

MEETING OF JANUARY 19, 2011

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, JANUARY 19, 2011 AT 7:00 PM

President Cunningham opened the meeting at 7:01 p.m. and stated, "I would like to advise all those present that notice of this meeting has been provided to the public in accordance with the provisions of the Open Public Meeting Act, and that notice was furnished to The Jersey Journal and The Hoboken Reporter, The Record, The Newark Star - Ledger and also placed on the bulletin board in the lobby of City Hall."

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

The Clerk then called the roll:

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

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE OF THE COUNCIL OF THE CITY OF HOBOKEN TO AMEND THE EASEMENT FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY AT THE SITE OF REAL PROPERTY LOCATED AT 43-51 NEWARK STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS BLOCK 222 LOT 4 ON THE TAX MAP OF THE COUNTY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY (**Z-80**)

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

President Mason moved that the hearing be closed.
Motion duly seconded by Councilman Russo.

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

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

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

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

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE GENERAL CODE OF THE CITY OF HOBOKEN ENTITLED " VEHICLES AND TRAFFIC" AND CHAPTER 146 OF THE GENERAL CODE OF THE CITY OF \ HOBOKEN ENTITLED " PARKING PERMITS" TO DELETE PORTIONS OF SECTION 190-6B, AND TO AMEND PORTIONS OF SECTIONS 190-7, 190-9, AND 141A-2 **(Z-81) (to be carried over for February 2, 2011 meeting)**

AN ORDINANCE TO AMEND AND SUPPLEMENT ARTICLE II – REFUSE CHAPTER 110 OF THE GENERAL CODE OF THE CITY OF HOBOKEN ENTITLED " GARBAGE, RUBBISH, AND LITTER" **(Z-82)**

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

President Mason moved that the hearing be closed.
Motion duly seconded by Councilman Russo.

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

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

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

11-801

**COMMUNICATION FROM MAYOR ZIMMER APPOINTING A MEMBER FOR THE
PLANNING BOARD**

January 4, 2011

Memorandum

TO: City Clerk James Farina

FROM: Mayor Dawn Zimmer

RE: Planning Board

I hereby appoint the following member to the Hoboken Planning Board. Gil Mosseri- Second Alternate.

Thank you

Mayor Zimmer

Received and Filed.

11-802

January 10, 2011

Memorandum

TO: City Clerk James Farina

FROM: Mayor Dawn Zimmer

RE: Planning Board

I hereby re-appointing the following member to the Historic Preservation Board:

Paul Sommerville: Class B

David Downs: Class A

Thank you

Mayor Zimmer

Received and Filed.

11-803

COMMUNICATION FROM MAYOR DAWN ZIMMER REGARDING 2011 BUDGET

January 13, 2011

Dear Council President Mason and Council Vice President Russo:

As you would expect, I am in the process of developing a 2011 budget submission for the Council to consider and ultimately introduce. While my Administration is making good progress reviewing operations and projecting most revenues and expenses, the question of how much surplus to include as revenue needs to be addressed.

Since this is a policy decision that rests squarely with the Council majority, and since our past positions have sharply differed, I am writing in the spirit of cooperation to request your input on the matter.

As I see the matter, the accepted wisdom of rating agencies and other financial experts is that Cash Surplus should represent 5% to 10% of the total budget. Consistent with that view, I continue to believe that Hoboken should strive to teach the high end of that range, if possible, due to our recent financial difficulties, our known but unquantifiable future costs including infrastructure needs, unsettled union contracts, litigation, and because of the financial benefits of improving our credit rating. Last year a majority of the City Council agreed, and the TY 2010 budget retained a Cash Surplus of \$10 million, a number I believe prudent at that time.

I understand full well, however, that the determination of the level of Cash Surplus is ultimately a decision made by the City Council, not the Mayor. It serves no useful purpose, therefore, for me to submit a budget proposal with a level of Cash Surplus which is not in keeping with your intentions. It would therefore, be extremely helpful if you would advise me as soon as possibly (by January 31st if at all possible) what dollar amount of Cash Surplus you would support retaining, so that we can give appropriate consideration to your views in crafting the introduced budget while striving to present the proposed budget for consideration.

Sincerely,

Mayor Dawn Zimmer

Cc/City Council Members
Arch Liston, Business Administrator

Received and Filed.

11-804

COMMUNICATIONS FROM MAYOR DAWN ZIMMER TO THE CITY COUNCIL REGARDING HOBOKEN'S WATERFRONT

January 18, 2011

Dear Council Members,

On Friday, I received a more thorough status report from Boswell Engineering. I regret to inform you that the repairs needed for our waterfront are more extensive than expected. The current estimate is expanded by \$7.3 million to a total of \$19.3 million.

Please review my open letter to all Hoboken residents, as well as the Boswell status report for an explanation of the additional work necessary.

Unfortunately along with our shipworm problem, our City also must make millions of dollars in repairs to Pier A because numerous piles have deteriorated as a result of changes in the mud line of the Hudson River. These repairs must be done expeditiously, and I have directed Boswell Engineering to prepare bid specifications as soon as possible.

We are moving ahead as planned with the original design of Sinatra Field, but the fact that even Pier A has millions of dollars in damage gives me pause as to the wisdom of continuing to build on piers out on the water as opposed to bringing the design back on land. Not only is building on water prohibitively expensive, but it will also be very expensive for our City to maintain for the long term. As you know, the City developed preliminary plans exploring the concept of moving Frank Sinatra Park on to land. I believe in light of the information we have now received, that we should revisit this concept and give it serious consideration. After you have had a chance to digest the report, I hope that each of you will give me your thoughts directly on this matter so that we may work together to address this significant challenge. I am away this week, and will try to reach each of you when I return next Monday.

Our City engineer, Joe Pomante, can change his schedule to be available for the meeting tomorrow if you would like to ask him questions directly. Please contact Business Administrator Liston if you are interest in having Mr. Pomante at tomorrow's Council meeting or for a future meeting.

Thank you and best regards,

Mayor Dawn Zimmer

11-805

January 14, 2011

Dear Council Members,

I want to wish you all the very best in 2011. Congratulations to the new Council President and Vice-President. The following provides an update from me on several important matters:

Surplus issue:

Please review the surplus letter that I sent to Council President Mason and Vice President Russo. A written response is requested by January 31st at the latest so my Administration can incorporate the Council's views on the surplus for the budget we present for introduction.

Waterfront infrastructure:

Divers from Boswell Engineering have nearly completed their underwater inspection of our waterfront. A report and memo on the findings will be forthcoming.

Emergency Snow Routes:

At my request, Chief Falco, Chief Blohm, Hoboken OEM, and Director Sacs conducted a review and analysis of the City's snow removal routes to ensure the fullest public safety protection of our residents during snow storms. Based on this review, several changes to the routes have been recommended, and we are therefore seeking to amend the emergency snow route ordinance. I hope that you can support their recommendations. Please advise Mr. Liston if you would like them to be available to discuss their proposed changes at the public hearing.

