

MEETING OF FEBRUARY 6, 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, FEBRUARY 6, 2013 AT 6:45 PM

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President Cunningham opened the meeting at 6:49 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 and President Cunningham

**ABSENT:** Occhipinti and Russo

Council President comments and reads the Closed Session resolution below:

**13-62**

Wednesday, January 30, 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, February 06, 2013 from 6:45 P.M. – 7:00 P.M. in the City Council Chambers, 94 Washington Street, First Floor, Hoboken, New Jersey, for the following purposes:

**RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS  
PURSUANT TO N.J.S.A. 10:4-12 AND ATTORNEY CLIENT PRIVILEGE  
RELATING TO PENDING LITIGATION IN THE MATTER OF JAMES V.  
CITY OF HOBOKEN**

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**

**Councilman Mello motions and seconded by the Councilwoman Castellano to enter into Closed Session**

**To vote to enter into Closed Session:**

**The clerk then called the Roll for Closed Session:**

Present: Council persons Bhalla, Castellano, Giattino, Mason, Mello, and President Cunningham

Absent: Occhipinti, Russo

At 6:50 P.M. The Governing Body entered into a closed session.

**13-63**

**RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12 AND ATTORNEY CLIENT PRIVILEGE RELATING TO PENDING LITIGATION IN THE MATTER OF JAMES V. CITY OF HOBOKEN**

**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, for legal guidance on pending litigation, and attorney client privilege; and

**WHEREAS**, one of these reasons is to receive advice from legal counsel relating to pending litigation in legal matters (specifically the Matter of James v. City of Hoboken); 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 in pending litigation, with regards to the Matter of James v. City of Hoboken; and,

**NOW THEREFORE, BE IT RESOLVED** by the Council of the City of Hoboken that it enter into closed session for 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.

Corporation Counsel gives an overview to the Governing Body in regards to litigation with employee workers compensation claims – James

\*\*\*Councilman Russo arrived to the meeting at 6:57 PM \*\*\*

\*\*\*Councilman Occhipinti arrived to the meeting at 6:57 PM \*\*\*

Motion to come out of closed session duly by Councilman Russo and seconded by the Councilwoman Castellano.

At 7:00 P.M. The Governing Body has come out of closed session.

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PRESIDENT OF THE COUNCIL

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CITY CLERK