

**MEETING OF JUNE 15, 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, JUNE 15, 2011 AT 7:00 PM**

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President Mason opened the meeting at 7:00 p.m. and stated, "I would like to advise all those present that notice of this meeting has been provided to the public in accordance with the provisions of the Open Public Meeting Act, and that notice was furnished to The Jersey Journal and The Hoboken Reporter, The Record, The Newark Star - Ledger and also placed on the bulletin board in the lobby of City Hall."

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

The Clerk then called the roll:

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

**BUDGET AMENDMENTS**

**11-1040**

**RESOLUTION AUTHORIZING AMENDMENTS TO THE CY 2011 BUDGET  
INTRODUCED ON 02 MARCH 2011**

**Sponsors**

A quorum of the Council members agreed to schedule for Special Meeting to be held on June 29, 2011

Passed: YEAS: 5 – NAY – 4

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

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

**PUBLIC HEARING and FINAL VOTE ON ORDINANCES**

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

AN ORDINANCE REDUCING THE SALARY OF THE MAYOR OF HOBOKEN. (Z-112)

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. – Who closes hearing?

The speakers who spoke: Mo DeGennaro, Helen Hirsch, Margaret O'Brien, Scott Siegel.

---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: 5- NAYS: 4  
---Yeas: Council persons Giacchi, Mello, Occhipinti, and President Mason.  
---Nays: Bhalla, Cunningham, Marsh, Mello.

#### AN ORDINANCE REDUCING THE SALARY OF DEPARTMENT HEADS (Z-113)

##### **Who closes hearing?**

---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: 5- NAYS: 4  
---Yeas: Council persons Giacchi, Marsh, Occhipinti, and President Mason.  
---Nays: Bhalla, Cunningham, Marsh, Mello.

##### **11-1040A**

#### **MEMO FROM MAYOR ZIMMER REGARDING SPECIAL MEETING TO BE HELD ON JUNE 13, 2011.**

TO: Hoboken City Council Members  
FROM: Mayor Dawn Zimmer  
RE: Special Meeting scheduled for June 13, 2011

Council Members,

I am in receipt of Council President Mason's correspondence dated June 8, 2011 requesting a special meeting for June 13, 2011. According to the correspondence, it is my understanding that Council is requesting more information in connection with the current FBI investigation concerning compromised security in the electronic communications within the City.

Please be advised that I spoke with the FBI directly on Friday afternoon and the FBI advised that no further details other than what has already been provided to you should be disclosed. Furthermore, it is my understanding based on my conversation with the FBI that if any further details are provided their investigation may in fact be compromised.

Based on these conversations, this Administration will not provide any further information while this investigation is ongoing. As soon as the FBI concludes their investigation, we will provide as much information as is possible at that time.

Thank you,

Mayor Zimmer

Received and Filed.

**11-1041**

**APPLICATION FOR MISCELLANEOUS LICENSES**

Raffles-----2  
Taxi, Limo and Livery Drivers-----9

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

**REPORTS OF CITY OFFICERS**

**11-1042**

A report of the Municipal Tax Collector Sharon Curran for taxes collected for the month of May 2011 (\$22,401,504.04) (Abatement Totals \$284,690.85)

Received and Filed.

**11-1043**

A report of the Municipal Court indicating receipts for the month of May 2011 as \$369,558.87.

Received and Filed.

**11-1044**

---By Councilman Giacchi

**CLAIMS**

Total for this agenda **\$1,287,786,27.**

---Motion duly seconded by Councilman Cunningham  
---Adopted by the following vote: YEAS: 7 - NAYS: 2  
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mello, Occhipinti.  
---Nays: Russo, President Mason.

**11-1045**

**Payrolls**

---By Councilman Giacchi

For the two week period starting May 12, 2011- May 25, 2011

<b>Regular Payroll</b>	<b>O/T Pay</b>	<b>Pay</b>
\$1,450,309.26	\$55753.61	\$1,786,201.98
	<b>TOTAL</b>	\$280,129.11

---Motion duly seconded by Councilman Cunningham  
---Adopted by the following vote: YEAS: 8 - NAYS: 1  
---Yeas: Council persons Bhalla, Castellano, Cunningham, Giacchi, Marsh, Mello, Occhipinti, Russo.  
---Nays: President Mason.

