

THE COUNCIL OF THE CITY OF HOBOKEN

MINUTES FOR MEETING OF DECEMBER 21, 2011

President Bhalla opened the meeting at 7:03 P.M. and stated, "I would like to advise all those present that notice of this meeting has been provided to the public in accordance with the provisions of the Open Public Meeting Act, and that notice 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 Castellano, Cunningham, Giattino, Marsh Mello, Russo and Bhalla

ABSENT: Mason and Occhipinti

Council President announces for a moment of silence for Maurice Fitzgibbons

Council President asks to suspend the agenda and move to Petitions and Communications since Councilman Occhipinti is not here.

Councilman Cunningham motions to suspends the agenda and seconded by Councilman Mello

Second Reading/Public Hearing and Final Vote

BOND ORDINANCE AUTHORIZING THE ACQUISITION OF CAPITAL EQUIPMENT AND THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY; APPROPRIATING THE SUM OF \$3,033,450 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$2,881,777; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING (Z-148)

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

President Bhalla moved that the hearing be closed.

---Motion duly seconded by Councilman Mello

---Adopted by the following vote: YEAS: 7 – NAYS: 0 –ABSENT: 2

---Yeas: Councilpersons Castellano, Cunningham, Giattino, Marsh, Mello, Russo and President Bhalla.

---Absent: Mason, Occhipinti.

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

---Motion duly seconded by Councilman Cunningham

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

---Yeas: Council persons Castellano, Cunningham, Giattino, Marsh, Mello and President Bhalla

---Nays: Russo

---Absent: Mason and Occhipinti

The Governing Body takes a recess at 7:52 PM.

The Governing Body returned to the table at 8:01 PM.

AN ORDINANCE TO AMEND CHAPTER 141A ENTITLED "PARKING PERMITS," AND AMENDING CHAPTER 190 ENTITLED "VEHICLES AND TRAFFIC" TO AMEND PARKING REGULATIONS RELATING TO RESIDENT PARKING PERMITS, NO PARKING ZONES, AND TIME LIMIT PARKING **(Z-147)**

(Carried to January 4, 2012 Council meeting)

ORDINANCE TO DELETE CERTAIN SECTIONS OF THE HOBOKEN CITY CODE DUE TO UNCONSTITUTIONALITY, PREEMPTION, REPEAL BY CASE LAW, AND/OR **(Z-144)**

(Carried to January 4, 2012 Council meeting)

PETITIONS AND COMMUNICATIONS

11-257

MEMORANDUM

TO: City Clerk James Farina

FR: Mayor Dawn Zimmer

RE: Hoboken Library Board

Mr. Farina.

In place of Mairead Patterson, who has resigned from the Hoboken Library Board as of November 10, 2011, I have appointed the following applicant:

Alan Krantz

Please administer the oath of office and update your records accordingly.

Thank you,

Mayor Dawn Zimmer

Received and filed.

11-258

Memo from the Tax Assessor regarding Tax Refunds Resolutions.

Received and Filed.

11-259

TAXI, LIVERY, AND LIMOUSINE DRIVERS	2 ITEMS
(SEE ATTACHED)	
PARKING FACILITIES	5 ITEMS
RAFFLES.....	7 ITEMS
MECHANICAL AMUSEMENT DEVICES	1 ITEMS

--- Councilman Mello moved that the licenses be granted.
 ---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
 ---Yeas: Council persons Castellano, Cunningham, Giattino, Marsh, Mello, Russo and President Bhalla
 ---Nays: None
 ---Absent: Mason and Occhipinti

11-260

A report from the Municipal Tax Collector Sharon Curran for taxes collected for the month of November 2011 \$13,351,313.22 (Abatement Totals - \$316,342.96)

Received and Filed.

11-261

A report from Municipal Court indicating receipts for the month of November 2011 as \$388,909.19.

Received and Filed.

11-262

---By Councilman Cunningham

CLAIMS

Total for this agenda \$1,368,988.50**

Councilman Cunningham comments about Health and Human services and received a response from Mr. Liston and Director Pelligrini

---Motion duly seconded by Councilman Mello
 ---Adopted by the following vote: YEAS 6 - NAYS: 1 - ABSENT: 2
 ---Yeas: Council persons Castellano, Cunningham, Giattino, Marsh, Mello, and President Bhalla
 ---Nays: Russo
 ---Absent: Mason and Occhipinti

Councilman Cunningham comments about Health and Human services and received a response from Mr. Liston and Director Pelligrini

11-263

---By Councilman Cunningham

PAYROLLS

For the two week period starting November 24, 2011 – December 07, 2011

Regular Payroll	O/T Pay	Other Pay	
\$1,440,167.88	\$25,664.55		\$383,373.99

Total \$1,849,206.42

---Motion duly seconded by Councilman Mello

---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2

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

---Nays: None

---Absent: Occhipinti Mason

*Director Trasente has left the council meeting at 8:32 PM

*Councilman Occhipinti has entered the City Council meeting at 8:33 PM

11-264

---By Councilman Cunningham

RESOLUTION TO EXPRESS COUNCIL SUPPORT FOR THE ADMINISTRATION EXPLORING HOBOKEN UNIVERSITY DISPATCHING FROM OCEAN COUNTY BASED MONOC SERVICE TO THE BAYONNE BASED MCCABE E-911 DISPATCH CENTER..

WHEREAS the City Council and the Administration support Hoboken University Medical Center, the only full-service acute care facility in Hoboken and wants Hoboken University Medical Center to succeed for the long term; and

WHEREAS Hoboken University Medical Center has expressed concerns to the City about the emergency dispatching system currently in place, stating: “for many years the physicians, patients and administrators...were very dissatisfied with the way ambulances were dispatched here” and “we have received many complaints from doctors and their patients that they were driven to another facility despite their demands to be brought here;” and

WHEREAS 911 calls for emergency dispatching of ambulances are currently handled by the Ocean County-based MONOC Service; and

WHEREAS Hoboken University Medical Center has requested that emergency dispatching of ambulances be handled instead by a local provider - the McCabe E-911 Dispatch Center in Bayonne - which has been in operation since New Jersey implemented a 911 system, is licensed by the State of New Jersey 911 Commission, has call-takers/dispatchers who are all Emergency Medical Dispatch certified and never deviate from State protocols and policy, and which has been dispatching emergency vehicles in Secaucus since earlier this year; and

WHEREAS McCabe has pledged that neither the City of Hoboken nor any of its residents will be charged for the dispatch service.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Hoboken affirms its continued support for Hoboken University Medical Center and expresses its support for the Administration exploring Hoboken University Medical Center's request to change the emergency dispatching operations from Ocean County-based MONOC Service to the Bayonne-based McCabe E-911 Dispatch Center.

The speakers who spoke: Helen Hirsch, Assemblywoman Quigley comments and introduces Mickey McCabe and Frank (911 dispatch center)

---Motion duly seconded by President Bhalla

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

---Yeas: Council persons Castellano, Cunningham, Giattino, Marsh, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason.

11-265

---By Councilman Mello

RESOLUTION APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY FOR A STORM WATER INFRASTRUCTURE MASTER PLAN UNDER THE FY 2011 URBAN WATERS SMALL GRANT PROGRAM

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Hoboken formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application to the United States Environmental Protection Agency on behalf of the City of Hoboken.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to provide in-kind matching resources in the amount of \$2,500.00 towards the total cost of the project.

BE IT FURTHER RESOLVED that the \$2,500.00 in-kind matching resources satisfy the minimum requirements of the FY2011 Urban Waters Small Grants Program and the actual dollar amount of the in-kind contribution provided by the City of Hoboken is likely to surpass this minimal requirement.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the City of Hoboken and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

The speakers who spoke: Vic Zarish.

---Motion duly seconded by Councilman Cunningham

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

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

---Nays: None.

---Absent: Mason.

11-266

---By Councilwoman Giattano

RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE HUDSON COUNTY OPEN SPACE TRUST FUND FOR DEVELOPMENT FUNDS FOR IMPROVEMENTS TO STEVENS FIELD AND ADJOURNING PLAYGROUND

WHEREAS, the Hudson County Department of Planning is soliciting applications for funding through the Hudson County Open Space Trust Fund for the support of development projects within the County of Hudson; and

WHEREAS, The City of Hoboken desires to further the public interest by obtaining funding in the amount of \$500,000 in grant funds toward Improvements to Stevens' Field, the Dog Run, and the Adjoining Playground (401 Hudson Street, Block 232, Lot 1) at a projected cost of \$542,000 (balance to be paid for by the City of Hoboken if necessary).

NOW, THEREFORE, the governing body resolves that Dawn Zimmer, Mayor or her designee is hereby authorized to:

- (a) make application for 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 be it further –**

RESOLVED BY THE Council of the City of Hoboken:

1. That, should funding be awarded, the Mayor is hereby authorized to execute an agreement thereto with the County of Hudson with respect to the Improvements to Stevens' Field and Adjoining Playground project;
2. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project, and;
3. That this resolution shall take effect immediately.

---Motion duly seconded by Councilman Mello

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

---YEAS: Council persons Castellano, Cunningham, Giattino, Marsh, Mello, Occhipinti, Russo and President Bhalla

---NAYS: None

---Absent: Mason

11-267

---By Councilman Cunningham

RESOLUTION AUTHORIZING EXTENSION UNTIL DECEMBER 31, 2011 OF ALL SPECIAL COUNSEL CONTRACTS WITH OUTSIDE ATTORNEYS AND FIRMS WHICH TERMINATED IN THE 2011 CALENDAR YEAR

WHEREAS, the City of Hoboken currently has outstanding litigation and outstanding legal representation pursuant to contracts which are set to expire during the 2011 calendar year pursuant to individual contracts with attorneys and firms, and the City seeks to extend all Special Legal Counsel contracts until December 31, 2011 in order for the City to begin to systematically and universally transition the terms of contracts for professional services in accordance with the City's transition to a calendar year; and,

WHEREAS, compliance with Hoboken Ordinance #DR-154 (codified as §20A-4 of the Code of the City of Hoboken), is waived to the extent affected by this resolution for the following reasons: (1) failure to continue to maintain and retain legal counsel will jeopardize the City's legal positions in multiple litigations and negotiations; and, (2) the attorneys and firms currently representing the City offer the City special expertise and substantive knowledge relating to the legal issues underlying their respective litigations and legal representations; and

WHEREAS, all attorneys and firms affected by this Resolution and the corresponding contractual amendments are 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 the affirmative action contract compliance requirements of N.J.S.A. 10:5-31 *et seq.* and N.J.A.C. 17:27-1 *et seq.*; 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, said amendments and extensions to the contracts affected shall not change the not to exceed amounts of the contacts at issue; and,

WHEREAS, this resolution does not affect the City's budget, as no additional funds are expended under this Resolution and the corresponding contracts.

NOW THEREFORE, BE IT RESOLVED (*a majority of the whole Council concurring*) that the professional service contracts for Special Legal Counsel services to the City of Hoboken be amended and extended as follows:

1. The retention of all attorneys for services as Special Legal Counsel to the City of Hoboken with current contracts during the calendar year 2011 shall have the term extended until December 31, 2011;
2. The not to exceed amounts of the contracts shall not change as a result of this Resolution.

BE IT FURTHER RESOLVED that the City Council specifically finds that compliance with Hoboken Ordinance #DR-154 (codified as §20A-4 of the Code of the City of Hoboken), is waived for the following reasons: (1) failure to continue to maintain and retain legal counsel will jeopardize the City's legal positions in multiple litigations and negotiations; and, (2) the attorneys and firms currently representing the City offer the City special expertise and substantive knowledge relating to the legal issues underlying their respective litigations and legal representations; and

BE IT FURTHER RESOLVED that this approval by the City Council is contingent upon all effected Special Legal Counsel attorneys and firms complying with all requirements of Hoboken Code Section 20A-14 and all requirements of the Affirmative Action laws and regulations of the State of New Jersey, and failure to comply with all requirements within fifteen (15) days of the adoption of this Resolution shall render this resolution null and void as it effects that particular attorney and/or firm; 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
The speakers who spoke: Scott Siegel.

---Motion duly seconded by Councilman Mello

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

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

---Nays: Castellano, Occhipinti, and Russo.

---Absent: Mason

11-268

---By Councilwoman Giattino

RESOLUTION TO RESCIND THE WARD OF A CONTRACT TO APPLIED TECHNOLOGIES FOR THE CONSTRUCTION OF 1600 PARK ARTIFICIAL TURF FIELD FOR THE CITY IN ACCORDANCE WITH THE SPECIFICATION IN BID NUMBER 11-14

WHEREAS, on July 1, 2011, by way of Resolution Number 14, the City awarded a contract to Applied Landscape Technologies for the construction of the 1600 Park artificial turf field in accordance with the specifications in Bid No. 11-14; and,

WHEREAS, the City has since been provided with new information by the New Jersey Department of Environmental Protection (“DEP”) that the property has been approved for a decreased elevation level, and such decreased elevation levels would positively benefit the City and the park project scheduled for 1600 Park, and thereafter the City received amended conceptual drawings which take into account the DEP’s approval of decreased elevation levels for the location; and,

WHEREAS, in light of the new information and approvals from the DEP and the revised conceptual plans resulting therefore, the City will pursue lowering the property elevation for the benefit of the City and the project; and,

WHEREAS, as a result of the change in circumstances, and the new direction the City must pursue to effectuate the elevation approvals of the DEP, the provisions called for in the contract awarded to Applied Landscape Technologies are no longer appropriate or necessary; and,

WHEREAS, the City Council hereby rescinds the award of said contract and directs the Administration to take the appropriate action to effectuate this rescission.

NOW THEREFORE BE IT RESOLVED as follows:

- A. This resolution rescinds the award of a contract to Applied Landscape Technologies which was authorized by the City Council’s Resolution #14 of 1 July 2011, for the reasons stated herein; and,
- B. The City Council requests the Administration to take the appropriate action to effectuate this Resolution, and to take whatever additional action is necessary to reap the benefits of the recent approvals of the DEP relating to the decrease in elevation at 1600 Park; and,

C. This resolution shall take effect immediately upon passage.

---Motion duly seconded by Councilman Mello

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

---Yeas: Council persons Castellano, Cunningham, Giattino, Marsh, Mello, Occhipinti and President Bhalla

---Nays: Russo

---Absent: Mason

11-269

RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON WWW.GOVDEALS.COM (AN ONLINE AUCTION WEBSITE) PULLED BEFORE MEETING.

Councilman Russo has left the table at 9:54 P.M.

Councilman Russo has returned to the table at 9:57 P.M.

11-270

---By Councilman Cunningham

THIS RESOLUTION AWARDS A CONTRACT TO PREMIERE TECHNOLOGY, INC. FOR INFORMATION TECHNOLOGY SERVICES IN A NOT TO EXCEED AMOUNT OF \$94,000.00

WHEREAS, proposals were received in accordance with the competitive contracting exception to public bidding requirements for Information Technology Services for the City of Hoboken; and,

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

VENDOR	PROPOSED NTE AMOUNT
Premier Technology Solutions, LLC 324 2 nd Street Pike, Suite 8 Southampton, PA 18966	\$94,000.00
TransTec, LLC 45 Columbia Road Somerville, NJ 08876	\$96,904.00
United Computer Sales and Service, Inc. 100 Dobbs Lane, Suite 208 Cherry Hill, NJ 08034	\$94,220.00

WHEREAS, as a result, the Purchasing Agent, on behalf of the competitive contracting evaluation committee, has recommended that a contract be awarded to Premier Technology Inc. for Information Technology Services to the City of Hoboken, in accordance with Premier Technology Inc.'s proposal and the scope of work detailed in the City's competitive contracting documents.

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

A. This resolution approves a contract with Premier Technology Inc. for

Information Technology Services, pursuant to the City's competitive contracting documents and Premier Technology Inc.'s proposal, for an amount not to exceed Ninety Four Thousand Dollars (\$94,000.00) per year, for an initial two (2) year term, with three (3) one (1) year options to extend at the City's sole discretion; and,

- B. The Mayor or her designee is hereby authorized to take the necessary steps to enter into a contract and any other steps necessary to effectuate this resolution.
- C. This resolution shall take effect immediately upon passage. The Clerk shall publish and post this resolution according to law and local ordinance.

---Motion duly seconded by Councilman Mello

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

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

---Nays: Castellano, Occhipinti, and Russo

---Absent: Mason.

