

APPROVED

THE COUNCIL OF THE CITY OF HOBOKEN

MINUTES FOR MEETING OF MARCH 7, 2012

President Bhalla opened the meeting at 7:01 P.M. and stated, "I would like to advise all those present that notice of this meeting has been provided to the public in accordance with the provisions of the Open Public Meeting Act, and that notice 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, Mason, Mello, Occhipinti, Russo and President Bhalla.

Director Trasente gives an overview of the Cap Bank ordinance.

ORDINANCES

Introduction and First Reading

12-400

Z-161

THE CALENDAR YEAR 2012 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) (Z-161)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40:A 4-45.1, et. seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase its to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 1.0% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the City Council of the City of Hoboken in the County of Hudson finds it advisable and necessary to increase its CY 2012 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the City Council hereby determines that 1.0% increase in the budget for said year, amounting to \$838,907.31 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary, and

WHEREAS, the City Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hoboken, in the County of Hudson, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the City of Hoboken shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.50%, amounting to A\$2,936,175.58, and that the CY 2012 municipal budget for the City of Hoboken be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

The speaker who spoke: Helen Hirsch.

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 **MARCH 7, 2012 at 7:00 PM.**

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

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

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

12-386A

INTRODUCTION TO THE BUDGET

Director Trasente gives an overview of the Introduction to the Budget for CY 2012

Second Reading/Public Hearing and Final Vote

AN ORDINANCE TO AMEND AND SUPPLEMENT ARTICLE XXV SIGNAGE DESIGNATING DRIVEWAYS AND LOADING ZONES OF CHAPTER 190 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN ENTITLED "VEHICLES AND TRAFFIC" TO AMEND RESTRICTIONS FOR PARKING IN FRONT OF

DRIVEWAYS (Z-158)

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: 9 – NAYS: 0

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

---Nays: None.

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: 8 - NAYS: 1

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

---Nays: Castellano

AN ORDINANCE TO CREATE CHAPTER 147 ENTITLED “MOBILE RETAIL FOOD VENDORS”(Z-159)

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.

The speakers who spoke: Kyle Morrison, Joseph Branco, Ali Gobba, John Hepner, Frantz Paetzold.

President Bhalla moved that the hearing be closed.

---Motion duly seconded by Councilman Mello

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

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

---Nays: None.

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

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Cunningham, Giattino, Marsh, Mello and President Bhalla
---Nays: Castellano, Occhipinti, Mason, and Russo.

12-386

Communication from Mayor Zimmer to the City Council regarding Introduction to the Budget”

Received and Filed.

12-387

APPLICATION FOR MISCELLANEOUS LICENSES

TAXI, LIMOUSINE, AND LIVERY DRIVERS----- 17 Items
TAXI OWNERS----- 22 Items
RAFFLES-----2 Items
VENDORS-----1 Item

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

12-388

A report from Municipal Court indicating receipts for the month of February 2012 as \$307,536.58.

Received and Filed.

12-389

---By Councilman Cunningham

CLAIMS

Total for this agenda \$1,809,322.33 -\$12-00392 \$6,989.48 -12-00481 \$1,893.40= \$1,800,439.45

---duly seconded by Councilman Mello
---Adopted by the following vote: YEAS: 6- NAYS: 3
---Yeas: Council persons Castellano, Cunningham, Giattino, Marsh, Mello and President Bhalla

---Nays: Occhipinti, Russo and Mason.

Councilman Russo comments on pulling these (2) two P.O.'s #12-00392 \$6,989.48 -12-00481 \$1,893.40

Councilman Occhipinti comments on Premier Technology P.O.'s # 1200471 \$2,275.00 – 12-00476 \$1,900.00

12-390

PAYROLL

---By Councilman Cunningham

For the two week period starting February 09, – February 15, 2012

Regular Payroll	O/T Pay	Other Pay
\$1,479,710.88	\$31,772.73	\$426,165.53

Total \$1,937,649.14

---duly seconded by Councilman Mello

---Adopted by the following vote: YEAS: 9 - NAYS: 1

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

---Nays: Mason (O/T)

