

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

---

President Cunningham opened the meeting at 6:35 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~~ \*\*\* and Russo

Councilwoman Mason comments and doesn't think that there should be a Closed session due to the vagueness of the resolution

Council President comments that action will be taken at the end of the meeting.

Council President comments and reads the Closed Session resolution below:

**13-123**

Thursday, February 28, 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, March 6, 2013 from 6:30 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(b)(6) & (7), AND  
ATTORNEY CLIENT PRIVILEGE RELATING TO THE APPOINTMENT  
OF JOSEPH MARAZITI, ESQ. AS SPECIAL COUNSEL –  
REDEVELOPMENT LITIGATION (MONARCH AND SHIPYARD**

**LITIGATION) AS WELL AS DISCUSSION ON THE STATUS OF THE  
MONARCH AND SHIPYARD LITIGATION**

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 Giattino to enter into Closed Session

To vote to enter into Closed Session:

Roll call for Closed Session: Council persons Bhalla, Castellano, Giattino, Mason, Mello, Occhipinti and President Cunningham  
Absent: ~~\*\*\*Occhipint\*\*\*~~ (see below) and Russo

---Voted by the following vote: YEAS: 5 – NAYS: 1 - ABSENT: 2  
---Yeas: Council persons Bhalla, Castellano, Giattino, Mello, and President Cunningham  
---Nays: Mason  
---Absent: Occhipinti, Russo

Special Counsel Joe Maraziti  
Corporation Counsel  
BA Quentin Wiest

**At 6:35 P.M. The Governing Body entered into a closed session.**

**13-124**

---By President Cunningham

**RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12(b)(6) & (7), AND ATTORNEY CLIENT PRIVILEGE RELATING TO THE APPOINTMENT OF JOSEPH MARAZITI, ESQ. AS SPECIAL COUNSEL – REDEVELOPMENT LITIGATION (MONARCH AND**

**SHIPYARD LITIGATION) AS WELL AS DISCUSSION ON THE STATUS OF  
THE MONARCH AND SHIPYARD LITIGATION**

**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)(6) & (7), for legal guidance on matters relating to the protection of City property, and legal guidance on pending litigation, as well as attorney client privilege; and

**WHEREAS**, the City seeks to obtain legal guidance on issues surrounding the matters commonly referred to as Monarch and Shipyard litigation; 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 Matters of Shipyard and Monarch; 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.

**Special Counsel Joe Maraziti gives an overview to the Governing Body in regards to litigation with employee workers compensation claims – Monarch and Shipyard Litigation**

**\*\*\*\*Councilman Occhipinti arrived to the meeting at 6:44 PM \*\*\***

**Motion to come out of closed session duly by Councilman Mello and seconded by the Governing Body.**

**At 7:06 P.M. The Governing Body has come out of closed session.**

---

PRESIDENT OF THE COUNCIL

---

CITY CLERK