11-271

---By President Bhalla

RESOLUTION TO AMEND THE CONTRACT FOR SPECIAL COUNCIL – RENT CONTROL LITIGATION WITH VICTOR AFANDOR, ESQ. TO INCREASE THE NOT TO EXCEED AMOUNT PREVIOUSLY AWARDED BY \$120,000.00

WHEREAS, the City of Hoboken sought competitive proposals for the position of Special Counsel – Rent Control Litigation, and received a proposal from Victor Afanador, Esq. of Lite DePalma; and,

WHEREAS, the City Council approved a contract with Victor Afanador, Esq. by Resolution dated August 11, 2010 for a one year contract in an amount not to exceed \$50,000.00 Dollars and by Resolution dated February 2, 2011 for an increase in the not to exceed amount by \$50,000.00 for a total not to exceed amount of \$100,000.00; and,

WHEREAS, a contract was entered into between Victor Afanador, Esq. and the City of Hoboken for a one year term in an amount not to exceed Fifty Thousand (\$50,000.00) Dollars for Special Counsel services relating to Rent Leveling litigation in the City of Hoboken, which was then increased to an amount not to exceed One Hundred Thousand Dollars (\$100,000.00); and

WHEREAS, Victor Afanador, Esq. has continuously provided the City with his litigation services relating to the City's rent leveling cases, and has also provided the City, at the City's request, with his services relating to the drafting of rent leveling legislation; and

WHEREAS, the additional work which Victor Afanador has provided on behalf of the City has resulted in an increase in the costs of his services, and his services have reached greater than 85% of the City's original not to exceed amount of One Hundred Thousand (\$100,000.00) Dollars; and

WHEREAS, the City needs to amend its current contract with Victor Afanador to increase the not to exceed amount to take into account the additional work which the City has requested of Mr. Afanador, without any change in the remaining terms of the contract, including, but not limited to, the contract period.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Hoboken in the County of Hudson that:

1. The above recitals are incorporated herein as thoughtfully set forth at length; and
2. The City Council hereby requests amendment of the City's contract with Victor Afanador, Esq. for services as Special Counsel – Rent Control Litigation to increase the not to exceed

amount by One Hundred Twenty Thousand (\$120,000.00) Dollars so that the total not to exceed amount shall be Two Thousand Twenty (\$220,000.00) Dollars; and,

3. The City Council hereby directs that no other terms of the original agreement be amended, including, but not limited to, the contract term.

4. The City Council directs the Mayor or her agent to take steps to effectuate the recitals herein.

5. This resolution shall take effect immediately.

---Motion duly seconded by Councilman Cunningham

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

---Yeas: Council persons Castellano, Cunningham, Giattino, Marsh, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason.

11-272

---By Councilman Cunningham

**RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS
(payable to the individuals for the amount of \$2,451.98)**

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 **\$ 2,451.98**

<u>NAME</u>	<u>BL/LT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
Wells Fargo Home Mortgage One Home Campus Des Moines, Ia 50328-0001	176/4.1/	90 Garden St	4/11	\$2,451.98

---Motion duly seconded by Councilman Mello

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

---Yeas: Council persons Castellano, Cunningham, Giattino, Marsh, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason.

11-273

---By Councilman Cunningham

**RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY
TAX BOARD JUDGEMENTS 2011 TAX APPEALS (\$33,969.04)**

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 **\$ 33,969.04**

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

Davenport & Spiotti
Attorneys at Law
219 Changebridge Road
Montville, NJ 07045

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>AMOUNT</u>
Hughes, David L & Ping Zhang	2/5/CLL35	415 Newark St	\$ 23.95
Pilger, Lauren & Bruce	8/1/C009G	550-564 Newark St	\$ 242.98
Shah, Sachin & Trupti	13/4/C0503	85-89 Harrison St	\$ 780.95
Smith, Bryan E	15/6/C004C	81-87 Jackson St	\$ 103.74
Smith, Bryan E	15/6/C0P15	81-87 Jackson St	\$ 79.90
Lindamood, Charles III	15/6/C005B	81-87 Jackson St	\$ 579.75
Moore, Dennis	18/4/C0P14	70 Adams St	\$ 50.36
Gray, Jennifer	20/6/C002A	81 Grand St	\$ 213.42
Gray, Jennifer	20/6/C0PS2	81 Grand St	\$ 237.25
Massoyan, Kevork	20/6/C002B	81 Grand St	\$ 213.42
Brosław, David C	25/1/C002P	700 First St	\$ 64.53
Pascale, Dawn	25/1/C003D	700 First St	\$ 22.34
Goldstein, Craig R	25/1/C003M	700 First St	\$ 72.58
Cacace, Cristina	25/1/C003U	700 First St	\$ 258.21
Boss, Timothy	25/1/C004W	700 First St	\$ 191.12
Tocchio, James & Samantha	25/1/C005M	700 First St	\$ 72.58
Lee, Tai-Wei & Liling Lin	25/1/C005P	700 First St	\$ 64.53
Cormack, Michael C	25/1/C005Q	700 First St	\$ 215.64
Siclari, Joseph A & Brigid T	25/1/C008M	700 First St	\$ 33.85
Mehendiratta, Chetan & A	25/1/C008Q	700 First St	\$ 18.19
Bhandary Chudasama, Sonia & A & T Patel	25/1/C009D	700 First St	\$ 2,074.83
Peachman, Russell & Rachel	25/1/C009M	700 First St	\$ 33.85
Kelly, James & Judith	25/1/C009U	700 First St	\$ 433.05
Zanginger, Jaimee	25/1/C015U	700 First St	\$ 202.00
Choi, Mike	25/1/C16PK	700 First St	\$ 247.66
Onyeberechi, Odunze	36/1/C005L	201 Harrison St/650 2 nd	\$ 1,155.25
McKeown, Diane	38/19/C001A	224 Madison St	\$ 45.17
Martin, Edwin R & Rebecca S	42/7/C0005	215-217 Grand St	\$ 257.74
Sama, Jahir C & Alka J	42/15/C0006	222-32 Clinton St	\$ 540.73
Robinson, Michael T & Nancy E	57/16/C0008	416 Monroe St	\$ 142.11
Rodrigues, Armandio Manuel	67/17/C004C	530-532 Madison St	\$ 178.72
Finnern, Steve & Melanie	70/1/C003I	501-515 Adams St	\$ 64.53
Cho, Yoon Ju	84/14/C004A	730-732 Adams St	\$ 338.45
Barone, Daniel	84/14/C004D	730-732 Adams St	\$ 338.45
Mason, Joseph & Dana	87/13/C006B	824-830 Monroe St	\$ 177.44
Chadda, Sunil	89/12/C0P27	501 Ninth St	\$ 23.95
Watkins, James & Susan	95/1/C0P30	901-909 Madison St	\$ 23.95
Despins Owen, Kristen Marie Macdonald	95/25/C005A	900-912 Jefferson St	\$ 1,033.43
Shields Holdings, LLC	115/9.01/C0P49	1317-27 Grand/1326 Clint	\$ 41.43
Shields Holdings, LLC	115/9.01/C0P50	1317-27 Grand/1326 Clint	\$ 41.43
Shields Holdings, LLC	115/9.01/C0P51	1317-27 Grand/1326 Clint	\$ 41.43

Shields Holdings, LLC	115/9.01/C0P52	1317-27 Grand/1326 Clint	\$ 41.43
Shields Holdings, LLC	115/9.01/C0P53	1317-27 Grand/1326 Clint	\$ 41.43
Brandon, Shane	149/1/C0W2H	400-414 Ninth St	\$25.39
Kaps, Lowell	155/5/C0101	1026-34 Clinton St	\$42.31
Zuckerman, Eric	160/3/C05-D	807-809 Clinton St	\$531.79
Tabor, Adam & Luca Casabella	173/6/C1-02	1109-1121 Willow Ave	\$ 605.59
Montemayor, Ellen	180/4/C0003	507 Park Ave	\$ 411.36
Schweitzer, T & M Mattimore	182/40/	724 Garden St	\$ 2,310.50
Jehle, Jennifer	186/10/C0018	84 Bloomfield St	\$ 34.56
Tobler, Scott & Sarah Parola	189/30/C0004	224 Bloomfield St	\$ 201.40
647 Garden St LLC c/o Zaleck	193/27/C001W	647 Garden St	\$ 340.93
647 Garden St LLC c/o Zaleck	193/27/C002W	647 Garden St	\$ 282.02
647 Garden St LLC c/o Zaleck	193/27/C003E	647 Garden St	\$ 773.37
Sobel, Scott & Alla	217.1/30/C00P1	600 Hudson St	\$ 121.46
De Faria, Juliana R & P Gallagher	247/34.2/C002N	1208 Washington St	\$ 232.41
Saluja, Sukhdeep	251/18/C001B	1320 Bloomfield St	\$ 823.77
Lee, Dae W	255/2/C0302	150 Fourteenth St	\$ 319.75
Martinez, Ricardo S & Julia H Chou	262.3/1/C0103	2 Constitution Court	\$ 276.62
Mangan, Richard J & Laura A	262.3/1/C0302	2 Constitution Court	\$ 114.25
Yardley, Scott	262.3/1/C0304	2 Constitution Court	\$ 236.68
Higgins, Timothy	262.3/1/C0305	2 Constitution Court	\$ 96.81
South Constitution Condo c/o Mgnt Off	262.3/1/C0407	2 Constitution Court	\$ 51.84
Guardino, James	262.3/1/C0408	2 Constitution Court	\$ 34.56
Campion, George	262.3/1/C0410	2 Constitution Court	\$ 4,011.34
Procyk, John & Anne Valente	262.3/1/C0411	2 Constitution Court	\$ 125.09
Arroyo, Evelyn	262.3/1/C0413	2 Constitution Court	\$ 167.21
Hipkins, Jeffrey & Carol	262.3/1/C0504	2 Constitution Court	\$ 238.28
Hipkins, Jeffrey & Carol	262.3/1/C0505	2 Constitution Court	\$ 152.12
Kottaras, James	262.3/1/C0515	2 Constitution Court	\$ 535.65
Hameed, Meera R	262.3/1/C0610	2 Constitution Court	\$ 90.83
Dunleavy, Jane	262.3/1/C0613	2 Constitution Court	\$ 80.77
Ramirez, Ruben & Christopher Mason	262.3/1/C0707	2 Constitution Court	131.15
Palmieri, Gabriela E & Jorge Freyre	262.3/1/C0802	2 Constitution Court	\$ 167.23
Viargues, Francois	262.3/1/C0808	2 Constitution Court	\$ 369.98
Mehmet, Huseyin & Caroline Marshall	262.3/1/C0901	2 Constitution Court	\$ 117.22
Costin, Radu & Gabriela Chelariu	262.3/1/C0902	2 Constitution Court	\$ 97.29
Yorio, Anthony M & Mary E	262.3/1/C0903	2 Constitution Court	\$ 138.58
Genua, Mary Ann	262.3/1/C0904	2 Constitution Court	\$ 262.88
Lee, Eddie F	262.3/1/C0911	2 Constitution Court	\$ 117.22
Udovich, Nedenia B	262.3/1/C0915	2 Constitution Court	\$ 270.35
Jozak, Andrew	262.3/1/C1106	2 Constitution Court	\$ 221.59
Parraga, Carlos Javier	262.3/1/C1201	2 Constitution Court	\$ 841.13
Parraga, Carlos Javier	262.3/1/C1202	2 Constitution Court	\$ 841.13
Wente, Jim & Mary K O'Connor-Wente	262.3/1/C1203	2 Constitution Court	\$ 5,258.70
Lange, Arthur S	262.3/1/C1204	2 Constitution Court	\$ 208.72
Tilley, Matthew & Carloyn	262.3/1/C1214	2 Constitution Court	\$ 91.15
Rios, Francisco & Carmen Amor	262.3/1/CPH11	2 Constitution Court	\$ 508.31

---Motion duly seconded by Councilman Mello

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

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

11-274

---By Councilman Cunningham

**RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY
 TAX BOARD JUDGEMENTS 2011 TAX APPEALS (\$ 11,319.12)**

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 **\$ 11,319.12**

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

**GESS, GESS & SCANLON
 89 HUDSON STREET
 HOBOKEN, NJ 07030**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>AMOUNT</u>
Wayda, Erik & Phatthareeya K	1/17/C0PHC	72-74 Park Avenue	\$ 42.99
Greco, Michael F.	15/20/C003R	86 Monroe Street	\$ 80.40
Stier, Gerard	18/4/C0P25	70 Adams Street	\$ 41.43
Daley, Aaron & Jennifer Seese	18/30/C002E	78-88 Adams Street	\$ 12.25
Daley, Aaron & Jennifer Seese	18/30/C00P7	78-88 Adams Street	\$ 67.47
Reyes, Ariel E & Karla Ibarra	20/28/C002C	82 Clinton Street	\$ 146.86
Carlucci, David	27/16/C002B	133 Jackson Street	\$ 127.73
Slifirski, Piotr & Elizabeth Moran	27/16/C003B	133 Jackson Street	\$ 127.73
Cates, Dreck H & C Brockmeyer	33/17/C0003	309 Second Street	\$ 222.41
Genna, Gerard & Robin J.	34/1/C002E	101 Willow Avenue	\$ 614.59
Pacowski, Alain	38/6/C0002	219 Monroe Street	\$ 254.79
Scouten, Clemence	41/10.2/C002H	222-32 Grand Street	\$ 78.37
Birnbaum, Eric	41/10.2/C003E	222-32 Grand Street	\$1,571.14
Seebohm, Guy	42/7/C0004	215-217 Grand Street	\$ 257.74
Rushing, Melinda R	43/9/C001L	215 Clinton Street	\$ 200.23
Carr, Paul S.	43/9/C001R	215 Clinton Street	\$ 200.23
Scipione, John	61/10/C01-A	419 Adams Street	\$ 159.59
Minkoff, Jamie	61/10/C02-A	419 Adams Street	\$ 646.85
McKnight, Thomas&Christine Dicom	68/31/C0001	502 Jefferson Street	\$ 23.70
Silverstein, Michael,Josepha&Evan	77/6/C02-A	609-613 Jefferson Street	\$ 574.12
Lehrman, Jeremy R	77/6/C03-A	609-613 Jefferson Street	\$ 574.12
Kolbe, Jonathan J & Sarah Lynn	79/3/C1R2R	356-360 Sixth Street	\$ 300.46
Fleischman, Ryan D & Elizita N	79/15/C003B	610-612 Clinton Street	\$ 466.86
Fleischman, Ryan D & Elizita N	79/15/C0P-4	610-612 Clinton Street	\$ 23.95
Meola, Timothy & Christine	84/14/C005A	730-732 Adams Street	\$ 338.45
Rocco, Adrian & Linsay M	87/13/C005B	824-830 Monroe Street	\$ 177.44
Carrillo, Bianca Y	89/12/C0P28	501 Ninth Street	\$ 23.95
Menzo, Jason	91/1.2/C0515	812 Grand Street	\$ 80.85

Levin, Edward & Tricia	91/1.2/CP034	812 Grand Street	\$ 41.43
Heston, Brian Michael	95/1/C0P-9	901-909 Madison Street	\$ 23.95
Dockendorf, Jennifer	95/1/C0P22	901-909 Madison Street	\$ 23.95
Dwyer, Amanda	156/5/CGP12	1117 Grand/1118 Clinton St	\$ 79.90
Kostrowski, Edward K Jr&Shannon	159/15/C0003	728 Willow Avenue	\$ 391.34
Saggesse, Matthew	161/20/C0002	928 Willow Avenue	\$ 450.76
McAnuff, Owen & Jessica Napp	167/1/C004D	501 Willow Avenue	\$1,016.62
Ordaz, Oscar & Linda	219/19.1/C02-4	820 Hudson Street	\$ 451.77
DelRosario, Valerie A	247/28/C004N	1222 Washington Street	\$ 466.51
Sullivan, Ryan & Mallory	251/18/C004A	1320 Bloomfield Street	\$ 936.19

---duly seconded by Councilman Mello

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

---Yeas: Council persons Castellano, Cunningham, Giattino, Marsh, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason.

