

MEETING OF MAY 21, 2014

MINUTES OF A MEETING OF THE COUNCIL OF THE CITY OF HOBOKEN, NEW JERSEY,
HELD IN THE COUNCIL CHAMBERS, CITY HALL, HOBOKEN, NEW JERSEY, WEDNESDAY,
MAY 21, 2014 AT 8:00 PM
THE COUNCIL OF THE CITY OF HOBOKEN

President Giattino opened the meeting at 8: P.M. and stated, "I would like to advise all those present that notice of this meeting has been provided to the public in accordance with the provisions of the Open Public Meeting Act, and that notice published in the Jersey Journal and on the 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. If any Councilperson or member of the public believes that this meeting or any portion thereof, is in violation of the Open Public Meetings Act, they are requested to so advise the City Council and City Clerk at this time, or at the time of the believed violation, in accordance with N.J.S.A. 10:4-17. Written objections, if any shall be made in writing to the City Clerk."

Then the Clerk called the Roll: Council persons Bhalla, Castellano, Cunningham, Doyle, Mason, Mello, Occhipinti, Russo and President Giattino

Council President comments that the All Saints 4th graders will be presenting this evening.

ALL SAINTS SCHOOL PRESENTATION

SECOND READING/PUBLIC HEARING AND FINAL VOTE

BOND ORDINANCE AUTHORIZING THE RESURFACING OF VARIOUS STREETS AND IMPROVEMENTS TO VARIOUS INTERSECTIONS IN AND FOR THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY; APPROPRIATING THE SUM OF \$2,000,000 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 \$1,900,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING **(Z-296)**

The speakers who spoke: Patricia Waiters.

No other person present desiring to be heard and no written protests or objections received, President Giattino asked for a motion to close the hearing.

President Giattino moved that the hearing be closed.

---Motion duly seconded by Councilman Bhalla

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

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

---Nays: None.

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

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

RESOLUTIONS

14-288

---By Councilman Bhalla

RESOLUTION AUTHORIZING THE CY 2014 MUNICIPAL BUDGET, AS AMENDED TO BE READ BY TITLE ONLY

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

PUBLIC HEARING ON THE CY 2014 BUDGET AMENDMENT

The speakers who spoke: Patricia Waiters, Elizabeth Adams

RESOLUTIONS (CONTINUED)

RESOLUTION TO ADOPT THE 2014 CY BUDGET, AS AMENDED BY RESOLUTION #5 ON MAY 7, 2014 (CARRIED TO THE NEXT CITY COUNCIL MEETING)

14-289

APPLICATION FOR MISCELLANEOUS LICENSES

Lumberyard-----1 item
Vendors-----2 items
Raffle-----1 item

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

14-290

A report from Municipal Court indicating receipts for the month of April 2014 as **\$430,629.59**

Received and filed.

14-291

---By Councilman Bhalla

CLAIMS

Total for this agenda ~~\$1,250,048.60~~ **\$1,467,970.25 ***

---Motion duly seconded by Councilman Cunningham

---Adopted by the following vote: YEAS: 9 – NAYS: 2 - ABSTAIN:2

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

---Nays: Castellano (14-01336, 14-00343, 14-01806, 14-01459), Mason (14-00343, 14-01336, 14-01806, 14-01807, 14-01314, 14-01773, 14-01468)

---Abstain: Mason (14-01522, 14-01678), Bhalla (14-01806, 14-01807)

Councilwoman Castellano comments on 14-01488 Lore Sweeping Company Inc. for \$10,915.00

Councilwoman comments on 14-01806 and 14-01807 for \$2.00/ea. and comments

Councilman Russo comments on Adult Basketball for \$85.00

14-292

---By Councilman Bhalla

PAYROLL

For the two week period starting April 15, 2014 – April 29, 2014

Regular Payroll	O/T Pay	Other Pay
\$1,594,910.25	\$129,031.6	\$229,412.72

Total \$1,953,354.57

---Motion duly seconded by Councilman Cunningham

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

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

---Nays: Mason on O/T

PUBLIC COMMENTS FOR RESOLUTIONS

The speakers who spoke: Hany Ahmed comments on resolution #7 & #8

Patricia Waiters comments on resolution #3, #4, #6, #9 & #10

CONSENT AGENDA – 5, 6, 9, 10, 11, 13, 14, 16, 17, 18, 19

Pulled from the agenda for discussion: 4, 7, 8, 12, 15

Removed by Administration: 2 & 3

RESOLUTIONS

14-293

---By Councilman Cunningham

RESOLUTION AUTHORIZING PUBLIC BIDDING AND PUBLIC NOTICE OF A LEASE FOR THE MIDTOWN GARAGE OFFICE SPACE UNIT 2 COMMONLY KNOWN AS 371 4TH STREET, UNIT 2, PURSUANT TO N.J.S.A. 40A:12-14 AND THE TERMS HEREIN