**11-1046**

---By Councilwoman Marsh

**A RESOLUTION TO EXTEND THE CONTRACT FOR SPECIAL COUNSEL WITH EDWARD BUZAK, ESQ. OF THE BUZAK LAW GROUP, LLC FOR ONE YEAR TO BEGIN IMMEDIATELY UPON EXECUTION IN AN AMOUNT OF TEN THOUSAND DOLLARS (\$10,000)**

**WHEREAS**, the City Council approved Special Legal Counsel contracts with Edward Buzak, Esq. of the Buzak Law Group, LLC by resolutions dated August 11, 2010 and February 17, 2010; and,

**WHEREAS**, Edward Buzak has substantial experience representing governmental agencies, and particularly municipalities, in real estate transactions, which expertise will be beneficial to the City of Hoboken as it seeks to acquire open space property; and,

**WHEREAS**, this service represents a professional service and is, therefore, exempt from bidding pursuant to N.J.S.A. 40A:11-5; and, the special expertise and special knowledge of The Buzak Group, LLC and Edward Buzak, Esq. relating to legal issues constitutes sufficient reason to waive the general requirements for utilizing the request for proposals process, pursuant to Hoboken Code Section 20A-4H; and

**WHEREAS**, the City needs to extend its current contract with Edward Buzak, Esq. of the Buzak Law Group, LLC for an additional one year term, Ten Thousand Dollars (\$10,000.00) of which shall be dedicated to representing the City in its acquisition of open space.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Hoboken in the County of Hudson (*a majority of the whole Council concurring*) that:

1. The above recitals are incorporated herein as thoughtfully set forth at length; and
2. The City Council hereby requests a one year extension of the City's contract with Edward

- Buzak, Esq. for services as Special Counsel in an amount not to exceed Ten Thousand Dollars (\$10,000.00) which shall be dedicated to representing the City in its acquisition of open space; and,
3. The term of the contract shall commence immediately upon execution of the contract, and last for a term of one year from the date of commencement; and,
  4. Attorneys at the Buzak Law Group LLC shall be paid at a rate of one hundred fifty dollars (\$150.00) per hour based on actual time, and expenses; and,
  5. The City Council directs the Mayor or her agent to take steps to effectuate the recitals herein; and,
  6. This resolution shall take effect immediately.

The speakers who spoke: Scott Siegel.

---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

**11-1047**

---By Councilman Occhipinti

**RESOLUTION TO APPROVE THE “TRIPARTITE AGREEMENT FOR THE PROVISION OF GEOTECHNICAL BORINGS ON A PORTION OF SINATRA DRIVE IN THE CITY OF HOBOKEN” BETWEEN THE CITY OF HOBOKEN, PORT AUTHORITY OF NEW YORK AND NEW JERSEY AND CRAIG GEOTECHNICAL DRILLING COMPANY, INC.**

**WHEREAS**, Hoboken owns the roadway known as Sinatra Drive in the City of Hoboken, and the Port Authority of New York and New Jersey owns the South Waterfront Development between Sinatra Drive and River Street adjacent to this portion of Sinatra Drive; and

**WHEREAS**, a depression in the portion of Sinatra Drive described above has occurred and neither party is able to identify the cause of the depression; and

**WHEREAS**, Port Authority has offered to perform, through its contractor, geotechnical test borings in the roadway and analyze the boring samples at no cost, and as a courtesy, to the City of Hoboken; and

**WHEREAS**, Port Authority and its contractor will require access to Sinatra Drive at times set forth in this agreement as well as cooperation from the City of Hoboken with regard to any necessary street closures and traffic/security requirements attendant to the performance of the geotechnical test borings; and

**WHEREAS**, Port Authority will require the contractor to name the City of Hoboken, its officials, employees, representatives and agents as an additional insured on its insurance policy and will require the City of Hoboken to insure, indemnify, save and hold harmless, the Port Authority, its officials, employees, representatives and agents as well as other Port Authority required insurance provisions described herein.