11-275

---By Councilman Cunningham

RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY TAX COURT JUDGEMENTS 2011 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 **\$ 2,089.20**

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

ARCHER & GREINER, P.C.
Attorneys at Law
700 Alexander Park
Suite 102
Princeton, NJ 08540

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>AMOUNT</u>
Gliot, Dmitry	1/17/C005A	72-74 Park Ave	\$ 28.36
Wolf, Britton & Marcia	2/5/CLL32	415 Newark St	\$ 23.95
D Mota			
Lin, Mary Ann	7/4/C003F	610 Newark St	\$ 42.21
Ng, Lisa L F	7/4/C005C	610 Newark St	\$ 123.18
Duddempudi, Shushil & Babu Nagamm	8/1/C006F	550-564 Newark St	\$ 836.40
Yan, Lun	8/1/C014A	550-564 Newark St	\$ 850.26
Dabby, Evan J & Kira S	89/12/C0609	501 Ninth Street	\$ 184.84

---Motion duly seconded by Councilman Mello

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

11-276

---By Councilman Cunningham

**RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY
TAX COURT JUDGEMENTS 2011 TAX APPEALS (\$38.20)**

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 **\$ 38.20**

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

**Corrado & Martella, P.C.
Attorneys at Law
921 Summit Avenue
Jersey City, NJ 07307**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>AMOUNT</u>
Eagle, Kenneth & Lauren	40/31/C0006	452-454 Second St	\$ 38.20

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

11-277

---By Councilman Cunningham

**RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY
TAX BOARD JUDGEMENTS 2011 TAX APPEALS (\$8,810.88)**

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 **\$ 8,810.88**

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

**SKOLOFF & WOLFE, P.C.
293 EISENHOWER PARKWAY
LIVINGSTON, NEW JERSEY 07039**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>AMOUNT</u>
Looby, Kevin	18/30/C003C	78-88 Adams Street	\$ 496.66
Savarese, Scott	18/30/C004A	78-88 Adams Street	\$ 936.45
Marquis, Alfred C	25/1/C006H	700 First Street	\$ 274.95
Delorenzo, Melinda	70/1/C004E	501-515 Adams Street	\$ 608.82
So, Kevin	84/14/C005C	730-732 Adams Street	\$ 214.78
Cole, Dylan & Tanya Hurry	89/12/C0302	501 Ninth Street	\$ 59.89
Derosalia, J & H Nandasena	177/1.1/C003B	101 Park Avenue	\$ 620.16
Smith, Mark & Neeta Kantu	177/1.1/COPHN	101 Park Avenue	\$ 2,783.12
Camma, Frank	188/20/C3-4B	151-161 Second Street	\$ 322.27
Breslin, Kevin	262.3/1/CPH12	2 Constitution Court	\$ 603.79
Rosmarin, Keith	268.1/1/C006B	1501 Garden/1500 Bloom	\$ 1,889.99

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

11-278

---By Councilman Cunningham

**RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY
TAX BOARD JUDGEMENTS 2011 TAX APPEALS (\$568.84)**

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 **\$ 568.84**

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

**Venino & Venino, Counsellors at Law
8000 Kennedy Boulevard
North Bergen, NJ 07047**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>AMOUNT</u>
600 Hudson Street LLC c/o Maridian	217.1/30/C00P2	600 Hudson Street	\$ 121.46
600 Hudson Street LLC c/o Maridian	217.1/30/C00P3	600 Hudson Street	\$ 121.46
600 Hudson Street LLC c/o Maridian	217.1/30/C00P7	600 Hudson Street	\$ 121.46
600 Hudson Street LLC c/o Maridian	217.1/30/C00P8	600 Hudson Street	\$ 121.46
600 Hudson Street LLC c/o Maridian	217.1/30/C000D	600 Hudson Street	\$ 83.00

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

11-279

---By Councilman Cunningham

RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY TAX COURT JUDGEMENTS 2011 TAX APPEALS(\$ 782.13)

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 **\$ 782.13**

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

Brach Eichler, LLC
 Counselors at Law
 101 Eisenhower Parkway
 Roseland, NJ 07068

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>AMOUNT</u>
562-564 Observer Highway Assoc LLC	16/1/	564 Observer Hwy	\$ 37.60
Jeff St Ptnr II LP c/o Academy Bus	119/14	1414-28 Jefferson St	\$ 277.71
Jefferson St Partners LP	120/25	450-456 Fourteenth St	\$ 466.82

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

11-280

---By Councilman Cunningham

RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY TAX BOARD JUDGEMENTS 2011 TAX APPEALS (\$ 81.68)

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 **\$ 81.68**

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

**POJANOWSKI & TRAWINSKI, P.C.
1135 CLIFTON AVENUE – SUITE 206
CLIFTON, NEW JERSEY 07013**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>AMOUNT</u>
Mc Guire, Ryan Patrick	219/11/C00PA	829-31 Washington St	\$ 81.68

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

11-281

---By Councilman Cunningham

**RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY
TAX BOARD JUDGEMENTS 2011 TAX APPEALS(\$8,310.38)**

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 **\$ 8,310.38**

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

**Zipp & Tannenbaum, LLC
Attorneys at Law
166 Gatzmer Avenue
Jamesburg, NJ 08831**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>AMOUNT</u>
Sweeney, James J Jr. & Danielle J	25/1/C002M	700 First Street	\$ 72.58
Abbas, Alia A	38/10/C003R	227 Monroe Street	\$ 523.52
BBD Associates	96/1/C0909	456 Ninth Street	\$ 38.79
Merit Oil of NJ Inc c/o Hess	125/1	1401-1407 Willow Avenue	\$5,660.73
Merit Oil of NJ Inc c/o Hess	125/5	1409-11 Willow Avenue	\$2,014.76

---Motion duly seconded by Councilman Mello
---Adopted by the following vote: YEAS: 8 - NAYS: 0 -ABSENT: 1
---Yeas: Council persons Castellano, Cunningham, Giattino, Marsh, Mello, Occhipinti, Russo and

President Bhalla
---Nays: None.
---Absent: Mason.

11-282

---By Councilman Cunningham

**RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY
TAX BOARD JUDGEMENTS 2011 TAX APPEALS(\$ 1,645.24)**

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 **\$ 1,645.24**

REFUNDS ON THE FOLLOWING TAX APPEALS ARE TO BE MADE PAYABLE TO: Law Offices of Nathan P. Wolf, LLC

**673 Morris Avenue
Springfield, NJ 07081**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>AMOUNT</u>
Cellura, Davin & Lisa	115/9.01/C0P44	1317-27 Grand /1326 Clinton	\$ 41.43
Symon, Steve J	262.3/1/C0512	2 Constitution Court	\$1,603.81

--Motion duly seconded by Councilman Mello

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

---Yeas: Council persons Castellano, Cunningham, Giattino, Marsh, Mello, Occhipinti, Russo and
President Bhalla

---Nays: None.

---Absent: Mason.

711-283

---By Councilman Cunningham

**RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY
TAX BOARD JUDGEMENTS 2011 TAX APPEALS (\$ 823.11)**

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 **\$ 823.11**

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

**Michael A. Vespasiano
331 Main Street
Chatham, NJ 07928**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>AMOUNT</u>
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Rosof, Lawrence 25/1/C17PW 700 First Street \$ 149.38
Pepe, Giovanni & Teresa 178/10 229 Park Avenue \$ 673.73

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

11-285

---By Councilman Cunningham

**RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY
TAX BOARD JUDGEMENTS 2011 TAX APPEALS(\$23.95)**

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 **\$ 23.95**

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

**Ventura, Miesowitz, Keough
& Warner, Counselors at Law
783 Springfield Avenue
Summit, New Jersey 07901-2332**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>AMOUNT</u>
Larason, Timothy J	2/5/CUL23	415 Newark Street	\$ 23.95

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

11-286

---By Councilman Cunningham

**RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY
TAX COURT JUDGEMENTS 2011 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 **\$ 77,255.00**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>AMOUNT</u>
Traberman, Peter L 80 Park Avenue #3H Hoboken, NJ 07030	1/15/C003H	76-84 Park Ave	\$ 346.56
Greenberg, David & Stephanie 40 West Park Place #305 Morristown, NJ 07960	1/15/C004A	76-84 Park Ave	\$ 365.90
Steinberg, Brian J 80 Park Avenue #4H Hoboken, NJ 07030	1/15/C004H	76-84 Park Ave	\$ 335.36
Petino, Joel 415 Newark St #6 Hoboken, NJ 07030	2/5/CLL43	415 Newark St	\$ 23.95
Law, David & Joanna 415 Newark St #7G Hoboken, NJ 07030	2/5/CUL33	415 Newark St	\$ 23.95
Walsh, Brian E 551 Observer Hwy #11G Hoboken, NJ 07030	8/1/C011G	550-564 Newark St	\$ 417.82
Kowalski, Daniel & Rita & A & M 85-89 Harrison St #301 Hoboken, NJ 07030	13/4/C0301	85-89 Harrison St	\$ 142.88
Singh, Akshay & Susan 89 Murray Street #8K New York, NY 10007	15/6/C002A	81-87 Jackson St	\$ 64.00
Kapaki, Rahul G & K Panke 81-87 Jackson St #2C Hoboken, NJ 07030	15/6/C002C	81-87 Jackson St	\$ 12.78
Kapaki, Rahul G & K Panke 81-87 Jackson St #2C Hoboken, NJ 07030	15/6/C0P-9	81-87 Jackson St	\$ 23.74
Muldovan, Julia N & David E Barker 80 Monroe St #3 Hoboken, NJ 07030	15/23/C0003	80 Monroe St #3	\$ 147.07
Nordberg, Carl Johan & Sonia S I 327 Bloomfield St Hoboken, NJ 07030	5/25/C0006	74-76 Monroe St	\$ 64.40

Langdon, Robert T 74-76 Monroe St #7 Hoboken, NJ 07030	15/25/C0007	74-76 Monroe St	\$ 13.19
Fontana, Vincent T 82 Sheil Ave Staten Island, NY 10309	18/4/C002J	70 Adams St	\$ 83.70
White, Matthew S 70 Adams St #2J Hoboken, NJ 07030	18/4/C0P44	70 Adams St	\$ 41.43
Hurley, Brian 70 Adams St #3H Hoboken, NJ 07030	18/4/C0P46	70 Adams St	\$ 41.43
Buckley, Kevin & Elizabeth 70 Adams St #2F Hoboken, NJ 07030	18/4/C0P52	70 Adams St	\$ 41.43
Singh, Akshay 89 Murray St #8K New York, NY 10007	18/4/C0P66	70 Adams St	\$ 41.43
Lettera A.S.R.L. c/o Greco 51 Newark St Ste 404 Hoboken, NJ 07030	18/9/C0005	71 Jefferson St	\$ 42.73
Vazquez, Steven & Alyssa 84 Adams St #2B Hoboken, NJ 07030	18/30/C002B	78-88 Adams St	\$ 53.73
Vazquez, Steven & Alyssa 84 Adams St #2B Hoboken, NJ 07030	18/30/C00P2	78-88 Adams St	\$ 62.42
Rezendes, Michael & Cheryl 84 Adams St #4G Hoboken, NJ 07030	18/30/C004G	78-88 Adams St	\$ 83.96
Rezendes, Michael & Cheryl 84 Adams St #4G Hoboken, NJ 07030	18/30/C0P11	78-88 Adams St	\$ 62.42
Pressel, David & Dina 84 Adams St #5I Hoboken, NJ 07030	18/30/C005I	78-88 Adams St	\$ 319.97
Pressel, David & Dina 84 Adams St #5I Hoboken, NJ 07030	18/30/C0P27	78-88 Adams St	\$ 62.42
Hart, Brad & Kim 93 Adams St #1	19/16/C0001	93 Adams St	\$ 23.40

Hoboken, NJ 07030

Armstrong, Christopher R 93 Adams St #2 Hoboken, NJ 07030	19/16/C0002	93 Adams St	\$ 67.80
Bradley, Norman 81 Grand St #3A Hoboken, NJ 07030	20/6/C003A	81 Grand St	\$ 213.42
Hartman, Kevin 81 Grand St #3B Hoboken, NJ 07030	20/6/C003B	81 Grand St	\$ 213.42
Advani, Robert 33 Boehm Way Hillsborough, NJ 08844	20/7/C004B	83-85 Grand St	\$ 88.60
Corsetino, Leonard & E Manfra 861 Summit Ave Westfield, NJ 07090	21/1/C008K	300-306 Newark St	\$ 785.57
Mueller, Bernie & Melanie Bednash 265-269 First St Hoboken, NJ 07030	22/3.1/C004R	265 First St/95 Willow	\$ 43.40
Ammon, Craig & Leah 25 Rockpoint Road Southborough, Ma 01772	25/1/C002Q	700 First Street	\$ 838.06
Xu, Muwei & Xiao Wang 1500 Grand St #7D Hoboken, NJ 07030	25/1/C005W	700 First Street	\$ 1,115.32
Patterson, George & Stacy 700 First St #9W Hoboken, NJ 07030	25/1/C009W	700 First Street	\$ 454.17
Daswani, Amit & S Khemchandani 700 First St #11J Hoboken, NJ 07030	25/1/C011J	700 First Street	\$ 29.74
Gurney, Stacey J 700 First St #15B Hoboken, NJ 07030	25/1/C015B	700 First Street	\$ 1,016.62
Provost, Leslie 700 First St #17PF Hoboken, NJ 07030	25/1/C17PF	700 First Street	\$ 109.37
Kontos, Michael & Steve 133 Jackson St #4B Hoboken, NJ 07030	27/16/C004B	133 Jackson St	\$ 127.73

Mauriello, Stephen & Lurdes 145 Woodland Avenue Morristown, NJ 07960	27/17/C004A	132 Monroe St	\$ 613.80
Fritsche, Lori & Thomas P Hadley 117 Madison St #1 Hoboken, NJ 07030	29/9/C0001	117 Madison St	\$ 200.81
Garrett, Thomas M 117 Madison St #2 Hoboken, NJ 07030	29/9/C0002	117 Madison St	\$ 224.76
Franchina, Anthony J Jr 117 Madison St #3 Hoboken, NJ 07030	29/9/C0003	117 Madison St	\$ 224.76
Uriarte, Christopher 117 Madison St #4 Hoboken, NJ 07030	29/9/C0004	117 Madison St	\$ 224.76
Thach, Valerie 119 Madison St #2W Hoboken, NJ 07030	29/10/C002W	119-21 Madison St	\$ 435.10
Razavi, Abdol Reza & Marianne M 119 Madison St #3W Hoboken, NJ 07030	29/10/C003W	119-21 Madison St	\$ 336.66
Leis, Matthew & Lynn Vernaglia 119 Madison St #4W Hoboken, NJ 07030	29/10/C004W	119-21 Madison St	\$ 435.10
Totten, John David, Jr 75 Jackson St #3D Hoboken, NJ 07030	30/13.1/C0003	132 Adams St	\$ 51.46
George, Mary H 132 Adams St #4 Hoboken, NJ 07030	30/13.1/C0004	132 Adams St	\$ 26.45
Doll, Marcelle E 109 Grand St #203 Hoboken, NJ 07030	32/3/C0203	105-111 Grand St	\$ 192.35
Procopio, Anthony 101 Willow Ave #5D Hoboken, NJ 07030	34/1/C005D	101 Willow Avenue	\$ 69.92
Paice, Richard C 113 Willow Ave #5 Hoboken, NJ 07030	34/8/C0005	113 Willow Avenue	\$ 2,541.55

Singer, Robert & Christopher Spoust 218-220 Jackson St #8 Hoboken, NJ 07030	36/24/C0008	218-220 Jackson St	\$ 82.72
Rathbun, Jessica 212 Jackson St #2A Hoboken, NJ 07030	36/28/C002A	212 Jackson St	\$ 363.20
Milhiser, Lee Anne 208 Jackson St #2 Hoboken, NJ 07030	36/30/C0002	208 Jackson St	\$ 152.12
Lo Re', Victor & Jessica 208 Jackson St #3 Hoboken, NJ 07030	36/30/C0003	208 Jackson St	\$ 578.73
Salvatore, Crista 227 Monroe St #3L Hoboken, NJ 07030	38/10/C003L	227 Monroe St	\$ 784.57
235 Monroe St LLC c/o RELB PM 210 Washington St Hoboken, NJ 07030	38/14/C0001	235 Monroe St	\$ 924.20
235 Monroe St LLC c/o RELB PM 210 Washington St Hoboken, NJ 07030	38/14/C0004	235 Monroe St	\$1,340.09
235 Monroe St LLC c/o RELB PM 210 Washington St Hoboken, NJ 07030	38/14/C0009	235 Monroe St	\$1,109.04
235 Monroe St LLC c/o RELB PM 210 Washington St Hoboken, NJ 07030	38/14/C0010	235 Monroe St	\$ 924.20
235 Monroe St LLC c/o RELB PM 210 Washington St Hoboken, NJ 07030	38/14/C0011	235 Monroe St	\$1,109.04
Ott, Denise 214 Jefferson St #3N Hoboken, NJ 07030	39/28/C03-N	214 Jefferson St	\$ 924.20
Casey, Austin 452-454 Second St #5 Hoboken, NJ 07030	40/31/C0005	452-454 Second St	\$ 626.58
Dura, Caroline 222 Grand St #2B	41/10.2/C002B	222-32 Grand St	\$ 225.68

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Michelson, David E 41/10.2/C004D 222-232 Grand St\$ 27.73
222-32 Grand St #4D
Hoboken, NJ 07030

Seferovic, Vanja &
Marija Zeremski 42/7/C0006 215-217 Grand St\$ 296.74
215 Grand St #6
Hoboken, NJ 07030

Heidelberg, Matthew K &
Reagan L 42/7/C0008 215-217 Grand St\$ 257.74
215 Grand St #4R
Hoboken, NJ 07030

Meany, Pamela 42/15/C0008 222-32 Clinton St\$ 29.68
222-32 Clinton St #8
Hoboken, NJ 07030

Frost, Alyson 43/9/C003R 215 Clinton St \$ 158.00
215 Clinton St #3R
Hoboken, NJ 07030

Competello, Joseph & Maureen 43/12/C001L 221 Clinton St \$ 204.03
221 Clinton St #1L
Hoboken, NJ 07030

McCarthy, Thomas J &
Ly-Lan Wisler 43/12/C001R 221 Clinton St \$ 58.63

57 Brooklyn Dr
East Windsor, NJ 08520

Brodsky, Jason &
Cheryl Gershberg 43/12/C004L 221 Clinton St \$ 182.79
221 Clinton St #4L
Hoboken, NJ 07030

Wedgeworth, Chris & Maria 43/14/C0002 225 Clinton St \$ 193.03
Bengtsson
225 Clinton St #2
Hoboken, NJ 07030

Lang, Stephen C & Janet M 43/14/C0004 225 Clinton St \$ 193.03
225 Clinton St #4
Hoboken, NJ 07030

Clifford, Paul & Susan 43/22/C0008 224-226 Willow Ave \$ 452.93
224-226 Willow Ave #8
Hoboken, NJ 07030

Buerkle, Scott 47/12/C0502 323-325 Jackson St \$ 417.29
323 Jackson St #502
Hoboken, NJ 07030