RESOLUTIONS

12-391

---By Councilman Mello

RESOLUTION APPROVING APPRAISAL AND AUTHORIZING THE ISSUANCE OF AN OFFER LETTER TO RECORD TITLE OWNERS OF BLOCK 12, LOTS 1 THROUGH 7 AND 12 THROUGH 18 AS DESIGNATED ON THE OFFICIAL TAX MAP OF THE CITY OF HOBOKEN

WHEREAS, N.J.S.A. 40A:12-5 and N.J.S.A. 20:3-1 et seq. authorize public entities to acquire real property or an interest in real property; and

WHEREAS, the City Council of the City Hoboken (“Council” or “City”) has deemed it necessary to acquire certain real property in the City known as Block 12, Lots 1 through 7 and 12 through 18 (the “Property”) on the Official Tax Map of the City; and

WHEREAS, an appraisal of the Property has been completed by the City’s Appraiser in 2011, setting forth the fair market value of the Property as of November 21, 2011; and

WHEREAS, an appraisal of the Property had been previously completed by the City Appraiser in 2009, setting forth the fair market value of the Property as of March 11, 2009, on which appraisal the City took no action; and

WHEREAS, the Council has determined that the public interest will be served by the acquisition of the Property for open space and other public purposes; and

WHEREAS, the City desires to approve the 2011 appraisal of the fair market value of the Property as of November 21, 2011, disapprove the 2009 appraisal of the fair market value of the Property as of March 11, 2009, and authorize the issuance of an Offer Letter to the record owners of the Property for the full fair market value as of November 21, 2011, as set forth in the 2011 appraisal.

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

1. The City Council hereby approves, ratifies and confirms the 2011 Appraisal Report of McGuire Associates, LLC establishing as of November 21, 2011 the fair market value of the Property, formally known as Block 12, Lots 1 through 7 and Lots 12 through 18 and commonly known as 57-67 Harrison Street; 69 Harrison Street; 51-57 Paterson Avenue; 64 Jackson Street; and 58-62 Jackson Street, in the aggregate amount of TWO MILLION THREE HUNDRED FIFTY THOUSAND DOLLARS (\$2,350,000.00).

2. The City disapproves the 2009 appraisal establishing the fair market value of the Property as of March 11, 2009 on which appraisal no previous action was taken by the City, on the basis, without limitation, and among other reasons, that the appraisals do not reflect the current fair market value of the Property due to a reduction in the value of real estate from the March 11, 2009 date and due to the more accurate and valid valuation and appraisal approach utilized in the Appraisal Report on Property as of November 21, 2011, as approved herein.

3. The Mayor, City Council and such other officials, consultants, agents or employees of the City as may be necessary and appropriate, shall be and are hereby authorized to formally offer the record title owners of the Property the full and fair market value of TWO MILLION THREE HUNDRED FIFTY THOUSAND DOLLARS (\$2,350,000.00) and to undertake all *bona-fide* negotiations with the record title owners of the Property as required under law.

4. The Appraisal Report approved herein, and the offer to purchase the Property assumes, without limitation and among other things, that no contamination and/or solid waste exists which requires further investigation, clean-up or remediation in accordance with New Jersey Department of Environmental Protection ("NJDEP") guidelines and regulations. The City accepts no liability or responsibility for any pre-existing contamination or solid waste, whether known now or subsequently discovered on the Property and the Property has been valued as if it had been remediated, if necessary.

5. The City hereby reverses any and all rights it had or may have to recover in any subsequent or pending action or by any administrative means, all costs of remediation and/or clean-up of contamination and/or removal of solid waste and/or sanitary land fill closures that have been incurred or may be incurred in the future by reason of conditions which were in existence as of or prior to the date of vesting of title and possession of this Property in the name of the City.

6. The City reserves the right to seek in its sole discretion, any and all available legal, administrative and equitable remedies to compel the record owners and/or responsible parties to remediate and/or clean up the Property in accordance with applicable state and federal statutory and regulatory provisions or to remove solid waste or carry out closure of a sanitary landfill if located on the Property. The City is not liable for the clean-up and removal costs of any discharge which occurred or began prior to the City's ownership.