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

- 1) Approval of the attached Tripartite Agreement between the City of Hoboken, the Port Authority of New York and New Jersey, and Craig Geotechnical Drilling Company, Inc.;

- 2) The Mayor or her agent is hereby authorized to enter into the attached agreement; and
- 3) This resolution shall become effective immediately up adoption.

---Motion duly seconded by Councilman Giacchi

---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

#### **11-1048**

---By Councilman Occhipinti

#### **RESOLUTION APPROVING A CHANGE ORDER FOR NEW HVAC AT THE MULT SERVICE CENTER**

**Whereas**, the City of Hoboken has received grant awards totaling \$386,000 (\$161,000 EECBG federal stimulus and \$225,000 Community Development Grant funds) for replacement of the HVAC system at the Multi-Service Center; and

**Whereas**, at the City Council meeting of November 15, 2010, a construction contract for the HVAC replacement was awarded to WHL Enterprises (t/a Bill Leary A/C & Heating, 6 Green Street, Metuchen, NJ 08840) in the amount of \$322,900; and

**Whereas**, approval of a change order #1 in the amount of \$6,171.00 (attached) is necessary to cover steel needed as additional reinforcement for wind loads, as required by the City's Building Department; **now therefore be it –**

**Resolved**, that the City Council approves the attached Change Order in the amount of \$6,171.00.

The speakers who spoke: Helen Hirsch.

---Motion duly seconded by Councilman Giacchi

---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.

#### **11-1049**

---By Councilman Giacchi

#### **RESOLUTION AUTHORIZING USE OF THE COMPETITIVE CONTRACTING PROCESS FOR IT SERVICES FOR THE CITY OF HOBOKEN FOR A ONE YEAR PERIOD**

**WHEREAS**, the City of Hoboken needs to secure a company to provide IT services, including, but not limited to the operation, management and administration of data processing services; and

**WHEREAS**, the cost of these services will exceed the City's bid threshold; and

**WHEREAS**, under the Local Public Contracts Law, N.J.S.A. 40A:11-4.1, competitive contracting may be used by local contracting units in lieu of the standard public bidding process for procurement of specialized goods and services where the price exceeds the bid threshold; and

**WHEREAS**, the City meets the criteria of Local Public Contracts Law N.J.S.A. 40a:11-4.1 which allows the use of a methodology to rank and evaluate proposals received to not only secure the best price but the best service to suit the City's needs.

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Hoboken, that the Competitive Contract Process, as described and allowed in N.J.S.A. 40A:11-4.1 shall be initiated by the Purchasing Agent/Business Administrator for the purpose of receiving proposals for the City's IT services, including, but not limited to the operation, management and administration of data processing services according, to the local public contracts law.

The speakers who spoke: Helen Hirsch.

Motion duly seconded by Councilman Cunningham

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

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

---Nays: Castellano.

**11-1050**

---By Councilman Giacchi

**RESOLUTION TO APPROVE A CONTRACT WITH GS ELEVATOR FOR EMERGENCY REPAIR OF THE ELEVATOR IN CITY HALL OF THE CITY OF HOBOKEN**

**WHEREAS**, the single elevator at Hoboken City Hall has been out of service since the week of June 6, 2011 leaving individuals with no independent means to get to different floors within City Hall except the stairways; and,

**WHEREAS**, the City of Hoboken, as a government entity, is required by law to maintain its buildings in compliance with all ADA guidelines; which guidelines include providing alternate means to stairs, such as elevators, to transport disabled individuals between floors of buildings; and,

