

**MEETING OF NOVEMBER 18, 2013**

**MINUTES OF A REGULAR MEETING OF THE COUNCIL OF THE CITY OF HOBOKEN, NEW JERSEY, HELD IN THE COUNCIL CHAMBERS, CITY HALL, HOBOKEN, NEW JERSEY, WEDNESDAY, NOVEMBER 18, 2013 AT 7:00 PM**

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President Cunningham opened the meeting at 7:05 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. Objections, if any shall be made in writing to the City Clerk.

The City Clerk then called the Roll: Council persons Bhalla, Castellano Giattino, Mason, Mello, Occhipinti, Russo and President Cunningham.

Absent: ~~Mello~~ (see below)\*\*

Councilwoman Mason comments that the meeting was not properly noticed and that this was a violation of the Open Public Meetings Act (Sunshine Law)

Corporation Counsel comments that this was not a violation and there was not intent and that there was no city business to discuss.

Council President comments and gives an overview of the meeting

**SECOND READING/PUBLIC HEARING AND FINAL VOTE**

**AN ORDINANCE TO AMEND CHAPTER 179A ENTITLED "TAXICABS" TO CLARIFY A RECENT AMENDMENT TO THE FARES (Z-259) (sponsored by Councilman Mello and Councilman Bhalla) (carried to December 4, 2013 ccm)**

**AN ORDINANCE AMENDING CHAPTER §104 (FLOOD DAMAGE PREVENTION) TO REFLECT UPDATES RECOMMENDED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION'S LATEST REVISED MODEL ORDINANCE (Z-263) (sponsored by Councilwoman Giattino and Councilman Mello) (carried to December 18, 2013 ccm)**

**AN ORDINANCE TO AMENDING CHAPTER 196 (ZONING) ADDRESSING COMMUNITY HEALTH, SAFETY AND GENERAL WELFARE THROUGH FLOOD HAZARD MITIGATION MEASURES AND DEVELOPMENT (sponsored by Councilwoman Giattino and Councilman Mello) (Z-264) (carried to December 18, 2013 ccm)**

**AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ESTABLISHING A SCHEDULE OF CLASSIFICATIONS AND ALLOCATIONS OF TITLE FOR THE MENTIONED POSITIONS IN THE CITY OF HOBOKEN) (Z-265) (sponsored by Councilwoman Giattino and Councilman Mello)**

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

President Cunningham moved that the hearing be closed.

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 7 – NAYS: 1 – ABSENT: 1

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

---Nays: None.

---Absent: Mello

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

---Motion duly seconded by Councilwoman Mello

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 0

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

---Nays: None.

The speakers who spoke: Patricia Waiters.

**\*\*\*\*\*Councilman Mello has arrived to the meeting at 7:10 pm \*\*\*\*\***

AN ORDINANCE TO AMEND CHAPTER 140 TO ACCOUNT FOR SURFACE PARKING  
LOTS WITH MONTHLY PARKING (Z-266) (sponsored by Councilman Mello and Councilman Bhalla)

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

President Cunningham moved that the hearing be closed.

---Motion duly seconded by Councilman Mello

---Adopted **AS AMENDED** by the following vote: YEAS: 7 – NAYS: 0 -ABSENT: 0 -ABSTAIN: 1

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

---Nays: None.

---Abstain: Castellano

Councilman Occhipinti comments

Director Morgan comments

Council President comments whether this needs to be substantive

Corporation Counsel comments that the changes being added are not substantive

Councilman Mello comments on a change on the ordinance and reads it to the public on the change of the rate 140-6 Collections and adding at the end of the paragraph – “and not to exceed \$195.00 month for a single vehicle spot.”

---Motion duly seconded by Councilman Bhalla

---Adopted **AS AMENDED** by the following vote: YEAS: 7 – NAYS: 0 - ABSTAIN: 1

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

---Nays: None.

---Abstain: Castellano

AN ORDINANCE AMENDING CHAPTER 190 ENTITLED “VEHICLES AND TRAFFIC” TO ADD  
PARALLEL PARKING REGULATIONS RELATING TO MADISON STREET (sponsored by Councilman  
Mello and Councilman Cunningham) (Z-267)

The speaker who spoke: Robert Kohler.

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

President Cunningham moved that the hearing be closed.

---Motion duly seconded by Councilman Bhalla  
---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 0  
---Yeas: Council persons Bhalla, Castellano, Giattino, Mason, Mello, Occhipinti, Russo and President Cunningham  
---Nays: None.

President Cunningham moved that the hearing be closed.

---Motion duly seconded by Councilman Bhalla  
---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 0  
---Yeas: Council persons Bhalla, Castellano, Giattino, Mason, Mello, Occhipinti, Russo and President Cunningham  
---Nays: None.

