenz

**RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS**

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

**WHEREAS**, Sharon Curran, Collector of Revenue recommends that refunds be made;

**NOW THEREFORE BE IT RESOLVED**, that a warrant be drawn on the City Treasurer made payable to the following totaling **\$29,181.23**

<u>NAME</u>	<u>BL/LT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
AVALON TITLE AGENCY LLC 315 ROUTE 34, SUITE 123 COLTS NECK, NJ 07722	16/21/C000A	555 FIRST ST	2/10	\$ 4,222.04
HARMAN, LISE 127 CLINTON ST #4 HOBOKEN, NJ 07030	33/13/C0004	127 CLINTON ST	3/10	\$ 3,032.90
CORLOGIC INC 1 CORELOGIC DR ATT: REFUND DEPT WESTLAKE, TX 76262	43/26/C004R	218 WILLOW AVE	4/09	\$ 1,372.33
WELLS FARGO HOME MORTGAGE	48/8/C0001	315 MONROE SR	4/09	\$ 5,666.76

MAC X2302-04D, TAX DEPT  
1 HOME CAMPUS  
DES MOINES, IA 50328

KIM, BRYAN J & JENNIFER 95/25/C002H 313-1315 WILLOW 2/10 \$ 2,109.64  
904 JEFFERSON ST #2H  
HOBOKEN, NJ 07030

CONTICELLO, MICHAEL 114/1/C0506 1300 GRAND ST 4/09 \$ 109.79  
192 RECKLESSTOWN WAY  
CHESTERFIELD, NJ 08515

BAC TAX SERVICES 152/1/C005B 701-709 GRAND ST 4/09 \$ 1,015.80  
P O BOX 5012  
WOODLAND HILLS, CA 91365

BAC TAX SERVICES 177/18/ 207 SECOND ST 2/10 & 3/10 \$ 6,830.72  
ATT: OLAF E AVINA  
177 HOLSTON DRIVE  
LANCASTER, CA 93536

F & S INVESTMENTS LLC 268.1/3/C002U 1500 HUDSON ST 2/10 & 3/10 \$ 4,821.25  
203 CHURCH ST  
NAUGATUCK, CT 06770

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

**10-670**

---By Councilman Lenz

**RESOLUTION AUTHORIZING THE CITY TAX COLLECTOR TO ISSUE DUPLICATE CERTIFICATE OF TAX SALE**

WHEREAS, pursuant to N.J.S.A. 54:5-52.1, the Tax Collector may, if duly authorized by resolution of the governing body, issue and execute a new municipal certificate of tax sale in place of one which has been misplaced or lost;

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that the Tax Collector be and is hereby authorized pursuant to N.J.S.A. 54:5-52.1 to issue a duplicate municipal certificate of tax sale for Certificate # 51, Lot No. 33 in Block 158.1, commonly described as North Willow Court, predicated upon and including the following information:

1. A statement that is a duplicate of the original one which was misplaced or lost;
2. The date of the tax sale upon which it was issued; and
3. The name and title of the officer who issued same; and, be it further –

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

**10-671**

---By Councilman Lenz

**RESOLUTION AUTHORIZING THE CITY TAX COLLECTOR TO ISSUE DUPLICATE CERTIFICATE OF TAX SALE**

WHEREAS, pursuant to N.J.S.A. 54:5-52.1, the Tax Collector may, if duly authorized by resolution of the governing body, issue and execute a new municipal certificate of tax sale in place of one which has been misplaced or lost;

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that the Tax Collector be and is hereby authorized pursuant to N.J.S.A. 54:5-52.1 to issue a duplicate municipal certificate of tax sale for Certificate # 52, Lot No. 24 in Block 158, commonly described as so. Willow Court, predicated upon and including the following information:

1. A statement that is a duplicate of the original one which was misplaced or lost;
2. The date of the tax sale upon which it was issued; and
3. The name and title of the officer who issued same; and, be it further –

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

**10-672**

---By Councilman Lenz

**RESOLUTION AUTHORIZING THE CITY TAX COLLECTOR TO ISSUE DUPLICATE CERTIFICATE OF TAX SALE**

WHEREAS, pursuant to N.J.S.A. 54:5-52.1, the Tax Collector may, if duly authorized by resolution of the governing body, issue and execute a new municipal certificate of tax sale in place of one which has been misplaced or lost;

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that the Tax Collector be and is hereby authorized pursuant to N.J.S.A. 54:5-52.1 to issue a duplicate municipal certificate of tax sale for Certificate # 3054, Lot No. 1A in Block 3, commonly described as 653-55 Newark Street, predicated upon and including the following information:

1. A statement that is a duplicate of the original one which was misplaced or lost;
2. The date of the tax sale upon which it was issued; and
3. The name and title of the officer who issued same; and, be it further –

---Motion duly seconded by Councilman Cunningham.