Foley, Shane P & Elizabeth N 313 Monroe St #1 Hoboken, NJ 07030	48/7/C0001	313 Monroe St	\$ 105.61
Zaleski, Thomas & Courtney Jon 313 Monroe St #2 Hoboken, NJ 07030	48/7/C0002	313 Monroe St	\$ 105.61
Watts, Jade-Jenna 1 Devanshine Place Boston, Ma 02109	51/16/C0004	331 Adams St	\$2,033.24
Wyman, Ross B & A Dondlinger 409 Fourth St #2 Hoboken, NJ 07030	51/18/C0002	409 Fourth St	\$ 273.89
Morris, Elizabeth & Terry Corrado 409 Fourth St #4 Hoboken, NJ 07030	51/18/C0004	409 Fourth St	\$ 224.93
Lenz, Michael & Laura Keating 408 Monroe St #2 Hoboken, NJ 07030	57/20/	408 Monroe St	\$ 418.79
Gilbert, Matthew 419 Madison St #3 Hoboken, NJ 07030	59/9/C0003	419 Madison St	\$ 138.35
Berendt, Charles 418 Jefferson St #2D Hoboken, NJ 07030	59/12/C002D	418-422 Jefferson St	\$ 31.45
Lopez, Adam J 400 Jefferson St #1A Hoboken, NJ 07030	59/23/C001A	400 Jefferson St	\$ 80.18
Valastro, Mary 1025 Maxwell Lane #1101 Hoboken, NJ 07030	60/19/	412 Adams St	\$2,005.51
Luhmann, Bret C 137 New York Ave Dumont, NJ 07628	67/5/C003R	509 Monroe St	\$ 70.71
Encheva, Emil & Maria 530 Madison St #3C Hoboken, NJ 07030	67/17/C0P-1	530-532 Madison St	\$ 97.38
Levi, Hugo Z & Julian 530 Madison St #5C Hoboken, NJ 07030	67/17/C0P-8	530-532 Madison St	\$ 97.38
Pascoe, Daniel L 501 Adams St #3F Hoboken, NJ 07030	70/1/C003F	501-515 Adams St	\$ 58.19

Lin, Jacob & Yael 36 Bonnell Lane Randolph, NJ 07869	70/11/C0404	522-532 Grand St	\$ 247.33
Dealwis, Danuka & Kamalini Algama 604-606 Monroe St #2 Hoboken, NJ 07030	74/31/C0002	604-606 Monroe St	\$2,352.09
Droskoski, Matthew J & Manisha L 603-607 Monroe St #9 Hoboken, NJ 07030	75/2.1/C0009	603-607 Monroe St	\$ 161.70
Rama, Billie Jo & Debra A Cote 621 Monroe St #6B Hoboken, NJ 07030	75/8/C006B	619-621 Monroe St	\$ 244.36
Rafferty, Dylan M 608 Madison St #2 Hoboken, NJ 07030	75/28/C0002	608 Madison St	\$1,173.73
Walls, Richard 625 Jefferson St #201 Hoboken, NJ 07030	77/14/C0201	625-627 Jefferson St	\$ 107.46
DeLauro, Nicole M & Lauren K 625 Jefferson St #203 Hoboken, NJ 07030	77/14/C0203	625-627 Jefferson St	\$ 358.25
JFB Holding Co., LLC 42 Overhill Rd East Brunswick, NJ 08816	77/28/C0005	606-608 Adams St	\$ 339.83
Farah, John III 606 Adams St #8 Hoboken, NJ 07030	77/28/C0008	606-608 Adams St	\$ 444.18
Wu, Gary 727 Monroe St #506 Hoboken, NJ 07030	82/11/C0P17	721-733 Monroe St	\$ 79.90
Stepanian, Ani H 713-725 Jefferson St #21 Hoboken, NJ 07030	84/3/C0021	713-725 Jefferson St	\$ 37.91
Stepanian, Ani H 725 Jefferson St #21 Hoboken, NJ 07030	84/3/C0P37	713-725 Jefferson St	\$ 41.43
Schachter, Jennifer 725 Jefferson St #26 Hoboken, NJ 07030	84/3/C0026	713-725 Jefferson St	\$ 148.08

Schachter, Jennifer 725 Jefferson St #26 Hoboken, NJ 07030	84/3/C0P26	713-725 Jefferson St	\$ 100.88
Wiorowski, Pawel 725 Jefferson St #35 Hoboken, NJ 07030	84/3/C0035	713-725 Jefferson St	\$ 37.91
Wiorowski, Pawel 725 Jefferson St #35 Hoboken, NJ 07030	84/3/C0P18	713-725 Jefferson St	\$ 100.88
Malinowski, Sarah Victoria 725 Jefferson St #16 Hoboken, NJ 07030	84/3/C0P34	713-725 Jefferson St	\$ 41.43
Taitt, Jamaal 727-29 Jefferson St #4 Hoboken, NJ 07030	84/10/C0004	727-29 Jefferson St	\$ 113.14
Bayvel, Greg 585 Palisade Ave #2 Jersey City, NJ 07307	84/14/C002B	730-732 Adams St	\$ 338.45
Hadim, Salem 730-732 Adams St #4C Hoboken, NJ 07030	84/14/C004C	730-732 Adams St	\$ 214.78
Soltes, Jacqueline 734 Adams St #5D Hoboken, NJ 07030	84/14/C005D	730-732 Adams St	\$ 338.45
Garafolo, Michael 1200 Grand St #319 Hoboken, NJ 07030	85/16/C0001	718 Grand St	\$ 140.96
Coultas, Daniel & Kimberly 501 Ninth St #514 Hoboken, NJ 07030	89/12/C0514	501 Ninth St	\$ 377.73
Bradshaw, Christine 501 Ninth St #504 Hoboken, NJ 07030	89/12/C0P-6	501 Ninth St	\$ 23.95
Vartabedian, Dana 501 Ninth Street #414 Hoboken, NJ 07030	89/12/C0P-9	501 Ninth St	\$ 23.95
Kinsky, Robert 501 Ninth St #210 Hoboken, NJ 07030	89/12/C0P40	501 Ninth St	\$ 23.95
Schrier, Scott 501 Ninth St #413	89/12/C0P49	501 Ninth St	\$ 23.95

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Coultas, Daniel & Kimberly 501 Ninth St #514 Hoboken, NJ 07030	89/12/C0P60	501 Ninth St	\$ 23.95
Thomas, Arthur M 825 Adams St #2A Hoboken, NJ 07030	91/1.2/C002A	825 Adams St	\$ 298.14
Zaleski, Brian R 812 Grand St #221 Hoboken, NJ 07030	91/1.2/C0221	812 Grand St	\$ 17.46
Ting Lu, Ho & Lichung 825-35 Adams St #404 Hoboken, NJ 07030	91/1.2/C0404	812 Grand St	\$ 127.65
Lantry, John 55 Riverwalk Pl Apt #648 West New York, NJ 07093	91/1.2/C0405	812 Grand St	\$ 323.55
Lantry, John 55 Riverwalk Pl #648 West New York, NJ 07093	91/1.2/CP102	812 Grand St	\$ 41.43
Kelly, Christopher M & Julie Juyeon 812 Grand St #414 Hoboken, NJ 07030	91/1.2/C0414	812 Grand St	\$ 162.62
Bruno, Shawn & Jill 812 Grand St #417 Hoboken, NJ 07030	91/1.2/C0417	812 Grand St	\$ 323.55
Antonuccio, David 812 Grand St #220 Hoboken, NJ 07030	91/1.2/CP026	812 Grand St	\$ 41.43
Newell, Peter & Marjorie 5 Plymouth Road Summit, NJ 07901	91/1.2/CP044	812 Grand St	\$ 41.43
Lippman, Scott 812 Grand St #302 Hoboken, NJ 07030	91/1.2/CP077	812 Grand St	\$ 41.43
Sgarlata, Terri Ann 904 Jefferson St #3C Hoboken, NJ 07030	95/25/C003C	900-912 Jefferson St	\$ 663.30
Castagne, David & Maureen Powell 904 Jefferson St #5I	95/25/C005I	900-912 Jefferson St	\$ 93.21

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Chan, Kalvin 1110 Clinton Street #28 Hoboken, NJ 07030	156/4.1/C0028	1108-10 Clint/ 1111-13 Grn	\$ 283.62
Fong, Philbert & Michele Smith 939 Brown Avenue Westfield, NJ 07090	156/5/CCP-1	1118 Clinton/ 1117 Grand	\$ 79.90
Shonek, Greg & Beth 1114-20 Clinton St #C-5A Hoboken, NJ 07030	156/5/CCP12	1118 Clinton /1117 Grand	\$ 79.90
Alvarez, Charles & Jenna R Mirabell 1115 Willow Ave #403 Hoboken, NJ 07030	156/5/CCP24	1118 Clinton/ 1117 Grand	\$ 79.90
Kantor, Evan & Lauren Seideman 1115 Grand St #2A Hoboken, NJ 07030	156/5/CGP13	1118 Clinton /1117 Grand	\$ 79.90
Carroll, Philip & Jennifer 1115 Grand St #3B Hoboken, NJ 07030	156/5/CGP14	1118 Clinton/ 1117 Grand	\$ 79.90
Taliercio, Michael J & Lisa 711 Clinton St #4B Hoboken, NJ 07030	159/4/C004B	711 Clinton St	\$ 445.98
Signoriello, Michael J 807-809 Clinton St #5B Hoboken, NJ 07030	160/3/C05-B	807-809 Clinton St	\$ 119.62
Mosaad, Rasha & Mahmoud Salem 1023 Clinton St #3C Hoboken, NJ 07030	162/3/C0P-3	1021A-27 Clinton St	\$ 79.90
Iglesias, Christine & Larry Zeroth 1023 Clinton St #5A Hoboken, NJ 07030	162/3/C0P-8	1021A-27 Clinton St	\$ 79.90
Lauber, Kaitlyn 221 Willow Ave #1R Hoboken, NJ 07030	165/11/C001R	221 Willow Ave	\$ 82.72
Monico, Jason P 317 Willow Ave #2 Hoboken, NJ 07030	166/9.1/C0002	317 Willow Ave	\$ 336.34
Karg, Phillip & J Deangelis 901 Willow Ave #4	171/1.1/C00P6	901 Willow Ave	\$ 69.41

Hoboken, NJ 07030

McDonough, Joseph & Diana 173/6/C2-07 1109-1121 Willow Ave \$ 284.42
1115 Willow Ave #2-07
Hoboken, NJ 07030

Abernathy, Melissa G 173/6/C4-10 1109-1121 Willow Ave \$ 194.43
1115 Willow Ave #410
Hoboken, NJ 07030

Paul, Cynthia & Scott Levy 176/7.1/C02-C 209-215 First St/ \$ 331.58
24 Hickory Kingdom Rd 99 Park
Bedford, NY 10506

Levy, Scott, & Cynthia Paul 176/7.1/C02-D 209-215 First St/ \$ 331.58
24 Hickory Kingdom Rd 99 Park
Bedford, NY 10506

Noble, Jason B & Masae 177/1.1/C002E 101 Park Ave \$ 76.06
101 Park Ave #2E
Hoboken, NJ 07030

Andrews, Stephen & Aileen Cown 177/4/C0003 111 Park Ave \$ 213.48
111 Park Ave #3
Hoboken, NJ 07030

Dundon, Stephen 179/9/C000A 319 Park Ave \$ 218.75
319 Park Ave #A
Hoboken, NJ 07030

Sumner, Gregory & Jane 180/4/C0002 507 Park Ave \$ 386.04
507 Park Ave #2
Hoboken, NJ 07030

Diktas, Arsat 183/25/C 822 Garden St \$1,487.95
12 Birchwood Court
Upper Saddle River, NJ 07458

Li, Kexin 186/11/C001B 80-82 Bloomfield St \$ 143.49
80-82 Bloomfield St #1B
Hoboken, NJ 07030

Bernard, Todd & Carol 186/11/C003B 80-82 Bloomfield St \$ 142.03
80-82 Bloomfield St #3B
Hoboken, NJ 07030

McGrath, Casey 186/11/C006C 80-82 Bloomfield St \$ 112.02
80-82 Bloomfield St #6C
Hoboken, NJ 07030

Foundakos, Jason C 188/11/C002E 121-125 Garden St \$ 15.70
1125 Hillside Place
North Bergen, NJ 07047

Hu, Wenting 188/16/C0005 135 Garden St \$ 194.48
135 Garden St #5

Hoboken, NJ 07030

Cisek, Daniel P 137 Garden St #3 Hoboken, NJ 07030	188/17/C0003	137 Garden St	\$ 29.60
Mozian, Michael & E Frusciante 114 Bloomfield St #1 Hoboken, NJ 07030	188/36/C0001	114 Bloomfield St	\$ 740.25
Cropper, Stephen & Hayley Watkins 306 Bloomfield St #1 Hoboken, NJ 07030	190/29/C0001	306 Bloomfield St	\$ 250.30
Schickler, Craig & Gabrielle 427 Garden St #1 Hoboken, NJ 07030	191/6/C0001	427 Garden St	\$ 86.48
Buckner, Jonathan 161 Fifth Street #2 Hoboken, NJ 07030	191/7/C0002	161-163 Fifth St	\$ 100.82
Kim, Robert & Hanah 724 Bloomfield St #4 Hoboken, NJ 07030	194/34/C0004	724 Bloomfield St	\$ 52.13
Pacicco, Robert M 718 Bloomfield St #3 Hoboken, NJ 07030	194/37/C0003	718 Bloomfield St	\$1,742.12
Goldman, Justin & Kara Jill 121 Bloomfield St #2 Hoboken, NJ 07030	200/10/C0002	121 Bloomfield St #2	\$ 135.35
McGinnis, Andrew 201-03 Bloomfield St #8 Hoboken, NJ 07030	201/1/C0008	201-03 Bloomfield St	\$ 11.99
Naso, Robert c/o RELB Prop 210 Washington St Hoboken, NJ 07030	201/12/C002E	223 Bloomfield St	\$ 78.37
Donnelly, David & Nicole Vander Voort 55 Maple Ave Little Silver, NJ 07739	204/18/C003S	535-537 Bloomfield St	\$ 419.59
Ashton, David & Debra J 610 Washington St #1 Hoboken, NJ 07030	205/39/C0001	610 Washington St	\$ 253.39
Dirado, Steven F & AnnMarie K 834 Washington St #3 Hoboken, NJ 07030	207/19.1/C0003 8	34 Washington St	\$ 224.44
100 Hudson St Assoc, LLC	212.1/1/	100 Hudson St	\$ 310.00

c/o Vanick
381 Broadway, 2nd Flr
Westwood, NJ 07675

Desi, Pierpaolo 420 Hudson St #2 Hoboken, NJ 07030	215.1/13/C0002	420 Hudson St	\$ 85.02
O'Connor, Jason 725 Washington St #1 Hoboken, NJ 07030	218/7/C0001	725 Washington St	\$ 270.49
Hering, Kimberly 725 Washington St #9 Hoboken, NJ 07030	218/7/C0009	725 Washington St	\$ 476.82
Zelin, Jacqueline 49 Hampshire Rd Mahwah, NJ 07430	219/19.1/C02-2	820 Hudson St	\$ 174.43
810 Hudson, LLC 810 Hudson St Hoboken, NJ 07030	219/21	810 Hudson St	\$ 887.23
Tsui, Sho-Tang & Ssu-Yu Lin 1033 Washington St #B Hoboken, NJ 07030	221/10/C000B	1033 Washington St	\$ 374.84
Arliss, Charles J 30 Independence Road Red Bank, NJ 07701	223/10.1/C002C	41-43 First St	\$ 290.66
Lofgren, Brett 829 Hudson St #2 Hoboken, NJ 07030	237/13/C0002	829 Hudson St	\$ 68.20
Corea, Rose 904 Castle Point Terrace Hoboken, NJ 07030	238/23/	904 Castle Point Terr	\$2,379.82
Kirr, Robert A 1222 Washington St #5N Hoboken, NJ 07030	247/28/C005N	1222 Washington St	\$2,084.07
Morris, Daniel & Lisa 163 Fourteenth St #8N Hoboken, NJ 07030	251/14.1/C008N	163 Fourteenth St	\$ 74.53
Scribner, J Adam & Patricia 1320 Bloomfield St #2A Hoboken, NJ 07030	251/18/C002A	1320 Bloomfield St #2A	\$ 936.19
Szatkowski, Duane A & K L Distaffen 1313 Park Ave #3A Hoboken, NJ 07030	254/10/C0P12	1313-1317 Park Ave	\$ 191.80

Onafets, Inc P.O. Box 1902 Hoboken, NJ 07030	255/2/C0305	150 Fourteenth St\$	435.63
Onafets, Inc P.O. Box 1902 Hoboken, NJ 07030	255/2/C0405	150 Fourteenth St\$	435.63
Goetz, Charles 72 East Weatogue St Simsbury, Ct 06070	262.3/1/C0406	2 Constitution Court	\$ 195.20
Motley, Marianne 2 Constitution Court #506 Hoboken, NJ 07030	262.3/1/C0506	2 Constitution Court	\$ 104.02
Tanis, Garry & Blanca Palmer 2 Constitution Court #513 Hoboken, NJ 07030	262.3/1/C0513	2 Constitution Court	\$ 125.74
Akian, Berj & Suzanne 2 Constitution Court #516 Hoboken, NJ 07030	262.3/1/C0516	2 Constitution Court	\$ 747.77
Haykel, Charlene J 2 Constitution Court #616 Hoboken, NJ 07030	262.3/1/C0616	2 Constitution Court	\$ 156.21
Beccarelli, Paul M & Danielle A 2 Constitution Court #807 Hoboken, NJ 07030	262.3/1/C0807	2 Constitution Court	\$ 479.68
Granda, Jose Antonio & Alquiria 1135 Park Avenue Hoboken, NJ 07030	262.3/1/C0909	2 Constitution Court	\$1,524.93
Klueger, Jane 2 Constitution Court #910 Hoboken, NJ 07030	262.3/1/C0910	2 Constitution Court	\$ 868.70
Nichols, Matthew 2 Constitution Court #1006 Hoboken, NJ 07030	262.3/1/C1006	2 Constitution Court	\$ 308.03
Cotterill, Sylvia 2 Constitution Court #1011 Hoboken, NJ 07030	262.3/1/C1011	2 Constitution Court	\$ 56.57
Alcasabas, Allison M 2 Constitution Court #1111 Hoboken, NJ 07030	262.3/1/C1111	2 Constitution Court	\$ 65.11
Nelligan, Timothy J 2 Constitution Court #PH01 Hoboken, NJ 07030	262.3/1/CPH01	2 Constitution Court	\$ 89.38

Nelligan, Timothy J 2 Constitution Court #PH02 Hoboken, NJ 07030	262.3/1/CPH02	2 Constitution Court	\$ 162.46
Porter, Kevin J & Amy W 2 Constitution Court #PH06 Hoboken, NJ 07030	262.3/1/CPH06	2 Constitution Court	\$2,743.97
Moley, Neil J 2 Constitution Court #PH10 Hoboken, NJ 07030	262.3/1/CPH10	2 Constitution Court	\$2,234.87
Lawenda, David R 1500 Garden St #4F Hoboken, NJ 07030	268.1/1/C004F	1501 Garden/ 1500 Bloom	\$ 933.44
Subrahmanyam, Anand 2 Buck road East Brunswick, NJ 08816	268.1/2/C001L	1500 Washington St	\$ 496.19
Bapineedu, Radhika 1500 Hudson St #3G Hoboken, NJ 07030	268.1/3/C003G	1500 Hudson St	\$ 311.89
Carroll, Maureen 1500 Hudson St #3I Hoboken, NJ 07030	268.1/3/C003I	1500 Hudson St	\$ 924.20
Hobo Empire, LLC 60 Roseland Ave Caldwell, NJ 07006	268.1/3/C004F	1500 Hudson St	\$1,141.50

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

11-287

---By Councilman Giattino

RESOLVED, that filed minutes for the Hoboken City Council regular meetings of July 1st, July 20th, August 18th, August 24th, a Special Meeting on September 3rd, a regular meeting on September 7th, a Special Meeting on September 13th and the regular meeting on September 21, 2011 have been reviewed and approved as to legal form and content.