I want the Council to know that the Police, Fire, OEM, Environmental Services, and the Parking Utility all worked closely with me to improve our snow storm response, and this led to the superb results last Tuesday. Everyone worked extremely well as a team to alert residents and clean up the City as quickly as possible. Notifications about the storm included a reverse 911 system and a robocall to parking permit holders, as well as PA announcements by the Police at the PATH train and along the snow routes. We thank residents for heeding these alerts and moving their cars as requested.

Continued Operations in the Construction Office

To ensure adequate professional staffing and service to the community, we have retained Tom Shannon to serve as Acting Construction Official in the Construction Office on a part time basis. Mr. Shannon is highly qualified – with 20 years of experience as a municipal manager in Westfield, Princeton Borough, and Hillsborough, and extensive experience in various other roles including as a Construction Official, Professional Engineer, Professional Planner, and Public Works Director. Mario Patruno, the Electrical Subcode Official, will serve as Action Construction Official when Mr. Shannon is not in the office. Both are licensed construction officials, and we expect that there will be a seamless transition.

Civil Rights Training/Code of Conduct Request:

As part of our risk management prevention initiatives, all City Hall employees, including myself, recently participated in an excellent civil rights training program. Plans have been made for the Police and Fire Departments to complete the training as well. This training was conducted to ensure that all employees treat one another with the fullest respect, and also to protect the City from any costly lawsuits that could result from any inappropriate behavior.

At the suggestion of the trainer, my Administration is also going to reach out to volunteer coaches and the volunteer ambulance corps to complete a civil rights training as well. Since the City funds the recreational programs and provides some funding for the volunteer ambulance corps, the City of Hoboken is ultimately responsible for the actions of these individuals in their roles as volunteers.

As part of our risk management efforts, I ask again that the City Council codify the proposed code of conduct for all coaches, volunteers, and participants of our recreational programs. The legislation proposed by the Administration at the last meeting seeks to ensure that everyone involved with the recreational programs treats each other with respect, and it seeks to codify our honor system for recreational fees.

Shared Services/Mama Johnson Field:

As I have noted previously, my Administration has a framework in place with the Housing Authority for shared services of Mama Johnson Field. After speaking with our City Engineer, I believe the prudent course of action is for our City Engineer to conduct a feasibility analysis of the turfing of the field. The lifespan of artificial turf will be significantly shortened if there is not proper drainage, so we must ensure that the field is built properly for the long term. Our engineer has informed me that they want to see the field when it is flooded in order to fully understand flooding mitigation issues, to properly map out the area, and consider whether we will need to raise the field to address these issues.

Working together:

As a follow up to my Administration’s meeting with Council President Mason, I have asked for a written explanation of her expectations with regard to the process by which the Administration should propose legislation going forward. Once received, my Administration will promptly review this, and hopefully any necessary clarifications can be made to ensure a smooth working relationship between the Administration and the new Council leadership going forward. In addition, please advise my Administration of the committees and committee members as soon as possible.

Finally, I want to advise you that I will be away from Hoboken next week on holiday with my family from Saturday, January 15th and returning on Saturday, January 21st.

Business Administrator Arch Liston will be Acting Mayor in my absene.

Thank you and best regards.

Mayor Dawn Zimmer

- cc/Arch Liston, Business Administrator
- Jennifer Maier, Director of Environmental Services
- Ian Sacs, Director of Transportation & Parking
- Angel Alicea, Director of Public Safety
- Leo Pellegrini, Director of Health & Human Services
- Brandy Forbes, Director Community Development
- Nick Trasente, Director of Finance

11-806

PROCLAMATION FROM MAYOR DAWN ZIMMER HONORING MARTIN LUTHER KING MARCH TO HOBOKEN CITY HALL

WHEREAS, Dr. Martin Luther King, Jr. was one of the greatest humanitarian and civil rights leaders in world history, and in 1963 led a march on Washington, D.C. that changed the course of civil rights in America; and

WHEREAS, Dr. Martin Luther King, Jr. advocated the power of education, stating “as longas the mind is enslaved, the body will never be free,” and he also believed that education was more than knowledge, stating, “intelligence plus character is the true goal of education; and

WHEREAS, the Hoboken Charter School and the City of Hoboken encourage all citizens to give of themselves in order to build a stronger Hoboken community; and

WHEREAS, on this day, the fourteenth of January in the year Two Thousand and Eleven, we gather for the **13th Annual March on Washington Street** in honor of **Dr. Martin Luther King, Jr.** and to recognize his many contributions to American civil rights;

NOW, THEREFORE, BE IT RESOLVED, that I, **DAWN ZIMMER**, Mayor of the City of Hoboken, do hereby issue this proclamation on behalf of the City of Hoboken and its citizens to honor of **Dr. Martin Luther King, Jr.** in recognition of his contributions to our great Nation as a call for service to community, and for peaceful and harmonious coexistence with one another.

Received and Filed.

11-807

APPLICATIONS FOR MISCELLANEOUS LICENSES

Vendors	2
Bingo Licenses.....	52

---Councilwoman Castellano moved that the licenses be granted.

---Motion duly seconded by Councilman Bhalla

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

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

---Nays: None.

Committee Reports

Rent Control sub-committee to be held as soon as possible

Quality of life sub-committee meeting to be held on Tuesday, January 18, 2011

REPORTS OF CITY OFFICERS

11-808

A report from the Municipal Tax Collector Sharon Curran for taxes collected for the month of December 2010 **\$1,253,129.89** (Abatement Totals -\$72,014.43)

11-809

A report of the Municipal Court indicating receipts for the month of December 2010 as **\$375,722.88**

---Received and filed.

11-810

CLAIMS

Total for this agenda \$313,192.70 adjusted by the B.A. to **\$308,741.81**

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

---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mello, Occhipinti, Russo and Mason

---Nays: None.

11-811

PAYROLLS

For the two week period starting December 23, 2010 – January 05, 2011

Regular Payroll	O/T Pay	Pay
\$1,376,763.44	\$161,096.16	\$1,934,034.93

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

Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mello, Occhipinti, Russo and Mason

Nays: None.