WHEREAS, the City of Hoboken finds that the second office space unit within the office space area of the Midtown Garage, commonly known as 371 4th Street, is not needed for a public use and desires to lease Unit 2 in accordance with N.J.S.A. 40A:12-14; and

WHEREAS, the City Council hereby intends to authorize public bidding and public notice for the lease of Unit 2, pursuant to N.J.S.A. 40A:12-14 and the conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken as follows:

A. The Mayor and the Administration are hereby authorized to place public notices pursuant to the Local Land and Buildings Law for the public bidding of a lease of the Midtown Garage Office Space Unit 2, which bid shall include the following conditions:

1. A security deposit equal to three (3) months' rent must be included with the bid package.
2. The minimum bid for these specifications will be \$92,600.00 annual lease amount, in accordance with the lease terms.
3. Such other conditions as are herein described in the attached lease agreement, subject to minor revisions as required by the exceptions to the bid, if necessary.
4. Any and all work on the leased premises shall be in accordance with all prevailing wage laws, whether performed by the Tenant or the Landlord, and whether same be cosmetic or non-cosmetic.
5. The lease shall be for a term of five (5) years, with two separate options to extend for up to an additional five (5) years each, upon written execution of each option by both parties, with all options being subject to a CPI increase for the optional years.

B. The City Council reserves the right to reject all bids for any reason permitted by law, including, but not limited to, failure of the highest bidder to meet the requirements set forth in this resolution and/or the bid specifications. The City has previously provided the Hospital with an enforceable right of first refusal in the Unit 2 lease, subject to them consenting to the terms of the lease and the monetary amount of the highest bid, without exception. As such, the City herein also reserves the right to reject all bids in the event the Hospital executes its right of first refusal in accordance with this section and their express rights thereunder.

C. This resolution shall take effect immediately upon passage.

---Motion duly seconded by Councilman Bhalla

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

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

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

14-294

---By Councilman Bhalla

RESOLUTION AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH THE RBA GROUP, INC. FOR THE PROVISION OF ADDITIONAL PUBLIC OUTREACH WORK FOR THE WASHINGTON STREET REDESIGN AT A COST OF \$2,500.00 FOR A TOTAL CONTRACT NOT TO EXCEED AMOUNT OF \$191,650.00

WHEREAS, on September 3, 2013, the City Council passed a resolution to authorize the Mayor to enter into an professional service contract with The RBA Group, Inc. to provide engineering services required for redesign of Washington Street; and

WHEREAS, the City entered into such a contract, subject to the original proposal submitted by The RBA Group, Inc. for a not to exceed amount of One Hundred Eighty-Nine Thousand One Hundred Fifty Dollars (\$189,150.00) from September 3, 2013 to September 2, 2014 (the "Contract"); and

WHEREAS, pursuant to a proposal from The RBA Group, Inc. dated May 13, 2014, the Administration wishes to amend the Contract to allow The RBA Group, Inc. to provide additional public outreach work for the Washington Street redesign project at an additional cost of \$2,500.00; and

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$2,500.00 is available from 4-31-55-710-002 in the 2014 budget; and I further certify that this commitment together with all previously made commitments and payments does not exceed the funds available in said appropriation for the CY2014; and I further certify that the funds available in the said appropriation are intended for the purpose herein committed.

Signed: _____, George DeStefano, CFO

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Hoboken as follows:

- A. This resolution amends the Contract to The RBA Group, Inc., which shall expire upon completion of the project, but in no event later than September 2, 2014.
- B. The Contract amount shall be increased in an amount not to exceed \$2,500.00, for a total Contract amount not to exceed \$191,650.00.
- C. The Mayor or her designee is hereby authorized to take the necessary steps to enter into an amendment to the contract, as redefined by this resolution, and any other steps necessary to effectuate this resolution.
- D. This resolution shall be posted and published in accordance with all applicable laws, and shall take effect immediately upon passage.