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

11-288

--By Councilman Cunningham

RESOLUTION APPROVING THE CLAIM OF OKIN HOLLANDER AND DELUCA, LLP FOR PURCHASE ORDER #CY-04689 AND AUTHORIZING IMMEDIATE PAYMENT OF PURCHASE ORDER #CY-04689 TO OKIN HOLLANDER AND DELUCA, LLP IN THE AMOUNT OF \$369,969.10 PURSUANT TO NJSA 40A:5-17

WHEREAS, the City Council has the authority pursuant to NJSA 40A:5-17 to approve claims and authorize payment of purchase orders pursuant to resolutions properly adopted; and,

WHEREAS, the City Council seeks to approve the Okin Hollander and DeLuca, LLP claim of \$369,969.10 pursuant to Purchase Order #CY-04689, based on the invoices attached hereto, in accordance with NJSA 40A:5-17, and to authorize immediate payment of the purchase order, by check drawn on the municipality and signed by the Mayor with such countersignatures as are customary to the City's practices.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that the Okin Holland and Deluca, LLP claim for \$369,969.10 for bankruptcy council legal services, provided for in Purchase Order #CY-04689, is hereby approved pursuant to NJSA 40A:5-17; and

BE IT FURTHER RESOLVED, the City Council of the City of Hoboken hereby authorizes Arch Liston, as the City's Business Administrator and Qualified Purchasing Agent, to approve the purchase order and effectuate immediate payment of the claim, by check drawn on the municipality and signed by the Mayor with such countersignatures as are customary to the City's practices, in accordance with NJSA 40A:5-17

---Motion duly seconded by Councilman Mello

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

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

---Nays: Castellano, Occhipinti, and Russo

---Absent: Mason

11-289

--By President Bhalla

RESOLUTION AUTHORIZING INTRODUCTION OF ORDINANCES IN THE YEAR PRIOR TO ADOPTION OF SAID ORDINANCES DURING THE TERM OF THE PRESENT CONSTITUTION OF THE CITY COUNCIL

WHEREAS, for nearly a century, case law has held that there can be no adoption of an ordinance on second reading by a governing body in the year subsequent to the date of the introduction and first reading; however, the case law presumes terms of office which end on December 31 of each year, and consequently that some of the members have just begun new terms of office since the introduction of the ordinance;

WHEREAS, under those forms of government where elections are not held every calendar year and/or terms of office do not commence on January 1, however, introduction in December and adoption in January may be permissible so long as the local legislation provides explicitly that the governing body should be deemed to be continuous during the two or four years they sit together.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that, during the term of the presently constituted City Council, the governing body of the City of Hoboken shall be deemed to be continuous during the two years it sits together without reconstitution due to regular

elections, and further authorizes adoption of ordinances in any given year which were introduced on first reading in the immediately preceding year without requiring the legislation to be placed back on first reading in the year it will be adopted.

---Motion duly seconded by Councilman Mello

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

---Yeas: Council persons Castellano, Cunningham, Giattino, Marsh, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

11-290

---By President Bhalla

RESOLUTION APPOINTING TRACY S. ZUR, ESQ. AS MUNICIPAL PROSECUTOR FOR THE CITY OF HOBOKEN FOR THE 2012 CALENDAR YEAR, AND AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH TRACY S. ZUR, ESQ. FOR SERVICES AS MUNICIPAL PROSECUTOR FOR A ONE (1) YEAR TERM TO COMMENCE ON JANUARY 1, 2012 AND TERMINATE ON DECEMBER 31, 2012

WHEREAS, the City of Hoboken requires the services of a municipal prosecutor, and N.J.S.A. 2B:25-1 et seq. defines the procedure for appointment of municipal prosecutors; and,

WHEREAS, the Mayor has presented to the Council Tracy S. Zur, Esq. for consideration to the position of municipal prosecutor for the 2012 calendar year; and,

WHEREAS, Tracy S. Zur, Esq. responded to the City of Hoboken's Request for Qualifications for the position of Municipal Prosecutor, and her appointment shall be subject to the Request for Qualifications and her accompanying proposal to the extent same are not inconsistent with the terms in the within Resolution; and,

WHEREAS, *Tracy S. Zur, Esq. 's proposal was submitted and reviewed in compliance with Hoboken Ordinance #DR-154 (codified as §20A-1 et seq. of the Code of the City of Hoboken), which requires competitive negotiation for Professional Service contracts; and,*

WHEREAS, *Tracy S. Zur, Esq. shall be required to comply with all local, state and federal laws regarding pay-to-play and public contracting, as well as any local, state or federal laws regarding contributions and reporting; and,*

WHEREAS, the appointment is approved as a professional service contract, the appointee shall be considered a per-diem non-employee, the appointee shall be entitled to \$300.00 per court session in lieu of any and all other fees and benefits; accordingly, the appointee is not an employee of the City of Hoboken and therefore is not entitled to any vacation, sick or personal days, longevity, pension credits, or the like;

WHEREAS, the City Council hereby assents to the Mayor's suggestion that Tracy S. Zur, Esq. be appointed to the position of municipal prosecutor for the 2012 calendar year with an appropriation in the amount not to exceed Sixty Five Thousand Dollars (\$65,000.00);

WHEREAS, funds will be available for this purpose after adoption of the CY 2012 budget.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Hoboken, County of

Hudson, hereby appoints Tracy S. Zur, Esq. as the City of Hoboken municipal prosecutor for the 2012 calendar year in an amount not to exceed Sixty Five Thousand (\$65,000.00) dollars; and,

BE IF FURTHER RESOLVED that a professional services contract be authorized with Tracy S. Zur, Esq. for the services of municipal prosecutor from January 1, 2012 through December 31, 2012, which shall include the following terms:

1. The Municipal Prosecutor shall appear at least thirty minutes prior to every Municipal Court session.
2. The Municipal Court Sessions are scheduled for every Tuesday at 9:00 a.m., and 6:00 p.m., every
3. Wednesday at 9:00 a.m. and every Thursday at 9:00 a.m. unless the Court is closed.
4. The Municipal Prosecutor is also required to appear for a special session on a Monday or Friday if one of the two Municipal Court Judges calls one.
5. The Municipal Prosecutor shall contact and arrange for the appointed alternate municipal court prosecutor(s) for services upon the sickness, vacation or other absence of the City's regular Municipal Prosecutor. The alternate prosecutors may also be contacted by the Municipal Court Prosecutor to provide prosecuting services when conflicts arise which prevent the regular prosecutors from performing their duties to the City on a case specific basis.

BE IT FURTHER RESOLVED Tracy S. Zur, Esq. shall be considered a per-diem non-employee, shall be entitled to \$300.00 per court session in lieu of any and all other fees and benefits; and, accordingly, is not an employee of the City of Hoboken and therefore is not entitled to any vacation, sick or personal days, longevity, pension credits, or the like; and,

BE IT FURTHER RESOLVED that this appointment and accompanying contract be for a one (1) year term to commence on January 1, 2012 and expire on December 31, 2012; and,

BE IT FURTHER RESOLVED *Tracy S. Zur, Esq. shall be required to comply with all local, state and federal laws regarding pay-to-play and public contracting, as well as any local, state or federal laws regarding contributions and reporting; 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 Councilman Mello

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

---Yeas: Council persons Castellano, Cunningham, Giattino, Marsh, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

11-291

MUNICIPAL PUBLIC DEFENDER FOR THE CITY OF HOBOKEN FOR THE 2012 CALENDAR YEAR, AND AUTHORIZING A PROFESSIONAL

RESOLUTION APPOINTING ESTHER MILSTED, ESQ. AS SERVICE CONTRACT WITH ESTHER MILSTED, ESQ. FOR SERVICES AS MUNICIPAL PUBLIC DEFENDER FOR A ONE (1) YEAR TERM TO COMMENCE ON JANUARY 1, 2012 AND TERMINATE ON DECEMBER 31, 2012

WHEREAS, the City of Hoboken requires the services of a municipal public defender, and N.J.S.A. 2B:24-1 et seq. defines the procedure for appointment of municipal public defender; and,

WHEREAS, the Mayor has presented to the Council Esther Milsted, Esq. for consideration to the position of municipal public defender for the 2012 calendar year; and,

WHEREAS, Esther Milsted, Esq. responded to the City of Hoboken's Request for Qualifications for the position of Municipal Public Defender, and her appointment shall be subject to the Request for Qualifications and her accompanying proposal to the extent same are not inconsistent with the terms in the within Resolution; and,

WHEREAS, Esther Milsted, Esq. 's proposal was submitted and reviewed in compliance with Hoboken Ordinance #DR-154 (codified as §20A-1 et seq. of the Code of the City of Hoboken), which requires competitive negotiation for Professional Service contracts; and,

WHEREAS, Esther Milsted, Esq. shall be required to comply with all local, state and federal laws regarding pay-to-play and public contracting, as well as any local, state or federal laws regarding contributions and reporting; and,

WHEREAS, the appointment is approved as a professional service contract, the appointee shall be considered a per-diem non-employee, the appointee shall be entitled to \$250.00 per court session in lieu of any and all other fees and benefits; accordingly, the appointee is not an employee of the City of Hoboken and therefore is not entitled to any vacation, sick or personal days, longevity, pension credits, or the like;

WHEREAS, the City Council hereby assents to the Mayor's suggestion that Esther Milsted, Esq. be appointed to the position of municipal public defender for the 2012 calendar year with an appropriation in the amount not to exceed Thirty Thousand Dollars (\$30,000.00);

WHEREAS, funds will be available for this purpose after adoption of the CY 2012 budget.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Hoboken, County of Hudson, hereby appoints Esther Milsted, Esq. as the City of Hoboken municipal public defender for the 2012 calendar year in an amount not to exceed Thirty Thousand (\$30,000.00) dollars; and,

BE IF FURTHER RESOLVED that a professional services contract be authorized with Esther Milsted, Esq. for the services of municipal public defender from January 1, 2012 through December 31, 2012, which shall include the following terms:

1. The Municipal Public Defender shall appear at least thirty minutes prior to every Municipal Court session whenever a public defender is needed, as requested by the Municipal Court Administrator and/or Municipal Court Judge.
2. The Municipal Court Sessions are scheduled for every Tuesday at 9:00 a.m., and 6:00 p.m., every Wednesday at 9:00 a.m. and every Thursday at 9:00 a.m. unless the Court is closed.
3. The Municipal Public Defender is also required to appear for a special session on a Monday or Friday if one of the two Municipal Court Judges calls one for which a public defender is required to attend.
4. The Municipal Public Defender shall contact and arrange for the appointed alternate municipal Court public defender(s) for services upon the sickness, vacation or other absence of the City's regular Municipal Public Defender. The alternate public defender(s) may also be contacted by the Municipal Court Public Defender to provide services when conflicts arise which prevents the regular public Defender from performing her duties to the City on a case specific basis.

BE IT FURTHER RESOLVED Esther Milsted, Esq. shall be considered a per-diem non-employee, shall be entitled to \$250.00 per court session in lieu of any and all other fees and benefits; and, accordingly, is not an employee of the City of Hoboken and therefore is not entitled to any vacation, sick or personal days, longevity, pension credits, or the like; and,

BE IT FURTHER RESOLVED that this appointment and accompanying contract be for a one (1) year term to commence on January 1, 2012 and expire on December 31, 2012; and,

BE IT FURTHER RESOLVED *Esther Milsted, Esq. shall be required to comply with all local, state and federal laws regarding pay-to-play and public contracting, as well as any local, state or federal laws regarding contributions and reporting; 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 Marsh

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

---Yeas: Council persons Castellano, Cunningham, Giattino, Marsh, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

11-292

---By President Bhalla

RESOLUTION APPOINTING Kathleen M. Theurer, ESQ. AS ALTERNATE MUNICIPAL PUBLIC DEFENDER FOR THE CITY OF HOBOKEN FOR THE 2012 CALENDAR YEAR, AND AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH Kathleen M. Theurer, ESQ. FOR SERVICES AS ALTERNATE MUNICIPAL PUBLIC DEFENDER FOR A ONE (1) YEAR TERM TO COMMENCE ON JANUARY 1, 2012 AND TERMINATE ON DECEMBER 31, 2012

WHEREAS, the City of Hoboken requires the services of a municipal public defender, and N.J.S.A. 2B:24-1 et seq. defines the procedure for appointment of municipal public defender; and,

WHEREAS, the Mayor has presented to the Council **Kathleen M. Theurer**, Esq. for consideration to the position of alternate municipal public defender for the 2012 calendar year; and,

WHEREAS, **Kathleen M. Theurer**, Esq. responded to the City of Hoboken's Request for Qualifications for the position of Municipal Public Defender, and her appointment shall be subject to the Request for Qualifications and her accompanying proposal to the extent same are not inconsistent with the terms in the within Resolution; and,

***WHEREAS**, Kathleen M. Theurer, Esq. 's proposal was submitted and reviewed in compliance with Hoboken Ordinance #DR-154 (codified as §20A-1 et seq. of the Code of the City of Hoboken), which requires competitive negotiation for Professional Service contracts; and,*

***WHEREAS**, Kathleen M. Theurer, Esq. shall be required to comply with all local, state and federal laws regarding pay-to-play and public contracting, as well as any local, state or federal laws regarding contributions and reporting; and,*

WHEREAS, the appointment is approved as a professional service contract, the appointee shall be considered a per-diem non-employee, the appointee shall be entitled to \$250.00 per court session in lieu of any and all other fees and benefits; accordingly, the appointee is not an employee of the City of Hoboken and therefore is not entitled to any vacation, sick or personal days, longevity, pension credits, or the like;

WHEREAS, the City Council hereby assents to the Mayor's suggestion that **Kathleen M. Theurer**, Esq. be appointed to the position of alternate municipal public defender for the 2012 calendar year with an appropriation in the amount not to exceed Five Thousand Dollars (\$5,000.00);

WHEREAS, funds will be available for this purpose after adoption of the CY 2012 budget.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Hoboken, County of Hudson, hereby appoints **Kathleen M. Theurer**, Esq. as the City of Hoboken alternate municipal public defender for the 2012 calendar year in an amount not to exceed Five Thousand (\$5,000.00) dollars; and,

BE IF FURTHER RESOLVED that a professional services contract be authorized with **Kathleen M. Theurer**, Esq. for the services of alternate municipal public defender from January 1, 2012 through December 31, 2012, which shall include the following terms:

1. The Alternate Municipal Public Defender shall appear at least thirty minutes prior to every Municipal Court session whenever a public defender is needed, upon notice by the Municipal Public Defender, or as requested by the Municipal Court Administrator and/or Municipal Court Judge in any instance where the Municipal Public Defender fails to notify the alternate.
2. The Municipal Court Sessions are scheduled for every Tuesday at 9:00 a.m., and 6:00 p.m., every Wednesday at 9:00 a.m. and every Thursday at 9:00 a.m. unless the Court is closed.
3. The Alternate Municipal Public Defender is also required to appear for a special session on a Monday or Friday if one of the two Municipal Court Judges calls one for which the alternate public defender is required to attend.
4. The Municipal Public Defender shall contact and arrange for the appointed alternate municipal court public defender(s) for services upon the sickness, vacation or other absence of the City's regular Municipal Public Defender. The alternate public defender(s) may also be contacted by the Municipal Court Public Defender to provide services when conflicts arise which prevent the regular public defender from performing her duties to the City on a case specific basis.

