

APPROVED

THE COUNCIL OF THE CITY OF HOBOKEN

MINUTES FOR MEETING OF MARCH 21, 2012

President Bhalla opened the meeting at 7:01P.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

Second Reading/Public Hearing and Final Vote

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)

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.

The speakers who spoke: Scott Siegel.

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 Cunningham

---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.

---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.

12-401

Memo from Mayor Dawn Zimmer regarding Bond Ordinances and others matters

12-402

APPLICATION FOR MISCELLANEOUS LICENSES

TAXI, LIMOUSINE, AND LIVERY DRIVERS-----11 ITEMS

(SEE ATTACHED)

TAXI OWNERS-----15 ITEMS

(SEE ATTACHED)

LIMOUSINE OWNERS----- 5 ITEMS

(SEE ATTACHED)

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.

12-403

A report from the Municipal Tax Collector Sharon Curran for taxes collected for the month of February 2012 **\$20,569,159.56 (Abatement Totals - 9,034.37)**

Received and Filed.

12-404

---By Councilman Cunningham

CLAIMS

Total for this agenda \$448,679.10

---Motion duly seconded by Councilman Mello

---Adopted by the following vote: YEAS: 7- NAYS: 2 -ABSTAIN: 1

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

---Nays: Mason (ASL Productions) and Russo

---Abstain: Mason (ASL Productions)

12-405

---By Councilman Cunningham

PAYROLL

For the two week period starting February 16 – February 29, 2012

Regular Payroll	O/T Pay	Other Pay	Total
\$1,492,423.10	\$89,517.42	\$294,854.53	\$1,876,795.05

---duly seconded by Councilman Mello

---Adopted by the following vote: YEAS: 8 - NAYS: 2

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

---Nays: Mason (O/T) and Russo

12-406

---By Councilman Cunningham

RESOLUTION AUTHORIZING THE TRANSFER OF RESERVE BUDGET APPROPRIATIONS IN THE CALENDAR YEAR 2011 CURRENT FUND BUDGET

BE IT RESOLVED, that the following Calendar Year 2011 appropriation reserve transfers are hereby authorized for the City of Hoboken:

Current Fund	From	To
Police S&W	\$ 10,000.00	
Fire S&W	\$ 10,000.00	
Env Svcs Dir OE	\$ 10,000.00	
Water & Sewer	\$ 10,000.00	
Elections OE	\$ 10,000.00	
Other Insurance OE	\$ 400,000.00	
Police OE		\$ 10,000.00
Fire OE		\$ 10,000.00
Central Garage OE		\$ 10,000.00
Engineering		\$ 10,000.00
Legal Advertising OE		\$ 5,000.00
Special Counsel OE		\$ 340,000.00
Tax Assessor OE		\$ 65,000.00
	\$ 450,000.00	\$ 450,000.00

The speakers who spoke: Scott Siegel.

--- 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

12-407

---By Councilman Mello

**RESOLUTION AUTHORIZING AMENDMENT OF THE CONTRACT WITH
REMINGTON AND VERNICK ENGINEERS FOR ENGINEERING AND DESIGN
SERVICES RELATING TO 1600 PARK AND HOBOKEN COVE**

WHEREAS, on December 15, 2010, the City of Hoboken awarded Remington and Vernick Engineers a contract for General Engineering Services for 1600 Park and Hoboken Cove, in an amount not to exceed One Hundred Ninety Five Thousand Eight Hundred Ten Dollars (\$195,810.00); and,

WHEREAS, as a result of additional information and approvals by the Department of Environmental Protection, 1600 Park and Hoboken Cove could be redesigned to significantly reduce the elevation of 1600 Park; and,

WHEREAS, on September 7, 2011, the City of Hoboken amended the contract with Remington and Vernick to include enhanced landscape architecture conceptual designs of the parks and to address the site remediation work necessary to reduce the elevation of 1600 Park; and,

WHEREAS, the conceptual design has been prepared for the parks comprehensively to reduce the elevation of 1600 Park and to create a cohesive design between the two properties; and,

WHEREAS, it is the desire of the City to have the landscape architect prepare details of the conceptual in order to realize the conceptual plans into the bid specifications in order to match the vision of the design; and,

WHEREAS, said services require the City to **increase** the contract sum in the amount of One Hundred Fourteen Thousand Six Hundred Thirty Dollars (\$114,630.00); and,

WHEREAS, Remington and Vernick Engineers is hereby required to abide by the “pay-to-play” requirements of the Hoboken Public Contracting Reform Ordinance, #DR-154 (codified as §20A-11 et seq. of the Code of the City of Hoboken) and the affirmative action contract compliance requirements of N.J.S.A. 10:5-31 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, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$114,630.00 is available in the following appropriations _____ in the temporary CY2012 budget; and I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose for the temporary CY2012 budget.

Signed: _____, George DeStefano, CFO

NOW THEREFORE, BE IT RESOLVED (*a majority of the whole Council concurring*) that the professional services contract between the City of Hoboken and Remington and Vernick Engineers shall be ***amended*** as described in Remington and Vernick's March 13, 2012 proposal letter to the City, ***attached hereto***; and,

BE IT FURTHER RESOLVED, said amendment shall be for an increase in the not to exceed amount in the sum of One Hundred Fourteen Thousand Six Hundred Thirty Dollars (\$114,630.00); and,

BE IT FURTHER RESOLVED that the remainder of the original and previously amended contract terms shall continue unchanged; and,

BE IT FURTHER RESOLVED that 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.

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

The speakers who spoke: Leah Healy, Scott Siegel.

---Motion duly seconded by Councilwoman Marsh

---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.

RESOLUTION # 4 - TABLED

RESOLUTION TO ADVISE THE ADMINISTRATION AND PROPERTY OWNERS OF THE CITY COUNCIL'S PREFERENCE FOR RESOLVING PRIVATE PROPERTY ENCROACHMENTS INTO THE RIGHT OF WAY VIA LICENSE AGREEMENTS

---**Motion to TABLE** by the following vote: YEAS: 9 - NAYS: 0

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

---Nays: None.

12-408

---By Councilman Cunningham

RESOLUTION TO AUTHORIZE A PROFESSIONAL SERVICE CONTRACT WITH MARAZITI FALCON & HEALY FOR THE SERVICES OF JOSEPH MARAZITI AS SPECIAL LEGAL COUNSEL-LITIGATION TO THE CITY OF HOBOKEN IN THE MATTER OF THE PROPOSED MONARCH DEVELOPMENT IN THE NORTHEAST PORTION OF THE CITY TO COMMENCE JANUARY 1, 2012 AND EXPIRE APRIL 20, 2012 WITH A NOT TO EXCEED AMOUNT OF \$50,000.00

WHEREAS, the City previously appointed and contracted for the services of Joseph Maraziti of Maraziti Falcon & Healy to serve as Special Legal Counsel-Redevelopment for the City of Hoboken; and,

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

WHEREAS, the City of Hoboken published its annual Request for Proposals for the Professional Services of Special Legal Counsel-Redevelopment in accordance with the Fair and Open Process and Hoboken Ordinance #DR-154, which Maraziti Falcon & Healy responded to; and,

WHEREAS, the evaluation committee scored Maraziti Falcon & Healy's proposal as one of the top two proposals for said services, the Administration has presented Maraziti Falcon & Healy as one of the City's two Special Legal Counsel for Redevelopment for CY 2012, and, as a result, the City Council sought to authorize an award of the position of Special Counsel – Redevelopment to Maraziti Falcon & Healy; and,

WHEREAS, in addition to the heretofore mentioned appointment as Special Counsel – Redevelopment, the City Council seeks to authorize the award of a professional service contract with Maraziti Falcon & Healy for the specific services as Special Counsel – Litigation in the matter of the proposed Monarch development in the Northeast portion of the City; and,

WHEREAS, *Maraziti Falcon & Healy is hereby required to continue to abide by the "pay-to-play" requirements of the Hoboken Public Contracting Reform Ordinance, codified as §20A-11 et seq. of the Administrative Code of the City of Hoboken as well as the Affirmative Action laws and policies under which the City operates; and,*

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$50,000.00 is available in the following appropriations 02-01-20-156-020 in the temporary CY2012 budget; and I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose for the temporary CY2012 budget.