RESOLUTIONS

Presented and Read

11-812

---By Councilwoman Castellano

APPOINTING JOSEPH CRIMMINS TO THE HOBOKEN ZONING BOARD OF ADJUSTMENT FOR THE TERM DECEMBER 31, 2015

WHEREAS, pursuant to the Code of the City of Hoboken, §44-11, the City of Hoboken has established a Zoning Board of Adjustment; and,

WHEREAS, pursuant to §44-11, members of the Zoning Board of Adjustment are appointed by the City Council, and,

WHEREAS, the term of Zoning Board of Adjustment member Anthony Soares expired on December 31, 2010 and the City Council wishes to name a replacement so as to ensure continuity of membership on the Board; and,

WHEREAS, the City Council has followed the process contemplated by the “Citizens Service Act,” in applications for the position were publicly sought and reviewed, and **Joseph Crimmins** has timely submitted his/her application to the Clerk of the City of Hoboken;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby appoints **Joseph Crimmins**, residing at _____, to serve as a regular member of the Hoboken Zoning Board of Adjustment to fill the seat recently expired for Anthony Soares which appointment shall be effective on January 19, 2011 and expire on December 31, 2015.

The speakers who spoke: Patricia Waiters, Scott Siegel, Michael Evers, Forde Prigot.

---Motion duly seconded by Councilman Russo.

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

---Yeas: Council persons Castellano, Giacchi, Occhipinti, Russo and President Mason.

---Nays: Bhalla, Cunningham, Marsh, Mello.

11-813

---By Councilwoman Castellano

APPOINTING Michael DeFusco TO THE HOBOKEN ZONING BOARD OF ADJUSTMENT FOR THE TERM DECEMBER 31, 2015

WHEREAS, pursuant to the Code of the City of Hoboken, §44-11, the City of Hoboken has established a Zoning Board of Adjustment; and,

WHEREAS, pursuant to §44-11, members of the Zoning Board of Adjustment are appointed by the City Council, and,

WHEREAS, the term of Zoning Board of Adjustment member George Crimmins expired on December 31, 2010 and the City Council wishes to name a replacement so as to ensure continuity of membership on the Board; and,

WHEREAS, the City Council has followed the process contemplated by the “Citizens Service Act,” in applications for the position were publicly sought and reviewed, and **Michael DeFusco** has timely submitted his/her application to the Clerk of the City of Hoboken;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby appoints, **Michael DeFusco** residing at _____, to serve as a regular member of the Hoboken Zoning Board of Adjustment to fill the seat recently expired for George Crimmins which appointment shall be effective on January 19, 2011 and expire on December 31, 2015.

The speakers who spoke: Forde Prigot.

---Motion duly seconded by Councilman Russo.

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

---Yeas: Council persons Castellano, Giacchi, Occhipinti, Russo and President Mason.

---Nays: Bhalla, Cunningham, Marsh, Mello.

11-814

---By Councilman Giacchi

APPOINTING Irene Smith AS ALTERNATE #2 TO THE HOBOKEN ZONING BOARD OF ADJUSTMENT TO FILL A VACANCY IN A TERM TO EXPIRE ON DECEMBER 31, 2012

WHEREAS, pursuant to the Code of the City of Hoboken, §44-11, the City of Hoboken has established a Zoning Board of Adjustment; and,

WHEREAS, pursuant to §44-11, members of the Zoning Board of Adjustment are now appointed by the City Council; and,

WHEREAS, §44-11(D) provides for the appointment of up to two (2) alternate members to the Zoning Board of Adjustment who serve for a term of two (2) years; and,

WHEREAS, there is a current vacancy for the position of Alternate #2 to the Zoning Board of Adjustment since the term of Michael Evers expired on December 31, 2010; and,

WHEREAS, this term is set to expire on December 13, 2012; and,

WHEREAS, the City Council has followed the process contemplated by the “Citizens Service Act,” in that applications for the position were publicly sought and reviewed, and Irene Smith timely submitted his/her application to the Clerk of the City of Hoboken;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby appoints Irene Smith residing at _____, to fill the vacant position of Alternate #2 of the Hoboken Zoning Board of Adjustment for a term to expire on December 13, 2012.

The speakers who spoke: Scott Siegel, Forde Prigot.

---Motion duly seconded by Councilman Russo.

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

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

---Nays:None.

11-814A

---By Councilman Giacchi

APPOINTING RICHARD TREMITIEDI AS ALTERNATE #4 TO THE HOBOKEN ZONING BOARD OF ADJUSTMENT TO FILL A VACANCY IN A TERM TO EXPIRE ON DECEMBER 31, 2012

WHEREAS, pursuant to the Code of the City of Hoboken, §44-11, the City of Hoboken has established a Zoning Board of Adjustment; and,

WHEREAS, pursuant to §44-11, members of the Zoning Board of Adjustment are now appointed by the City Council; and,

WHEREAS, §44-11(D) provides for the appointment of up to two (2) alternate members to the Zoning Board of Adjustment who serve for a term of two (2) years; and,

WHEREAS, there is a current vacancy for the position of Alternate #4 to the Zoning Board of Adjustment; and,

WHEREAS, this term is set to expire on December 13, 2012; and,

WHEREAS, the City Council has followed the process contemplated by the “Citizens Service Act,” in that applications for the position were publicly sought and reviewed, and Richard Tremitedi timely submitted his application to the Clerk of the City of Hoboken;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby appoints Richard Tremitedi, residing at 2 Constitution Ct. Apt. 509, to fill the vacant position of Alternate #4 of the Hoboken Zoning Board of Adjustment for a term to expire on December 13, 2012.

The speakers who spoke: Donald Pellicano.

---Motion duly seconded by Councilwoman Castellano

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

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

---Nays: Castellano, Occhipinti, Russo.

11-815

---By Councilman Occhipinti

RESOLUTION APPOINTING FRANK RAIAS AS A COMMISSIONER OF THE NORTH HUDSON SEWERAGE AUTHORITY BEGINNING ON FEBRUARY 1, 2011 AND EXPIRING ON FEBRUARY 1, 2016

WHEREAS, pursuant to Section 64-2 of the Administrative Code of the City of Hoboken, the governing body of the City of Hoboken shall appoint three (3) members to the North Hudson Sewerage Authority (“the Authority”); and

WHEREAS, the term of Commissioner David Lopez is set to expire on February 1, 2011, and said position must be filled in order to retain consistent membership on the Authority on behalf of the City of Hoboken; and ,

WHEREAS, the City Council has determined that **Frank Raia** who resides at _____ within the City of Hoboken should take the position of Commissioner on behalf of the City of Hoboken at the expiration of Commissioner David Lopez’s current term.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that **Frank Raia** who resides at _____ within the City of Hoboken, be and is hereby appointed as a commission of the North Hudson Sewerage Authority, to fill the expiring seat held by Commissioner David Lopez, for a term of five (5) years to commence February 2, 2011 and expire January 31, 2016.

---Motion duly seconded by Councilwoman Russo.

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

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

11-816

---By Councilman Giacchi

REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR RECREATION TRUST FUND PURSUANT TO N.J.S.A. 40A:4-39.