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

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

---Nays: None.

---Absent: Bhalla

### **10-673**

---By Councilman Lenz

### **RESOLUTION AUTHORIZING THE CITY TAX COLLECTOR TO ISSUE DUPLICATE CERTIFICATE OF TAX SALE**

WHEREAS, pursuant to N.J.S.A. 54:5-52.1, the Tax Collector may, if duly authorized by resolution of the governing body, issue and execute a new municipal certificate of tax sale in place of one which has been misplaced or lost;

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that the Tax Collector be and is hereby authorized pursuant to N.J.S.A. 54:5-52.1 to issue a duplicate municipal certificate of tax sale for Certificate # 3188, Lot No. 40 in Block 177, commonly described as 122-28 Garden Street, predicated upon and including the following information:

1. A statement that is a duplicate of the original one which was misplaced or lost;
2. The date of the tax sale upon which it was issued; and
3. The name and title of the officer who issued same; and, be it further –

---Motion duly seconded by Councilman Cunningham.

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

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

---Nays: None.

---Absent: Bhalla

### **10-674**

---By Councilman Lenz

### **RESOLUTION AUTHORIZING THE CITY TAX COLLECTOR TO ISSUE DUPLICATE CERTIFICATE OF TAX SALE**

WHEREAS, pursuant to N.J.S.A. 54:5-52.1, the Tax Collector may, if duly authorized by resolution of the governing body, issue and execute a new municipal certificate of tax sale in place of one which has been misplaced or lost;

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that the Tax Collector be and is hereby authorized pursuant to N.J.S.A. 54:5-52.1 to issue a duplicate municipal certificate of tax sale for Certificate # 3412 Lot No. 53 in Block 193,

commonly described as 606 Bloomfield Street Rear, predicated upon and including the following information:

1. A statement that is a duplicate of the original one which was misplaced or lost;
2. The date of the tax sale upon which it was issued; and
3. The name and title of the officer who issued same; and, be it further –

---Motion duly seconded by Councilman Cunningham.

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

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

---Nays: None.

---Absent: Bhalla

### **10-675**

---By Councilman Lenz

### **RESOLUTION TO EXECUTE APREMP TIVE MORATORIUM REGARDING “ Natural Gas Pipeline”**

WHEREAS, Texas Eastern transmissions is purposing to extend a Natural gas pipeline though Jersey City with a connection across the Hudson River in New York City, (the project) and therefore bordering the Southern portion of Hoboken.

WHEREAS, the Council is aware the pipeline is purposed for a Jersey City instillation. The Council understands the scope of jurisdiction is within the Hoboken City limits. The placement of the gas pipeline will put Hoboken squarely in the “ Blast Zone”, should a disaster occur.

WHEREAS, the Council is reminded of the San Bruno, California a “ Natural gas pipeline” explosion, which devastated the entire region.

WHEREAS, the Council joins Hoboken Mayor Dawn Zimmer, Jersey City Mayor Healy, Bayonne Mayor Smith and many citizen groups in voicing their oppositions.

WHEREAS, the Council’ s responsibly is to provide a safe environment for the residents, moratorium would have preemption action to protect Hoboken from being a purposed site in the future. The Council deems it necessary to impose a moratorium on any gas line discussion, purposal or instillation with regard to the City of Hoboken.

NOW THEREFORE, be it resolved by the City Council of the City of Hoboken, in the County of Hudson, the following recitals are incorporated as of October 20, 2010

1- The Council joins Hoboken Mayor Dawn Zimmer, Jersey City Mayor Healy and Mayor Smith various citizen groups opposing the pipeline.

2- The Council calls for a moratorium on any and all Planning, purposal or Instillation of “ gas pipeline” going forward The Moratorium will run Indefinitely.

