

APPROVED

THE COUNCIL OF THE CITY OF HOBOKEN

MINUTES FOR SPECIAL MEETING OF FEBRUARY 22, 2012

President Bhalla opened the meeting at 7:05 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, Occhipinti, Russo and President Bhalla.

ABSENT: Mason.

12-382

FEBRUARY 17, 2012

VIA EMAIL DELIVERY

James Farina, City Clerk
94 Washington Street
Hoboken, New Jersey 07030

Dear City Clerk Farina,

PLEASE BE ADVISED that I hereby call a the Special Meeting of the Hoboken City Council for Wednesday, February 22, 2012 to commence at 7:00 P.M. in the City Council Chambers at 94 Washington Street, First Floor, Hoboken, New Jersey 07030 for the following purpose(s):

1. RESOLUTION TO AWARD A CONTRACT TO FOLEY FOR PURCHASE OF A WHEEL LOADER IN ACCORDANCE WITH BID NO. 12-1 IN THE AMOUNT OF \$259,800.00.
2. RESOLUTION TO AWARD A CONTRACT TO GRASSEY EQUIPMENT COMPANY FOR PURCHASE OF A STREET SWEEPER IN ACCORDANCE WITH OPTION A IN BID NO. 12-2 IN THE AMOUNT OF \$161,995.00.
3. RESOLUTION APPROVING THE ADMINISTRATION'S DETERMINATION OF THE CONSTRUCTION CODE FEES FOR THE YMCA CONSTRUCTION PROJECT
4. RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS FOR THE CALENDAR YEAR 2012 BUDGET

In the event Resolution #4 is adopted without amendments, Resolutions #5-#33 will not be considered.

5. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF R. NEUMANN LEATHERS V. CITY OF HOBOKEN, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
6. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF 100 PATERSON REALTY V. CITY OF HOBOKEN, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
7. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF CITY OF HOBOKEN V. CREPE GRILL, DOCKET NO. HUD-L-582-11, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
8. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF MONROE CENTER DEVELOPMENT, LLC V. CITY OF HOBOKEN, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
9. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF JAMES V. CITY OF HOBOKEN, DOCKET NO. HUD-L-1961-10, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
10. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF ANDRIANI V. CITY OF HOBOKEN, OAL DOCKET NO. CSV-10214-2010, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
11. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE

PENDING MATTER OF DENARDO V. CITY OF HOBOKEN, HUD-L-0690-10, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE

12. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF TADDESE V. CITY OF HOBOKEN, DOCKET NO. HUD-L-1460-10 AND HEYERT V. TADESSEE, DOCKET NO. HUD-L-1180-11 AND MELAKU V. HOBOKEN, DOCKET NO. HUD-L-1108-11, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
13. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF MEGAN BURNS V. CITY OF HOBOKEN, HUD-L-4550-10, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
14. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF TUMPSON V. CITY OF HOBOKEN, DOCKET NO. HUD-L-2375-11, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
15. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF BLOOMFIELD 206 V. CITY OF HOBOKEN, HUD-L-3112-07, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
16. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF CAMPBELL V. CITY OF HOBOKEN, OAL DOCKET NO. CSV-13994-2010, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
17. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF AREZZO V. CITY OF HOBOKEN, OAL DOCKET NO. CVS-04026-2011, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT

THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE

18. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF IN RE UNFAIR LABOR PRACTICES – POLICE DISPATCHERS V. CITY OF HOBOKEN, PERC CO-2012-046, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
19. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF UNITED TEXTILES AND JOHN CORREA V. CITY OF HOBOKEN, DOCKET NO. HUD-L-3104-10, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
20. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF BRIGDEN V. CITY OF HOBOKEN, DOCKET NO. HUD-L-0931-08, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
21. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF ANDRUELA V. CITY OF HOBOKEN, DOCKET NO. HUD-L-2498-10, AND BELFIORE V. CITY OF HOBOKEN, DOCKET NO. HUD-L-5917-09, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
22. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF FAIR SHARE HOUSING V. ADVANCED HOUSING V. CITY OF HOBOKEN, DOCKET NO. HUD-L-3643-11, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
23. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF FAIR SHARE HOUSING V. HOBOKEN ZONING BOARD AND 1415 PARK AVE. LLC V. CITY OF HOBOKEN AND THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN, DOCKET NO. HUD-L-5052-11, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL

REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE

24. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF TARTAGLIA V. CITY OF HOBOKEN, DOCKET NO. HUD-L-6038-10, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
25. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF 118 CLINTON STREET ASSOCIATES V. CITY OF HOBOKEN, DOCKET NO. HUD-L-4371-11, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
26. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF PROPARK AMERICA V. CITY OF HOBOKEN, DOCKET NO. HUD-TC-7721-11, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
27. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF BZW LIMITED V. CITY OF HOBOKEN, DOCKET NO. HUD-L-0076-10, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
28. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN ANY OF THE PENDING TAX APPEAL MATTERS BEFORE THE HUDSON COUNTY TAX APPEAL BOARD OR THE TAX COURTS OF THE STATE OF NEW JERSEY, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
29. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF URSA DEVELOPMENT GROUP, LLC V. CITY OF HOBOKEN, DOCKET NO. HUD-L-6449-11, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED

IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE

30. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF BLOCK 112 DEVELOPMENT V. CITY OF HOBOKEN, DOCKET NO. HUD-L-6010-10, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
31. RESOLUTION ADVISING THE ADMINISTRATION THAT CONTINUED LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE PENDING MATTER OF THE MONARCH WATERFRONT DEVELOPMENT PLAN, THE CITY COUNCIL DOES NOT INTEND TO FUND FURTHER LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
32. RESOLUTION ADVISING THE ADMINISTRATION THAT APPOINTING THIRD PARTY LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE NEW AFFIRMATIVE ACTION MATTER INVOLVING HIGH RANKING CITY EMPLOYEES, THE CITY COUNCIL DOES NOT INTEND TO FUND LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT ANY OUTSIDE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE
33. RESOLUTION ADVISING THE ADMINISTRATION THAT LEGAL REPRESENTATION OF THE CITY'S INTERESTS IS NOT NECESSARY IN THE NEWLY PENDING MATTER OF MAXWELL V. CITY OF HOBOKEN, THE CITY COUNCIL DOES NOT INTEND TO FUND LEGAL REPRESENTATION IN THE MATTER, AND RECOMMENDING THAT THE ATTORNEYS INVOLVED BE ADVISED IMMEDIATELY BY THE ADMINISTRATION TO STOP WORK UNTIL FURTHER NOTICE (waiting for full caption and docket number from The Buzak Law Group)

No other matters unrelated to the above may be discussed, introduced, considered or acted upon at this meeting. Action on the foregoing items may be taken at the meeting. Please notice this meeting in accordance with the Open Public Meetings Act. Please ensure that all City Council members receive adequate notice of this correspondence.

Very Truly Yours,

Dawn Zimmer
Mayor

cc: Arch Liston, Business Administrator
Mark A. Tabakin, Esq., Corporation Counsel

Received and Filed.

RESOLUTIONS

12-383

---By Councilman Cunningham

RESOLUTION AWARDING A CONTRACT TO FOLEY FOR THE PURCHASE OF A WHEEL LOADER BY THE CITY OF HOBOKEN IN ACCORDANCE WITH OPTION A OF THE CITY'S BID NO. 12-1 IN THE AMOUNT OF \$161,995.00

WHEREAS, proposals were received for the City's purchase of a wheel loader, as specified in Bid Number 12-1; and,

WHEREAS, two bid proposals were received:

VENDOR	OPTION A PROPOSAL	OPTION B PROPOSAL
Foley, Inc. 855 Centennial Avenue Piscataway, NJ	\$161,995.00	\$136,995.00
Gesco, Inc. Q	\$169,777.00	\$141,777.00

WHEREAS, pursuant to the recommendation of the Purchasing Department (attached hereto) the City wishes to contract for Option A of Bid No. 12-1, and Foley submitted the lowest, responsible, responsive bid for Option A, in the amount of \$161,995.00; and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$161,995.00 is available in the following appropriations C-04-60-711-300; and I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Signed: _____, George DeStefano, CFO

Dated: _____

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

A. This resolution awards a contract to Foley for Option A of Bid No. 12-1, in the amount of One Hundred Sixty One Thousand Nine Hundred Ninety Five Dollars (\$161,995.00), for the City's purchase of a wheel loader, to be provided by Foley in accordance with the specifications as set forth in Bid No. 12-1.

B. If the contract for sale, provided by the City of Hoboken, is not executed by Foley within 21 days of award, then this award shall lapse and the City of Hoboken shall have the right to accept the proposal of the next lowest responsible, responsive bidder, if said proposal remains open by the bidder, or to rebid the project.