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

WHEREAS, N.J.S.A. 40A:4-39 allows municipalities to receive amounts for costs incurred for Recreation Trust Fund, and

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

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

1. The Mayor and Council hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Recreation Trust Fund as per N.J.S.A.40A:4-39;and,
2. The municipal clerk of the City of Hoboken is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

---Motion duly seconded by Councilman Occhipinti

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

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

---Nays: None.

11-817

---By Councilman Giacchi

**STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES ENABLING RESOLUTION 1600- Project No. 0905-06-062**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (" State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the City of Hoboken (*name of applicant*) desires to further the public interest by obtaining a loan of \$700,000.00 and a grant of \$1,000,000.00 from the State to fund the following project(s): (*describe the project*) Development of 1600 Park Avenue as parkland

NOW, THEREFORE, the governing body/board resolves that Dawn Zimmer (*name of authorized official*) or the successor to the office of Mayor (*title of authorized official*) is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE Council of the City of Hoboken (*name of legal body or board*)

1. That the Mayor (*title of authorized official*) of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as (*project name*) Development of 1600 Park Avenue Park; and
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$300,000 (Hudson County Open Space Trust Fund);
3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

The speakers who spoke: Patricia Waiters, Dan Tumpson.

--Motion duly seconded by Councilman Occhipinti

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

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

--Nays: None.

11-818

--Councilman Giacchi

THIS RESOLUTION AWARDS A CONTRACT TO CALI CARTING, INC. FOR THE PROVISIONS OF SOLID WASTE REMOVAL SERVICES FOR THE CITY IN ACCORDANCE WITH THE SPECIFICATIONS IN BID NUMBER 10-30.

WHEREAS, proposals were received on Friday, January 7, 2011 for the provisions for solid waste removal for the City of Hoboken, as specified in Bid Number 10-30; and,

WHEREAS, two (2) proposals were received, these being:

VENDOR	PROPOSAL		
	Year 1	Year 2	Year 3
Waste Management 107 Sylvia Street Ewing, New Jersey 08628	\$2,097,720.00	\$2,139,672.00	\$2,182,464.00
Cali Carting, Inc. 450 Bergen Avenue Kearny, New Jersey 07032	\$1,540,000.00	\$1,540,000.00	\$1,540,000.00

WHEREAS, the lowest bid was received from Cali Carting, Inc., which submission was a responsible responsive bid of \$1,540,000.00 per year for three (3) years; and,

WHEREAS, as a result, the Purchasing Agent recommends that a contract be awarded to Cali Carting, Inc for provisions of solid waste removal for a period of three (3) years, in an amount not to exceed \$1,540,000.00 per year, pursuant to Bid No. 10-30.

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

- A. This resolution awards a contract to Cali Carting, Inc., in an amount not to exceed \$ 1,540,000.00 per year for a period of three (3) years, for the provision of solid waste removal in accordance with the specifications set forth in Bid No. 10-30.
- B. The Mayor or her designee is hereby authorized to take the necessary steps to enter into a contract, pursuant to Bid No. 10-30, and any other steps necessary to effectuate this resolution.
- C. This resolution shall take effect immediately upon passage.

The speakers who spoke: Joseph Branco.

---Motion duly seconded by Councilman Occhipinti

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

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

---Nays: None.

11-819

---By Councilman Occhipinti

RESOLUTION SUPPORTING A MOTION TO INTERVENE ON BEHALF OF THE CITY OF HOBOKEN IN OPPOSITION TO THE PROPOSED NEW JERSEY-NEW YORK NATURAL GAS PIPELINE

WHEREAS, the Citizens of the City of Hoboken deserve the preservation of their City and this State' s exceptionally valuable and endangered natural resources; and,
WHEREAS, the magnitude of the proposed project could work to permanently spoil the natural landscape and interfere with those activities that citizens of the City enjoy both within the City limits and within the City' s neighboring municipalities; and,
WHEREAS, it is the City Council' s duty to preserve and protect environmentally sensitive areas and promote sound land-use principles within the boundaries of the City as well as those areas outside of the City which will, if damaged, affect Hoboken' s citizens; and,
WHEREAS, the continued harm to endangered aspects of our environment requires a greater involvement from all levels of government; and,
WHEREAS, local government is in the best position to make the primary decisions affecting the preservation of our land.
NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby request that the Administration of the City of Hoboken move to intervene in the Texas Eastern Transmission, LP / Algonquin Gas Transmission, LLC Application (Docket CP11-56-000/PF-10-17-000) in an effort to further ensure that the environmental review of the proposed New Jersey/New York line project fully complies with the requirements of the National Environmental Policy Act and the Endangered Species Act, and any other law or regulations which was enacted with the general welfare of the citizens in mind; and,
BE IT FURTHER RESOLVED, that the City Council hereby authorizes the Mayor and/or her agent to take any action necessary to effectuate this Resolution.

The speakers who spoke: Scott Siegel.

--Motion duly seconded by Councilwoman Castellano

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

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

--Nays: None.

11-820

--By Councilman Russo

RESOLUTION AUTHORIZING A CONTRACT WITH MCGUIRE ASSOCIATES, LLC FOR THE SERVICES OF HUGH A. MCGUIRE, III., ESQ. AS LICENSED TAX APPRAISER FOR A ONE (1) YEAR TERM TO COMMENCE ON JANUARY 1, 2011 AND TERMINATE ON DECEMBER 31, 2011

WHEREAS, the City of Hoboken defends against property tax appeals on a regular basis in both Tax Court and before the Hudson County Tax Board; and,

WHEREAS, proper defense of the tax appeals requires the City to obtain the services of a licensed Tax Appraiser; and,

WHEREAS, McGuire Associates, LLC was the sole proposer under an RFP published by the City with a return date of November 30, 2010; and,

WHEREAS, McGuire Associates, LLC has offered its services as licensed tax appraiser to the City for many years, and therefore, offers the City special expertise relating to the tax assessments and appraisals of the City of Hoboken; and

WHEREAS, McGuire Associates, LLC has provided all documentation to comply with the financial disclosure and pay to play policies of the City, and is hereby required to continue to abide by the “pay-to-play” requirements of the Hoboken Public Contracting Reform Ordinance, #DR-154 (codified as §20A-11 et seq. of the Code of the City of Hoboken) throughout the term of this agreement; and,

WHEREAS, said service is a professional service as defined by N.J.S.A. 40A:11-1 et seq. and as such, is exempt from public bidding requirements pursuant to N.J.S.A. 40A:11-5; and,

WHEREAS, the contract shall be award for an amount not to exceed Twenty thousand (\$20,000.00) dollars for CY 2011-Q1, and a total annual amount not to exceed One Hundred Thousand (\$100,000.00) dollars, where the contract shall state that the total annual amount shall be subject to a non-appropriation clause.