7. The Mayor, City Council and such other officials, consultants, agents and employees of the City as may be necessary and appropriate are hereby authorized and directed to take any and all actions necessary to effectuate the purposes of this Resolution.

8. This Resolution shall take effect immediately.

The speakers who spoke: Vic Zarish, Perry Belfiore.

---Motion duly seconded by Councilman Occhipinti

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

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

---Nays: None.

Councilwoman Castellano has left the table at 10:25 PM

Councilwoman Castellano has returned to the table at 10:29 PM

12-392

---By Councilman Mello

RESOLUTION APPROVING APPRAISAL AND AUTHORIZING THE ISSUANCE OF AN OFFER LETTER TO RECORD TITLE OWNERS OF BLOCK 12, LOT 11 AS DESIGNATED ON THE OFFICIAL TAX MAP OF THE CITY OF HOBOKEN

WHEREAS, N.J.S.A. 40A:12-5 and N.J.S.A. 20:3-1 et seq. authorize public entities to acquire real property or an interest in real property; and

WHEREAS, the City Council of the City Hoboken ("Council" or "City") has deemed it necessary to acquire certain real property in the City known as Block 12, Lot 11 (the "Property") on the Official Tax Map of the City; and

WHEREAS, an appraisal of the Property has been completed by the City's Appraiser in 2011, setting forth the fair market value of the Property as of November 21, 2011; and

WHEREAS, an appraisal of the Property had been previously completed by the City Appraiser in 2009, setting forth the fair market value of the Property as of April 2, 2009, on which appraisal the City took no action; and

WHEREAS, the Council has determined that the public interest will be served by the acquisition of the Property for open space and other public purposes; and

WHEREAS, the City desires to approve the 2011 appraisal of the fair market value of the Property as of November 21, 2011, disapprove the 2009 appraisal of the fair market value of the Property as of April 2, 2009, and authorize the issuance of an Offer Letter to the record owners of the Property for the full fair market value as of November 21, 2011, as set forth in the 2011 appraisal.

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

1. The City Council hereby approves, ratifies and confirms the 2011 Appraisal Report of McGuire Associates, LLC establishing as of November 21, 2011 the fair market value of the Property, formally known as Block 12, Lot 11 and commonly known as 59 Paterson Avenue, in the aggregate amount of FOUR HUNDRED FIFTEEN THOUSAND DOLLARS (\$415,000.00).

2. The City disapproves the 2009 appraisal establishing the fair market value of the Property as of April 2, 2009 on which appraisal no previous action was taken by the City, on the basis, without limitation, and among other reasons, that the appraisals do not reflect the current fair market value of the Property due to a reduction in the value of real estate from the April 2, 2009 date.

3. The Mayor, City Council and such other officials, consultants, agents or employees of the City as may be necessary and appropriate, shall be and are hereby authorized to formally offer the record title owners of the Property the full and fair market value of FOUR HUNDRED FIFTEEN THOUSAND DOLLARS (\$415,000.00) and to undertake all *bona-fide* negotiations with the record title owners of the Property as required under law.

4. The Appraisal Report approved herein, and the offer to purchase the Property assumes, without limitation and among other things, that no contamination and/or solid waste exists which requires further investigation, clean-up or remediation in accordance with New Jersey Department of Environmental Protection ("NJDEP") guidelines and regulations. The City accepts no liability or responsibility for any pre-existing contamination or solid waste, whether known now or subsequently discovered on the Property and the Property has been valued as if it had been remediated, if necessary.

5. The City hereby reverses any and all rights it had or may have to recover in any subsequent or pending action or by any administrative means, all costs of remediation and/or clean-up of contamination and/or removal of solid waste and/or sanitary land fill closures that have been incurred or may be incurred in the future by reason of conditions which were in existence as of or prior to the date of vesting of title and possession of this Property in the name of the City.

6. The City reserves the right to seek in its sole discretion, any and all available legal, administrative and equitable remedies to compel the record owners and/or responsible parties to remediate and/or clean up the Property in accordance with applicable state and federal statutory and regulatory provisions or to remove solid waste or carry out closure of a sanitary landfill if located on the Property. The City is not liable for the clean-up and removal costs of any discharge which occurred or began prior to the City's ownership.