**WHEREAS**, maintaining a four story government building without a working elevator creates an emergency situation, particularly during the summer months when the temperature is excessively high making climbing stairs difficult, because it violates federal laws, limits the public's ability to obtain the City services they require without putting the health at risk, and puts the City employees' health at risk in order to present themselves at their jobs and actively work throughout the day; and,

**WHEREAS**, the City of Hoboken has obtained an estimate from GS Elevator, in the amount of Thirty Nine Thousand Nine Hundred Seventy Five Dollars and Fifty Cents (\$39,975.50), to immediately begin ordering the necessary parts and to fix the elevator; and,

**WHEREAS**, GS Elevator is hereby required to abide by the "pay-to-play" requirements of the Hoboken Public Contracting Reform Ordinance, #DR-154 (codified as §20A-11 et seq. of the Code of the City of Hoboken); and,

**WHEREAS**, there is an emergency need for said service, which is therefore exempt from the public bidding requirements pursuant to N.J.S.A. 40A:11-6; and,

**WHEREAS**, funds are available for this purpose.

**NOW THEREFORE, BE IT RESOLVED** (*a majority of the whole Council concurring*) that an emergency contract be awarded to GS Elevators for repair of the single shaft elevator at City Hall in an amount not to exceed Thirty Nine Thousand Nine Hundred Seventy Five Dollars and Fifty Cents (\$39,975.50); and

**BE IT FURTHER RESOLVED** that the City Council of the City of Hoboken specifically finds that compliance with Hoboken Ordinance #DR-154 (codified as §20A-4 of the Code of the City of Hoboken), is waived and that the City invokes N.J.S.A. 40A:11-6 for the following reason: failure to maintain a working elevator in City Hall constitutes an emergency; 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

The speakers who spoke: Mo DeGennaro.

---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

### **11-1051**

---By Councilman Giacchi

#### **RESOLUTION TO AUTHORIZE APPLICATION FOR A GRANT FROM THE NJ DCA TO PROVIDE ADAPTED RECREATION PROGRAMS TO RESIDENT CHILDREN WITH SPECIAL NEEDS**

WHEREAS, the City of Hoboken desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$12,240.00 to carry out a project to provide children with special needs living in Hoboken with adapted recreation programs; and

WHEREAS, there is a requirement that the City of Hoboken match 20% of the grant amount.

NOW, THEREFORE, BE IT THEREFORE RESOLVED, by the City Council of the City of Hoboken, that the City of Hoboken does hereby authorize the application for such a grant; and, recognizes and accepts that the Department may offer lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds, in the amount of 20% of the final grant amount, pursuant to the terms of the agreement between the City of Hoboken and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the Mayor or her designee is hereby authorized to sign the application, the agreement, and any other documents necessary in connection therewith.

---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

**11-1052**

---By Councilman Giacchi

**RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS**

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

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

**NOW THEREFORE BE IT RESOLVED**, that a warrant be drawn on the City Treasurer made payable to the following totaling **\$ 10,556.68**

<b><u>NAME</u></b>	<b><u>BL/LT/UNIT</u></b>	<b><u>PROPERTY</u></b>	<b><u>QTR/YEAR</u></b>	<b><u>AMOUNT</u></b>
<b>Damergy, Seth 79 Grand St #3B Hoboken, NJ 07030</b>	<b>20/2.3/C003B</b>	<b>79 Grand St</b>	<b>1/11</b>	<b>\$ 1,779.38</b>
<b>Bosman, Daniel 110 Willow Ave #4 Hoboken, NJ 07030</b>	<b>33/29/C0004</b>	<b>110 Willow Ave</b>	<b>4/10</b>	<b>\$ 6,367.79</b>
<b>Strasser, Gregory &amp; Marianne 204 Eighth St Hoboken, NJ 07030</b>	<b>183/6</b>	<b>204 Eighth St</b>	<b>1/11</b>	<b>\$ 296.57</b>
<b>Ciambrone, Francis A Attorney at Law Re: Jonathan &amp; Susan Wilson 242 Oradell Ave – 2<sup>nd</sup> Floor Paramus, NJ 07652</b>	<b>215/11.4/C0004</b>	<b>61 Fifth St</b>	<b>4/10</b>	<b>\$ 2,112.94</b>