NOW THEREFORE, BE IT RESOLVED that a professional services contract be authorized with McGuire Associates, LLC for the services of Hugh McGuire to serve the City as licensed tax appraiser; and,

BE IT FURTHER RESOLVED McGuire shall be paid in accordance with **Proposal # 1** of its Proposal documents titled “ Re: RFP New Jersey Licensed Tax Appraiser” which is dated November 22, 2010, with a not to exceed amount of One Hundred Thousand Dollars (\$100,000.00), which includes (1) an annual fee of Thirty Eight Thousand Five Hundred Dollars (\$38,500.00) for appraisal services relating to Hudson County Tax Board appeals to be paid in monthly installments, (2) an annual fee of Fifty Five Thousand Dollars (\$55,000.00) for appraisal services relating to New Jersey Tax Court appeals to be paid in monthly installments, and (3) a maximum of Six Thousand Five Hundred Dollars (\$6,500.00) for inspections of building permits and inspections as identified by the tax assessor, which shall be paid as services are rendered at a rate of One Hundred Fifty (\$150.00) per hour ; and,

BE IT FURTHER RESOLVED that this contract be for a one (1) year term to commence on January 1, 2011 and expire on December 31, 2011; and,

BE IT FURTHER RESOLVED the City Clerk shall publish this resolution as required by law and keep a copy of the resulting contract on file in accordance with N.J.S.A. 40A:11-1 et seq.; and,

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided to Mayor Dawn Zimmer for action in accordance therewith and to take any other actions necessary to complete and realize the intent and purpose of this resolution; and,

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

---Motion duly seconded by Councilwoman Castellano

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

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

---Nays: None.

11-821

---By Councilman Giacchi

THIS RESOLUTION AUTHORIZES A FINANCIAL GUARANTEE TO PRESERVE THE “ MEAL ON WHEELS” PROGRAM OF THE NORTH HUDSON REGIONAL COUNCIL OF MAYORS.

WHEREAS, Hoboken participates in the “ Meals on Wheels” and other community service programs administered through the North Hudson Regional Council of Mayors (NHRCM); and

WHEREAS, funding for these programs has not kept pace with the costs thereof, as a result of which the member municipalities must make up the deficit in some manner if these programs are to continue; and

WHEREAS, Hoboken wishes to try and keep these programs alive.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Council that, subject to the adoption of like resolutions by all other municipalities in the NHRCM, the City of Hoboken shall agree to contribute its proportionate share of the cost of the “ Meal on Wheels” program; and

BE IT FURTHER RESOLVED that the City of Hoboken shall fund the program in the amount of \$14,000.00 for Q1 of the CY 2011, which amount is available within the CY 2011 temporary budget; and,

BE IT FURTHER RESOLVED that the amount to be provided, by the City of Hoboken, for the 2011 Calendar budget period of 1 January 2011 through 31 December 2011 shall be in an amount not to exceed \$ 56,700.00, subject to available appropriations upon approval of the CY 2011 budget.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute, attest, seal and deliver such documents as are necessary and appropriate to carry out the purposes and intent of this Resolution, in form satisfactory to the Corporation Counsel.

This resolution shall take effect immediately upon passage.

The speakers who spoke: Scott Siegel.

---Motion duly seconded by Councilman Occhipinti

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

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

11-822

---By Councilman Giacchi

THIS RESOLUTION CONFIRMS THE CITY OF HOBOKEN’ S SUPPORT OF THE HOBOKEN VOLUNTEER AMBULANCE CORPS BY VIRTUE OF A TWELVE (12) MONTH TOTAL CONTRIBUTION OF ONE HUNDRED SIXTY-SIX THOUSAND THREE HUNDRED SIXTY-FIVE DOLLARS (\$166,365.00)

WHEREAS, the City Council desires to support the Hoboken Volunteer Ambulance Corps. (HVAC); and,

WHEREAS, the City of Hoboken will appropriate the sum \$166,365.00 in their Calendar Year budget ending 31 December 2011 for the HVAC, as a municipal contribution toward the support of the HVAC; and,

WHEREAS, \$126,365.00 of this total appropriation to the HVAC will be allocated towards payment of the annual general liability insurance coverage for the HVAC; and

WHEREAS, this payment being payable and due during the City's temporary budget period from the General Liability line item (11-01-30-400-010); and,

WHEREAS, of the remaining amount of forty thousand (\$40,000.00) dollars, the City Chief Financial Officer shall upon adoption of this Resolution pay to the order of the HVAC the sum of \$20,000.00 as its contribution due in the MQ 2011 and the balance of \$20,000.00 being disbursed in the SQ 2011

NOW, THEREFORE, BE IT RESOLVED, that the remaining \$40,000, as contribution for operating expenses of the HVAC, will be disbursed as follows: the City Chief Financial Officer shall upon adoption of this Resolution pay to the order of the HVAC the sum of \$20,000.00 as its contribution due in the MQ 2011 and the balance of \$20,000.00 being disbursed in the SQ 2011.

BE IT FURTHER RESOLVED, that the \$20,000.00 for this payment is available in the approved Temporary Calendar Year Budget line item appropriation titled, Unclassified, Hoboken Volunteer Ambulance Corps, Account # 11-01-25-260-020.

This resolution shall take effect immediately upon passage.

--Motion duly seconded by Councilman Occhipinti

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

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

11-823

--By Councilman Russo

**RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY
TAX COURT JUDGEMENTS 2010 TAX APPEALS**

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the refunds be made;
now, therefore, be it-

RESOLVED, that a warrant be drawn on the City Treasurer made payable to the
appearing on the attached list totaling **\$ 5,119.84**

REFUNDS ON THE FOLLOWING TAX APPEALS ARE TO BE MADE PAYABLE TO:

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>AMOUNT</u>
LEONG, TODD & GRACE 94 CLINTON ST #5A Hoboken, NJ 07030	20/19/C05-A	94 CLINTON ST	\$33.54
MC GEE, BRENDAN 121 WILLOW AVE #3A Hoboken, NJ 07030	34/12/C003A	121 WILLOW AVE	\$10.63
MC DONALD, SCOTT 201 GARDEN ST #4 HOBOKEN, NJ 07030	189/1/C0004	201 GARDEN ST	\$ 190.04
BRANCO, JOSEPH E & JENNIFER ROCK 635 BLOOMFIELD ST HOBOKEN, NJ 07030	205/19/	635 BLOOMFIELD ST	\$ 2,372.50
GARCIA, CARMELO G & MARGARITA 711 BLOOMFIELD ST HOBOKEN, NJ 07030	206/9/	711 BLOOMFIELD ST	\$ 415.19 A/A
DEIESO, MARCO & JACQUELINE GIRARD 1315 WASHINGTON ST #PHN HOBOKEN, NJ 07030	245/3.1/C00PN	1315-1317 WASHINGTON ST	\$ 2,097.94

---Motion duly seconded by Councilwoman Castellano
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mello, Occhipinti, Russo and President Mason.