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

## ORDINANCES

### Introduction and First Reading

**10-676**

**Z-64**

**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 731 BLOOMFIELD STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS BLOCK 206, LOT 19, ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY**

**WHEREAS**, the applicant, Jason Vasil, Project Architect, has petitioned the City of Hoboken for the granting of a certain easement over municipal lands at 731 Bloomfield Street, Hoboken, New Jersey, (“ the premises”) which premises is more particularly described as Block 206, Lot 19, on the Tax Map of the City of Hoboken, New Jersey, in order to install a bay window on the building located at 731 Bloomfield Street as outlined in the attached drawing. The easements are described as follows:

**METES AND BOUNDS**

**(Proposed Reconfiguration of front exterior stairs)**

ALL that certain lot, parcel or tract of land, situate 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 on the Easterly line, 65.00 feet R.O.W., of Bloomfield Street. Said point being South 10 degrees 00 minutes 00 seconds West, 85.00 feet measured along said line Bloomfield Street from the intersection of the Easterly line of Bloomfield street with the Southerly line Eighth Street;

THENCE, South 10 degrees 00 minutes 00 seconds West, 20.00 feet along said line of Bloomfield Street to a point;

THENCE, North 80 degrees 00 minutes 00 seconds, West, 4.5 feet to a point;

THENCE, North 10 degrees 00 minutes 00 seconds East, 20.00 feet to a point;

THENCE, South 80 degrees 00 minutes 00 seconds East, 4.5 feet to the point and place of BEGINNING.

Known as Block 206, Lot 19, as shown on the official tax assessment map for the City of Hoboken, Hudson County, New Jersey, and more commonly known as 731 Bloomfield Street, Hoboken, New Jersey; and

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF HOBOKEN THAT THE CITY OF HOBOKEN HEREBY GRANTS 731 BLOOMFIELD STREET, THE AFREMENTIONED EASEMENT SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:**

1. The above recitals are incorporated herein as though fully set forth at length.
2. The City of Hoboken expressly reserves the right to require the removal of any projections or encumbrances, under or upon any street, sidewalk or public easement, for any reason including but not limited to destruction of premises by fire.
3. The applicant shall immediately remove any or all projections or encumbrances that are improperly maintained and thus present a public hazard.
4. The applicant shall indemnify the City of Hoboken for any and all damage or money loss occasioned by the City of Hoboken or its officers or agents by any neglect, wrong-doing, omissions or commissions by the applicant arising from the making of improvements referred to herein and the construction, use and maintenance of the property described herein, and shall hold harmless the Mayor and Council of the City of Hoboken its officers, agents employees, against all claims, charges, judgments, costs, penalties, remediation or counsel fees arising from such damages or loss, including but not limited to death and injury, to any person or damage to property of any person, firm or corporation occasioned wholly or in part from the construction, use and maintenance of the property described herein, and the applicant shall maintain liability insurance with respect thereto, in an amount of \$1,000,000.00 with a policy to be issued by an insurance company approved by the Office of the Corporation Counsel, naming the City of Hoboken, the Mayor and the City Council Members as an additional insured' s.
5. These easements shall run with the land and insure to the benefits of the applicant' s successors and assigns in title and interest to the property served by these easements. The covenants and conditions set forth herein shall similarly be the obligation of the applicant' s successors and assigns in the title and interest to the property served by the within easements.
6. The permission granted herein is conditioned upon and shall be effective only upon the applicant obtaining any and all other necessary permits that may be required by local or state law.
7. This ordinance shall take effect as provided by law.

President Marsh moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on **NOVEMBER 3, 2010** at 7:00 PM.

---Motion duly seconded by Councilman Mello  
---Adopted by the following vote: YEAS: 7 - NAYS: 1 –ABSENT - 1  
---Yeas: Council persons Castellano, Cunningham, Giacchi, Lenz, Mello, Russo and President Marsh.  
---Nays: Mason.  
---Absent: Bhalla.