---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

**ORDINANCES**

**Introduction and First Reading**

**11-1053**

**Z-113**

## **AN ORDINANCE TO ESTABLISH PARKING FEES AT MUNIICPAL GARAGES**

**WHEREAS**, pursuant to N.J.S.A. 40:60-25.4, the governing body of the City of Hoboken is entitled to fix the fees payable to the municipality for the privilege of parking vehicles in the publicly owned parking garages;

**WHEREAS**, the General Code of the City of Hoboken, at Chapter 140, is presently reserved;

**WHEREAS**, the City Council wishes to establish a chapter within the code for fixing the fees for parking spaces at the municipally owned parking garages.

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

### **Section One: Establishment of Chapter 140 – Public Parking Garages**

Chapter 140 is hereby established and entitled “Public Parking Garages”

### **Section Two: Addition of Section 140-1: Reduced Fees for Senior Citizens**

Any individual sixty five years of age or older shall be charged a reduced monthly parking garage fee. The senior rate at Midtown Garage shall be \$120.00.

### **Section Two: Repeal of Inconsistent Provisions**

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

### **Section Three: Severability**

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

### **Section Four: Effective Date**

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

### **Section Five: Codification**

This Ordinance shall be a part of the code of the City of Hoboken as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Code.

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

The speakers who spoke: Mo DeGennaro, Helen Hirsch, Margaret O’Brien, Scott Siegel.

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 **July 1, 2011** at 12:00 PM.

--Motion duly seconded by Councilwoman Castellano

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

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

--Nays: None.

### **PUBLIC PORTION**

All regular business concluded the following members of the public spoke at the Public Portion” of the meeting: Helen Hirsch, Margaret O’Brien, Jean S. Stewart, Moe DeGennaro, Richard Tremitedi, Vic Zarish, Scott Siegel, Cheryl Fallick, lane Bajardi, Roman Brice.

Council President reads the Closed Session resolution

### **CLOSED SESSION**

Councilman Russo motions to go into Closed Session seconded by Councilwoman Castellano

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

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

NAYS:

ABSENT:

--By Council

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At 11:11 P.M. The Governing Body entered into a closed session.

#### **11-1054**

---By Councilman Mello and seconded by Councilman Cunningham

#### **RESOLUTION AUTHORIZING CLOSED SESSION, PURSUANT TO N.J.S.A. 10:4-12(8) AND ATTORNEY CLIENT PRIVILEGE TO DISCUSS EMPLOYEE MATTERS RELATING TO EMPLOYEE NUMBER 101484**

**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. 10:4-14(8) and to protect matters that fall within attorney-client privilege; and,

**WHEREAS**, one of these reasons is to receive legal advice and counseling relating to issues concerning an employee matter relating to employee number 101484: and,

**WHEREAS**, the City Council wishes to be informed on employee matters relating to employee number 101484, and wishes to obtain legal advice and counseling relating thereto from its Corporation Counsel, pursuant to N.J.S.A. 10:4-12(8); and,

**WHEREAS**, the Council therefore, has determined that it is necessary to go into closed executive session for the foregoing purpose; and;

**WHEREAS**, employee number 101484 received the required RICE notice on Monday, June 13, 2011, and no response has been received to that notice.

**NOW THEREFORE, BE IT RESOLVED** by the Council of the City of Hoboken that it enter into closed session for said purpose; and,

**BE IT FURTHER RESOLVED**, formal action may be taken in an open public session subsequent to and as a result of the closed session; and,

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

Motion to come out of closed session duly by the Councilman Russo seconded by the Governing Body

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

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

NAYS:

ABSENT:

--By Council

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At 11:25 PM the Governing Body on a motion by the Governing Body; duly seconded by the Council.

President Mason then adjourned the meeting at 11:26 PM

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PRESIDENT OF THE COUNCIL

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CITY CLERK