Signed: _____, George DeStefano, CFO

NOW THEREFORE, BE IT RESOLVED, that a contract with **Maraziti Falcon & Healy** to represent the City as Special Legal Counsel-Litigation relating to the matter of the proposed Monarch development be awarded, for a one year term to commence January 1, 2012 and expire April 20, 2012, in a not to exceed amount of Fifty Thousand (\$50,000.00) Dollars; and

BE IT FURTHER RESOLVED, the contract shall include the following term: Maraziti Falcon & Healy shall be paid maximum hourly rates of \$150.00/hour for attorneys, \$50.00/hour for paralegals, and \$20/hour for support staff, these are the only hourly charges allowable under this agreement, and charges for filing fees and costs shall be allowable, but must be clearly identified and described in full in the appropriate monthly invoice; and

BE IT FURTHER RESOLVED, the contract shall expressly state that said firm shall be obligated to provide prompt notice to the City when its invoicing reaches 80% of the not to exceed amount if the firm believes additional funds will be necessary, and the City shall have no liability for payment of funds in excess of the not to exceed amount; and

BE IT FURTHER RESOLVED, Maraziti Falcon & Healy shall be required to expressly specify that portion of each of its invoices which relate to Monarch development, and separate those portions of the invoices from the firm's representation with regards to its contract for Special Counsel – Redevelopment, and failure to comply with this term in any particular invoice shall render all billable hours under said invoice limited to the allowable rates for the within contract; and,

BE IT FURTHER RESOLVED that the City Council of the City of Hoboken specifically finds that compliance with Hoboken Ordinance #DR-154 (codified as §20A-4 of the Code of the City of Hoboken), and any and all state Pay to Play laws, is a continuing obligation of **Maraziti Falcon & Healy**; 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 and Corporation Counsel 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

Councilwoman Mason motion to amend the resolution and to delete the 1 year the resolution where it has it labeled year and seconded by Councilman Occhipinti

Councilwoman Marsh comments to request to vote on Resolutions #5,6, 7, 8, & 9

---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.

12-409

---By Councilman Cunningham

RESOLUTION TO AUTHORIZE A PROFESSIONAL SERVICE CONTRACT WITH LITE DEPALMA GREENBERG FOR THE SERVICES OF VICTOR AFANADOR, ESQ. AS SPECIAL LEGAL COUNSEL-RENT CONTROL LITIGATION TO THE CITY OF HOBOKEN FOR A TERM TO COMMENCE JANUARY 1, 2012 AND EXPIRE APRIL 20, 2012 WITH A NOT TO EXCEED AMOUNT OF \$50,000.00

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

WHEREAS, the City of Hoboken published its annual Request for Proposals for the Professional Services of Special Legal Counsel-Rent Control Litigation in accordance with the Fair and Open Process and Hoboken Ordinance #DR-154, which Lite DePalma Greenberg responded to; and,

WHEREAS, the evaluation committee scored Lite DePalma Greenberg's proposal the highest for said services, the Administration has presented Lite DePalma Greenberg as the City's Special Legal Counsel-Rent Control Litigation for CY 2012, and, as a result, the City Council heretofore seeks to authorize the award of a professional service contract; and,

WHEREAS, *Lite DePalma Greenberg is hereby required to continue to abide by the "pay-to-play" requirements of the Hoboken Public Contracting Reform Ordinance, codified as §20A-11 et seq. of the Administrative Code of the City of Hoboken as well as the Affirmative Action laws and policies under which the City operates; and,*

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$50,000.00 is available in the following appropriations 02-01-20-156-020 in the temporary CY2012 budget; and I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose for the temporary CY2012 budget.

Signed: _____, George DeStefano, CFO

NOW THEREFORE, BE IT RESOLVED, that a contract with Lite DePalma Greenberg to represent the City as Special Legal Counsel-Rent Control Litigation be awarded, for a term to commence January 1, 2012 and expire April 20, 2012, in a not to exceed amount of Fifty Thousand (\$50,000.00) Dollars; and

BE IT FURTHER RESOLVED, the contract shall include the following term: Lite DePalma Greenberg shall be paid maximum hourly rates of \$150.00/hour for attorneys, \$50.00/hour for paralegals, and \$20/hour for support staff, these are the only hourly charges allowable under this agreement, and charges for filing fees and costs shall be allowable, but must be clearly identified and described in full in the appropriate monthly invoice; and

BE IT FURTHER RESOLVED, the contract shall expressly state that said firm shall be obligated to provide prompt notice to the City when its invoicing reaches 80% of the

not to exceed amount if the firm believes additional funds will be necessary, and the City shall have no liability for payment of funds in excess of the not to exceed amount; and

BE IT FURTHER RESOLVED that the City Council of the City of Hoboken specifically finds that compliance with Hoboken Ordinance #DR-154 (codified as §20A-4 of the Code of the City of Hoboken), and any and all state Pay to Play laws, is a continuing obligation of Lite DePalma Greenberg; 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 and Corporation Counsel 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: 9 - NAYS: 0

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

---Nays: None.

12-410

---By Councilman Cunningham

RESOLUTION TO AUTHORIZE A PROFESSIONAL SERVICE CONTRACT WITH PARKER MCCAY FOR THE SERVICES OF PHILLIP NORCROSS, ESQ. AS SPECIAL LEGAL COUNSEL-BOND COUNSEL TO THE CITY OF HOBOKEN FOR A TERM TO COMMENCE JANUARY 1, 2012 AND EXPIRE APRIL 20, 2012 WITH A NOT TO EXCEED AMOUNT OF \$15,000.00

WHEREAS, the City previously appointed and contracted for the services of Phillip Norcross, Esq. of Parker McCay to serve as Special Legal Counsel-Bond Counsel for the City of Hoboken; and,

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

WHEREAS, the City of Hoboken published its annual Request for Proposals for the Professional Services of Special Legal Counsel-Bond Counsel in accordance with the Fair and Open Process and Hoboken Ordinance #DR-154, which Parker McCay responded to; and,

WHEREAS, the evaluation committee scored Parker McCay's proposal the highest for said services, the Administration has presented Parker McCay as the City's Special Legal Counsel-Bond Counsel for CY 2012, and, as a result, the City Council heretofore seeks to authorize the award of a professional service contract; and,

WHEREAS, Parker McCay is hereby required to continue to abide by the “pay-to-play” requirements of the Hoboken Public Contracting Reform Ordinance, codified as §20A-11 et seq. of the Administrative Code of the City of Hoboken as well as the Affirmative Action laws and policies under which the City operates; and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$15,000.00 is available in the following appropriations 02-01-20-156-020 in the temporary CY2012 budget; and I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose for the temporary CY2012 budget.