**10-677**  
**Z-65**

**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 1422-1428 GRAND STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS BLOCK 121 LOTS 14, 15, 16 AND 17 ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY**

**WHEREAS**, the applicant, Convirtia LLC, has petitioned the City of Hoboken for the granting of a certain easement over municipal lands at 1422 Grand Street, Hoboken, New Jersey, (“ the premises”) which premises is more particularly described as Block 121, Lots 14, 15, 16 and 17 on the Tax Map of the City of Hoboken, New Jersey, in order to replace existing steps and install a handicap access ramp on the building located at 1422 Grand Street as outlined in the attached drawing. The easements are described as follows:

**METES AND BOUNDS**

**(Proposed Stair and Ramp Easement for ADA compliant access to commercial space fronting on Grand 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 southerly line of Fifteenth Street, a distance of 49.60 feet southerly from the intersection formed by the westerly line of Grand Street and the southerly line of Fifteenth Street, said point, running thence:

1. South 76 degrees 56 minutes 00 seconds East, a distant of 5.17 feet, into the right-of-way of Grand Street, to a point; thence
2. South 13 degrees 04 minutes 00 seconds West, a distant of 14.00 feet, to a point; thence
3. South 76 degrees 56 minutes 00 seconds East, a distant of 1.92 feet to a point; thence
4. South 13 degrees 04 minutes 00 seconds West, a distant of 9.75 feet to a point; thence
5. North 76 degrees 56 minutes 00 seconds West, a distant of 1.92 feet to a point; thence
6. South 13 degrees 04 minutes 00 seconds West, a distant of 8.85 feet to a point; thence
7. North 76 degrees 56 minutes 00 seconds West, a distant of 5.17 feet to a point on the westerly line of Grand Street; thence

8. Along said westerly line of Grand Street, North 13 degrees 04 minutes 00 seconds East, a distant of 32.60 feet to a point or place of BEGINNING.

Known as a portion of the public right of way on Grand Street adjacent to Lots 14, 15, 16, and 17 in Block 121, 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 1422 GRAND 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 an 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.

President Marsh moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on **NOVEMBER 3, 2010** at 7:00 PM.

---Motion duly seconded by Councilman Mello

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

--Yeas: Council persons Castellano, Cunningham, Giacchi, Lenz, Mello, Mason, Russo and President Marsh.  
 --Nays: None.  
 --Absent: Bhalla.

**10-678**  
**Z-66**

**AN ORDINANCE SUPPLEMENTING ORDINANCE Z-47 ESTABLISHING A SCHEDULE OF CLASSIFICATIONS AND ALLOCATIONS OF TITLE(S) FOR POSITIONS IN THE CITY OF HOBOKEN AND DESIGNATING THE APPROPRIATE STANDARDIZED TITLE FOR EACH POSITION.**

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

1. The Listed below Titles, as set forth in City Code to which this Ordinance is an amendment shall be, and the same is hereby amended, so that the following titles, salaries and ranges contained therein shall be included as follows in Hoboken City Ordinance Z47, which is incorporated by reference.
2. All of the Titles, City of Hoboken, herein set forth contains any position or positions which are not enumerated in the Plan for the Standardization of Municipal Class Titles, which is a part of the Code to which this Ordinance is an amendment, then in that event, the duties of the said position or positions shall be those which pertain to the particular position and positions set forth in any other ordinance adopted and now in force and effect in any statute of the State of New Jersey.
3. The provisions of this ordinance shall in no way affect the tenure or Civil Service status of any employees presently employed by the City of Hoboken in any of the various positions set forth in the Alphabetical List of Titles, City of Hoboken.
4. The below listed Titles referred to herein as well as the salary ranges for all positions in the City shall be on file in the Office of the City Clerk.
5. All ordinances or parts of ordinances inconsistent herewith are repealed.
6. This ordinance shall take effect as provided by law.

<b><u>Title</u></b>	<b><u>Minimum</u></b>	<b><u>Maximum</u></b>
<b><u>12/1/10</u></b>		
<b>Assistant Corporation Counsel</b>	<b>\$ 50,000</b>	<b>\$ 90,000</b>
<b>Police Aide – Part time</b>	<b>\$ 13 / hour</b>	<b>\$ 18 / hour</b>
<b>Police Aide – Full time</b>	<b>\$ 20,000</b>	<b>\$ 38,000</b>

President Marsh moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on **NOVEMBER 3, 2010** at 7:00 PM.

---Motion duly seconded by Councilman Cunningham

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

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

---Nays: Giacchi, Mason, Russo.

---Absent: Bhalla.