BE IT FURTHER RESOLVED **Kathleen M. Theurer**, Esq. shall be considered a per-diem non-employee, shall be entitled to \$250.00 per court session in lieu of any and all other fees and benefits; and, accordingly, is not an employee of the City of Hoboken and therefore is not entitled to any vacation, sick or personal days, longevity, pension credits, or the like; and,

BE IT FURTHER RESOLVED that this appointment and accompanying contract be for a one (1) year term to commence on January 1, 2012 and expire on December 31, 2012; and,

***BE IT FURTHER RESOLVED** Kathleen M. Theurer, Esq. shall be required to comply with all local, state and federal laws regarding pay-to-play and public contracting, as well as any local, state or federal laws regarding contributions and reporting; 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 Marsh

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

---Yeas: Council persons Cunningham, Giattino, Marsh, Mello, Occhipinti, Russo and President Bhalla

---Nays: Castellano

---Absent: Mason

Councilman Cunningham comments and would like to ask if the Governing Body to vote at once Resolution #32-35

Councilman Russo comments and would like to have them separate

Director Trasente comments and gives an overview of the resolutions 32-35

Councilman Russo comments

Director Pellegrini comments about the funding for football uniforms

Councilman Cunningham comments that the City may need trust accounts

11-293

---By Councilman Cunningham

RESOLUTION TO TRANSFER BALANCES FROM STALE TRUST ACCOUNTS TO THE CURRENT FUND ACCOUNT

WHEREAS balances exist in various trust reserves that have remained unchanged for a number of years and,

WHEREAS these balances have been deemed to be unencumbered and,

WHEREAS the Mayor and City Council wishes to cancel said balances.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Hoboken, that the following balances be hereby cancelled and that the sum of \$165,449 be transferred from the Other Trust Account to the Current Fund Account as Miscellaneous Revenues Not Anticipated.

Balance December 31, 2010

Reserve for:	
CD's Cultural Affairs	\$511
Hurricane Relief Fund	501
Hoboken PAL Hockey	2
OEP Investment	35,153
Police Memorial Fund	90,043
Girls Softball League	81
Fire-Turkeys	7
Shade Tree Commission	1

Unclaimed Bail	30,877
TAM Restaurant	5,266
Save the Youth	1,489
Fire Victims - McSwiggans	1,399
Anticipated Revenue	<u>119</u>

\$165,449

---Motion duly seconded by Councilman Mello
 ---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
 ---Yeas: Council persons Castellano, Cunningham, Giattino, Marsh, Mello, Russo and President Bhalla
 ---Nays: None.
 ---Absent: Mason, Occhipinti

Councilman Occhipinti left the table at 11:00 p.m.
 Councilman Occhipinti returned to the table at 11:10 p.m.

11-293

---By Councilman Cunningham

RESOLUTION TO CANCEL GRANTS AND CREDIT THE YEAR END SURPLUS WITH THE RESIDUAL BALANCES

WHEREAS there are various grants receivables and appropriated grant reserves that have been on the books of the City for a number of years and,

WHEREAS either the grant period has expired or the grants were actually expended but charged to the Current Fund budget in error and,

WHEREAS the Mayor and City Council wishes to cancel said grants.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Hoboken, that the following grants be and are hereby cancelled and that any residual amount be credited to the year end surplus.

	Receivable Balance <u>December 31, 2010</u>	Appropriated Reserve Balance <u>December 31, 2010</u>
Click it Or Ticket	\$400	\$-0-
Roadway Improvements 2006	17,886	178,779
Public Health Priority Funding	58,796	-0-
State Cooperative Housing Inspection	2,990	-0-
NFL Youth Football Grant	4,000	8,000
Roadway Improvements 8 th Street	15,730	-0-
Recycling Tonnage	98,130	-0-
1118 Adams Street Urban Renewal	45,000	45,000

Save the Youth Grant		3
Hazardous Discharge Site	19,893	3,687
Home Support and Adult Daycare	31,058	66,482
Home Support and Adult Daycare	88,807	210,255
Multi Service Center Replacement	150,000	150,000
Child Care Services	150,000	150,000
Family Planning Services	20,000	20,000
United Cerebral Palsy	2,000	2,000
City Recreation Program	10,000	10,000
Recycling Tonnage	80,016	133,647
State Aid Highway Street School District	113,000	125,551
Clean Communities - 2008	80,455	28,197
Smart Growth Planning	15,000	60,000
Section 8 Housing Assistant Admin.		125,000
Public Health Priority Funding	15,974	191
Summer Fund Program	8,224	6,274
Walk Safe Pedestrian Grant	\$	\$1,379
Roadway Improvements 8 th Street		37,478
NJ 2007 Body Armor Replacement Grant		3,098
Clean Communities 2006		6
Roadway Improvements 2007		240,335
Hazmat Donations		36,616
Body Amor Replacement Fund		1
Alcohol Education and Rehab		18,224
COPS in School		22,800
Bond Amor Replacement Fund		5,763
State Forestry Green Community Grant		2,000
Adult Day Care		10,861
Drunk Driving Enforcement Grant		10,624
Drunk Driving Enforcement Grant		5,142
Downtown Revitalization Program		125,555
Public Healthcare Management Caregivers		90,893
Computer Program for the Elderly - DYFS		40,000
Clean Communities - 2007		5,169
12 Street Project and 20001 Clinton Street		18,497
2005 Roadway Improvement Project		114,926
State Aid Highway Hudson Place 2003		32,585
State Aid Highway Hudson Place 2004		19,144
Fire Department Grant		36,000
Senior Emergency Funds		<u>2,845</u>
	<u>\$1,027,359</u>	<u>\$2,203,007</u>

BE IT FURTHER RESOLVED that the amount of \$1,175,648 be transferred from the Federal and State Grant Fund accounts to the Current Fund as Miscellaneous Revenue Not Anticipated.

---Motion duly seconded by Councilman Mello

---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2

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

---Nays: None.

---Absent: Mason, Occhipinti

11-295

---By Councilman Cunningham

RESOLUTION TO CANCEL CAPITAL APPROPRIATION BALANCE OF VARIOUS PROJECTS

WHEREAS, a General Capital Improvement appropriation balance remains dedicated for various projects now completed; and

WHEREAS, it is necessary to formally cancel said unexpended debt authorization; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Surplus, and unused debt authorizations may be canceled;

NOW THEREFORE BE IT RESOLVED By the City Council of the City of Hoboken, of the County of Hudson, that the following unexpended and dedicated balance of General Capital Appropriation by cancelled:

Ordinance Number	Date Authorized	Project Description	Amount Cancelled	
			Funded	Unfunded
P184	7/15/1992	Acquisition of Fire Apparatus	143,943.00	
R13	11/15/1993	Reconstruction of certain Piers	300,270.00	708,995.00
R85	10/9/1997	Castle Point Park	185,830.00	
R301	3/18/1998	Multi-Service Center	8,445.00	
R301	3/18/1998	Elysian Park	106.00	
R433	6/7/2000	Underground Storage Tank	53,492.00	
DR42	5/30/2002	Various Projects	3,930.00	65,013.00
DR223	12/15/2002	Land Acquisition		151,592.00
DR223	12/15/2002	Improvements on Buildings & Equipment		231,309.00
DR223	12/15/2002	Acquisition of Vehicles & Equipment		24,029.00

BE IT FURTHER RESOLVED, that the City Clerk forward two copies of this resolution to the Director of Local Government Services.

---Motion duly seconded by Councilman Mello

---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2

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

---Nays: None.

---Absent: Mason, Occhipinti

11-296

---By Councilman Cunningham

RESOLUTION TO CANCEL CURRENT RESERVES AND BE RETURNED TO CURRENT FUND SURPLUS

WHEREAS balances exist in various Current Fund reserves that have remained unchanged for a number of years and,
WHEREAS these balances have been deemed to be unencumbered and,
WHEREAS the Mayor and City Council wishes to cancel said balances,
NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Hoboken that the following balances are hereby cancelled and that the sum of **\$236,639.00** be canceled and returned to Current Fund Surplus.

	Balance
Reserves for:	December 31, 2010
Ragamuffin Parade	\$7, 306.00
911 Relief Fund	\$49,248.00
D.A.R.E.	\$8,964.00
Sinatra Park	\$23,241.00
Public Assistance	\$8,714.00
Other	\$24,618.00
Detention Center	\$1,280.00
Master Plan	\$113,268.00
Total:	\$236,639.00

---Motion duly seconded by Councilman Mello
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Castellano, Cunningham, Giattino, Marsh, Mello, Russo and President Bhalla
---Nays: None.
---Absent: Mason, Occhipinti

ORDINANCES

Introduction and First Reading

11-297

Z-150

AN ORDINANCE ACCEPTING A DEED RESTRICTION IN FAVOR OF THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY FOR A PORTION OF BLOCK 267 LOT 1

DECLARATION OF DEED RESTRICTION

THIS DECLARATION OF DEED RESTRICTION (“Deed Restriction”) is made as of this 22th day of December, 2011, by the City of Hoboken whose address is 94 Washington Street, Hoboken, County of Hudson, New Jersey (“Declarant”) in favor of the NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY, having an address at 36 West State Street, P.O. Box 990, Trenton, New Jersey 08625-0990 (“EDA”).

WITNESSETH:

WHEREAS, Declarant is the owner in fee simple of certain real property and the improvements thereon located in the City of Hoboken and County Hudson, State of New Jersey designated as Lot 1, Block 267 of the official Tax Map of the City of Hoboken, commonly known as, all as particularly described in Exhibit A, attached hereto and incorporated herein (hereinafter referred to as the "Property"); and

WHEREAS, the soils surrounding Property have been contaminated by discharges of hazardous substances within the meaning of the New Jersey Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 (the "Spill Act"), and

WHEREAS, Declarant represents that remediation of the contamination is estimated to cost at least \$1,274,777.00; and

WHEREAS, the New Jersey Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-1.1 et seq. (the "Remediation Act"), authorizes EDA to award a municipality with a grant from the Hazardous Discharge Site Remediation Fund (the "HDSRF Grant") pursuant to the Remediation Act of up to 75% of the costs of the remedial action for a project involving the redevelopment of contaminated property for recreation and conservation purposes, provided that the use of the property for recreation and conservation purposes is included in the comprehensive plan for the development or redevelopment of the contaminated property, and provided that use of the property is preserved for recreation and conservation purposes by conveyance of a deed restriction, which shall be recorded and indexed with the deed in the registry of deeds for the county in which the Property is located; and

WHEREAS, subject to the Declarant's compliance with the Remediation Act, and based on Declarant's representations regarding the intended use of the Property for public open space, the New Jersey Department of Environmental Protection ("DEP") has recommended to the EDA that the Declarant be awarded a HDSRF Grant of up to 75% of the costs of the remedial action with respect to the Property because the remedial action would foster public outdoor recreation; and

WHEREAS, in reliance on DEP's recommendation and subject to, among other things, Declarant entering into this Declaration of Deed Restriction, the EDA has awarded Declarant an HDSRF Grant in the amount of \$1,063,264; and

WHEREAS, the grant of this Deed Restriction by Declarant will help to ensure that the Property is rehabilitated and reused consistent with the City of Hoboken's Redevelopment Plan; and

WHEREAS, the Declarant, having the authority to do so, intends to enter into this Deed Restriction in order to ensure that the Property is preserved for open space for the benefit of the public .

NOW THEREFORE, be it Ordained by the City Council of the City of Hoboken, in the County of Hudson, that in consideration of the award of the HDSRF Grant to Declarant and for other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and the facts recited above and the terms, conditions and restrictions contained herein: **DECLARANT hereby irrevocably grants, bargains, sells, and conveys unto the EDA, TO HAVE AND TO HOLD the same unto EDA, its successors and assigns forever, this Deed Restriction in perpetuity.**

1. Deed Restriction for Recreation. Declarant hereby conveys, transfers, assigns and grants to the EDA, and its successors and assigns, this Deed Restriction solely with respect to Property.

2. Scope of Deed Restriction. This Deed Restriction conveys to EDA a limited interest in Property only as hereinafter specifically provided, which includes the benefit of the following covenants, conditions and restrictions:

- (a) Declarant agrees to prevent any disturbance or development on the Property and to permit the public open access to use the Property for recreation purposes in perpetuity.
- (b) The NJDEP has approved a Remedial Action Work ("RAW") Plan for the site that includes work. Declarant agrees to effectuate the remediation in a timely manner consistent with the terms of the RAW.

(c) Declarant retains all responsibilities and shall bear all costs and liabilities of any kind related to ownership, operation, upkeep and maintenance of the Property. Declarant agrees at all times to use reasonable efforts to maintain the Property in a good and sound state of repair and shall keep the

Property free of any liens arising out of any work performed for, materials furnished to, or obligations incurred by Declarant.

- (d) Declarant agrees not to obstruct the substantial and regular opportunity of the public to access and utilize the Property for recreational activities; and
- (e) Declarant and its successors and assigns forever reserve the fee title to the Property and incidents of ownership therein, other than the Deed Restriction, all to the extent not inconsistent with the terms and purposes of the Deed Restriction granted herein.

3. Title. Declarant warrants as of the date hereof good and sufficient title to the Property free from all encumbrances that would interfere with this Deed Restriction and hereby promises to defend the same against all claims that may be made in connection therewith. Declarant warrants that there are no mortgage liens on the Property on the date hereof. All mortgages and liens filed against the Property after the date hereof shall in all respects be subordinate to the lien of this Deed Restriction.

4. Inspection, Reporting and Right of Entry. At least annually, and on changes in possession, during reasonable hours, on written notice, the EDA or EDA's agents may enter and inspect the Property to determine a breach, default or violation of this Deed Restriction ("Violation"), and for enforcement of its terms. A failure to inspect by the EDA and/or its agents shall not be deemed to constitute a waiver of these rights.

5. Nature and Duration. The covenants, conditions and restrictions in this Deed Restriction shall be a burden upon and run with the land constituting the Property in perpetuity and are binding upon Declarant and the successors and assigns of Declarant for the benefit of the public. Declarant agrees that the terms, conditions, restrictions and purposes of this Deed Restriction will be inserted in any subsequent deed, lease, sub-lease or other legal instrument that includes any portion of the Property by which Declarant divests itself of any interest in the Property.

6. Transfer Notices. Declarant shall provide the EDA with written notice of any transfer or change in ownership of the Property, including but not limited to the name and address of the new owner, at least one month prior to the day of the signing of those documents accomplishing the actual transfer or change in ownership.

7. Remedies – Breach/Default. In addition to, and not in limitation of, any other rights of the EDA hereunder or at law or in equity, if the EDA determines that a Violation of this Deed Restriction has occurred or that a Violation is threatened, the EDA shall give written notice to Declarant of such Violation, setting forth the specifics thereof, and demand corrective action sufficient to cure the Violation. If the Declarant fails to cure the Violation after receipt of notice thereof from the EDA, or under circumstances where the Violation cannot reasonably be cured within a time period dictated by the EDA, fails to begin curing such Violation within the time period dictated by the EDA, or fails to continue diligently to cure such Violation until finally cured, the EDA may bring an action at law or in equity in a court of competent jurisdiction:

- (a) to enjoin and/or cure such Violation;
- (b) to enter upon the Property and to take action to terminate and/or cure such Violation and or to cause the restoration of that portion of the Property affected by such Violation to the condition that existed prior thereto;
- (c) to seek or enforce such other legal and/or equitable relief or remedies as the EDA deems necessary or desirable to ensure compliance with the terms, conditions, covenants, obligations and purpose of this Deed Restriction; or
- (d) to exercise any rights and remedies it may have against Declarant under the HDSRF Grant agreement, which rights and remedies shall be applicable to Declarant's successors and assigns under this Deed Restriction.

8. EDA's Rights – Immediate Action. If the EDA, in its discretion, determines that circumstances require immediate action to prevent or mitigate significant damage to the Property, the EDA may pursue its remedies under paragraph 7 above without prior notice to Declarant or without waiting for the period provided for cure to expire. The EDA's rights under this paragraph shall apply equally in the event of either actual or threatened Violations of the terms of this Deed Restriction. Declarant agrees that the EDA's remedies at law for any Violation of the terms of this Deed Restriction are inadequate and that the EDA shall be entitled to the injunctive relief described in this paragraph, both prohibitive and mandatory, in addition to such other relief to which the EDA may be entitled, including specific performance. The above language shall in no event be interpreted to derogate or diminish the State of New Jersey or any of its departments or agencies' rights and powers under the laws of the State of New Jersey for the protection of public health, safety and welfare.

9. EDA's Right of Transfer. The EDA reserves the right to transfer, assign, or otherwise convey this Deed Restriction to any other entity or person to enforce the provisions of this Deed Restriction. The Deed Restriction shall inure to the benefit of, and be binding upon, all assignees, transferees and successors in interest of EDA. Declarant shall pay any fee charged by such entity or person to perform those services.

10. Enforcement. Enforcement of the terms of this Deed Restriction shall be at the discretion of the EDA, and any forbearance by the EDA to exercise its rights under this Deed Restriction in the event of any Violation by Declarant shall not be deemed or construed to be a waiver by the EDA of such term or of any subsequent Violation of any of the EDA's rights under this Deed Restriction. No delay or omission by the EDA in the exercise of any right or remedy upon any Violation by Declarant shall impair such right or remedy or be construed as a waiver of such right or remedy.

11. Cost Reimbursement: Declarant agrees to reimburse the EDA for any costs incurred by the EDA in enforcing the terms of this Deed Restriction against Declarant, and including, without limitation, the cost of any action taken to remedy an actual or threatened Violation and the reasonable costs of suit and attorney's fees.