11-824

---By Councilman Russo

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 **\$10,243.16**

<u>NAME</u>	<u>BL/LT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
MUKHERJEE, SANKAR & SWAPNA 105 PATTAS WAY N. WALES, PA 19454	16/44/C004L	554 OBSRV HWY	1/10/& 2/10	\$2,179.90

BAC TAX SERVICES CORP
 CAO-911-01-03 26/7/ 109-115 HARRISON ST. 4/10 \$3,561.13
 P O BOX 10211
 VAN NUYS, CA 91499

CHASE 41/6/C0001 211 ADAMS ST 4/10 \$ 587.19
 ATT: REFUND DEPT
 1 CORELOGIC WAY
 WESTLAKE, TX 76262

C. HERKERT 60/12.1/C0004 423 JEFFERSON ST 2/10 \$ 1,412.66
 C/O LAW OFFICE OF DAVID W CROOK
 98 ORIENT WAY
 RUTHERFORD, NJ 07070

WELLS FARGO HOME 261.03/1/C1026 1125 MAXWELL LANE 4/10 \$ 2,383.58
 MORTGAGE
 MAC X2302-04D, TAX DEPT
 1 HOME CAMPUS
 DES MOINES, IA 50328

WELLS FARGO HOME 261.03/1/CP260 1125 MAXWELL LANE 4/10 \$ 118.70
 MORTGAGE
 MAC X2302-04D, TAX DEPT
 1 HOME CAMPUS
 DES MOINES, IA 50328

---Motion duly seconded by Councilwoman Castellano
 ---Adopted by the following vote: YEAS: 9 - NAYS: 0
 ---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mello, Occhipinti,
 Russo and President Mason.

11-825

---By Councilman Russo

**RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY
 TAX COURT JUDGEMENTS 2010 TAX APPEALS**

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the refunds be made;
 now, therefore, be it-

RESOLVED, that a warrant be drawn on the City Treasurer made payable to the
 appearing on the attached list totaling **\$ 15,886.58**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>YEAR</u>	<u>AMOUNT</u>
DAVENPORT & SPIOTTI 219 CHANGEBRIDGE ROAD	25/1/C007D	700 FIRST ST	2009	\$ 1,409.55

MONTVILLE, NJ 07045

J. BURKE & ASSOCIATES 70 ADAMS STREET HOBOKEN, NJ 07030	47/13/	327 JACKSON ST	2009	\$ 3,923.39
J. BURKE & ASSOCIATES 70 ADAMS STREET HOBOKEN, NJ 07030	174/12/	1225 WILLOW AVE/ 257 13 TH ST	2009	\$3,815.65
LUM, DRASCO & POSITAN LLC ATTORNEY ESCROW ACCT 103 EISENHOWER PARKWAY ROSELAND, NJ 07068	238/8/	925 HUDSON ST	2009	\$3,613.65
DAVENPORT & SPIOTTI 219 CHANGEBRIDGE ROAD MONTVILLE, NJ 07045	262.3/1/C0615	2 CONSTITUTION CT	2009	\$1,880.89
DAVENPORT & SPIOTTI 219 CHANGEBRIDGE ROAD MONTVILLE, NJ 07045	268.1/1/C004C	1501 GARDEN/1500 BLOOMFIELD	2009	\$1,243.45

---Motion duly seconded by Councilwoman Castellano

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

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

11-826

---By Councilman Russo

RESOLVED, by the Council of the City of Hoboken;

WHEREAS, as of August 2001 a Master Deed was filed including Block 2 Lot 5 Qualification # C0104, address 352 Observer Highway. As per the Assessor, at a later date the developer changed all the qualifiers on the parking spaces eliminating this parking space. A lien was erroneously sold on this parcel, certificate #030063 on 6/18/03 to Pam Investors;

THEREFORE, be it resolved that this lien be cancelled and a refund issued to the lien holder and the original billing for the 3rd & 4th quarter, 2002 be cancelled from the Tax Duplicate. See attached memo from Assessor.

RESOLVED, that a warrant be issued to the order of the following:

Pam Investors
127 S. Washington Avenue
Bergenfield, NJ 07621
(Send check to the Tax Collector' s Office)
Cancellation of Certificate of Sale #030063
Amount to be refunded \$70.49

--Motion duly seconded by Councilwoman Castellano
--Adopted by the following vote: YEAS: 9 - NAYS: 0
--Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mello, Occhipinti, Russo and President Mason.

11-827

--By Councilman Russo

RESOLUTION AUTHORIZING A VETERAN DEDUCTION FOR 2010-2011

WHEREAS, Matthew Pareti had applied and was approved for a Veteran's Deduction in the amount of \$250.00. By error this deduction was not entered into the Assessor's Book; therefore he did not receive his deduction for 2010 & 2011.

THEREFORE, BE IT RESOLVED; that a warrant be issued to the order of the following:

Block 168 Lot 4 Qualification # C0004 – 2010 & 2011 Veteran Deduction of \$250.00 for each year be refunded to;

**Matthew Pareti
611 Willow Avenue #4
Hoboken, NJ 07030**

Total Refund \$500.00

AND, ALSO BE IT RESEOLVED: THAT THE ASSESSOR'S 2011 BOOKS ARE CLOSED.

--Motion duly seconded by Councilman Bhalla
--Adopted by the following vote: YEAS: 9 - NAYS: 0
--Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mello, Occhipinti, Russo and President Mason.

11-828

--By Councilman Russo

RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY TAX COURT JUDGEMENTS 2010 TAX APPEALS

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the refunds be made; now, therefore, be it-

RESOLVED, that a warrant be drawn on the City Treasurer made payable to the appearing on the attached list totaling **\$ 16,466.47**