Signed: _____, George DeStefano, CFO

NOW THEREFORE, BE IT RESOLVED, that a contract with Parker McCay to represent the City as Special Legal Counsel-Bond Counsel be awarded, for a term to commence January 1, 2012 and expire April 20, 2012, in a not to exceed amount of Fifteen Thousand (\$15,000.00) Dollars; and

BE IT FURTHER RESOLVED, the contract shall include the following term: Parker McCay shall be paid maximum hourly rates of \$150.00/hour for attorneys, \$50.00/hour for paralegals, and \$20/hour for support staff, these are the only hourly charges allowable under this agreement, and charges for filing fees and costs shall be allowable, but must be clearly identified and described in full in the appropriate monthly invoice; and

BE IT FURTHER RESOLVED, the contract shall expressly state that said firm shall be obligated to provide prompt notice to the City when its invoicing reaches 80% of the not to exceed amount if the firm believes additional funds will be necessary, and the City shall have no liability for payment of funds in excess of the not to exceed amount; and

BE IT FURTHER RESOLVED that the City Council of the City of Hoboken specifically finds that compliance with Hoboken Ordinance #DR-154 (codified as §20A-4 of the Code of the City of Hoboken), and any and all state Pay to Play laws, is a continuing obligation of Parker McCay; 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 and Corporation Counsel 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: 9 - NAYS: 0

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

---Nays: None.

12-411

---By Councilman Cunningham

RESOLUTION TO AUTHORIZE A PROFESSIONAL SERVICE CONTRACT WITH FLORIO & KENNY FOR THE SERVICES OF EDWARD FLORIO, ESQ. AS SPECIAL LEGAL COUNSEL-RENT CONTROL BOARD ATTORNEY TO THE CITY OF HOBOKEN TO COMMENCE JANUARY 1, 2012 AND EXPIRE APRIL 20, 2012 WITH A NOT TO EXCEED AMOUNT OF \$3,000.00

WHEREAS, service to the City as Special Counsel - Rent Control Board Attorney is a professional service as defined by N.J.S.A. 40A:11-1 et seq. and as such, is exempt from public bidding requirements pursuant to N.J.S.A. 40A:11-5; and,

WHEREAS, the City of Hoboken published its annual Request for Proposals for the Professional Services of Special Legal Counsel-Rent Control Board Attorney in accordance with the Fair and Open Process and Hoboken Ordinance #DR-154, which Florio & Kenny responded to; and,

WHEREAS, the evaluation committee scored Florio & Kenny's proposal the highest for said services, the Administration has presented Florio & Kenny as the City's Special Legal Counsel-Rent Control Board Attorney for CY 2012, and, as a result, the City Council heretofore seeks to authorize the award of a professional service contract; and,

WHEREAS, *Florio & Kenny is hereby required to continue to abide by the "pay-to-play" requirements of the Hoboken Public Contracting Reform Ordinance, codified as §20A-11 et seq. of the Administrative Code of the City of Hoboken as well as the Affirmative Action laws and policies under which the City operates; and,*

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$3,000.00 is available in the following appropriations 02-01-20-156-020 in the temporary CY2012 budget; and I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose for the temporary CY2012 budget.

Signed: _____, George DeStefano, CFO

NOW THEREFORE, BE IT RESOLVED, that a contract with Florio & Kenny, for the services of Edward Florio, Esq., to represent the City as Special Legal Counsel-Rent Control Board Attorney be awarded, for a term to commence January 1, 2012 and expire April 20, 2012, in a not to exceed amount of Three Thousand (\$3,000.00) Dollars; and

BE IT FURTHER RESOLVED, the contract shall include the following term: Florio & Kenny shall be paid \$300.00 per meeting for each Rent Control Board Meeting attended, and maximum hourly rates of \$150.00/hour for attorneys, \$50.00/hour for paralegals, and \$20/hour for support staff for services rendered outside of Board Meetings, these are the only charges for services allowable under this agreement, and charges for filing fees and costs shall be allowable, but must be clearly identified and described in full in the appropriate monthly invoice; and

BE IT FURTHER RESOLVED, the contract shall expressly state that said firm

shall be obligated to provide prompt notice to the City when its invoicing reaches 80% of the not to exceed amount if the firm believes additional funds will be necessary, and the City shall have no liability for payment of funds in excess of the not to exceed amount; and

BE IT FURTHER RESOLVED that the City Council of the City of Hoboken specifically finds that compliance with Hoboken Ordinance #DR-154 (codified as §20A-4 of the Code of the City of Hoboken), and any and all state Pay to Play laws, is a continuing obligation of Florio & Kenny; 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 and Corporation Counsel 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: 9 - NAYS: 0 - ABSENT: 0

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

---Nays: None.

12-412

---By Councilman Cunningham

RESOLUTION TO EXTEND THE CONTRACT WITH THE LAW OFFICES OF PAUL CONDON FOR SERVICES AS SPECIAL LEGAL COUNSEL TO THE CITY OF HOBOKEN RELATING TO THE MATTER OF ANDRIANI V. CITY OF HOBOKEN, DOCKET NO. CSV-10214-2010, FOR A ONE YEAR TERM WITH A NOT TO EXCEED AMOUNT OF \$25,000.00

WHEREAS, the City previously appointed and contracted for the services of Paul Condon to serve as Special Legal Counsel relating to Andriani v. City of Hoboken, Docket No. CSV-10214-2010; and,

WHEREAS, the above referenced litigation will require the skilled expertise of an experienced attorney to represent the City of Hoboken's interests; and,

WHEREAS, Paul Condon has been handling the case from inception, and has gained significant knowledge and legal strategy which will provide specialized knowledge to effectively represent all of the City's interests relating to the above referenced litigation; and,

WHEREAS, *this special expertise and knowledge, as well as the emergent need for continued expert legal representation, provide a basis for waiving the competitive negotiation provisions of Hoboken Ordinance #DR-154 (codified as §20A-1 et seq. of the Code of the City of Hoboken), as permitted by the Ordinance; 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, *Paul Condon is hereby required to continue to abide by the “pay-to-play” requirements of the Hoboken Public Contracting Reform Ordinance, codified as §20A-11 et seq. of the Administrative Code of the City of Hoboken as well as the Affirmative Action laws and policies under which the City operates;* and,

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

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$25,000.00 is available in the following appropriations 02-01-20-156-020 in the temporary CY2012 budget; and I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose for the temporary CY2012 budget.

Signed: _____, **George DeStefano, CFO**

NOW THEREFORE, BE IT RESOLVED, (a majority of the whole Council concurring) that the contract with Paul Condon to represent the City as Special Legal Counsel in the matter of Andriani v. City of Hoboken, Docket No. CSV-10214-2010, be heretofore extended for a one year term, to commence upon execution of the contract, in a not to exceed amount of Twenty Five Thousand Dollars (\$25,000.00) Dollars; an additional amendment to the terms of contract shall be added as follows: said firm shall, on a going forward basis, be obligated to provide prompt notice to the City when its invoicing reaches 80% of the not to exceed amount if the firm believes additional funds will be necessary, and the City shall have no liability for payment of funds in excess of the not to exceed amount; and

BE IT FURTHER RESOLVED that the City Council of the City of Hoboken specifically finds that compliance with Hoboken Ordinance #DR-154 (codified as §20A-4 of the Code of the City of Hoboken), and any and all state Pay to Play laws, is a continuing obligation of Paul Condon; 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: 7 - NAYS: 2

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

---Nays Mason, Occhipinti

12-413

---By Councilman Cunningham

RESOLUTION APPOINTING BENJAMIN CHOI, ESQ. AS ALTERNATE MUNICIPAL PROSECUTOR FOR THE CITY OF HOBOKEN FOR THE 2012 CALENDAR YEAR, AND AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH BENJAMIN CHOI, ESQ. FOR SERVICES AS ALTERNATE MUNICIPAL PROSECUTOR FOR A ONE (1) YEAR TERM TO COMMENCE ON JANUARY 1, 2012 AND TERMINATE ON DECEMBER 31, 2012 WITH A NOT TO EXCEED AMOUNT OF \$5,000.00

WHEREAS, the City of Hoboken requires the services of an alternate 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 Benjamin Choi, Esq. for consideration to the position of municipal prosecutor for the 2012 calendar year; and,

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

WHEREAS, *Benjamin Choi, 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, *Benjamin Choi, 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 Benjamin Choi, Esq. be appointed to the position of alternate municipal prosecutor for the 2012 calendar year with an appropriation in the amount not to exceed Five Thousand Dollars (\$5,000.00);

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$5,000.00 is available in the following appropriations _____ in the temporary CY2012 budget; and I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose for the temporary CY2012 budget.

