

***THE COUNCIL OF THE CITY OF HOBOKEN***

**MINUTES FOR SPECIAL MEETING OF SEPTEMBER 29, 2010**

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**Mayor Dawn Zimmer is calling a Special Meeting of the Hoboken City Council on September 29, 2010 at 7:00 PM in Council Chambers, 94 Washington Street, Hoboken, New Jersey 07030.**

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 published in the Jersey Journal, City website, copies were provided in 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.

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**10-609**

---By Councilman Cunningham

**RESOLUTION OF THE CITY OF HOBOKEN REFERRING THE PROPOSED 'WESTERN EDGE REDEVELOPMENT PLAN' DATED SEPTEMBER 20, 2010 TO THE CITY OF HOBOKEN PLANNING BOARD IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A 40A:12a-7(e)**

**WHEREAS**, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq. on July 18, 2007, the City Council adopted a Resolution designating the Western Edge Redevelopment Area, known and designated on the Tax Map of the City of Hoboken as Block 92, Lots 1.1,1.2,1.11 and 1.12; Block 93, Lots 1through 32; Block 97, Lots 1.1, 1.2, 1.3, 2, 3, 4, 5, 6.2, 6.3 and 7 through 22.2; Block 101, Lot 1.1; Block 105, Lot 1.1; Block 106, Lots 1 through 32; Block 111, Lots 2 through 14.1; and Block 112, Lots 1 through 32, which is generally located along the western edge of the City between Ninth and Fourteenth Streets, as an area in need of redevelopment; and

**WHEREAS**, a draft Western Edge Redevelopment Plan was prepared by Talley Planning Associates, dated August 27, 201; and

**WHEREAS**, at a public outreach meeting held at the Jubilee Center on September 14, 2010, the draft Western Edge Redevelopment Plan was presented for the receipt of comments and suggestions from residents, property owners, potential redevelopers and other interested citizens; and

**WHEREAS**, the draft Western Edge Redevelopment Plan was revised by Talley Planning Associates and dated September 20, 2010, to address many of the additional comments from the public at the September 14, 2010; and

**WHEREAS**, the next step in the redevelopment process is to refer the proposed Western Edge Redevelopment Plan, prepared by Talley Planning Associates, dated September 20, 2010, to the City of Hoboken Planning Board for its recommendation concerning the proposed Western Edge Redevelopment Plan.

**NOW, THEREFORE**, its is hereby resolved by the City Council as follows:

1. The City Council hereby refers the proposed “Western Edge Redevelopment Plan,” dated September 20, 2010 and on file at the municipal offices of the City of Hoboken, to the City of Hoboken Planning Board for review and recommendation in accordance with N.J.S.A. 40A:12A-7(e).
2. The City of Hoboken Planning Board shall generate a report within forty-five (45) days after this referral contained its recommendation regarding the proposed “Western Edge Redevelopment Plan,” dated September 20, 2010, prepared by Talley Planning Associates. The report shall include a determination as to whether the proposed Western Edge Redevelopment Plan, dated September 20, 2010, is consistent with the City of Hoboken’s Master Plan, and if inconsistent, shall identify the inconsistencies. The report of the Planning Board may also include any other matters the Board deems appropriate.
3. This Resolution shall take effect immediately.

The speakers who spoke: Michael Lysicatos, Tim Occhipinti, David Liebler, Zebrina Stoffel, Lane Bajardi, Mark Bogdanos, Laura Miani.

---Motion duly seconded by Councilman Bhalla.

**TABLED** by the following vote: YEAS: 9 NAYS: 0 –

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

NAYS: None

Councilwoman Mason has left the table at 8:20 PM

Councilwoman Mason has returned to the table at 8:26 PM

Councilman Bhalla has left the table at 8:24 PM

Councilman Bhalla has returned to the table at 8:29 PM

**10-610**

---By Councilman Lenz

**RESOLUTION AUTHORIZING THE TY 2010 MUNICIPAL BUDGET**

**RESOLVED**, that the Council of the City of Hoboken, by majority of the full membership hereby determine that the TY 2010 Municipal Budget shall be read by its titles and we further declare that the condition set forth in R.S. 40A:4-8(1A&1B) of said section has been met.

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

**10-611**

---By Councilman Lenz

**TY 2010 BUDGET AMENDMENTS**

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

Councilman Lenz has left the table at 8:54 PM  
Councilman Lenz has returned to the table at 8:57 PM

Councilwoman Castellano has left the table at 8:58 PM  
Councilwoman Castellano has returned to the table at 9:02 PM

**PUBLIC PORTION**

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The following members of the public spoke at the “Public Portion” of the meeting: Scott Siegel, Lane Bajardi, David Liebler, Roman Brice, Mark Bogdanos, Laura Miani.

Councilman Giacchi has left the table at 9:28 PM  
Councilman Giacchi has returned to the table at 9:35 PM

Council President closing public portion.  
Councilwoman Mason requests Corporation Counsel about going into Closed Session and asks about the hospital.  
City Clerk reads the resolution to go into Closed Session.  
Council President motion to go into Closed Session seconded by the Council

At 9:48 P.M. The Governing Body entered into a Closed Session.

**10-612**

---By President Marsh

**RESOLUTION AUTHORIZING CLOSED SESSION, PURUSANT TO N.J.S.A. 10:4-12(7) TO DISCUSS PENDING LITIGATION IN THE MATTER OF SHG HOBOKEN URBAN RENEWAL ASSOCIATES, LLC V. CITY OF HOBOKEN (DOCKET NO. HUD-L-4492-10)**

**WHEREAS**, the Council of the City of Hoboken is authorized to go into closed executive session for the reasons set forth in the Open Public Meetings Act, pursuant to N.J.S.A. 10:4-12(7); and

**WHEREAS**, one of these reasons is to receive advice from legal counsel relating to present litigation, captioned as *SHG Hoboken Urban Renewal Associates, LLC v. City of Hoboken*, of which the City of Hoboken is a party; and

**WHEREAS**, the above referenced litigation has pending deadlines by which the City of Hoboken must act, and failure to act would result in a default in the action by the City; and

**WHEREAS**, an emergency currently exists which requires the calling of this closed session, and therefore, the Council as determined that it is necessary to go into closed executive session for the foregoing purpose, to discuss the above referenced pending litigation of which the City is a party.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Hoboken (a majority of the full Council concurring that it enter into closed session for said purpose, which constitutes an emergency; and,

**BE IT FURTHER RESOLVED** that when the need for confidentiality no longer exists the decisions made therein will be made available to the public.

Governing body came out of closed session at 10:06 P.M.

President Marsh then adjourned the meeting at 10:07 PM.

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PRESIDENT OF THE COUNCIL

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CITY CLERK