---Motion duly seconded by Councilman Cunningham

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

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

---Nays: None

14-295

---By Councilman Bhalla

RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON www.GOVDEALS.com, (AN ONLINE AUCTION WEBSITE)

Whereas, the City of Hoboken has determined that surplus items including but not limited to: City owned vehicles and other miscellaneous equipment; and

Whereas, the State of New Jersey permits the sale of surplus property no longer needed for public use through the use of an online auction service, pursuant to the Local Unit Electronic Technology Pilot Program and Study Act, P.L. 2001, c.30; and

Whereas, the City of Hoboken has the property listed in Schedule A, attached to this Resolution and desires to sell this property online through www.govdeals.com.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby authorizes the Administration to post an offer to sell each of the items listed on schedule A, via the auction website as follows:

Online Auction Site: www.govdeals.com
Start Date: (see Schedule A)
End Date: (see Schedule A)

Auction Fees: 7.5% of the winning bid amount, paid through proceeds of the sale.

Shipping: All shipping arrangements and shipping costs are the responsibility of the buyer.
Item pickup on location: Municipal Garage, Hoboken, New Jersey 07030.

Possession: Within ten (10) business days (excluding holidays) of winning bid and at pickup location.

Other Terms: All items are being sold "as is, where is; no warranties expressed or implied."
Payment by the bidder must be submitted to the City of Hoboken within five (5) business days (excluding holidays) of winning the bid. Pickup of items auctioned must be made within ten (10) business days (excluding holidays) of winning bid unless other arrangements have been made prior.

Minimum Bid: The minimum bid/reserve is listed in Schedule A for each of the items to be auctioned.

BE IT FURTHER RESOLVED, the Council authorizes the Administration to take action in accordance with this approval.

---Motion duly seconded by Councilman Cunningham

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

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

---Nays: None

14-296

---By Councilman Bhalla

RESOLUTION TO AUTHORIZE A PROFESSIONAL SERVICE CONTRACT WITH MASER CONSULTING AS PROFESSIONAL PLANNERS FOR THE POST OFFICE REDEVELOPMENT PLAN TO THE CITY OF HOBOKEN TO COMMENCE MAY 22, 2014 AND EXPIRE MAY 21, 2015 FOR A TOTAL NOT TO EXCEED AMOUNT OF \$63,430.00

WHEREAS, service to the City as Professional Planner 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 published RFP's for a Professional Planner for the Post Office Redevelopment Plan in accordance with the Fair and Open Process, which Maser Consulting responded to, and the City now seeks to contract with the firm for said services; and,

WHEREAS, the firm of **Maser Consulting** is hereby required 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 \$63,430.00 is available in the following appropriations 4-01-21-181-036 in the CY2014 budget, upon final adoption of said 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 CY2014 budget.

Signed: _____, George DeStefano, CFO

NOW THEREFORE, BE IT RESOLVED, that a contract with Maser Consulting to represent the City as Professional Planner to the Post Office Redevelopment Plan be awarded, for a term to commence May 22, 2014 and expire May 21, 2015, for a total not to exceed amount of **Sixty Three Thousand Four Hundred Thirty Dollars** (\$63,430.00); 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 the vendor ; 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.

The speaker who spoke: David Roberts.

---Motion duly seconded by Councilman Cunningham

---Adopted by the following vote: YEAS: 8 – NAYS: 1

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

---Nays: Mason

14-297

---By Councilman Bhalla

RESOLUTION TO AUTHORIZE A PROFESSIONAL SERVICE CONTRACT WITH MASER

CONSULTING AS PROFESSIONAL PLANNERS FOR THE WESTERN EDGE REDEVELOPMENT PLAN TO THE CITY OF HOBOKEN TO COMMENCE MAY 22, 2014 AND EXPIRE MAY 21, 2015 FOR A TOTAL NOT TO EXCEED AMOUNT OF \$49,450.00

WHEREAS, service to the City as Professional Planner 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 published RFP's for a Professional Planner for the Western Edge Redevelopment Plan in accordance with the Fair and Open Process, which Maser Consulting responded to, and the City now seeks to contract with the firm for said services; and,

***WHEREAS**, the firm of **Maser Consulting** is hereby required 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 \$49,450.00 is available in the following appropriations 4-01-21-181-036 in the CY2014 budget, upon final adoption of said 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 CY2014 budget.

Signed: _____, George DeStefano, CFO

NOW THEREFORE, BE IT RESOLVED, that a contract with Maser Consulting to represent the City as Professional Planner to the Western Edge Redevelopment Plan be awarded, for a term to commence May 22, 2014 and expire May 21, 2015, for a total not to exceed amount of **Forty Nine Thousand Four Hundred Fifty Dollars (\$49,450.00)**; 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 the vendor ; 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.