**REFUNDS ON THE FOLLOWING TAX APPEALS ARE TO BE MADE PAYABLE TO:
DAVENPORT & SPIOTTI**

**219 CHANGE BRIDGE ROAD
MONTVILLE, NJ 07045**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>AMOUNT</u>
NAYAR, DEVJIT S & M. GIROTRA	2/ 5/ CLL42	415 NEWARK ST	\$ 20.05
NAYAR, DEVJIT S & MONICA GIROTRA	2/ 5/ CUL16	415 NEWARK ST	\$ 20.05
NAYAR, DEVJIT S & MONICA GIROTRA	2/ 5/ CUL18	415 NEWARK ST	\$ 20.05
SCHNEIDER, KAYKO	2/ 5/ CUL43	415 NEWARK ST	\$ 20.05
KOUDELKA, T. & C CHEN.	2/ 5/ C009B	415 NEWARK ST	\$1,181.49
CHANG, J. Y.& VAN YAO	7/ 4/ C009C	610 NEWARK ST	\$ 507.49
ONGSENG, F. & H.	7/ 4/ C010B	610 NEWARK ST	\$ 169.39
ALLEN, CAROL A	7/ 4/ C011A	610 NEWARK ST	\$ 514.29
KAPLE, G. & S	7/ 11/ C0205	601 OBSERVER HWY	\$1,574.92
BRINDISI, B. & k	13/ 4/ C0509	85-89 HARRISON ST	\$ 264.94
GOTIMER, KEVIN P & D.	18/ 4/ C0P32	70 ADAMS ST	\$ 37.84
SIMKINS, JOEL & JOANNE	18/ 4/ C0P61	70 ADAMS ST	\$ 37.84
PINCETIC, CAROLINA	20/ 28/ C005A	82 CLINTON ST	\$ 12.17
STEPHENS, DON PAUL	20/ 28/ C005C	82 CLINTON ST	\$ 279.83
WINGERON, NICKOLAS & XIAOQUIN W	20/ 28/ C006B	82 CLINTON ST	\$ 536.77
HEGEMAN, STEPHEN J & CARMEL R	20/ 28/ C006C	82 CLINTON ST	\$ 1,144.42
SPIRO, MICHELLE	20/ 28/ C006G	82 CLINTON ST	\$ 113.08
HEMMER, PETER	25/ 1/ C007C	700 FIRST ST	\$ 1,603.81
GRAHAM, JUAN J	25/ 1/ C008F	700 FIRST ST	\$ 509.47
HAZAGA, R. & R. KANFI	25/ 1/ C009H	700 FIRST ST	\$ 99.17
CHANG, DINGMIN DAVID	25/ 1/ C009J	700 FIRST ST	\$ 99.17
CHIN, JENNIE & JASON	25/ 1/ C009P	700 FIRST ST	\$ 508.14
CHUANG, BORYAN	25/ 1/ C16PA	700 FIRST ST	\$ 536.98
AFFRONTI, DANIEL	25/ 1/ C16PV	700 FIRST ST	\$ 102.50
KOLENDA, KATARZYNA	25/ 1/ C17PN	700 FIRST ST	\$ 128.13
SAUL, JONATHAN & JODIE DRATCH	70/ 1/ C002D	501-515 ADAMS ST	\$ 104.12
PEARSON, CARL THOMAS	70/ 1/ C004I	501-515 ADAMS ST	\$ 51.88
THIEDE, TODD & AMANDA	77/ 15/ C0002	629-33 JEFFERSON ST	\$ 115.85
SCHNEIDER, B & A. CARUSO	84/ 3/ C0P-9	713-725 JEFFERSON ST	\$ 37.84
ADAMS, MICHAEL B	84/ 3/ C0P36	713-725 JEFFERSON ST	\$ 37.84
FLICK, VICKI E	84/ 3/ C0P40	713-725 JEFFERSON ST	\$ 98.33
FLICK, VICKI E	84/ 3/ C0041	713-725 JEFFERSON ST	\$ 2,927.67
FRANKLIN, SEAN P	87/ 13/ C003F	824-830 MONROE ST	\$ 339.97
BALDARI, BRIAN	87/ 13/ C003G	824-830 MONROE ST	\$ 273.98
MANNA, MASSIMO & S. MONEA	89/ 12/ C0607	501 NINTH ST\$	\$ 111.26
MANNA, MASSIMO & S	89/ 12/ C0P19	501 NINTH ST	\$ 20.05
CIRILLO, JENNIFER	91/ 1.2/ C0317	812 GRAND ST	\$ 887.00
HODYL, DANIEL S	91/ 1.2/ C0419	812 GRAND ST	\$ 947.47
GUIDONE, J. & J	91/ 1.2/ C042	812 GRAND ST	\$ 433.33

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

11-830

---By Councilman Russo

RESOLUTION APPROVING MINUTES FOR THE HOBOKEN CITY COUNCIL REGULAR MEETING

RESOLVED, that filed minutes for the Hoboken City Council regular meetings of December 5, 2010 & December 15, 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, Marsh, Mello, Occhipinti, Russo and President Mason.

11-831

---By Councilman Russo

RESOLUTION TO ADOPT THE MINUTES FROM CLOSED EXECUTIVE SESSIONS OF THE CITY COUNCIL OF THE CITY OF HOBOKEN DATED: JANUARY 20, 2010; FEBRUARY 3, 2010; MARCH 17, 2010; APRIL 7, 2010; AND, APRIL 21, 2010

WHEREAS, the Council of the City of Hoboken went into closed executive sessions for the reasons set forth in the Open Public Meetings Act, pursuant to N.J.S.A. 10:4-12 on the following dates: January 20, 2010; February 3, 2010; March 17, 2010; April 7, 2010; and, April 21, 2010; and

WHEREAS, minutes from each of these closed executive sessions were created, and those minutes are now complete and ready for adoption; and

WHEREAS, the Council must vote to adopt said minutes as true and accurate minutes of the discussions held during each closed session.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Hoboken hereby adopts the minutes of the following closed executive sessions as true and accurate minutes of the discussion held: January 20, 2010; February 3, 2010; March 17, 2010; April 7, 2010; and, April 21, 2010; and

BE IT FURTHER RESOLVED that when the need for confidentiality no longer exists, the minutes for each of the above mentioned meetings shall be made available to the public according to OPRA.

---Motion duly seconded by Councilwoman Castellano

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

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

Introduction and First Reading

AN ORDINANCE TO AMEND ORDINANCE Z-41 WHICH ESTABLISHED REGISTRATION FEES FOR RECREATION PROGRAMS UNDER CHAPTER 39 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN

TABLED TO BE DISCUSSED BY SUB-COMMITTEE

Councilman Russo left the table at 9:34 PM

Councilman Russo returned to the table at 9:37 PM

AN ORDINANCE AMENDING THE PREVIOUSLY ADOPTED CHAPTER 133 "NOISE CONTROL" ADDRESSING REVISIONS REQUIRED BY THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

TABLED TO BE DISCUSSED BY SUB-COMMITTEE

AN ORDINANCE TO AMEND AND SUPPLEMENT ARTICLE XXIII ENTITLED "PARKING FOR SNOWPLOWING, SNOW REMOVAL" WITHIN CHAPTER 190 OF THE GENERAL CODE OF THE CITY OF HOBOKEN ENTITLED "VEHICLES AND TRAFFIC"

TABLED TO BE DISCUSSED BY SUB-COMMITTEE

AN ORDINANCE TO ESTABLISH SPECIFIC PARKING SPACES AND RELATED RULES FOR "HOBOKEN CORNER CARS"