Signed: _____, George DeStefano, CFO

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Hoboken, County of Hudson, hereby appoints Benjamin Choi, Esq. as the City of Hoboken alternate municipal prosecutor 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

Benjamin Choi, Esq. for the services of alternate municipal prosecutor from January 1, 2012 through December 31, 2012, which shall include the following terms:

1. The alternate Municipal Prosecutor shall appear at least thirty minutes prior to every Municipal Court session, as needed and as requested by the Municipal Prosecutor.
2. The Municipal Court Sessions are generally 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 Prosecutor is also required to appear for a special session on a Monday or Friday if one of the two Municipal Court Judges calls a special session and the municipal prosecutor requests the alternate's presence.
4. The alternate 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 Benjamin Choi, 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 Benjamin Choi, 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: 9 - NAYS: 0

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

---Nays: None.

12-414

---By Councilwoman Giattino

RESOLUTION AUTHORIZING SUBMISSION OF CONTRACT TO THE HUDSON COUNTY DEPARTMENT OF HEALTH & HUMAN SERVICES FOR 2012 FUNDING

WHEREAS, the City of Hoboken has, each year, been the recipient of funds for the operation of Hoboken's Comprehensive Program for the Elderly; and

WHEREAS, the Hudson County Department of Health & Human Services has once again awarded such funds to the City of Hoboken (2012 Title III funding in the amount of \$127,796); **now therefore, be it –**

RESOLVED, that the City of Hoboken will enter into a contract with the Hudson County Department of Human Services for such funds; and **be it --**

FURTHER RESOLVED, that the Mayor, or her designee, is hereby authorized on behalf of the City of Hoboken to:

1. Furnish such documents as may be required;
3. Act as authorized correspondent of the City of Hoboken;
4. Execute necessary contracts.

---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.

12-415

---By Councilwoman Giattino

RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION TO DEPARTMENT OF AGRICULTURE FOR 2012 SUMMER FOOD SERVICE PROGRAM FUNDS

WHEREAS, the City of Hoboken has, each summer, been the sponsor of a summer food service program for the youth of the City; and

WHEREAS, the State of New Jersey, Department of Agriculture has once again invited the City of Hoboken to submit an application for funding for the 2012 Summer Food Service Program; **now therefore, be it –**

RESOLVED, that the City of Hoboken will submit an application for such funds; and **be it --**

FURTHER RESOLVED, that the Mayor, or her designee, is hereby authorized on behalf of the City of Hoboken to:

1. Execute and submit such application to the Department of Agriculture;
2. Furnish such documents as may be required;
3. Act as authorized correspondent of the City of Hoboken;
4. Execute necessary contracts, if funding is awarded.

---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.

12-416

---By Councilwoman Marsh

A RESOLUTION OF SUPPORT FOR SUBMITTING A GRANT APPLICATION AND EXECUTING A GRANT CONTRACT WITH THE U.S. DEPARTMENT OF JUSTICE'S GRANT PROGRAM FOR THE 2012 OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS) HIRING PROGRAM

WHEREAS, the COPS 2012 Hiring Program grant program provides the City of Hoboken with an opportunity to apply for funding to hire junior level police officers whose salary and benefits will be maintained in the grant program for 3 years, with an additional one year commitment to continued employment for the City of Hoboken; and,

WHEREAS, the City of Hoboken would benefit from an increase in force by up to five (5) junior level police officers, and the City Council therefore supports the application for, and authorizes the execution of any approval of, a COPS 2012 Hiring Program grant by the City of Hoboken on behalf of the Hoboken Police Department.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Hoboken formally approves the submission of a 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 COPS 2012 Hiring Program grant project on behalf of the City of Hoboken for the funding of an additional five (5) junior police officers.

BE IT FURTHER RESOLVED that the Council of the City of Hoboken formally approves the acceptance of any funding received by the COPS Hiring Program grant project for up to five (5) junior level police officers for the Hoboken Police Department; and the City Council agrees to the additional City responsibility to continue the employment of any officers hired under this program for the additional one year after the funding by COPS ceases, in accordance with the program.

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

---Motion duly seconded by Councilwoman Giattino
---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.

12-417

---By Councilwoman Marsh

THIS RESOLUTION AWARDS A CONTRACT TO TURN OUT FIRE & SAFETY, INC. THROUGH ITS STATE OF NEW JERSEY CONTRACT NUMBER A76358, A76359 FOR THE PURCHASE OF FIRE DEPARTMENT SAFETY GEAR FOR A TOTAL COST OF \$295,053.84

WHEREAS, N.J.S.A. 40A:11-5 allows municipalities to award public contracts without public bidding when the vendor is an approved state contractor, and Turn Out Fire Safety, Inc. has been approved as a State Contractor pursuant to Contract Number A76358/A76359; and,

WHEREAS, the City of Hoboken's Fire Department is in need of personal safety equipment, for which goods Turn Out Fire & Safety, Inc. has provided the attached proposal City with a total purchase price of \$295,053.84; and,

WHEREAS, the funds are available for this contract within the FEMA Grant previously awarded to the City of Hoboken; and Certification of funds is available as follows:

George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$295,053.84 is available in the following appropriations: FEMA FY 2011 Safer Grant to the Hoboken Fire Department in amount of \$272,697.00, and Hoboken Line Item 2-01-46-892-001 in the amount of \$22,356.84 in the temporary budget; and I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose for the temporary budget.

Signed: _____, George DeStefano, CFO

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken the below listed vendor is authorized to provide the goods described in their January 2012 Proposal to the Hoboken Fire Department, attached hereto, at cost not to exceed listed in the attached proposal, and for a total not to exceed amount of Fifty Seven Thousand Three Hundred Twelve (\$295,053.84.00) dollars, as follows:

1. The above recitals are incorporated herein as thought fully set forth at length.
2. The Council hereby authorizes the Mayor, or her designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
3. The Mayor, or her designee is hereby authorized to execute an agreement, voucher and/or purchase order for the above references goods and/or services based upon the following information:

Turn Out Fire and Safety, Inc.
3468 Kennedy Boulevard
Jersey City, New Jersey 07307
201.963.9312 / 201.963.9314

---Motion duly seconded by Councilwoman Giattino

---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.

12-418

---By Councilwoman Marsh

THIS RESOLUTION AWARDS A CONTRACT TO AAA EMERGENCY SUPPLY THROUGH ITS STATE OF NEW JERSEY CONTRACT NUMBER A76365 FOR THE PURCHASE OF FIRE DEPARTMENT SAFETY EQUIPMENT FOR A TOTAL COST OF \$46,303.86

WHEREAS, N.J.S.A. 40A:11-5 allows municipalities to award public contracts without public bidding when the vendor is an approved state contractor, and AAA Emergency Supply has been approved as a State Contractor pursuant to Contract Number A76365 and,

WHEREAS, the City of Hoboken's Fire Department is in need of personal safety equipment, for which goods AAA Emergency Supply has provided the attached proposal to the City with a total purchase price of \$46,303.86; and,

WHEREAS, the funds are available for this contract within the Fire Department's line item, and the products are required to be bought based on the FEMA Grant previously awarded to the City of Hoboken (the products herein constitute \$46,303.86 of the City of Hoboken's required matching funds for the grant); and Certification of funds is available as follows: I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$46,303.86 is available in the following appropriations: \$486.70 from Hoboken Fire Department Line Item 2-01-25-266-021, and the \$45,817.16 from FEMA Grant Line Item 2-01-46-892-001 in the CY 2012 temporary budget; and I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose for the temporary CY2012 budget.