The speaker who spoke: David Roberts.

---Motion duly seconded by Councilman Cunningham

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

---Yeas: Council persons Bhalla, Castellano, Cunningham, Doyle, Mason, Mello, Occhipinti, Russo and President Giattino
---Nays: None

Councilman Doyle has left the meeting at 10:21 PM
Councilman Doyle has returned to the table at 10:24 PM

14-298

---By Councilman Bhalla

RESOLUTION AWARDING A CONTRACT TO RUG AND FLOOR STORE INC. TO PROVIDE FOR THE PURCHASE AND INSTALLATION OF FLOORING REPAIRS AT THE HOBOKEN COURTROOM AND VIOLATIONS BUREAU IN ACCORDANCE WITH STATE CONTRACT G-2005/A81751 IN A TOTAL AMOUNT NOT TO EXCEED \$41,775.00 (

WHEREAS, the City of Hoboken requires repair of the flooring at the Hoboken City Hall courtroom and violations bureau; and,

WHEREAS, the Administration intends to use Rug and Floor Store Inc., under their state contract G-2005/A81751 for said services and provisions; and,

WHEREAS, in accordance with the direction of the Administration, the City Council is asked to award a contract for repair of the flooring at the Hoboken City Hall courtroom and violations bureau to Rug and Floor Store for a total contract amount not to exceed Forty One Thousand Seven Hundred Seventy Five Dollars (\$41,775.00) of which the contract shall be for purchases and installation in accordance with the March 14, 2014 and May 7, 2014 REVISED proposals of Rug and Floor Store Inc.; and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$41,775.00 is available in the following appropriation T-03-40-000-036; and I further certify that this commitment together with all previously made commitments and payments does not exceed the funds available in said appropriation; and I further certify that the funds available in the said appropriation are intended for the purpose herein committed.

Signed: _____, George DeStefano, CFO

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that a contract with the below listed vendor is awarded for an amount not to exceed Forty One Thousand Seven Hundred Seventy Five Dollars (\$41,775.00) of which the contract shall be for repair, including goods and services required thereunder, in accordance with the March 14, 2014 and May 7, 2014 REVISED proposals of Rug and Floor Store Inc., as follows:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The terms of the attached proposals shall govern the contract, and no changes may be made without the prior written consent of both parties.
3. Any change orders which shall become necessary shall be subject to the City's ability to appropriate sufficient funds, which appropriation shall be at the sole discretion of the City Council.
4. 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.

5. The Mayor, or her designee is hereby authorized to execute an agreement, for the above referenced goods and/or services based upon the following information:

Rug and Floor Store Inc.
280 N. Midland Avenue
Building M, Postal Unit 220
Saddle Brook, New Jersey 07663

---Motion duly seconded by Councilman Cunningham

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

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

---Nays: None

14-299

---By Councilman Bhalla

RESOLUTION AWARDING A CONTRACT TO MATHUSEK SPORTS AND COMMERCIAL FLOORING TO PROVIDE FOR THE PURCHASE AND INSTALLATION OF FLOORING REPAIRS AT THE HOBOKEN RECREATION CENTER IN ACCORDANCE WITH NATIONAL PURCHASING COOPERATIVE CONTRACT NJPA 08190-MUI IN A TOTAL AMOUNT NOT TO EXCEED \$24,920.00

WHEREAS, the City of Hoboken requires repair of the flooring at the Hoboken Recreational Center; and,

WHEREAS, the Administration intends to use Mathusek Sports and Commercial Flooring, under their national purchasing cooperative contract NJPA 08190-MUI for said services and provisions; and,

WHEREAS, in accordance with the direction of the Administration, the City Council is asked to award a contract for repair of the flooring at the Hoboken Recreation Center to Mathusek Sports and Commercial Flooring for a total contract amount not to exceed Twenty Four Thousand Nine Hundred Twenty Dollars (\$24,920.00) of which the contract shall be for purchases and installation in accordance with the April 24, 2014 proposal of Mathusek Sports and Commercial Flooring; and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$24,920.00 is available in the following appropriation G-55-56-CD2-301 in the CY2014 budget; and I further certify that this commitment together with all previously made commitments and payments does not exceed the funds available in said appropriation for the CY2014 budget or the capital funds; and I further certify that the funds available in the said appropriation are intended for the purpose herein committed.