TABLED TO BE DISCUSSED BY SUB-COMMITTEE

11-832

Z-83

AN ORDINANCE OF THE COUNCIL OF THE CITY OF HOBOKEN FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY AT THE SITE OF REAL PROPERTY LOCATED AT 1208 PARK AVENUE, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS BLOCK 174 LOT 28 ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY

WHEREAS, project architect, Jensen C. Vasil, P.C. on behalf of the applicants, Mrs. Camelle and Mr. David Alter, has petitioned the City of Hoboken for the granting of a certain easement over municipal lands at 1208 Park Avenue, Hoboken, New Jersey, (“the premises”) which premises is more particularly described as Block 174, Lot 28 on the Tax Map of the City of Hoboken, New Jersey, in order to reconfigure the front exterior stair, and create a new light well and planting area adjacent to the premises as outlined in the attached drawing and described below; and

WHEREAS, there exist three (3) precedents for the proposed reconstruction on the same block and street frontage at 1218, 1226 and 1232 Park Avenue; and

WHEREAS, proposed reconstruction shall not alter the fence line at the front of the property and therefore does not alter the pedestrian right-of-way. The easements are described as follows:

METES AND BOUNDS

(Proposed reconstruction of front exterior stairs and areaway)

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 westerly line of Park Avenue, distant 81.40 feet northerly from the intersection formed by the northerly line of Twelfth Street with the westerly line of Park Avenue said point being opposite the center of a party wall standing partly on the premises being described and partly on the premises adjoining on the south and running; thence

1. South 76 degrees 56 minutes East, to the point of maximum width of proposed stairs a distance of 4.00 feet to a point; thence
2. North 13 degrees 04 minutes East and parallel to Park Avenue a distance of 20.10 feet to a point; thence
3. North 76 degrees 56 minutes West, to the front lot line a distance of 4.00 feet to a point; thence
4. South 13 degrees 04 minutes West parallel to Park Avenue a distance of 10.10 feet to the point and place of BEGINNING.

The above known as a portion of the public right-of-way on Park Avenue adjacent to Block 174 Lot 28, 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 1208 PARK AVENUE, 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.

Council President Mason moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on **FEBRUARY 2, 2011 at 7:00 PM.**

---Motion duly seconded by Councilman Bhalla

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

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

---Nays: None.

NEW BUSINESS

Councilman Cunningham comments a parking for the NHSA – 16th Street and consideration for a streamlined process for Senior Parking Placards and families who come into town who do not have the ability to come into town or a makeshift facility to expedite the Process Councilwoman Castellano comments and in the past coupons and appropriate paperwork were mailed

Councilman Cunningham comments on an eighth grader from Stevens Co-Op is the Basketball Court at Elysian Park and it needs to be leveled and request the Director Maier look into it

Councilman Giacchi comments and adds on to it

Councilman Mello comments and thank the city workers on the city streets due to the snow storm but there are spots around town where there are snow mounds creeping in the street and ask the Director and look into it

Councilman Russo comments and echoes Councilman Mello on thanking the city workers but one particular area was the 9th Street light rail station

Councilman Occhipinti comments on 5 street lights out by Jackson Street in the 4th Ward, and concerned about the press release from the City and then residents got ticketed but if the Parking Utility vehicle followed by the snow plows and a serious public safety concern on Harrison St. and Observer Highway may need a DO NOT BLOCK the box or have a public safety officer there, addresses Director Sacs

Director Sacs comments and responds and is taken under serious considerations and continue to put a short term plan

Councilman Occhipinti comments about concern on Adams St. possibly putting a speed hump
Director Sacs comments and clarified the past snow removal and ticketing but reversed it but found out that a lot of cars were not moved so the city had to change their procedures so the city could not plow and since that day have not issued street summons

Councilman Occhipinti thanks Director Maier on the services done by the City and excited for parks upgrade for Mama Johnson Field and Boys and Girl' s Club.

B.A. comments and responds to Councilman Occhipinti on the Seed funding

Councilman Bhalla addresses Director Pellegrini about the PAL middle weight football team went undefeated 8-0 and the Hoboken soccer team, but there was a concern with the Championship League got fitted jackets and the football league parents had to pay for the jackets and would like the Director to provide clarification

Director Pellegrini responds how the process works with Recreation, there are a lot of entities for the soccer league ie. fundraising, but PAL does not have fundraisers but can fundraise and possibly Grants

Councilman Bhalla suggests a Proclamation

Council President suggests that the Council can provide a proclamation

Councilwoman Marsh comments on the committee has been reduced and questions about the Ad-hoc Committee, would like Council President to send an email to clarify

Council President comments

Councilwoman Marsh left the table at 10:00 PM

Councilwoman Marsh has returned to the table at 10:03 PM

Councilwoman Castellano addresses Director Sacs about the parking renewal for condo associations.

Director Sacs comments and elaborates

Councilman Cunningham comments on the Parking and Tran. Sub-Committee – temporary parking signs issued – time frame is too short and possibly change the parameters

Councilman Occhipinti comments about the re-organization of the Sub-committee and requests the Administration on any briefing on the 4th ward, that there is a courtesy call

Council President comments that there should all courtesy calls for all Council members

Councilwoman Marsh acknowledges that there are 6 committees in effect

Council President comments on consideration on additional parking by Maxwell Pl., asks the Parking and Tran. look into it and also on 11th St. by Maxwell Pl.

Councilman Mello comments and not sure about the ownership on the roads may be a problem.

Council President comments on a private-public partnership possibly be established, the handicap access near Stevens.

Councilman Giacchi comments that 5th St. repaving.

Council President comments on an opportunity of speed bumps at Kings and Elysian Park hopefully slow traffic on Hudson St., asks Parking and Transportation to look into and put it on a resolution.

Council President comments on Councilwoman Marsh and putting ideas on the city website Councilwoman Marsh requests and email.

Council President asks the B.A. on the snow report

B.A. comments on an operation audit on the Dec. 26th Storm

Council President comments on Executive Sessions that were not revisited – Hospital, Bids, outstanding legal issues

B.A. comments that with Corporation Counsel is absent, be put in the Feb. 2nd meeting in Executive Session.

Council President suggests a separate meeting for this business and asks the Governing Body

Councilwoman Marsh comments that the Governing Body has not held the public

Councilwoman Castellano requests to have a separate meeting

Council President has thanked the public and the Governing Body that there has been improvements and hope that it continues.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Patricia Waiters, Anna Pignotti, Gerri Pantoliano, Mark Casab, Peter Alvarez, Joseph Branco, Mike Evers, Scott Siegel, Ron Simonici, MaryAnn Bagan, John Effers, Hany Ahmed.

At 11:04 P.M. the Governing Body on a motion by the Governing Body; duly seconded by Councilman Occhipinti.

President Mason then adjourned the meeting at 11:04 P.M.

PRESIDENT OF THE COUNCIL

CITY CLERK