Signed: _____, George DeStefano, CFO

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that the below listed vendor is authorized to provide the goods described in their October 5, 2011 Proposal to the Hoboken Fire Department, attached hereto, at cost not to exceed those listed in the attached proposal, and for a total not to exceed amount of Forty Six Thousand Three Hundred Three Dollars and Eighty Six Cents (\$46,303.86), as follows:

1. The above recitals are incorporated herein as thought fully set forth at length.
2. The Council hereby authorizes the Mayor, or her designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
3. The Mayor, or her designee is hereby authorized to execute an agreement, voucher and/or purchase order for the above references goods and/or services based upon the following information:

AAA Emergency Supply
635 North Broadway
White Plains, New York 10603

---Motion duly seconded by Councilwoman Giattino

---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.

12-419

---By Councilman Mello

RESOLUTION OF THE CITY OF HOBOKEN AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF HOBOKEN, AND METRO STOP ENTERPRISES, LLC, REGARDING THE NORTHWEST REDEVELOPMENT AREA: 800 JACKSON STREET, BLOCK 86, LOT 1

WHEREAS, on October 9, 2003, the City of Hoboken, the Mayor and City Council of the City of Hoboken, and the Hoboken Redevelopment Agency (hereinafter collectively referred to as the "City") and Metro Stop Enterprises, LLC located at P.O. Box 271, Hoboken, New Jersey 07030 (hereinafter referred to as the "Redeveloper") entered into the Agreement; and

WHEREAS, Section 8 of the Agreement states that "[t]he Redeveloper will provide to the City with five, 3 bedroom units, for the inclusion in the City's affordable housing program for low and moderate income persons;" and

WHEREAS, the City retained Execu-Tech, Inc., a real estate consulting company, to assist in the marketing and sale of the five affordable housing units; and

WHEREAS, on October 1, 2008, the City adopted by resolution the Hoboken Affordable Housing Program to assist in the sale of the five affordable units to residents within the workforce of the City ("Workforce Housing") such as municipal workers, teachers, and police officers; and

WHEREAS, on or around September 2008, the Redeveloper completed construction of the Workforce Housing units, and was granted a Certificate of Occupancy; and

WHEREAS, the Redeveloper, working with the Hoboken Affordable Housing Program, was able to sell four of the five Workforce Housing units; and

WHEREAS, after three years and significant effort through the City's adopted marketing process, the Redeveloper has not been able to sell fifth Workforce Housing unit; and

WHEREAS, on or around July 8, 2011, the Redeveloper made a request to the City for the removal of the restriction of the sale of the fifth affordable housing unit as a Workforce Housing unit, and permission to sell the unit at market rate in exchange for a contribution to the City of Hoboken Affordable Housing Trust Fund in the amount of twenty percent (20%) of the unit's market rate sale price; and

WHEREAS, on or around August 1, 2011, Execu-Tech, Inc. recommended that the City reconsider its options considering the economic conditions of the real estate market and the inability of the Redeveloper to sell the remaining Workforce Housing unit at this time; and

WHEREAS, in response to the Redeveloper's offer, the City counter-offered with a proposal where the Redeveloper could sell the fifth affordable unit at market rate, conditioned upon a payment to the City of Hoboken to be set aside in an account for use specifically for affordable housing initiatives in the amount of \$50,000.00 and seventy-five per centum (75%) of the difference between the market rate price and the workforce housing price.

NOW, THEREFORE, it is hereby resolved by the City Council as follows:

1. The Mayor is hereby authorized to execute an Amendment to the Redevelopment Agreement of October 9, 2003 in the form attached hereto as Exhibit A or in a form substantially similar thereto.

2. Staff and consultants to the City are hereby authorized and directed to take all other administrative actions to implement this Resolution as are necessary and appropriate to accomplish its goals and intent.

3. Section 8 of the Agreement is amended to incorporate allow for the market rate sale of the fifth unit, as set forth below.

4. The City and the Redeveloper agree that the consideration to the City for removing the work force housing restriction to the fifth affordable unit, the Redeveloper shall pay to the City the sum of \$50,000.00 together with a payment in the amount of seventy-five per centum (75%) of the difference between the market rate price for which the fifth unit is sold and \$264,000.00. Such sums shall be paid out of the proceeds of the market rate sale upon the closing of title to the fifth unit. Such sums shall be payable to the City of Hoboken to be held in an account for the use of the City as it shall deem appropriate from time to time toward affordable housing initiatives.

5. This Resolution shall be effective immediately.

The speakers who spoke: Helen Hirsch.

---duly seconded by Councilman Cunningham.

---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.

12-420

---By Councilman Mello

RESOLUTION FOR HANDICAP PARKING ZONE

WHEREAS, The Subcommittee for Handicap Parking denied approval;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken, that warrants be drawn on the City Treasury to the order of the following sum opposite the name as reimbursement for handicap parking fees:

NAME/ADDRESS	AMOUNT
Ruth Thompson 1302 Washington Street Apt 2C	\$125.00

---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.

12-421

---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 \$ 5,983.19

<u>NAME</u>	<u>BL/LT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
Wells Fargo Real Estate Tax Services, LLC 1 Home Campus MAC #X2302-04D Att: Refunds/Financial Support Des Moines, Ia 50328	83/8	715 Madison St	1/12	\$ 866.44
Tkach, Jonathan J & 830 Monroe St #3I Hoboken, NJ 07030	RA87/13/C003I	824-830 Monroe St	4/10	\$ 200.00 Excel II
Chase Refund Dept c/o Corelogic 1 Corelogic Drive Westlake, Tx 76262	173/5	1107 Willow Ave	1/12	\$2,024.00
Maloney, John E 1125 Maxwell Lane #1018 Hoboken, NJ 07030	261.03/1/C1018	1125 Maxwell Lane	1/12	\$2,892.75

---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.

12-422
 ---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 \$93,866.48

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>YEAR</u>	<u>AMOUNT</u>
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Schneck Law Group LLC 301 South Livingston Ave Suite 105 Livingston, NJ 07039	17/1	514 Observer Hwy	2009	\$2,468.95
Schneck Law Group LLC 301 South Livingston Ave Suite 105 Livingston, NJ 07039	17/1	514 Observer Hwy	2010	\$4,745.00
Schneck Law Group LLC 301 South Livingston Ave Suite 105 Livingston, NJ 07039	17/1	514 Observer Hwy	2011	\$6,007.30
Schneck Law Group LLC 301 South Livingston Ave Suite 105 Livingston, NJ 07039	17/2	512 Observer Hwy	2009	\$2,468.95
Schneck Law Group LLC 301 South Livingston Ave Suite 105 Livingston, NJ 07039	17/2	512 Observer Hwy	2010	\$4,745.00
Schneck Law Group LLC 301 South Livingston Ave Suite 105 Livingston, NJ 07039	17/2	514 Observer Hwy	2011	\$6,007.30
Schneck Law Group LLC 301 South Livingston Ave Suite 105 Livingston, NJ 07039	17/3	510 Observer Hwy	2009	\$2,468.95
Schneck Law Group LLC 301 South Livingston Ave Suite 105 Livingston, NJ 07039	17/3	510 Observer Hwy	2010	\$4,745.00
Schneck Law Group LLC 301 South Livingston Ave Suite 105 Livingston, NJ 07039	17/3	510 Observer Hwy	2011	\$6,007.30
Waters, McPherson, McNeill Attorneys at Law 300 Lighting Way P O Box 1560 Secaucus, NJ 07096	25/1/C0GAR	700 First Street	2010	\$23,725.00
Waters, McPherson, McNeill	25/1/C0GAR	700 First Street	2011	\$27,726.00

Attorneys at Law
300 Lighting Way
P O Box 1560
Secaucus, NJ 07096

Schneck Law Group LLC 201/23 216 Washington St 2009 \$1,337.72
301 South Livingston Ave
Suite 105
Livingston, NJ 07039

Schneck Law Group LLC 201/23 216 Washington St 2010 \$1,414.01
301 South Livingston Ave
Suite 105
Livingston, NJ 07039

---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.