Signed: _____, George DeStefano, CFO

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that a contract with the below listed vendor is awarded for an amount not to exceed Twenty Four Thousand Nine Hundred Twenty Dollars (\$24,920.00) of which the contract shall be for repair, including goods and services required thereunder, in accordance with the April 24, 2014 proposal of Mathusek Sports and Commercial Flooring, as follows:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The terms of the attached proposals shall govern the contract, and no changes may be made without the prior written consent of both parties.
3. Any change orders which shall become necessary shall be subject to the City's ability to appropriate sufficient funds, which appropriation shall be at the sole discretion of the City Council.
4. 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.
5. The Mayor, or her designee is hereby authorized to execute an agreement, for the above referenced goods and/or services based upon the following information:

Mathusek Sports and Commercial Flooring
 25B Iron Horse Road
 PO Box 1095
 Oakland, New Jersey 07436

---Motion duly seconded by Councilman Cunningham

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

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

---Nays: None

14-300

---By Councilman Russo

RESOLUTION AUTHORIZING ST. ANN'S CHURCH TO CONDUCT ITS 104TH ANNUAL FESTIVAL

WHEREAS, St. Ann's Church has requested permission to conduct its annual Feast in Honor of St. Ann from Wednesday, July 23rd through Sunday, July 27th, 2014; and

WHEREAS, St. Ann's Church has indicated on the attached agenda and its requirements to successfully conduct the Feast as follows:

1. To have a procession with the Statue of St. Ann through the streets of Hoboken
2. To erect a bandstand at the corner of 7th and Jefferson Streets and one in their courtyard.
3. To have electrical illumination and decorations in the Church area
4. To erect concession stands for vendors of food, novelties, games & rides in the Church area
5. To have music and entertainment on the bandstands
6. To close streets to traffic as outlined in the attached diagram, on the following days and hours:

Wednesday, July 23rd through Friday, July 25th from 6:00 pm through 11:00 pm

Saturday, July 26th from 11:00 am through 11:00 pm

Sunday, July 27th from 1:00 pm through 11:00 pm

7. To have rides on Madison Street – between 7th and 8th Streets
8. To have the streets cleared of all vehicles, per enclosed diagram, from Tuesday, July 22nd at 8:00 am through Monday, July 28th at 8:00 pm so that we may do the following:

Put trailers into place
 Erect rides

Set-up vendor booths
Clean up after festival

9. To place the festival banners on city poles along Washington Street
10. To clear street in the alcove in front of the Citadel Condominiums at the corner of 7th & Jefferson Streets on Tuesday, July 22nd at 6:00 am in order for the bandstand to be erected

RESOLVED, that the Council for the City of Hoboken agrees to allow St. Ann's Church permission to conduct its 103rd annual Feast in honor of St. Ann in accordance with the Whereas clauses herein, subject to St. Ann's Church providing the City Administration with (1) a Certificate of Insurance in the amount of at least \$1,000,000.00 per occurrence, naming the City of Hoboken and its officers agents and elected officials as additional insured and including a thirty (30) day notice of cancellation to the City of Hoboken c/o Corporation Counsel, and (2) a fully executed Indemnity and Hold Harmless Agreement in favor of the City, the substance of which shall be approved by the Corporation Counsel. These documents shall be **conditions precedent** to the City's approval of the within Agenda and any action taken by the City thereunder.

---Motion duly seconded by Councilwoman Castellano

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

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

---Nays: None

14-301

---By Councilman Bhalla

RESOLUTION AUTHORIZING USE OF THE COMPETITIVE CONTRACTING PROCESS FOR REVALUATION UPDATE/REASSESSMENT FOR UP TO A 5 YEAR TERM

WHEREAS, the City of Hoboken currently requires the assistance of a consultant for the revaluation update/reassessment to assist the city government, to update and make current the previous revaluation program; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-4.1, competitive contracting may be used by local contracting units in lieu of the standard public bidding process for procurement of specialized goods and services where the price exceeds the threshold, and said procedure is considered to be fair and open, as well as efficient in obtaining the best services for the City, cost and other factors considered; and

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Hoboken, that the Competitive Contract Process, as described and allowed in N.J.S.A. 40A:11-4.1 shall be initiated by the Purchasing Agent/Business Administrator for the purpose of receiving proposals for up to a 5 year term, for a consultant for the revaluation update/reassessment for the City of Hoboken.

---Motion duly seconded by Councilman Cunningham

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

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

---Nays: None.