7. The Mayor, City Council and such other officials, consultants, agents and employees of the City as may be necessary and appropriate are hereby authorized and directed to take any and all actions necessary to effectuate the purposes of this Resolution.

8. This Resolution shall take effect immediately.

The speakers who spoke: Vic Zarish, Perry Belfiore.

---Motion duly seconded by Councilman Occhipinti

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

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

Nays: None.

12-393

---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 \$46,488,483.94 for Current Expenses and \$8,257,505.48 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 \$8,745,512.73 for Current Expenses; and,

2) \$866,128.39 for the Parking Utility as follows:

---Motion duly seconded by Councilman Mello

---**FAILED** by the following vote: YEAS: 5 - NAYS: 4

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

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

The speakers who spoke: Helen Hirsch

Councilman Occhipinti has left the table at 11:10 PM
Councilman Occhipinti has returned to the table at 11:17 PM

Councilwoman Marsh has left the table at 11:14 PM
Councilwoman Marsh has returned to the table at 11:18 PM

Resolution authorizing Emergency Temporary Appropriations for the Calendar Year 2012 Budget

(submitted by Administration) \$3,514,607.98 & \$240,500.06 for Parking Utility & matching funds for Grants \$68,174.00

Motion to Amend the resolution authorizing Emergency Temporary Appropriations for the Calendar Year 2012 Budget

FAILED TO AMEND THE RESOLUTION by the following vote: YEAS: 4 - NAYS: 5

---Yeas: Council persons Castellano, Occhipinti, Mason, and Russo

---Nays: Cunningham, Giattino, Marsh, Mello and President Bhalla

12-394

---By Councilman Mello

APPOINTING TONY SOARES AS THE HOBOKEN APPOINTED BOARD MEMBER TO THE NORTH HUDSON SEWAGE AUTHORITY

WHEREAS, Chapter 64 of the Code of the City of Hoboken establishes the City's relationship with the North Hudson Sewage Authority; and

WHEREAS, Section 64-2 provides for appointment of Hoboken representatives by the Governing Body; and

WHEREAS, a vacancy to one of the Hoboken positions was recently created; and

WHEREAS, the Governing Body believes Tony Soares should serve in the position as a Board Member because he has the expertise, skill and character to be a successful representative of the City of Hoboken.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken hereby appoints Tony Soares as a Hoboken Board Member to the North Hudson Sewage Authority for the remainder of the current term, pursuant to §62-2 of the Code of the City of Hoboken; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Board of Directors of the North Hudson Sewage Authority expeditiously.

The speakers who spoke: Patricia Waiters, Nick Callichio.

---Motion duly seconded by President Bhalla

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

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

---Nays: None.

12-395

---By Councilman Mello

AUTHORIZING THE SUBMISSION OF A PROPOSAL FOR INCLUSION IN THE 2012-2013 URBAN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO HUD

WHEREAS, Title 1 of the Housing and Community Development Act of 1974 provides for substantial Federal funds being made available to certain urban counties for use therein; and

WHEREAS, this act establishes certain criteria which must be met in order for a county and its participating communities to be the recipient of said funding; and

WHEREAS, the City of Hoboken and the County of Hudson entered into an agreement in cooperation with other municipalities in Hudson County for the carrying out of the Hudson County Community Development Urban County Program under the provisions of the Interlocal Services Act; and

WHEREAS, the City of Hoboken and the County of Hudson have further agreed to cooperate in the carrying out of Community Development Block Grant activities and to undertake or assist in the implementation of programs and projects that better the community; now therefore –

BE IT RESOLVED, by the Mayor and the Council of the City of Hoboken that the 2010-2011 proposal for the City of Hoboken's continued participation in the Urban County CDBG Program is hereby approved for submission to the Hudson County Office of Community Development; and be it –

FURTHER RESOLVED, that the Mayor or her designee is hereby authorized and directed to transmit the City's proposal for funding to the County of Hudson and the City Clerk of the City is hereby authorized and directed to attest the same and affix the City Seal; and be it –

FURTHER RESOLVED, that 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 City of Hoboken; and be it further –

RESOLVED, that:

1. Should funding be awarded, the Mayor or her designee is hereby authorized to execute an agreement thereto with the County of Hudson.
2. The City Clerk is authorized to affix the City seal to documents related to this application
3. This resolution shall take effect immediately.