12-423

---By Councilman Cunningham

**RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY
TAX BOARD 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 **\$ 36.51**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>YEAR</u>	<u>AMOUNT</u>
Clouser, Jamie	36/26/C0007	214-216 Jackson St	2011	\$ 36.51

---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.

12-424

---By Councilwoman Giattino

RESOLUTION APPOINTING MICHAEL LENZ TO THE CITY OF HOBOKEN RENT LEVELING AND STABILIZATION BOARD

WHEREAS, pursuant to the Code of the City of Hoboken § 155-18, the City of Hoboken has established a Rent Leveling and Stabilization Board; and

WHEREAS, the Code of the City of Hoboken § 155-18 provides for seven (7) members to serve on the Rent Leveling and Stabilization Board; and

WHEREAS, New Jersey law gives authority to the Mayor to appoint seven (7) members services on the Rent Leveling and Stabilization Board with the consent of the City Council; and

WHEREAS, a vacancy exists in the Hoboken Rent Leveling and Stabilization Board; and

WHEREAS, the Mayor wishes to fill this one (1) vacancy to the Rent Leveling and Stabilization Board; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor for the City of Hoboken hereby appoints and the City Council consents to **Michael Lenz, 408 Monroe Street, Hoboken, NJ** to serve as a member of the Rent Leveling and Stabilization Board for the term of the Mayor.

---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

12-425

Z-162

BOND ORDINANCE AUTHORIZING THE ACQUISITION OF SHUTTLE BUSES AN A BUCKET TRUCK FOR THE CITY PARKING UTILITY DEPARTMENT; APPROPRIATING THE SUM OF \$497,000 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 \$497,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the City Council of the City of Hoboken, County of Hudson, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the City of Hoboken, County of Hudson, New Jersey ("City").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the City from all sources for the purposes stated in Section 7 hereof is \$497,000; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$497,000.

Section 3. The sum of \$497,000, to be raised by the issuance of bonds or bond anticipation notes is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the City in an amount not to exceed \$497,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the City in an amount not to exceed \$497,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A. 40A:2-20*, shall not exceed the sum of \$99,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimat ed Total Cost</u>	<u>Down Payme nt</u>	<u>Amount of Obligatio ns</u>	<u>Period of Usefuln ess</u>
A. Acquisition of Five (5) Shuttle Busses for the City Parking Utility Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$400,000	0	400,000	5 years

<u>Purpose/Improvement</u>	<u>Estimat ed Total Cost</u>	<u>Down Payme nt</u>	<u>Amount of Obligatio ns</u>	<u>Period of Usefuln ess</u>
B. Acquisition of a Bucket Truck for the City Parking Utility Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	97,000	0	97,000	5 years
Totals:	<u>\$497,000</u>	<u>\$0</u>	<u>\$497,000</u>	

Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 5 years.

Section 9. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A. 40A:2-10*, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, *N.J.S.A. 40A:2-43*, is increased by this Bond Ordinance by \$497,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the City shall levy *ad valorem* taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The applicable Capital Budget of the City is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended applicable Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 13. The City hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the City prior to the issuance of such bonds or bond anticipation notes.

Section 14. The City hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Ogden, Utah Service Center of the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the City may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

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 **April 4, 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

BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS STREET AND SIDEWALK CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS PIECES OF PARKING UTILITY CAPITAL EQUIPMENT IN AND FOR THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY; APPROPRIATING THE SUM OF \$1,830,550 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 \$1,830,550; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the City Council of the City of Hoboken, County of Hudson, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the City of Hoboken, County of Hudson, New Jersey ("City").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the City from all sources for the purposes stated in Section 7 hereof is \$1,830,550; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$1,830,550.

Section 3. The sum of \$1,830,550, to be raised by the issuance of bonds or bond anticipation notes is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the City in an amount not to exceed \$1,830,550 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the City in an amount not to exceed \$1,830,550 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$365,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimat ed Total Cost</u>	<u>Down Payme nt</u>	<u>Amount of Obligatio ns</u>	<u>Period of Usefuln ess</u>
A. Redesign and Reconstruction of Various Streets and Roads in the City including, but not limited to, Observer Highway, Newark Avenue, River Road, Washington Street and Sinatra Drive, all as more particularly described in the documentation on file in the Office of the Director of the City Parking Utility Department and available for inspection during normal City hours, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$292,600	\$0	\$292,600	10 years
B. Redesign and Reconstruction construction of Various Pedestrian Walkways in the City, all as more particularly described in the documentation on file in the Office of the Director of the City Parking Utility Department and available for inspection during normal City hours, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	69,550	0	69,550	10 years
C. Acquisition and Installation of Multi Space Meters throughout the City, all as more particularly described in the documentation on file in the Office of the Director of the City Parking Utility Department and available for inspection during normal City hours, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	128,400	0	128,400	5 years
D. Redesign and Reconstruction of Various Streets and Roads in the City to institute City "Slow Flow" Program, all as more particularly described in the documentation on file in the Office of the Director of the City Parking	1,340,000	0	1,340,000	10 years

<u>Purpose/Improvement</u>	<u>Estimat ed Total Cost</u>	<u>Down Payme nt</u>	<u>Amount of Obligatio ns</u>	<u>Period of Usefuln ess</u>
Utility Department and available for inspection during normal City hours, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto				
Totals:	<u>\$1,830,550</u>	<u>\$0</u>	<u>\$1,830,550</u>	

Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 9.65 years.

Section 9. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A. 40A:2-10*, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, *N.J.S.A. 40A:2-43*, is increased by this Bond Ordinance by \$1,830,550 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the City shall levy *ad valorem* taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The applicable Capital Budget of the City is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended applicable Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 13. The City hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the City prior to the issuance of such bonds or bond anticipation notes.

Section 14. The City hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Ogden, Utah Service Center of the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the City may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

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 **April 4, 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

12-427

Z-164

BOND ORDINANCE AUTHORIZING THE COMPLETION OF ARIOUS CAPITAL IMPROVEMENTS TO AND THE ACQUISITION OF VARIOUS PIECES OF CAPITAL EQUIPMENT FOR VARIOUS CITY GARAGES; APPROPRIATING THE SU bM OF \$5,175,000 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 \$5,175,000; MAKING CERTAIN DETERMINATIONS AND

COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the City Council of the City of Hoboken, County of Hudson, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the City of Hoboken, County of Hudson, New Jersey ("City").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the City from all sources for the purposes stated in Section 7 hereof is \$5,175,000; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$5,175,000.

Section 3. The sum of \$5,175,000, to be raised by the issuance of bonds or bond anticipation notes is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the City in an amount not to exceed \$1,830,550 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the City in an amount not to exceed \$5,175,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A. 40A:2-20*, shall not exceed the sum of \$1,000,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimat ed Total Cost</u>	<u>Down Payme nt</u>	<u>Amount of Obligatio ns</u>	<u>Period of Usefulne ss</u>
A. Completion of Various Renovations and Improvements to and the Undertaking of the Redesign of Various City Garages, all as more particularly described in the documentation on file in the Office of the Director of the City Parking Utility and available for inspection during normal City hours, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$3,370,000	\$0	\$3,370,000	15 years
B. Reconstruction of and Improvements to Various Pedestrian Walkways for Various City Garages, all as more particularly described in the documentation on file in the Office of the Director of the City Parking Utility and available for inspection during normal City hours, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	75,000	0	75,000	10 years
C. Acquisition and Installation of Rooftop Safety, Security and Navigation/Wayfinding Equipment and Improvements for Various City Garages, all as more particularly described in the documentation on file in the Office of the Director of the City Parking Utility and available for inspection during normal City hours, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	620,000	0	620,000	5 years
D. Improvements and Renovations to Garage Offices, all as more particularly described in the documentation on file in the Office of the Director of the City Parking Utility and available for inspection during normal City hours, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	145,000	0	145,000	10 years
E. Improvements to and Replacement of Various City Garage Elevators, all as more particularly described in the documentation on file in the Office of the Director of the City Parking Utility and available for inspection during normal City hours, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	965,000	0	965,000	15 years

<u>Purpose/Improvement</u>	<u>Estimat ed Total Cost</u>	<u>Down Payme nt</u>	<u>Amount of Obligatio ns</u>	<u>Period of Usefulne ss</u>
Totals:	<u>\$5,175,0</u> <u>00</u>	<u>\$0</u>	<u>\$5,175,0</u> <u>00</u>	

Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 13.59 years.