Councilman Bhalla has left the meeting at 10:28 PM

Councilman Bhalla has returned to the meeting at 10:31 PM

14-302

---By Councilman Cunningham

RESOLUTION AUTHORIZING THE LOCATION OF THE DOWNTOWN FARMER'S MARKET ON TUESDAYS DURING THE MONTHS OF JUNE, JULY, AUGUST, SEPTEMBER, OCTOBER AND NOVEMBER

WHEREAS, the Quality of Life Coalition and the City of Hoboken are sponsoring a farmers' market along the east side of Washington Street between Newark Street and Observer Highway; and

WHEREAS, the Hoboken Farmers' Market will take place every Tuesday, beginning June 24, 2014 and ending Tuesday, November 18, 2014; and

WHEREAS, the Hoboken Quality of Life Coalition and City of Hoboken request that the Council of the City of Hoboken suspend parking meter rules on that section of the East side of Washington Street beginning just south of Newark Street so that the farmers can park their trucks to unload and sell their goods.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Hoboken as follows:

1. The above recitals are incorporated herein as though 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 receive the intent and purpose of this resolution.
3. The parking meters along the East side of Washington Street just South of Newark Street are hereby suspended on every Tuesday from 12:00 P.M. to 9:00 P.M. beginning Tuesday, June 24, 2014 and ending Tuesday, November 18, 2014.
4. The sidewalk along the East side of Washington Street between Newark Street and Observer Highway shall be cleared of loiterers every Tuesday from 12:00 P.M. to 9:00 P.M. beginning at 12:00 P.M. on Tuesday, June 24, 2014 and ending at 9:00 P.M. on Tuesday, November 18, 2014.
5. The Hoboken Police Department and Hoboken Parking Utility shall take action to effectuate and enforce these regulations.
6. A certified copy of this resolution shall be provided to Mayor Dawn Zimmer, Business Administrator Quentin Wiest, Director Jon Tooke, Chief of Police Anthony Falco, and Director John Morgan.

This Resolution shall take effect immediately.

---Motion duly seconded by Councilman Bhalla

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

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

---Nays: None.

14-303

---By Councilman Bhalla

RESOLUTION AUTHORIZING THE LOCATION OF THE UPTOWN FARMER'S MARKET ON THURSDAYS DURING THE MONTHS OF JUNE, JULY, AUGUST, SEPTEMBER, AND OCTOBER

WHEREAS, the Quality of Life Coalition and the City of Hoboken are sponsoring a farmers' market along the east side of Hudson Street between 13th and 14th Streets; and

WHEREAS, the Hoboken Farmers' Market will take place every Thursdays, beginning June 5, 2014 and ending Thursday, October 30, 2014; and

WHEREAS, the Hoboken Quality of Life Coalition and City of Hoboken request that the Council of the City of Hoboken suspend parking meter rules on that section of the East side of Hudson Street beginning north of 13th Street so that the farmers can park their trucks to unload and sell their goods.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Hoboken as follows:

1. The above recitals are incorporated herein as though 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 receive the intent and purpose of this resolution.
3. The parking meters along the East side of Hudson Street just north of 13th Street are hereby suspended on every Thursday from 12:00 P.M. to 9:00 P.M. beginning Thursday, June 5, 2014 and ending Thursday, October 30, 2014.
4. The sidewalk along the East side of Hudson Street between 13th and 14th Streets shall be cleared of loiterers every Thursday from 12:00 P.M. to 9:00 P.M. beginning at 12:00 P.M. on Thursday, June 5, 2014 and ending at 9:00 P.M. on Thursday, October 30, 2014.
5. The Hoboken Police Department and Hoboken Parking Utility shall take action to effectuate and enforce these regulations.
6. A certified copy of this resolution shall be provided to Mayor Dawn Zimmer, Business Administrator Quentin Wiest, Director Jon Tooke, Chief of Police Anthony Falco, and Director John Morgan.

This Resolution shall take effect immediately.

---Motion duly seconded by Councilman Cunningham

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

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

---Nays: None.

14-304

---By Councilman Castellano

RESOLUTION CALLING ON HOBOKEN BOARD OF EDUCATION TO DROP ITS PETITION AGAINST THE NEW JERSEY DEPARTMENT OF EDUCATION AND HOBOKEN'S DUAL LANGUAGE CHARTER SCHOOL (HOLA) AND CALLING ON HOBOKEN BOARD OF EDUCATION PRESIDENT LEON GOLD TO APOLOGIZE FOR HIS OFFENSIVE STATEMENTS REGARDING HOBOKEN'S DUAL LANGUAGE CHARTER SCHOOL (HOLA)

WHEREAS, the Hoboken Board of Education has filed a petition to set aside Hola 's school charter renewal and to oppose the expansion to Kindergarten to Eight (8th) grade; and