### **NEW BUSINESS**

Councilwoman Castellano comments about Washington St. rated top 10 in the nation from APA and acknowledges members who served on the years who were supportive for this Proposed a hiring raise and freeze resolution in the previous meeting, received a decision from Corporation Counsel regarding the verbage and language.

Corporation Counsel comments and taken objections to the Councilwoman's statement and not compromise his integrity to this entity.

Councilwoman Mason deferring to Councilman Giacchi on Maxwell Pl.

Councilman Giacchi had a sub-committee meeting but no resolution was achieved

Director Forbes comments that the sub-committee is confidential, but will have an update on the meeting on moving forward.

Councilwoman Mason about the Rent Control sub-committee tried to meet, but was not able to meet due to Councilman Bhalla.

What is the status of Mr. Kates.

Councilman Russo thanks the Governing body for resolution #27 and thanks Councilman Steve Fulop and Tim Occhipinti, pertaining to the Hoboken Sinkhole, the Mayor may have information prior to the occurrence, and would like Corporation Counsel to get a report on having prior knowledge of the Sinkhole

Corporation Counsel I can answer, the Mayor had no knowledge that the Sinkhole would occur, it is a County Road, repairs were done previous, but no knowledge that the sinkhole would occur.

Councilman Russo asks Director Sacs to surrender their permit.

Director Sacs 23 have surrendered their permits.

Councilman Russo supports the tax decrease in Hoboken of 5% but it is not accurate, in 2009 - 4.4% rate for the municipality rate for Hoboken, 2010 - 4.7% rate for the municipality rate Councilman Russo there is a 4% increase from the County.

Councilman Lenz agrees with 100% with Councilman Russo, the total tax bill of 2010 is higher than total tax bill of 2009, reasons, fiscal monitor understated what the City needed. She lowered the tax rate in 2009 without cutting spending, first half of 2010 SFY 2010, in order to keep taxes stable, they went up in the 2<sup>nd</sup> half. Mr. Russo is lying.

Councilman Mello thanks Councilman Russo and Councilwoman Castellano for the pipeline.

Is Mr. Fulop and Mr. Occhipinti meeting and would love to meet with both members

Councilman Cunningham comments on ZPE Sub-Committee about NJ Transit, received 11 proposals in working with the City to come up with a different plan. The committee needs to review this plan, pursuing a shared an inter-local agreement, another meeting of 83 Willow St. – Jefferson Trust, need a sub-committee meeting and have another meeting for the NJ Transit RFP and another meeting for 83 Willow.

Councilman Giacchi thanks support for 911 Memorial, public meeting in 911 Memorial is important and encourages the public to come to the meeting to fully support the memorial,

issue with Councilman Russo, ask the B.A. have an explanation for the tax rate and understand it.

Councilman Lenz ask the auditor to make a statement.

Councilman Giacchi would want a report on the tax rate, when was the last approval

Councilman Lenz would like the report made public, along with the budget.

Councilwoman Mason would like the timing engineering report for the walkway for the Shipyard Space.

Corporation Counsel press release at 5/5:30 PM and the County engineers are committed to repairing.

Councilwoman Mason – any professionals working with the County.

Corporation Counsel – yes and protect the citizens of Hoboken, City Engineer was involved when the catastrophic hole occurred and I was involved at the event and the County had (4)

four and Boswell Engineering and others, OEM Director, Public Safety Director,

Transportation and Parking Director, and Director Maier.

Corporation Counsel – there are a lot more questions than answers right now, how much road work.

Councilwoman Mason 6<sup>th</sup> collapse in the last 3 years

Director Sacs comments about that there is an on-going evaluation about the concerns from the residents.

Councilman Lenz comments on Estimated Tax Bills and gives an overview for the TY 2010 budget quarterly and 2011 budget.

Councilman Giacchi comments on 2011 tax bills.

### **PUBLIC PORTION**

All regular business concluded the following members of the public spoke at the “ Public Portion” of the meeting: Patricia Waiters, Maurice DeGennaro, Richard Tremitedi.

---

At 10:28 P.M. the Governing Body on a motion by Council President; duly seconded by the Governing Body.

President Marsh then adjourned the meeting at 10:38 P.M.

---

PRESIDENT OF THE COUNCIL

---

CITY CLERK