Section 9. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A. 40A:2-10*, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, *N.J.S.A. 40A:2-43*, is increased by this Bond Ordinance by \$5,175,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the City shall levy *ad valorem* taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The applicable Capital Budget of the City is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended applicable Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 13. The City hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the City prior to the issuance of such bonds or bond anticipation notes.

Section 14. The City hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Ogden, Utah Service Center of the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the City may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

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 **April 4, 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

12-428

Z-165

An Ordinance to Require and Regulate Competitive Contracting for Insurance Services to the City of Hoboken

WHEREAS, the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* provides that the purchase of insurance including health, property and casualty, and workers compensation insurance, and insurance consulting services, are not subject to the bidding requirements of that law, pursuant to *N.J.S.A. 40A:11-5(m)*; and

WHEREAS, the Hoboken City Council finds that open competition for its insurance and insurance consulting services will assure that the lowest available pricing for the City's insurance needs can be obtained; and

WHEREAS, the Local Public Contracts Law authorizes local contracting units to require the use of competitive contracting practices to procure specified goods and services otherwise exempt from bidding by virtue of *N.J.S.A. 40A:11-5*, pursuant to *N.J.S.A. 40A:11-4.1(i)*; and

WHEREAS, Hoboken City Council finds that requiring the City's insurance consultant service providers be compensated solely by Hoboken and not by commissions or fees, direct or indirect, paid by insurance carriers or other organizations providing insurance alternatives, and prohibiting any third party from paying any commission or fee to such consultants for securing business with Hoboken, will ensure the fidelity and loyalty of such consultants to Hoboken, and eliminate or reduce conflicting loyalties such consultants might otherwise have to any third parties;

NOW, THEREFORE, BE IT ORDAINED by the Hoboken City Council that the City of Hoboken's Administrative Code be amended to provide:

1. For purposes of this Ordinance, the term "insurance" shall include the purchase of insurance coverage, alternatives to insurance such as self-insurance programs, as well as participation in a joint self-insurance fund, risk management program or related services provided by a contracting unit insurance group, or participation in an insurance fund established by a local unit pursuant to *N.J.S.A. 40A:10-6*, or a joint insurance fund established pursuant to *N.J.S.A. 40A:10-36 et seq.* The term "insurance consulting services" shall include all services associated with procuring, evaluating and administering insurance, including but not limited to brokerage, risk management or administrative services, and claims processing or administration services, including such services provided by a contracting unit insurance group, or an insurance fund established by a local unit pursuant to *N.J.S.A. 40A:10-6*, or a joint insurance fund established pursuant to *N.J.S.A. 40A:10-36 et seq.*

2. Prior to entering into any contract to obtain insurance or insurance consulting services, the City shall secure full and open competition among insurers, and insurance consulting service providers, for the City's business. The City is hereby authorized, and directed, to use the competitive contracting process set forth in *N.J.S.A. 40A:11-4.1 et seq.* and *N.J.A.C. 5:34-4.1 et seq.*, to secure such competition, except to the extent this Ordinance requires additional measures to better ensure maximum competition and fairness to all interested parties.

3. This competitive contracting shall provide that at least 60, but not more than 120, days prior to the contract commencement date, the City Clerk shall advertise in the newspapers authorized to print legal notices for the City, and in a newspaper circulated in at least 5 counties in the State, and on the City's website, a "Competitive Contracting - Request for Proposals" to provide insurance and/or insurance consulting services. The notice shall state that the details of the City's insurance requirements are available from the City upon request and shall include the phone number of the appropriate City official.

4. The request for proposals shall be designed and drafted by the Administrator, or his designee, and shall set forth such detailed information as may be required for all proposers to understand and possess equal information concerning the City's insurance or insurance consulting services needs, including the current terms of, and fees or premiums paid for, such coverages or services, current coverages, loss experience and anticipated or desirable needs with respect to the relevant coverages or services sought. All request for proposal information, including claims, expense and loss data, shall be made available to all proposers in both written and electronic format.

5. The City shall accept submission of responses to the request for proposal at least 30 days prior to the anticipated commencement date of the contract.

6. Pursuant to N.J.S.A. 40A:11-4.4(c), at no time during the proposal solicitation process shall any official or employee of the City Council, or any officer, employee or representative of any provider of insurance consulting services to the City Council, convey information, including price, to any potential proposer which could confer an unfair advantage upon that proposer over any other potential proposer.

7. Any insurance broker awarded a contract with the City of Hoboken shall be compensated for its services to and on behalf of the City of Hoboken solely by the City. Compensation shall be set on a fixed fee basis. The Request for Proposals shall expressly state that only flat fee compensation, paid directly by the City to the Broker, shall be allowed under the contract. The Request for Proposals shall expressly state that the City's Insurance Broker shall not accept or request additional compensation determined as a percentage of the premium costs of any of the City's contracted insurance coverage. The evaluation committee, subject to the restrictions contained in this Paragraph, may consider costs and additional factors in deciding which proposal for insurance brokerage services is most beneficial to the City.

8. No provider of insurance or of insurance consulting services to the City shall pay to any insurance consulting service provider to the City, or to any other third party, any form of compensation including but not limited to commissions, fees, incentives, bonuses, rebates or any other thing of value, in consideration of obtaining the City's insurance or insurance consulting business.

9. No provider of insurance consulting services to the City shall accept any form of compensation including but not limited to commissions, fees, incentives, bonuses, rebates or any other thing of value, from any provider of insurance, other insurance service provider, or any other third party, in consideration of obtaining or servicing the City's insurance or insurance consulting business.

10. Any person or entity proposing to provide insurance or insurance consulting services to the City shall certify in its proposal that it shall neither pay nor accept any form of compensation including but not limited to commissions, fees, incentives, bonuses, rebates or any other thing of value, in consideration of obtaining or servicing the City's insurance or insurance consulting business from any party other than the City.

11. Any person or entity selected to provide insurance or insurance consulting services to the City shall certify at least annually and prior to any renewal of its contract, that it has not paid nor accepted any form of compensation including but not limited to commissions, fees, incentives, bonuses, rebates or any other thing of value, in consideration of obtaining or servicing the City's insurance or insurance consulting business from any party other than the City.

12. Any provider of insurance consulting service that assists the City in soliciting, evaluating, or selecting any provider of insurance or other insurance consulting services to the City shall disclose to the City the aggregate compensation, including but not limited to commissions, fees, incentives, bonuses, rebates or any other thing of value, it has received in each of the prior three years from each provider of insurance or insurance consulting services solicited or evaluated by the City. Such disclosure shall be made as soon as practicable, but in no event later than the date of the evaluation report recommending a contract award by the City Council.