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

12-396

---By Councilman Cunningham

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS

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

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

NOW THEREFORE BE IT RESOLVED, that a warrant be drawn on the City Treasurer made payable to the following totaling \$16,814.08

<u>NAME</u>	<u>BL/LT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
Wang, David Hong-Gang 700 First St #13D Hoboken, NJ 07030	25/1/C013D	700 First St	4/09	\$2,282.46 Excel II
Morrissey, Thomas & V Zaharieva 704 Clinton St #2B Hoboken, NJ 07030	152/5/C02-B	702-708 Clinton St	1/12	\$1,675.12
Morrissey, Thomas & V Zaharieva 704 Clinton St #2B Hoboken, NJ 07030	152/5/C0P29	702-708 Clinton St	1/12	\$ 115.52
B A C Tax Services MS: CA6-913-LB-01 P O Box 10211 Van Nuys, Ca 91499-6089	196/4	907 Garden St	1/12	\$3,912.84
Naso, Denis & S Michele & T Haggerti c/o RELB Property Management 210 Washington St Hoboken, NJ 07030	201/12/C002D	223 Bloomfield St	3/11,4/11,1/12	\$4,390.84
Kanwar, Samina 1214 Washington St #6 Hoboken, NJ 07030	247/32/C0006	1214 Washington St	1/12	\$1,501.82
Martin D Eagan Attorney at Law	255/2/C0503	150 Fourteenth St	1/12	\$2,657.07

52 Maple Avenue
Morristown, NJ 07960

Martin D Eagan Attorney at Law 52 Maple Avenue Morristown, NJ 07960	255/2/C0P10	150 Fourteenth St	1/12	\$ 115.52
Guzman, Edwin R 1125 Maxwell Lane #572 Hoboken, NJ 07030	261.03/1/C0572	1125 Maxwell Lane	1/12	\$ 162.89

---Motion duly seconded by Councilman Mello

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

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

---Nays: None.

12-397

---By Councilman Cunningham

**RESOLUTION AUTHORIZING THE REFUND OF TAX APPEALS
STATE TAX COURT**

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 following totaling **\$ 4,898.42**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>YEAR</u>	<u>AMOUNT</u>
Nathan P. Wolf 673 Morris Avenue Springfield, NJ 07081	268.1/1/C002G	1501 Garden/ 1500 Bloomfield	2010	\$ 2,481.64
Nathan P. Wolf 673 Morris Avenue Springfield, NJ 0708	268.1/1/C002G	1501 Garden/ 1500 Bloomfield	2011	\$ 2,416.78

---Motion duly seconded by Councilman Mello

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

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

---Nays: None.

12-398

---By Councilman Cunningham

CANCELLATION OF LEAD LOTS -2012 - 1ST & 2ND QUARTERS

RESOLVED, by the Council of the City of Hoboken;

WHEREAS, the attached list of Block and Lots have been deleted and no longer exist. The 2012 First and Second quarter billing for the Lead Lots are to be cancelled.

Whereas, the list of properties have been subdivided into units and will be billed on the 2012 Third and Fourth quarters.

RESOLVED, that the list of 2012 First and Second quarter billing be cancelled from the Tax Duplicate.

---Motion duly seconded by Councilman Mello

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

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

---Nays: None.

ORDINANCES

Introduction and First Reading

FIRST READING ORDINANCES REMOVED BY THE GOVERNING BODY)

NEW BUSINESS

Councilwoman Mason comments on the best practices for the Ordinance for the last meeting

AN-ORDINANCE TO CREATE OPEN COMPETITION FOR INSURANCE SERVICES TO THE CITY OF HOBOKEN (Sponsored by Councilwoman Mason and Councilman Occhipinti) and would like to have this placed on the next agenda.