C. The contract shall be in accordance with the terms of the specifications and Foley's corresponding bid proposal documents. No exceptions were noted on the Purchasing Agent's recommendation; therefore, no exceptions will be allowed at the time of performance of the obligations under the contract.

D. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor or her agent is hereby authorized to enter into an Agreement with Foley for said purchase and sale.

E. This resolution shall take effect immediately upon passage.

---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.

12-384

---By Councilman Cunningham

RESOLUTION AWARDING A CONTRACT TO GRASSEY EQUIPMENT COMPANY FOR THE PURCHASE OF TWO (2) STREET SWEEPERS BY THE CITY OF HOBOKEN IN ACCORDANCE WITH THE CITY'S BID NO. 12-2 IN THE TOTAL AMOUNT OF \$259,800.00

WHEREAS, proposals were received for the City's purchase of two (2) street sweepers, as specified in Bid Number 12-2; and,

WHEREAS, one bid proposals was received:

VENDOR UNIT PRICE	PROPOSED TOTAL AMOUNT PROPOSED	
Grassey Equipment Co.	\$129,900.00	\$259,800.00
432 Grove Street		
Glen Rock, NJ 07452		

WHEREAS, pursuant to the recommendation of the Purchasing Department (attached hereto) the City wishes to contract for the two (2) street sweepers specified in Bid No. 12-2, and Grassey Equipment Co. submitted the lowest, responsible, responsive bid in the amount of \$259,800.00; and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$259,800.00 is available in the following appropriations C-04-60-711-300; and I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Signed: _____, George DeStefano, CFO

Dated: _____

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

A. This resolution awards a contract to Grassey Equipment Co. for Bid No. 12-2, in the total amount of Two Hundred Fifty Nine Thousand Eight Hundred Dollars (\$259,800.00), for the

City's purchase of two (2) street sweepers, to be provided by Grasse Equipment Co. in accordance with the specifications as set forth in Bid No. 12-2.

B. If the contract for sale, as provided by the City of Hoboken, is not executed by Grasse Equipment Co. within 21 days of award, then this award shall lapse and the City of Hoboken shall have the right to rebid the project.

C. The contract shall be in accordance with the terms of the specifications and Grasse Equipment Co.'s corresponding bid proposal documents. No exceptions were noted in the Purchasing Agent's recommendation; therefore, none will be accepted in performing obligations under the bid.

D. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor or her agent is hereby authorized to enter into an Agreement with Foley for said purchase and sale.

E. This resolution shall take effect immediately upon passage.

---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

12-385

---By Councilman Cunningham

RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS FOR THE CALENDAR YEAR 2012 BUDGET

WHEREAS, the City of Hoboken is expected to enter into contracts, commitments or payments prior to the adoption of the 2012 budget and no adequate provision has been made in the 2012 temporary budget for the aforesaid purposes, and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose, and

WHEREAS, the total appropriations authorized by resolutions in 2012, pursuant to the provisions of N.J.S.A. 40A:4-19 and N.J.S.A. 40A:4-20, including this resolution, total \$38,493,076.21 for Current Expenses and \$7,391,377.09 for the Parking Utility.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, County of Hudson, State of New Jersey (*not less than two-thirds of all the members thereof affirmatively concurring*) that in accordance with the provisions of N.J.S.A. 40A:4-20 :

1) Emergency temporary appropriations be and the same are hereby made in the amount of \$750,105.00 for Current Expenses; and,

2) \$-0- for the Parking Utility as follows:
(See Attached)

---duly seconded by Councilman Mello
---**FAILED** by the following vote: YEAS: 4 - NAYS: 4 - ABSENT: 1
---Yeas: Council persons Cunningham, Giattino, Mello and Marsh
---Nays: Castellano, Russo and Occhipinti and President Bhalla
---Absent: Mason

The following resolutions FAILED NO ACTION TAKEN:

Resolutions # 5-6-7-8-10-1929-30-31-33.

PUBLIC PORTION

All regular business concluded the following members of the public spoke at the Public Portion” of the meeting: Helen Hirsch, Patricia Waiters.

At 9:39 P.M. Councilman Russo on a motion duly seconded by the Council President Bhalla.

Council President Bhalla then adjourned the meeting at 9:40 P.M.

PRESIDENT OF THE COUNCIL

CITY CLERK