12. Indemnification. Declarant agrees to defend, indemnify and hold harmless the EDA, its employees, members, and agents and the State of New Jersey from and against any and all claims, liabilities, losses, damages, injuries, costs, or expenses that may arise in connection with or on account of the Property or the Deed Restriction.

13. Insurance. The Declarant agrees that it shall keep the Property insured consistent with the insurance requirements of any lender. In the event that there is no lender, Declarant agrees to maintain replacement insurance coverage for Property. Upon the request of the EDA, Declarant agrees to provide EDA with a Certificate of Insurance evidencing the replacement coverage insurance EDA has procured in compliance with this paragraph.

14. Notices. Any notice, demand, request, consent, approval or communication under this Deed Restriction shall be sent by certified mail, return receipt requested or reliable overnight carrier, addressed as follows:

To Declarant:

City Clerk and Corporation Counsel
City of Hoboken
94 Washington Street
Hoboken, New Jersey 07030

To the EDA:

EDA's address for the purpose of notice is:

Incentives Portfolio Management
New Jersey Economic Development Authority (NJEDA)
P.O. Box 990
Trenton, New Jersey 08625-0990

A party may change the address or person to whom notices are required to be given by notice given in the manner above required.

15. Entire Agreement and Severability. This instrument and the attached Exhibit contain the entire agreement of the parties with respect to the Deed Restriction and supersedes any prior agreements relating to the Deed Restriction. If any provision of this Deed Restriction is held unenforceable by a court of competent jurisdiction, the remainder of the Deed Restriction shall continue in full force and effect.

16. Amendments. This Deed Restriction may only be amended by a written instrument signed by Declarant and EDA, and/or their successors and assigns, provided that any amendment shall be null and void if it is not consistent with the public recreation purposes of this Deed Restriction and would cause the Deed Restriction to not qualify as a conservation and preservation deed restriction under the Remediation Act.

17. Effective Date: This Deed Restriction shall be effective immediately.

18. Miscellaneous.

- a. The laws of the State of New Jersey shall govern the interpretation and performance of this Deed Restriction.
- b. The captions in this Deed Restriction have been inserted solely for convenience of reference and are not a part of this Deed Restriction and shall have no effect upon construction or interpretation.
- c. Execution of this Deed Restriction does not constitute a waiver of the rights or ownership interest of the State of New Jersey in public trust property.

19. Governing Body Approval of Deed Restriction

IN WITNESS WHEREOF, the undersigned has set its hand and seal as of the date set forth above and directs that this instrument be recorded in the Office of the Hudson County Clerk.

EXHIBIT A: LEGAL DESCRIPTION OF PROPERTY

Being within a portion of Lot 1, Block 269.4. Said Lot and block numbers shown on a map entitled "Hoboken Cove, Final Plat- 2, Block 126, Lots 5&6, Block 255, Lots 4.1, 4.2, 6.1, 7 & 8, Block 264, Lot 3.1, Block 268.1, 1, 2, 3, & 4, Block 269.2, Lot 1, Block 269.3, Lot 1, 269.4, Lot 1, 269.5, Lot 1, City of Hoboken, Hudson County, New Jersey" prepared by Paulus, Sokolowski & Sartor, LLC, and filed in the Hudson County Register's Office on August 11, 2005 as Filed Map No. 3972.

Portions of Lot 1, Block 269.4, being more particularly described as follows:

BEGINNING at a point along the Easterly line of Park Avenue, (65' R.O.W.). Said point being North 12 degrees 33 minutes 43 seconds East, a distance of 196.62 feet measured along the said Easterly line of Park

Avenue from a point formed by the intersection of the said Easterly line of Park Avenue with the Northerly line of 15th Street, (variable width); thence running

1. North 12 degrees 33 minutes 43 seconds East, a distance of 610.90 feet along the said Easterly line of Park Avenue to a point in the Municipal line between the Township of Weehawken and the City of Hoboken; thence;
2. North 87 degrees 52 minutes 31 seconds East, a distance of 103.38 feet along the said Municipal line to a point in the same; thence;
3. South 12 degrees 33 minutes 43 seconds West, a distance of 637.11 feet to a point; thence
4. North 77 degrees 26 minutes 17 seconds West, a distance of 100.00 feet to the point and place **BEGINNING**

Containing: 62,400 Square Feet = 1.43 acres

The above described is subject to the rights and restrictions of easements, if any, being within and/or crossing the same bounds as described above.

AND

Being within a portion of Lot 1, Block 267. Said Lot and Block numbers as shown on a map entitled "Hoboken Cove, Final Plat – 2, Block 126 Lot 5 & 6, Block 255 Lot 4.1, 4.2, 6.1, 7 & 8, Block 264 Lot 3.1, Block 268.1 Lot 1, 2, 3 & 4, Block 269.2 Lot 1, Block 269.3 Lot 1, 269.4 Lot 1, Block 269.5 Lot 1 City of Hoboken, Hudson County, New Jersey" prepared by Paulus, Sokolowski & Sartor, LLC, and filed in the Hudson County Register's Office on August 11, 2005 as Filed Map No. 3972.

Portion of Lot 1, Block 267 being more particularly described as follows:

BEGINNING at a point along the division line between Lot 1, Block 267 and Lot 1, Block 269.1. Said point being the following two, (2) courses from the intersection between the Easterly line of, (65.0' R.O.W.), Park Avenue with the Northerly line of 15th Street, (variable width).

A) North 12 degrees 33 minutes 43 seconds East, a distance of 196.62 feet measured along the said Easterly line of Park Avenue to a point; thence

B) South 77 degrees 26 minutes 17 seconds East, a distance of 100.00 feet to the point and place of BEGINNING; Thence running

1. North 12 degrees 33 minutes 43 seconds East, a distance of 310.00 feet to a point; thence
2. South 77 degrees 26 minutes 17 second East, a distance of 90.00 feet to a point; thence
3. South 12 degrees 33 minutes 43 seconds West, a distance of 315.00 feet to a point; thence
4. North 77 degrees 26 minutes 17 seconds West, a distance of 90.00 feet to a point; thence
4. North 12 degrees 33 minutes 43 second East, a distance of 5.00 feet to the point and place of **BEGINNING**.

Containing: 28,350 Square Feet = 0.65 acres

The above described is subject to the rights and restrictions of easements, if any, being within and/or crossing the same bounds as described above.

President Bhalla 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 **January 4, 2012** at 7:00 PM.

---Motion duly seconded by Councilwoman Marsh

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

---Yeas: Council persons Castellano, Cunningham, Giattino, Marsh, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

11-298
Z-151

**AN ORDINANCE TO AMEND CHAPTER 168 ENTITLED "STREETS AND SIDEWALKS"
TO CLARIFY OBLIGATIONS DURING TIMES OF SNOW REMOVAL Z-151)**

WHEREAS, the City Council wishes to expand upon the regulations and obligations relating to snow removal along public rights of way in the City of Hoboken.

NOW, THEREFORE, the City Council of the City of Hoboken does hereby Ordain as follows (additions noted in underline, ~~deletions noted in strikethrough~~):

SECTION ONE: AMENDMENTS TO HOBOKEN CODE SECTION 168-8

§168-8. Snow removal.

A. The owner or occupant or person having charge of any dwelling house, store or other building or lot of ground in the city shall, within the first six hours after every fall of snow or hail, or after the formation of any ice upon the sidewalks, unless the ice is covered with sand or ashes, cause the snow and ice to be removed from the sidewalk abutting such dwelling house, store, building or lot of land, cause the snow and ice to be removed from the sidewalk abutting such dwelling house, store, building or lot of land clearing a traversable walkway so that a minimum of four (4) feet or two-thirds (2/3) of the width of the sidewalk, whichever is greater, is free of snow and ice. In those instances where the traversable walkway is less than four (4) feet in width, the owner, occupant or person having charge shall clear the entire width of the abutting sidewalk. ~~and piled not more than 18 inches from the curb line into the public street or roadway.~~

B. In case the gutter opposite any dwelling house, store or other building, or lot of ground, in the city shall, at any time become obstructed with snow, ice, dirt or any matter, the owner or occupant or person having charge thereof shall cause the gutter to be cleaned out to the width of two feet, so that the water may run freely along the same.

C. If more than four (4) feet of sidewalk is available, snow may be deposited between the cleared area and the curbline at a height of no greater than three and one-half (3.5) feet.

D. At no time shall snow, ice, dirt, or any matter be removed into the street.

E. Where public facilities or public infrastructure are present on a sidewalk, such as mailboxes, phone booths, handicapped ramps at corners, parking meters, bicycle racks, and benches, the owner, occupant or person having charge shall maintain clear access to said facilities or infrastructure so that all public functions may continue unimpeded at all times.

SECTION TWO: REPEAL OF INCONSISTENT PROVISIONS

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

SECTION THREE: SEVERABILITY

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

SECTION FOUR: EFFECTIVE DATE

This Ordinance shall take effect immediately 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.

President Bhalla 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 **January 4, 2012** at 7:00 PM.

---Motion duly seconded by Councilman Cunningham

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

---Yeas: Council persons Castellano, Cunningham, Giattino, Marsh, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

11-299
Z-152

AN ORDINANCE TO CREATE CHAPTER 147 ENTITLED “MOBILE RETAIL FOOD VENDORS”

WHEREAS, there is a need for codification of rules and regulations relating to mobile retail food vendors within the City; and,

WHEREAS, Chapter 147 is hereby created to codify licensing, and rules and regulations relating to mobile retail food vendors; and,

WHEREAS, additional amendments to other Chapters of the Hoboken City Code in order to maintain consistency between Chapters.

WHEREAS, in addition to any and all other City Council legislative powers allowed by law, the City Council may, at their discretion, and upon the request of interested parties, review the efficacy of this new legislation one year from the date of final adoption.

NOW, THEREFORE, the City Council of the City of Hoboken does hereby Ordain as follows:

SECTION ONE: ESTABLISHMENT OF HOBOKEN CODE CHAPTER 147, ENTITLED

“MOBILE RETAIL FOOD VENDORS”

Chapter 147 is hereby established and entitled “Mobile Retail Food Vendors” as follows:

Article I – General Regulations

§147-1.1 Purpose

- a. The City of Hoboken encourages the growth of Mobile Retail Food Vendors within the City of Hoboken while regulating the side effects of this growing industry, such as parking , traffic and waste disposal;
- b. This Chapter seeks to regulate Mobile Retail Food Vendors through the annual issuance of licenses and permits. This Chapter will assist the City with keeping record of Mobile Retail Food Vendor business within the City. License and permit fees will cover the cost of enforcement and administrative duties.
- c. This Chapter limits the proximity of Mobile Food Trucks to brick and mortar restaurants to secure safe and adequately spaced sidewalks in case of a fire, flood, and other natural or manmade disaster;
- d. This Chapter seeks to limit the interaction between uses which are incompatible in character. While serving similar purposes, selling food to residents, mobile food trucks and brick and mortar restaurants function separately and are not complimentary in nature.
- e. This Chapter seeks to protect the character of stable commercial areas and to provide sufficient space in appropriate locations for each use. The City seeks to locate Mobile Food Trucks in areas to better serve mobile populations. The City seeks to promote a desirable visual environment through limiting the interaction of each respective use.
- f. This chapter is not intended to effect, and shall not apply to activities conducted on private property.

§147-1.2 Scope

The provisions of this section shall apply to mobile food operations engaged in the business of cooking, preparing, and/or distributing food or beverage from Mobile Retail Food Vendors on public property within the City of Hoboken.

§147-1.3 Definitions

MOBILE RETAIL FOOD VENDOR: any movable restaurant or retail food establishment in or on which food and beverage are transported, stored, or prepared for retail sale or given away at temporary locations. The term mobile retail vendor shall include and incorporate the term mobile retail food vendors, as defined in §115-1. Only the following mobile units shall be allowed within the City limits for use as a mobile retail food vendor, none of which shall exceed 35 feet in length:

MOBILE RETAIL MOTORIZED FOOD VENDOR – A food establishment that is located upon a motorized vehicle where food or beverage is cooked, prepared and served for individual portion service. Such food vendors must comply with this Chapter and all requirements of this Chapter, as well as any other applicable Section of this Code. Shall also be known as Mobile Retail Food Vendors.

MOBILE RETAIL NON-MOTORIZED FOOD VENDOR – Movable non-motorized unit (i.e., pushcart) where food or beverage is transported, stored, or prepared for retail sale or given away at temporary locations.

MOBILE RETAIL PRE-PACKAGED FOOD VENDORS - A food establishment that is located upon a motorized vehicle where pre-packaged food or beverage is served for individual portion service. Mobile retail pre-packaged food vendors shall be subject to Chapter 146, and shall be exempt from the regulations of this Chapter 147.

BLOCK -

BLOCK FACE -

§147-1.4 Hours of Operation

- a. *Weekdays:* Sunday through Thursday, Mobile Retail Food Vendors shall operate between the hours of 6:00 AM to 9:00 PM.
- b. *Weekends:* Friday and Saturday, Mobile Retail Food Vendors shall operate between the hours of 6:00 AM and 11:00 PM

§147-1.5 Prohibition Against the Transfer of a License and/or Permit

- a. No person holding a Mobile Retail Food Vendor license and/or permit shall sell, lend, lease or in any manner transfer any interest in a Mobile Retail Food Vendor license and/or permit.
- b. A license and/or permit holder may transfer said item as part of the sale of a majority of the stock in a corporation holding such a license and/or permit, as part of the sale of a majority of the membership interests of a limited liability company holding such license and/or permit, or as part of the sale of a business or substantially all of its assets; provided that there shall be no allocated or actual value for the transfer of the license and/or permit, and provided that:
 - i. Prior to any such transfer, the transferor shall notify the Director of the Department of Health and Human Service's Health Officer and the Director of the Department of Transportation and Parking, in writing, and the transferee shall submit a mobile retail food vendor health license application **and** parking permit for approval. which approval must occur prior to transfer. Licenses and permits which are transferred prior to approval shall be null and void as of the date and time of transfer, if not previously approved pursuant to this Section.
 - ii. Any such transfer shall be subject to the terms and conditions of the original license and/or permit.
 - iii. A transfer fee of twenty five dollars (\$25.00) payable to the City Clerk, and any and all application fees described in this Chapter, shall be received prior to any transfer being approved.
- c. Any unauthorized transfer or attempt to transfer a license and/or permit shall automatically void such item. Additionally, whoever violates this provision, including both the transferor and transferee, shall be subject to penalties pursuant to Section 147-1.10.

§147-1.6 Operation of Mobile Retail Food Vendors

- a. Any Mobile Retail Food Vendor being operated without a valid Mobile Retail Food Vendor license and/or permit shall be deemed a public safety hazard and may be ticketed and impounded.

- b. Mobile vendor licensees shall be required to display the mobile retail vendor license and/or permit prominently when located in a permitted location. Being the lawful holder of a City of Hoboken mobile vendor license and/or permit shall not be a valid defense to a citation for failure to prominently display the license in violation of this Chapter.
- c. No City of Hoboken employee shall own more than 10% of any Mobile Retail Food Vendor license and/or permit.

§147-1.7 Enforcement

Unless otherwise specified herein, this chapter shall be enforced by any Code Enforcement Officer, Parking Enforcement Officer, the Hoboken Police Department, and/or the Health Officer.

§147-1.8 Mobile Retail Motorized Food Vendor Fees and Regulations

§147-1.8.1 License Fees

- a. Mobile Retail Motorized Food Vendor Business License – The application fee for a license or any renewal of a license granted by the City shall be \$500. The cost of the annual Health Certificate shall be included in this fee.
- b. Mobile Retail Motorized Food Vendor Parking Permit – Mobile Retail Motorized Food Vendors operating within the City of Hoboken are required to purchase an annual Parking Permit. Permits are available as follows:

Time Length	Annual Amount
4 Day Weekly	\$1,600
7 Day Weekly	\$2,500

- 1. The Parking Permit shall be renewable on an annual basis.
- 2. Parking Permit Extended Time Endorsements: Applicant’s with both a valid Business License and Parking Permit may seek an Extended Time Endorsement on their Parking Permits. This endorsement will allow mobile vendors to extend their stay in metered parking zones beyond the customary 2 hours allowed under Section 190-29.8. This fee for extended parking shall be based on the length a mobile vending vehicle. This fee shall be \$20 dollars per linear foot. Length of vehicle will be determined by the City at the time of the annual Health Inspection. Extended time endorsement shall not exempt Mobile Food Vendors from paying the standard rates when parked in metered parking zones.

§147-1.9 Supplemental Regulations

- a. Mobile Retail Food Vendors shall not exceed 35 feet, this number may be increased upon special written request, at the discretion of the Director of Transportation and Parking
- b. Mobile Retail Food Vendors shall not provide or allow any dining area, including but not limited to tables, chairs, booths, bar stools, benches, and standup counters.
- c. The City reserves the right to temporarily move any Mobile Retail Food Vendor to a nearby location for emergency purposes as determined in the sole discretion of the City.