Councilwoman Mason comments on a resolution that she would like to place it on tonight and gives a background of the resolution

Council President comments and thinks that it should go on at the next City Council meeting

Assistant Corporation Counsel comments

Motion to reconsider by Councilman Russo and seconded by Councilman Occhipinti

12-399

---By Councilwoman Mason

RESOLUTION PROCLAIMING MARCH 11-17, 2012 AS "SUNSHINE WEEK" IN THE CITY OF HOBOKEN AND URGING THE ADMINISTRATION'S PARTICIPATION IN MORE OPEN GOVERNMENT

WHEREAS, Sunshine Week is an annual national initiative to open a dialogue about the importance of open government and the freedom of information; and,

WHEREAS, Sunshine Week was founded in 2005 and is designed to coincide with the anniversary of the birth of the father of the United States Constitution, James Madison, who wrote that the "consent of the governed" requires that the people be able to "arm themselves with the power which knowledge gives," and,

WHEREAS, Sunshine Week is a non-partisan initiative whose supporters are conservative, liberal and every group in between, and its participants include print, broadcast, online news media, civic groups, libraries, non-profits, schools and others interested in the public's right to know; and,

WHEREAS, public oversight is the ultimate safeguard of democracy and policies preserving access to information are essential to our national well-being; and,

WHEREAS, open government instills public trust and the free flow of information serves to keep the process of government honest and robust; and,

WHEREAS, Sunshine Week seeks to enlighten and empower people to play an active role in their government at all levels, and to give them access to information that makes their lives better and their communities stronger; and,

WHEREAS, the coverage, commentaries and activities promoting open government during Sunshine Week have led to tangible, meaningful changes to people's lives and the laws that govern them; and,

WHEREAS, the Council of the City of Hoboken hereby commits towards putting the principles of Sunshine Week into action during the other 51 weeks of the year; and,

WHEREAS, the Council urges the Administration to immediately take its own tangible steps towards greater openness and transparency, which should start by the posting of all relevant financial and budgetary data on the City's website in a format that can be easily reviewed and searched by the general public, so that the public has a better idea of where its money is going.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hoboken hereby proclaims March 13th through 19th, 2011 as SUNSHINE WEEK in the City of Hoboken and encourages all citizens to educate themselves and become aware of the government processes which affect their lives; and,

BE IT FURTHER RESOLVED that the Council urges our State and County representatives to adopt the principles of Sunshine Week in their own work on behalf of the public; and,

BE IT FURTHER RESOLVED that a certified copy of this Resolution be delivered to the Mayor of Hoboken and immediately posted on the City's website at least through the completion of Sunshine Week, and certified copies also transmitted to the Governor of New

Jersey, our 33rd District State Legislators, the Hudson County Executive and the Clerk to the Hudson County Board of Freeholders.

---Motion duly seconded by Councilman Occhipinti

---**PASSED TO RECONSIDER THE RESOLUTION UNDER NEW BUSINESS** by the following vote:

---Yeas: 5 - Nays: 4

---Yeas: Council persons Castellano, Occhipinti, Mason, Mello and Russo

---Nays: Cunningham, Giattino, Marsh and President Bhalla

Council President comments on amending the last WHEREAS resolution

Motion by Council President and seconded by Councilman Cunningham

---**FAILED MOTION TO AMEND THE RESOLUTION** by the following vote:

---Yeas: 2 -NAYS: 6 -ABSTAIN: 1

---Yeas: Council persons Cunningham and President Bhalla

---Nays: Castellano, Giattino, Occhipinti, Marsh, Mello, Russo

---Abstain: Mason

---original resolution Adopted by the following vote: YEAS: 7 - NAYS: 2

---Yeas: Council persons Castellano, Cunningham, Giattino, Marsh, Mason, Occhipinti, and Russo.