WHEREAS, Hola offers a dual language and multicultural education opportunities to students and parents of Hola have overwhelmingly supported both the schools charter renewal and expansion; and

WHEREAS, this litigation sets a dangerous precedent to how the Hoboken Board of Education will possibly proceed when in the near future Hoboken Charter School and Elysian Charter Schools petition the Department of Education for five (5) year renewals; and

WHEREAS, the Council of the City of Hoboken wishes to see a united school district in which to Hoboken Board of Education uses its resources to improve education standards for students and teachers; and

WHEREAS, Hoboken Board of Education President Leon Gold was recently quoted in various news reports claiming Hola Charter School and other Hoboken Charter schools are the cause of "white flight" and are creating a segregated school district; and

WHEREAS, these statements have made many parents, students, and teachers feel personally attacked by the President of the Hoboken Board of Education; and

WHEREAS, these accusations undermine the tremendous effort by millions of people who worked together during the Civil Rights Era to end segregation and other discriminatory laws and public policies; and

WHEREAS, Leon Gold has the right to freedom of speech, but the members of the Hoboken City Council do not agree with his attempts to condemn an entire group of people in Hoboken who do not agree with his political views; and

WHEREAS, this type of divisive rhetoric has no place in our community, especially from the President of the Hoboken Board of Education, who was elected to represent every resident of the City of Hoboken, regardless of whether or not a resident supports his political views.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby calls on the Hoboken Board of Education to drop its petition against the New Jersey Department of Education and Hoboken's Dual Language Charter School (Hola); and

BE IT FURTHER RESOLVED, that the Council of the City of Hoboken hereby calls on the Hoboken Board of Education President Leon Gold to apologize for his offensive statements regarding Hoboken's Dual Language Charter School (HOLA) and other Hoboken Charter Schools.

Councilman Mello comments and would like to recuse himself.

---Motion duly seconded by Councilman Russo
 ---**FAILED** by the following vote: YEAS: 4 – NAYS: 4 – ABSTAIN: 1
 ---Yeas: Council persons Castellano, Mason, Occhipinti, Russo
 ---Nays: Bhalla, Cunningham, Doyle and President Giattino
 ---Abstain: Mello

14-305

---By Councilman Bhalla

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS (payable to the individuals listed on the resolution for the amount of \$11,023.68

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 \$11,023.68

<u>NAME</u>	<u>BL/LT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
Monroe 302 LLC 300 Newark St. #8 Hoboken, NJ 07030	47/31	304 Monroe St.	1/14	\$2,318.64
Monroe 302 LLC 300 Newark St. #8H Hoboken, NJ 07030	47/30	306 Monroe St.	1/14	\$2,192.69
Amanda D. Laufer 1301 Adams St. #507 Hoboken, NJ 07030	114/1/C0507	1300 Grand St.	2/14	\$3,757.42 Abatement
Hudson City Savings Bank West 80 Century Rd Paramus, NJ 0765201478	180/35	506 Garden St.	1/14	\$5,131.44
Michael J. Signoiello 1125 Maxwell La. #540 Hoboken, NJ 07030	160/3/C05-B	807 Clinton St.	2/14	\$1,103.54
Michael J. Signoiello 1125 Maxwell La. #540 Hoboken, NJ 07030	160/3/C0P14	807 Clinton St.	2/14	\$ 119.95

---Motion duly seconded by Councilman Cunningham

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

14-306

---By Councilman Bhalla

RESOLUTION AUTHORIZING THE REFUND OF TAX APPEALS STATE TAX APPEALS (payable to the firm listed on the resolution for the amount of \$131,678.10)

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

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

NOW THEREFORE BE IT RESOLVED, that a warrant be drawn on the City Treasurer made payable to the following totaling **\$131,679.10**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>YEAR</u>	<u>AMOUNT</u>
Mc Carter & English Four Gateway Center 100 Mulberry Street Newark, NJ 07102-4056	115/1	1301-1324 Clinton St.	2012	\$57,000.00
Mc Carter & English Four Gateway Center 100 Mulberry Street Newark, NJ 07102-4056	115/1	1301-1324 Clinton St.	2013	\$57,576.00
Water, McPherson, McNeill 300 Lighting Way P.O. Box 1560 Secaucus, NJ 07096	268.01/3/C00C1	1500 Hudson St.	2009	\$1,019.00
Water, McPherson, McNeill 300 Lighting Way P.O. Box 1560 Secaucus, NJ 07096	268.01/3/C001G	1500 Hudson St.	2009	\$3,425.11

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

14-307

---By President Giattino

RESOLUTION TO ADOPT THE MINUTES OF THE MEETINGS OF THE CITY COUNCIL DATED: REGULAR MEETING OF APRIL 16, 2014 AND SPECIAL MEETING OF APRIL 23, 2014 (HAS BEEN REVIEWED AND APPROVED AS TO LEGAL FORM AND CONTENT)

RESOLVED, that filed minutes for the Hoboken City Council **Regular Meeting of March 19, 2014, Special meeting of March 19, Special meeting of April 2, 2014 and Regular meeting of April 2, 2014** have been reviewed and approved as to legal form and content.