- d. Any permit not used for a period of fourteen (14) consecutive days or longer shall be revoked by the City.
- e. All licensees and permittees shall comply with all applicable state statutes, all applicable City of Hoboken ordinances, and any other law or regulation which may be applicable under the given circumstances.
- f. Mobile Retail Food Vendors shall comply with all ordinances, laws and regulations relating to noise in effect by the City of Hoboken, County of Hudson and State of New Jersey.
- g. During periods of Special Events, as herein defined, the Director of the Department of Health and Human Services may suspend Sections 147-1.9 and 147-3.4 of this Chapter. The Director of Health and Human Services at his/her sole discretion, may declare, in writing with notice to all licensed and/or permitted Mobile Retail Food Vendors, that any event within the City of Hoboken is a “Special Event” for purposes of this section.
- h. Mobile Retail Food Vendors shall maintain an on-vehicle GPS-based system that transmits standard GPS latitude and longitude coordinates in a format/protocol compatible with the City's GPS tracking systems/maps, and shall make these data openly available to the public and the City of Hoboken for tracking and enforcement purposes. GPS coordinates shall be broadcast no less frequent than once every five minutes and shall transmit these coordinates whenever the vehicle is within City limits. Vendors should be aware that enforcement of overlapping vendor operations will be documented via these data, so non-functioning or delayed data service will significantly impact any determination called for by the City as to which vendor arrived first at a particular location.
 - 1. Violators of this subsection (h) shall, upon conviction, be subject to a fine not exceeding \$250, or imprisonment for a period not exceeding ninety (90) days, or both. These penalties are in addition to any penalties resulting from separate violations incurred under this Chapter.

§147-1.10 Violations and Penalties

Unless otherwise specified herein, any person violating any provision of this Chapter shall, upon conviction thereof before the Municipal Court, be subject to a fine not exceeding \$1,000, or imprisonment for a period not exceeding ninety (90) days, or both. The amount of such fine and/or imprisonment shall be determined by the sound discretion of the Municipal Judge. In addition to the aforementioned penalties, and as provided for herein, violations of this Chapter may subject the license to suspension or revocation as provided for herein.

Article II – Health Regulations

§147-2.1 Mobile Retail Food Vendor License Required

- a. No person or business entity, including a religious or charitable organization, shall operate as a Mobile Retail Food Vendor on any public property within the City of Hoboken without a license issued by the City of Hoboken and a Health Certificate issued by the Department of Health and Human Services’ Health Officer.
- b. The Department of Health and Human Services’ Health Officer may, from time to time, set a limit on the number of total licenses that may be issued or renewed per year; however, no more than one license may be issued to a single person or business entity or both.

- i. Mobile Retail Motorized Food Vendor: No more than 25 mobile retail food vendor licenses will be issued by the Department of Health and Human Services' annually.
- ii. Mobile Retail Non-Motorized Food Vendor: No more than 50 mobile retail food vendor licenses will be issued by the Department of Health and Human Services' annually.

§147-2.2 Application for a Mobile Retail Food Vendor License and Health Certificate

Any person desiring a business license and/or health certificate shall file with the Hoboken Division of Health an application which shall contain the following information:

- a. The name of the applicant.
- b. If a trade name is used, whether the applicant is an individual, partnership, association or corporation. For any business entity, include names and addresses of all partners, members, officers and shareholders holding greater than 10% interest.
- c. The address of the applicant and telephone number.
- d. The names and addresses of the persons from which goods making up the stock were or are to be purchased.
- e. Three business references.
- f. The place or places of residence of the applicant, and any individual listed in accordance with subsection (b), for the preceding three years.
- g. A description of the food items to be sold.
- h. If the applicant is a corporation, the state in which its Charter is registered and the registered agent's name and address in this state.
- i. The number and nature of any arrests or convictions against the applicant, officers, partners or any salesmen to be employed.
- j. As to the application, there must be appended a letter or, when applicable, a corporate resolution from the firm authorizing the person signing the application to act as its representative and certifying that the information is correct and accurate.
- k. Whether the applicant, in previously operating in this state under a business license, has had such license revoked or suspended and, if so, the reasons therefore (Motorized).
- l. The make and model of vehicle, state license plate number, drivers identification number, copy of current insurance, and copy of state registration (Motorized).

§147-2.3 Enforcement

The Hoboken Health Officer shall have the authority to enforce all sections of this Article.

§147-2.4 Supplemental Regulations

The Department of Health and Human Services Health Officer is hereby authorized to promulgate additional rules and regulations appropriate for the implementation of this section, and, if

necessary, work with other agencies and departments of the City and State to establish a streamlined process for the licensing of Mobile Retail Food Vendors provided that:

- a. Such rules and regulations are in writing and served on all licensees at least seven (7) days prior to enforcement; and,
- b. Mobile food vendors shall provide trash and recycling receptacles on or at their facility, and are responsible for litter within 5 feet of the licensed vehicle. All waste containers shall be emptied by and at the expense of the Mobile Retail Food Vendor operator.

§147-2.4 Inspection

- a. Inspectional Services: Mobile Retail Food Vendors are subject to all applicable regulations found in Hoboken Code Section 115-2.
- b. Mobile Retail Food Vendors will have 45 days from being issued a Business License, per Section 147-1.8.1a, to complete a Health Inspection. Failure to complete a Health Inspection in this 45 day timeframe will result in revocation of the Business License.

§147-2.5 License and Health Certificate Renewal

Business licenses and Health Certificates shall be valid from January 1 to December 31 of the year stated thereupon, regardless of the date the license and/or certificate is granted by the City. There is no right to renewal of business licenses or health certificates hereunder.

Article III – Parking Regulations

§147-3.1 Mobile Retail Food Vendor Parking Permit Required

- a. No person of business entity, including a religious or charitable organization, shall operate as a Mobile Retail Food Vendor on any public property within the City of Hoboken without a parking permit issued by the Department of Transportation and Parking.
- b. The City of Hoboken may, from time to time, set a limit on the number of total parking permits that may be issued and/or renewed per year; however, no more than one permit may be issued to a single person or business entity or both. All applicants for a Mobile Retail Food Vendor Parking Permit must show proof of a current business license and health certificate prior approval of the parking permit application.
- c. No person shall operate a Mobile Retail Motorized Vehicle without the granting of a parking permit.

§147-3.2 Application for a Mobile Retail Food Vendor Parking Permit

Any person desiring a permit shall file with the Department of Transportation and Parking an application which shall contain the following information:

- a. A copy of a current Hoboken Mobile Retail Food Vendor business license;
- b. A notarized letter from the business owner authorizing an individual as a responsible officer of the business, if the applicant is not the owner;

- c. Verification that there is no off-street parking contractually provided to the business address as determined by the Parking Utility;
- d. The regular working hours of the owner or nonresident employee(s) listed on the application for whom a business permit is sought;
- e. Whether the applicant, in previously operating in this state under a license, has had such license revoked or suspended and, if so, the reasons therefore
- f. The make and model of vehicle, state license plate number, drivers identification number, copy of state registration, vehicle insurance information and copy of current valid motorized Mobile Food Vendor License.
- g. A description of the food items to be sold.
- h. Any other information as required by the Parking Utility.

§147-3.3 Parking Permit Renewal

Mobile Retail Food Vendor parking permits shall be valid from January 1 to December 31 of the year stated thereupon, regardless of the date the permit is granted by the City. There is no right to renewal of parking permits hereunder.

§147-3.3 Enforcement

Hoboken Parking Enforcement Officers and the Hoboken Police Department shall have the authority to enforce all sections of this Article.

§147-3.4 Mobile Retail Motorized Food Vendor Regulations

The Department of Transportation and Parking is hereby authorized to promulgate additional rules and regulations appropriate for the implementation of this Section, and, if necessary, work with other agencies and departments of the City and State to establish a streamlined process for the permitting of Mobile Retail Food Vendors provided that such rules and regulations are in writing and served on all permits at least seven (7) days prior to enforcement; and,

- a. Parking
 - i. Mobile Retail Food Vendors shall be parked and/or conduct business at a minimum 75 foot distance from the business entrance of any menu-serving restaurant.
 - ii. Mobile Retail Food Vendors may not occupy Resident Only parking spaces.
 - iii. Mobile Retail Food Vendors in possession of a Mobile Retail Motorized Food Vendor Parking Permit, per Section 147-1.8.1.b , may occupy any parking space in a permit-only zone within the City for up to 4 consecutive hours unless otherwise restricted and may occupy any parking space in a metered zone for up to 2 consecutive hours unless otherwise restricted.
 - iv. Mobile Retail Food Vendors in possession of a Mobile Retail Motorized Food Vendor Parking Permit with an Extended Parking Endorsement per Section 147-

1.8.1.b.2 may occupy any parking space in a permit-only zone within the City for up to 4 consecutive hours unless otherwise restricted, and may occupy any parking space in a metered zone for up to 6 consecutive hours unless otherwise restricted.

- v. Mobile Retail Food Vendors must pay for their first two (2) hours at a metered parking space and, if in possession of a Parking Permit, must display receipt of payment verification for these two (2) hours for the entire period of any parking event.
- vi. No Mobile Retail Food Vendor shall be parked on the street overnight, or left unattended and unsecured at any time food is kept in the Mobile Retail Food Vendor unit.
- vii. Any Mobile Retail Food Vendor unit which is found to be unattended or parked during overnight hours shall be considered a public safety hazard and may be ticketed and impounded.
- viii. Mobile Retail Food Vendors shall not be eligible for a business parking permit.
- ix. There shall be no more than two (2) Mobile Retail Food Vendors parked within any street segment not interrupted by intersections.

Article IV – Non-Motorized Mobile Retail Food Vendors

§147-4.1 Mobile Retail Non-Motorized Food Vendor Fees and Regulations

§147-4.1.1 License Fees

- a. Mobile Retail Non-Motorized Food Vendor Health Department Certificate – The application fee for a health certificate or a renewal of a health certificate from the Hoboken Division of Health shall be \$15.
- b. Mobile Retail Non-Motorized Food Vendor Annual Business License – The annual fee required for the issuance or renewal of a Mobile Retail Non-Motorized Food Vendor business license shall be \$150.

§147-4.1.2 Supplemental Regulations

- a. No non-motorized retail food vendor shall remain at the same location on any sidewalk or street for more than thirty (30) minutes without transacting a sale. At the expiration of the thirty (30) minute period, the vendor must move location by at least thirty (30) feet.
 - 1. For purposes of this Article, “sale” shall mean the transaction of vendor’s goods in return for valuable consideration.
 - 2. Immediately after any sale, the thirty (30) minute period begins anew.
 - 3. The vendor may not return to any location from which he has moved in accordance with the requirements of this subsection or to any place within thirty (30) feet of the location for at least two hours two (2) hours.

- b. Any locations upon which a Mobile Retail Non-Motorized Food Vendor parks, stops or remains, pursuant to this Section, shall not violate any City promulgated parking ordinances or regulations, or state or federal statutes and/or regulations.
- c. Non-motorized retail food vendors shall be a minimum of 10 feet from any crosswalk.
- d. Non-motorized retail food vendors shall be a minimum of 10 feet from any fire hydrant.
- e. Non-motorized retail food vendors shall not park any vehicle used for the transportation of non-motorized food vending units in the street in violation of the City's parking ordinances or state statute.
- f. All non-motorized vending under this Article shall occur on the sidewalk. Non-motorized vending under this Article shall not take place on the street.
- g. Non-motorized retail food vendors units shall not be placed in any location that restricts sidewalk width to less than 5 feet.
- h. Vehicles used to transport such vendor units shall not park in violation of any section of parking codes

SECTION TWO: AMENDMENTS TO CHAPTER 115

The following amendments shall be made to Chapter 115 (additions noted in underline, deletions noted in ~~strikethrough~~):

Section 115-1: Definitions

Mobile Retail Food Establishment: ~~The definitions in N.J.A.C. 8:24-1.3 "Definitions."~~ Shall have the meaning as defined in N.J.A.C. 8:24-1.5, and shall include Mobile Retail Motorized Food Vendor and Mobile Retail Non-Motorized Food Vendor, as defined in Chapter 147 of the Hoboken City Code.

Section 115-10.8: Mobile Retail Vendors

~~A mobile retail vendor shall not park his vehicle or pushcart for a period longer than the time it takes to make a sale to a customer.~~ Mobile retail vendors shall at all times comply with Chapter 147 of the Hoboken City Code.

SECTION THREE: AMENDMENTS TO CHAPTER 128

The following amendments shall be made to Chapter 128 (additions noted in underline, deletions noted in ~~strikethrough~~):

Section 128-5: Business Licenses; Fees

1. Food Businesses

Business	Fee
<u>Vendor (Mobile Retail Non-Motorized Food Vendor)</u>	<u>\$150.00</u>
<u>Vendor (Mobile Retail Motorized Food Vendor)</u>	<u>See §147-1.8.1(a)</u>
Vendor, hot dog (push cart)	\$175.00
Vendor, mobile vehicle (not to exceed 15 feet) (Mobile vendors and hot dog pushearts not to	\$500.00

~~Exceed a total of 50 feet)~~

SECTION FOUR: AMENDMENTS TO CHAPTER 146

The following amendments shall be made to Chapter 146 (additions noted in underline, deletions noted in ~~strikethrough~~):

Section 146-1: Definitions

PEDDLER OR VENDOR

A person, commonly referred to either as a "transient merchant," "itinerant merchant," or "salesman," "peddler," "vendor" or other such person, who goes from place to place by traveling on the streets, or from house to house, and carries or transports with him pre-packaged foodstuffs, goods, wares and merchandise for the purpose of selling and delivering them to consumers, or who, without carrying or transporting merchandise, sells or proposes to sell services of any kind. This definition shall include Mobile Retail Pre-Packaged Food Vendors, as defined in Code Section 147-1.3.

Section 146-2: Nonapplicability

The provisions of this Article shall not affect any nonprofit-making vendor or any person duly licensed by the Commissioner of Banking and Insurance or the Real Estate Commission of the State of New Jersey.

The provisions of the Article shall not affect any business which falls within the meaning of Mobile Retail Food Vendor, as defined in Chapter 147 of the Hoboken City Code, except Mobile Retail Pre-Packaged Food Vendors.

SECTION FIVE: REPEAL OF INCONSISTENT PROVISIONS

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

SECTION SIX: 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 SEVEN: EFFECTIVE DATE

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

SECTION EIGHT: 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.

President Bhalla 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 **January 4, 2012** at 7:00 PM.

---Motion duly seconded by Councilman Mello

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

---Yeas: Council persons Castellano, Cunningham, Giattino, Marsh, Mello, Occhipinti and President Bhalla

---Nays: Russo

---Absent: Mason

11-300

Z-153

AN ORDINANCE TO ESTABLISH PARKING FEES AT MUNICIPAL GARAGES

(Z-153)

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.

President Bhalla 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 **January 4, 2012** at 7:00 PM.

---Motion duly seconded by Councilwoman Castellano

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

---Yeas: Council persons Castellano, Cunningham, Giattino, Marsh, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

NEW BUSINESS

Councilwoman Castellano comments on the parking in the city

Director Sacs comments that there was a suspension last year and do one for this year

Councilwoman Castellano comments on 73 officers got honored and would like the City Clerk provide a list of the officers that got award

Councilwoman Castellano comments about the passing of Maurice Fitzgibbons

Councilman Russo comments and thanks Frank Raia and Tony Soares from the North Hudson Sewerage Authority

Councilman Russo comments on acknowledging his brother Nicki and Anthony for their service to the city

Councilman Russo comments about the passing of Maurice Fitzgibbons

Councilwoman Marsh comments about the passing of Maurice Fitzgibbons

Councilwoman Marsh also commented about a hearing for the SouthWest hopefully around Feb. 2012, also budget hearings are coming up and wanted to know about the length of the council meetings and explore options or bringing back the caucus

Council President comments that there is an ad-hoc committee to explore it and if anyone is interested in the sub-committee

Councilwoman Castellano comments if the employees will be paid

Director Sacs comments

Councilwoman Giattino comments about the drawings in the lobby of City Hall of 1600 Park

Councilman Occhipinti comments on Saturday, a fire on 1st and Jackson, the building structure is burned to the ground and thank the Fire, Police, EMS, OEM, the County with their assistance, 5 residents were displaced and a collection has been put out. On December 30, several members of the community are assisting at Room 84, any aid from the Hoboken Community would be greatly appreciated.

Councilman Occhipinti comments about the passing of Maurice Fitzgibbons

Councilwoman Giattino comments that if the list of the 5 women would be helpful to them

Councilman Mello comments about the fire, Rory Chadwick is a peak point person to contact him via email: midtownauthentic@gmail.com

Very glad that the Fire Dept. is equipped with their new truck and also thank the public safety for their response for helping out

Councilman Cunningham comments a Revenue and Finance sub-committee next Wed. December 28th and discuss legal contracts, end dates, how much they spent, a budget update, all Directors must have their budgets by the end of the year and start schedule the hearings and will have it at the next council meeting. A community meeting at 14th and Willow at Carpe Diem and thank the developer for informing the public with the site and what has transpired and the proposed completion is summer 2013 and also the 14th St. via duct and schedule a meeting with the County, Parking and Transportation have a meeting at the end of the year and bring parking back on the corners, thank the council colleagues for a lot of issues that the City had to face and ultimately benefited the residents of Hoboken and continue to challenge each other and work to the common good which is the residents and our constituents.

Councilman Cunningham comments about the passing of Maurice Fitzgibbons

Council President comments about the passing of Maurice Fitzgibbons, thank Hoboken Patch on the updates for the Fire and visited the firefighters in the hospital and an honor to meet with them and would like to thank for their service and the victims do need legal assistance, congratulate Councilman Mello on the new birth of his daughter

PUBLIC PORTION

All regular business concluded the following members of the public spoke at the "Public Portion" of the meeting: Andrew Frey, Vic Zarish, Ed Drishti.

At 11:27 P.M. Councilman Russo on a motion duly seconded by the President Bhalla.

President Bhalla then adjourned the meeting at 11:27 P.M.

PRESIDENT OF THE COUNCIL

CITY CLERK