---Nays: Mello, President Bhalla

Councilman Russo comments on the cleanup around Julianna and Metro-Stop, it is getting bad and asks the Administration and Corporation Counsel and relay the proper communication to the departments and provide more garbage cans throughout the Ward
Councilman Russo comments on the Senior building to update their permit for their senior parking permits

Director Sacs comments that they did send out notices, deadline to submit for review is due March 15, 2012 but seniors is valid till the end of March

Councilman Cunningham comments that the Mayor would like to set up a meeting with the seniors about reverse 911

Councilwoman Mason has left the table at 12:28 AM

Councilwoman Mason has returned to the table at 12:31 AM

Councilwoman Marsh comments that the hearing scheduled for March 1, 2012 and it was cancelled for the SW and now the hearings will be rescheduled for April

Councilman Mello comments if it would be one final

Councilwoman Marsh comments that it would be two

Councilwoman Giattino comments a constituent requested her to read the letter from Mrs. Lenz

Councilman Occhipinti comments that the City did a great job on the former St. Patrick's day parade and had tremendous Police presence and hopes that the Administration and the Parade committee to bring back the parade

Councilman Occhipinti, Hoboken Volunteers at the Chill Cookoff raised \$9,000 to benefit HOPES and their adult service programs to help people find jobs and asked Mr. Baldwin to relay to Director Shenkler DOT paving deal for the 4th ward

Councilman Occhipinti asking Director Forbes about the Western Edge Marketing analysis study and asks Mr. Baldwin to relay the message to the Director

Councilman Occhipinti would like to know about this press release Director Pellegrini getting a stipend from the PAL Grant and would like to know more details

Councilman Russo comments and needs to be explained in detail

Councilman Occhipinti comments on the re-turfing on the field and after speaking with Director Carmelo Garcia said the bid specifications and the bids going out shortly, starting construction in July and complete it in August

Councilwoman Giattino comments on an event on March 14, 2012 4 PM – 10PM Little League Field

Councilman Russo comments

Councilman Mello comments on the 13th Richard Hicks Black Youth Empowerment event, awards given to a few folks Richrd Hicks, Latrenda Ross, Luis Acevedo, Amanda Bradley and others which were well deserved honorees

Councilman Cunningham comments on thanking Director Tooke and Chief Blohm on how they handled St. Patrick's day in Hoboken, the budget workshops have been updated. They will be March 12th, Community Development and Health and Human Services, urge council colleagues to submit questions prior to the meeting, as for the Temporary Emergency Appropriations, upset with the result for tonight's meeting, having this document brought forth in good faith and not consider it as normal financial practice for this municipality, it is an embarrassment and hopes for better days and hope to work together and focus on what's best for the City of Hoboken

Councilman Russo comments and reads an email on March 6, 2012

Council President comments and asks Assistant Corporation Counsel about the by-laws

Assistant Corporation Counsel comments and reads a memo dated March , 2011 procedures concerning the agenda

Councilwoman Castellano comments on the dialogue on Resolution #1 & #2 and we did offer a compromise

Councilman Mello has left the table at 12:50 AM

Councilman Mello has returned to the table at 12: 53 AM

Councilwoman Castellano comments on the city garage and would like to see a full fledge City Garage, because the bills that go out and we need to hire police and fire. & thanks their service for the fire at 3rd and Washington and commend all forces for the St. Patrick's day over the weekend, the mayhem still happens and hope the parade comes back next year, the quality for audio for the council meetings

Council President comments that the Council meetings should be put forth on Verizon

Council President comments a story about Ron Venturi a past prosecutor for the City and no longer serving for the City of Hoboken and recently had a brain tumor and surgery was done and this aggressive cancer could not be cured but he's better now and had some support from the former Mayor Russo and I am publicly commending Anthony Russo and hopefully we can all take notice for his honorable support and thanks Councilman Russo to thank his father

Councilwoman Castellano comments

Council President comments on the Monarch Project, the city did file a lawsuit and the adjoined Applied Companies and commend the Administration to take the pro-active step.

PUBLIC PORTION

All regular business concluded the following members of the public spoke at the Public Portion" of the meeting: Patricia Waiters, Vic Zarish, Elizabeth Adams.

At 1:18 A.M. Councilman Russo on a motion duly seconded by the Council President
Council President Bhalla then adjourned the meeting at 1:19A.M.

PRESIDENT OF THE COUNCIL

CITY CLERK