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: YEAS: 8 – NAYS: 1

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

---Nays: Mason

14-308

---By Councilman Bhalla

RESOLUTION TO AUTHORIZE EXECUTION OF THE ATTACHED SUBCONTRACT AGREEMENT #5281 BETWEEN RUTGERS AND THE CITY OF HOBOKEN

WHEREAS, the City wishes to enter into the attached agreement with Rutgers, for additional funding in the amount of \$10,000.00 to cover the unfunded portion of the Raingarden Project between Rutgers and the City, in accordance with the attached agreement; and

WHEREAS, certification of funds are not required for this resolution.

NOW THEREFORE, BE IT RESOLVED, that the City is authorized to enter into the attached agreement with **Rutgers** which provides for a Rutgers contribution of a total not to exceed amount of Ten Thousand Dollars (\$10,000.00); and

BE IT FURTHER RESOLVED, the contribution amount shall be deposited directly into the following account: 4-01-21-181-036 in the CY2014 budget; 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 Cunningham

---Adopted by the following vote: YEAS: 8 – NAYS: 1

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

---Nays: Mason

NEW BUSINESS

Councilman Cunningham comments that there will be meetings on the Western Edge and Water music and thanks the Council on the Road Improvement Ordinance, and we have Washington St. Master Plan and Redesign and the Parking Master Plan.

Councilman Mello comments on the Southern Community Dvlpt. meeting regarding the proposal – Bijou Properties to purchase the Southern Block the (Pino property) and one of the parcels of the Monroe

Center, confident on planning on the neighborhood and are going to see a parks space on one of the properties and thank all the members of the public who came out and debate and consider and it was still a relative small sample size.

Councilman Mello comments and considering having the Memorial Day Parade and the Raggamuffin parade to move it on the weekends.

Councilman Occhipinti comments at 3rd and Jackson – next week, work will begin will begin to lay out the garden for the Community and fencing will begin, 2nd ask Director Morgan on the evaluation on a possible stop sign on 3rd and Jackson Streets.

Director Morgan comments that there will be a warrant study and let the engineers to look into it and would probably start in a few weeks.

Councilman Occhipinti comments on thanking the citizens of Hoboken who have lost family members in service for our Memorial Day Parade.

Councilwoman Castellano comments on an update for all the cases with the City and the appeals, firms and attorneys, with a new hotel, should look into increasing the hotel tax, any information on OPCO LLC and their advisory board.

BA Wiest comments that an email was sent out.

Councilwoman Castellano comments on an update for the booting and the towing.

Director Morgan comments that everyone is in their Edmund's system and the mailing will be put together along with the purchase order with instructions and the process will start this week.

Councilwoman Mason comments on the parking passes for residents and is irritated by the size of the placard.

Councilwoman Castellano commented on apologize for not making to the Revenue and Finance Committee.

Councilwoman Mason comments on bed and breakfast opportunities and some major condo buildings are rented on a daily basis.

Councilwoman Mason comments on these trucks that go on certain roads and confirm with Corporation Counsel on the Krovatin bill for Jan., the bill has 3 parts to it and had back-up but the middle was missing, wanted to see the back-up, last the Willow Ave. park across from the Senior center.

Councilman Russo comments on the committee meetings down in the 3rd Ward, moving forward and the committee will meet after the holiday weekend.

Council President comments and would ask Director Morgan when the road paving
Director Morgan comments in the hopefully in the Fall.

BA Wiest comments that since Z-296 passed we can award the engineer the contract in June but September would be the earliest.

Councilman Mello comments if a Special Meeting needs to be done.

Councilwoman Mason comments on 9th St. up to Stevens Institute of Technology.

Council President comments.

At 11:33 P.M. meeting adjourned of the Governing Body on a motion by Council duly seconded by the Council members.

Council President President Giattino then adjourned the meeting at 11:33 P.M.

PRESIDENT OF THE COUNCIL

CITY CLERK