13. The request for proposals for any insurance or insurance consulting services for the City shall clearly establish the compensation restrictions and the certification and disclosure requirements established by this Ordinance as mandatory, non-waivable terms, the violation of which shall be grounds for the City to (i) terminate any contract resulting therefrom, and/or (ii) require the insurance consulting service provider to disgorge to the public entity any compensation resulting therefrom, including but not limited to commissions, fees, incentives, bonuses, rebates or any other thing of value, paid or received in violation of this Ordinance, and/or (iii) require the insurance consulting service provider to obtain a commensurate reduction in premiums to be paid by the City for the affected coverage(s) for the remainder of the insurance consulting service provider's contract .

14. Whenever soliciting quotations for insurance coverage, the City's Insurance Broker shall obtain at least three quotations and shall submit a request for proposals to at least one joint insurance fund, and with respect to health insurance, to the State Health Benefits Plan, prior to the City awarding a contract to the insurance carriers for the applicable period, and it shall be the Insurance Broker's obligation to determine if the SHBP and/or joint insurance fund can provide the same or similar coverages. The Insurance Broker shall include an analysis and discussion of the availability, terms and price of comparable coverage from such joint insurance fund and the SHBP as part of its recommendation to the City. All Requests for Proposals released by the City for Insurance Brokerage Services shall include a statement describing the obligations of this Paragraph as a material term of the contract with the City's appointed Insurance Broker.

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 **April 4, 2012 at 7:00 PM.**

---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.

12-429

Z-166

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED (PARKING FOR HANDICAPPED) Approval; (730 Hudson Street)

THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DO HERE BY ORDAIN AS FOLLOWS:

Section 1: Amendment:

Handicapped Parking

Section 192-4 (A) is hereby amended to **add** the following restricted handicapped parking space:

Dwight Newell 730 Hudson Street: west side of Hudson Street, beginning at a point of 108 feet south of the southerly curblin of Eight Street and extending 22 feet southerly therefrom.

Section 2: This ordinance shall be part of the General Code of the City of Hoboken as though codified and fully set forth therein.

Section 3: The City Clerk shall have this ordinance codified and incorporated in the official copies of the Hoboken code. All ordinance and parts of ordinances inconsistent herewith are hereby 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 **April 4, 2012 at 7:00 PM.**

---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 Mason has left the table at 9:10 PM

Councilwoman Mason has returned to the table at 9:12 PM

NEW BUSINESS

Councilman Russo comments on the Jackson Street West End Park or Pino site comments

Council President comments that Director Forbes provides updates or any actions taken to this date and if we move forward on any process for negotiation or acquisition

Councilwoman Giattino comments Henkel site

Councilwoman Mason comments that Toll Brothers is doing construction on Maxwell Pl., two times in the construction process, the use of chainsaws and saws and used and received calls from residents about sparks which hit the sidewalks and concerned about the dust and that it is unsafe and hope that Toll Brothers is in compliance of it and if someone can make sure it is looked at.

Councilwoman Mason comments on the business owner who went before the Historic Preservation Comm. To be ADA compliant and waiting for a ruling of the committee to make the adjustments and hopefully hear from them as soon as possible and would like the letter from Marian Farag, D.M.D. to Paul Somerville who is the Chair of the Historic Preservation Committee included in the minutes.

March 21, 2012

Mr. Paul Somerville
Chair, Historic Preservation Committee
94 Washington Street
Hoboken, NJ 07030 VIA EMAIL (hpc@hobokennj.org and Courier Mail

Re: 1006 Washington Street Application for facade/signage change

Dear Mr. Somerville:

My application for the change of the facade of 1006 Washington Street was heard at the Historic Preservation Committee meeting on March 13, 2012. The proposed change was to allow for compliance with the Americans with Disabilities Act. To date, I have not received in writing the ruling which the committee has rendered on this matter.

As such I would appreciate your response in a timely manner. Please forward to the address above.

Thank you in advance.

Sincerely,

Marian Farag, D.M. D.

cc: Mayor Dawn Zimmer
Councilwoman Mason

Councilwoman Giattino comments that Councilman Occhipinti and her have discussed on changing the fines that were posted in the city and something will be set higher than \$250 and find a maximum, the skate park meeting on Monday and the meeting went well and heard that things will move ahead and that Director Pellegrini will address the issues

Councilman Occhipinti comments that there are no Directors in the room at 9:17 PM which is early and this is completely unacceptable and expect them to be in this room to be heard
Councilman Occhipinti comments that after 1 year working with the NHTSA to install storm guards in the ward and the board approved the measure and its going to cost about \$4,000, big win for the 4th Ward, asked Director Shenkler for the DOT paving schedule and have not received a response yet, the fire on that occurred on 1st and Jackson, the City has won a case, the 2nd floor will be demolished and the property owner failed an the City won the judgment, but the first floor is structurally sound and can maintain its premise on site and nothing that the City can do to take down the first floor

Corporation Counsel comments that is a partial demolition

Councilman Occhipinti comments on the Western Edge Marketing study and our Director says that there is potential litigation and cannot release it to the Governing Body and on the city website, there is a RFP for Architectural planning for urban parks master Plan for Stevens Elysian and Church Sq. Park and ask Councilwoman Marsh about the SW Redevelopment study have been scheduled

Councilwoman Marsh comments not in my knowledge

Councilman Occhipinti comments about the PAL Grant and would like

Director Pellegrini about the 8,000 stipend and have him clarify it

Councilman Occhipinti comments that the park next to the Boys and Girl's club has begun construction and hopefully finish in a week and begin at 120 Jackson location and then 11th and Willow and very happy to hear that this is happening and moving forward

Council President comments that he requested a request from Director Forbes from her and had no objection to this request and also spoke to Mayor Zimmer and whether they were required to stay in the late hours and didn't see any reason why they should, there must be a misunderstanding, under the Faulkner Act, the Directors do not report to the Governing Body, they go through the Administration and we could make appropriate amendments if need be but again they are sub ordinates to the Administration and all requests should be made to the B.A., moving forward and not going to require Directors to be here beyond their ordinary business

Councilman Russo comments

Corporation Counsel comments

Council President comments

Councilman Mello comments on echoing the comments and got the work on the parks, Jefferson St. Park and today there was worked on Jackson Street Park and Elysian Park on Willow and the anticipation date is April 15th

Councilman Cunningham comments that there was a Senior Parking pass day yesterday and thank the Mayor and Dolores Rider who helped organize the event and thank all who participated, would like to conclude that the Budget workshop has ended and thank everyone who were involved, great opportunity to see how your tax dollars are spent, we decided that on March 23rd if the Council has any amendments are directed to the Directors and hopefully pass the budget next month in early April

Councilwoman Castellano comments

Councilman Russo comments

Council President comments

Corporation Counsel comments that if Council would give as much notice to the Directors

Councilman Cunningham comments that the sub-committee meeting will be next Wed. March 28, 2012

Council President comments that the last day for amendments is this Friday, March 23rd

Councilman Cunningham comments that this is for the Council and Directors

Councilwoman Mason comments

Councilman Cunningham comments on the fire on 917 Clinton last Friday, there will be a fundraiser to help support those residents who have been affected by the fire, another fundraiser on March 23rd for the YMCA and lastly on March 30th, for Hudson County CASA, non-profit org. serving the County

PUBLIC PORTION

All regular business concluded the following members of the public spoke at the Public Portion” of the meeting: Helen Hirsch, Paul Somerville, Allen Kratz, Vic Zarish, Patricia Waiters, Elizabeth Adams.

Councilman Occhipinti has left the table at 10:09 PM

Councilman Occhipinti has returned to the table at 10: 21 PM

Councilman Russo has left the table at 10: 14 PM

Councilman Russo has returned to the table at 10:21 PM

Ying Ying Zhang comments

Hany Ahmed comments

At 10:21 PM Councilman Russo on a motion duly seconded by the Council President

Council President Bhalla then adjourned the meeting at 10:21 PM

PRESIDENT OF THE COUNCIL

CITY CLERK