

SPECIAL MEETING OF APRIL 17, 2013

MINUTES OF A SPECIAL MEETING OF THE COUNCIL OF THE CITY OF HOBOKEN, NEW JERSEY, HELD IN THE COUNCIL CHAMBERS, CITY HALL, HOBOKEN, NEW JERSEY, WEDNESDAY, APRIL 17, 2013 AT 6:00 PM

President Cunningham opened the meeting at 6:08 PM. 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 Bhalla, Castellano, Giattino, Mason, Mello, Occhipinti and President Cunningham

ABSENT: ~~Occhipinti~~ (see below) and Russo

Council President comments and reads the Closed Session resolution below:

13-185

Wednesday, April 10, 2013

Via Hand Delivery

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

Dear City Clerk Farina:

Please be advised that as the Mayor of the City of Hoboken, I hereby call a Special Meeting for the purpose of conducting a Closed Session of the Governing Body for Wednesday, April 17, 2013 from **6:00 P.M. – 7:00 P.M.** in the City Council Chambers, 94 Washington Street, First Floor, Hoboken, New Jersey, for the following purposes:

- 1. RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12(b)(3) & (8) AND ATTORNEY CLIENT PRIVILEGE RELATING TO THE PENDING WORKERS COMPENSATION MATTER KNOWN AS WC00365652 (MUSSARO)**

2. RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12(b)(7) AND ATTORNEY CLIENT PRIVILEGE RELATING TO PENDING LITIGATION KNOWN AS URSA v. CITY OF HOBOKEN AND BLOCK 112 v. CITY OF HOBOKEN AND TO RECEIVE ADVICE FROM THE CITY'S LEGAL COUNSEL FOR THE MATTERS, TOM COLLINS, ESQ.

3. RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12(b)(3) & (8) AND ATTORNEY CLIENT PRIVILEGE RELATING TO THE PENDING WORKERS COMPENSATION MATTER KNOWN AS WC890750188 (Melendez)

Action **may not** be taken at this meeting and no other subjects will be discussed. After the Closed Session the Special Meeting will end and the regularly scheduled City Council meeting will follow at 7:00 PM. Please ensure the City Council Members are noticed of this Special Meeting for the purpose of conducting a Closed Session. Also, please publicly notice this Special Meeting, for the purpose of conducting a Closed Session as required by the Open Public Meetings Act N.J.S.A. 10:4-6.

Very truly yours,

//s//

Dawn Zimmer
Mayor

Received and Filed

CLOSED SESSION

Council motions and seconded by the Governing Body to enter into Closed Session.

To vote to enter into Closed Session.

Special Counsel Masucci discusses about the first resolution
Corporation Counsel Longo.

At 6:11 P.M. The Governing Body entered into a closed session.

13-186

---By President Cunningham

RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12(b)(3) & (8) AND ATTORNEY CLIENT PRIVILEGE RELATING TO THE PENDING WORKERS COMPENSATION MATTER KNOWN AS WC00365652 (MUSSARO)

WHEREAS, the Council of the City of Hoboken is authorized to go into closed executive session for the reasons set forth in the Open Public Meetings Act, including without limitation N.J.S.A. 10:4-12(b)(3) & (8), and for matters falling within attorney client privilege

(for legal guidance on matters relating to the negotiation of worker's compensation litigation); and

WHEREAS, the City seeks to obtain a status update and legal guidance on issues relating to negotiations of settlement in the worker's compensation matter known as WC00365652 (Mussaro); and

WHEREAS, one of the reasons to go into closed session is to receive advice from legal counsel, which is subject to attorney client privilege and which is offered regarding pending negotiations of the type listed herein; and,

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

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

Special Counsel Lou Masucci, Esq. gives an overview to the Governing Body in regards to resolution #1

** At 6:15 Special Counsel Lou Masucci Esq. has left the meeting due to no other business during Closed Session **

At 6:17 PM Special Counsel Keith Kandel, Esq. has entered Closed Session and gives an overview to the Governing Body in regards to resolution #2.

13-187

---By Councilwoman

RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12(b)(7) AND ATTORNEY CLIENT PRIVILEGE RELATING TO PENDING LITIGATION KNOWN AS URSA v. CITY OF HOBOKEN AND BLOCK 112 v. CITY OF HOBOKEN AND TO RECEIVE ADVICE FROM THE CITY'S LEGAL COUNSEL FOR THE MATTERS, TOM COLLINS, ESQ.

WHEREAS, the Council of the City of Hoboken is authorized to go into closed executive session for the reasons set forth in the Open Public Meetings Act, including without limitation N.J.S.A. 10:4-12(b)(7), and for matters falling within attorney client privilege (for legal guidance on matters relating to the negotiation of worker's compensation litigation); and

WHEREAS, the City seeks to obtain a status update and legal guidance on issues relating to the status of the URSA and BLOCK 112 pending litigation matters; and

WHEREAS, one of the reasons to go into closed session is to receive advice from legal counsel, which is subject to attorney client privilege and which is offered regarding pending litigation of the type listed herein; and,

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

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

13-188

RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12(b)(3) & (8) AND ATTORNEY CLIENT PRIVILEGE RELATING TO THE PENDING WORKERS COMPENSATION MATTER KNOWN AS WC890750188 (Melendez)

WHEREAS, the Council of the City of Hoboken is authorized to go into closed executive session for the reasons set forth in the Open Public Meetings Act, including without limitation N.J.S.A. 10:4-12(b)(3) & (8), and for matters falling within attorney client privilege (for legal guidance on matters relating to the negotiation of worker's compensation litigation); and

WHEREAS, the City seeks to obtain a status update and legal guidance on issues relating to negotiations of settlement in the worker's compensation matter known as WC890750188 (Melendez); and

WHEREAS, one of the reasons to go into closed session is to receive advice from legal counsel, which is subject to attorney client privilege and which is offered regarding pending negotiations of the type listed herein; and,

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

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

** At 6:22 PM Special Counsel Keith Kandel, Esq has left the meeting due to no other business during Closed Session

At 6:23 PM Special Counsel Tom Collins, Esq. has entered Closed Session and gives an overview to the Governing Body in regards to resolution #3

Councilman Occhipinti arrived to the meeting at 6:26 PM ***

BA Quentin Wiest has arrived to the meeting at 6:29 PM ***

Councilman Bhalla has left the closed session at 6:45 PM***

Councilman Bhalla has returned the closed session at 6:48 PM***

Motion to come out of closed session duly by Council and seconded by the Governing Body.

At 7:03 P.M. The Governing Body has come out of closed session.

PRESIDENT OF THE COUNCIL

CITY CLERK