**PUBLIC PORTION**

The speakers who spoke Patricia Waiters John Giltrod, Sigby Chetham, Mary Ondrejka  
Barbara Reyes, Cheryl Fallick, Councilman Bhalla

**13-542**

**APPLICATION FOR MISCELLANEOUS LICENSES**

Raffles----- 1 item  
Vendors----- 2 items  
Taxi Operators-----4 items  
Limo Operators-----2 items

---Councilman Mello moved that the licenses be granted.  
---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 0  
---Yeas: Council persons Bhalla, Castellano, Giattino, Mason, Mello, Occhipinti, Russo and President Cunningham.  
Nays: None.

**13-543**

Communication from Mayor Dawn Zimmer presenting a Proclamation regarding Small Business Saturday.

Received and Filed.

**13-543A**

James J. Farina City Clerk reads the certification received from the Hudson County Clerk for the 2013 General Election including the Hoboken Public Question No. 1 dated November 13, 2013.

Received and Filed.

**REPORTS FROM CITY OFFICERS**

**13-544**

A report from the Municipal Tax Collector Sharon Curran for taxes collected for the month of October 2013 **\$24,416,383.32 (Abatement Totals – \$572,965.82)**

Received and Filed.

**13-545**

A report from Municipal Court indicating receipts for the month of October 2013 as **\$460,584.51.**

Received and Filed.

**13-546**

---By Councilwoman Giattino

**CLAIMS**

Total for this agenda **\$1,527,119.56 - \$1,736.00 (PO#13-04250) = \$1,525,383.56**

---Motion duly seconded by President Cunningham

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

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

---Nays: Mason (13-042450)

---Abstain: Mason (13-03978, 13-04333, 13-00140)

**13-547**

---By Councilwoman Giattino

**PAYROLL**

**For the two week period starting October 10, 2013 – October 23, 2013**

<b>Regular Payroll</b>	<b>O/T Pay</b>	<b>Other Pay</b>	
\$1,500,513.96	\$72,084.56	\$88,308.29	
<b>Total</b>	\$1,660,906.81		

---Motion duly seconded by President Cunningham

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

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

---Nays: Mason (O/T)

**PUBLIC PORTION ON RESOLUTIONS**

**CONSENT AGENDA – 3 – 8, 11**

Pulled from the agenda for discussion by Administration: 1, 2, 9, 10

**RESOLUTIONS**

**13-548**

By Councilman Mello

**RESOLUTION DESIGNATING BLOCK 74, LOTS 3 – 20 AND ADJACENT RIGHTS OF WAY AS AN AREA IN NEED OF REHABILITATION**

**WHEREAS**, pursuant to the “Local Redevelopment and Housing Law,” N.J.S.A. 40A:12A-1 et seq., a municipality may designate an area in need of rehabilitation; and

**WHEREAS**, pursuant to the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-14, (“LRHL”) a delineated area may be determined to be in need of rehabilitation if the governing body of the municipality determines by resolution that the following conditions exist in an area:

- (1) ...a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance; and
- (2) A program of rehabilitation, as defined in section 3 of P.L. 1992, c.79 (C.40A:12A-3), may be expected to prevent further deterioration and promote the overall development of the community.

**WHEREAS**, the a study entitled: Block 74, Lots 3-20 and Adjacent Rights of Way, Area in Need of Rehabilitation, Existing Water And Combined Sanitary/Storm Sewer Study, prepared by Maser Engineering, dated October 9, 2013 (“Rehabilitation Study”), which is marked Schedule A and attached hereto concludes that Block 74, Lots 3 – 20, also known as 605-633 Jackson Street and 628-632 Monroe Street, and the Adjacent Rights of Way (the “Area”) meets the conditions required for a determination that the Area is in need of Rehabilitation because

- (1) more than fifty percent (50%) of the water and sewer infrastructure within the Area is over 50 years old, and
- (2) a program of rehabilitation will prevent further deterioration and promotes the overall development of the community; and

**WHEREAS**, the City Council of the City of Hoboken adopted a Resolution providing for the submittal of this resolution to the City of Hoboken Planning Board for its review and recommendations on October 17,2013; and

**WHEREAS**, pursuant to the LRHL after the municipal planning board’s review, or after the expiration of the 45 days, if the municipal planning board does not submit recommendations, the governing body may adopt the resolution, with or without modification; and

**WHEREAS**, on November 12, 2013 the City of Hoboken Planning Board provided the City Council with its comments and recommendations, and

**WHEREAS**, the City of Hoboken is situated in an area where development and redevelopment is encouraged by the State of New Jersey; and

**WHEREAS**, this Resolution upon adoption shall be submitted by the City Clerk to the Commissioner of the New Jersey Department of Community Affairs; and

**WHEREAS**, pursuant to the provisions of the LRHL, the determination that the Area is in need of rehabilitation shall take effect upon the transmittal of this Resolution by the City Clerk to the Commissioner of the New Jersey Department of Community Affairs.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOBOKEN AS FOLLOWS:**

1. The City Council of the City of Hoboken designates the Area as “an area in need of rehabilitation.”
2. The purpose of this designation is to promote and facilitate the overall development of the community, including the Area.
3. This Resolution shall take effect immediately upon transmittal by the City Clerk of this Resolution to the Commissioner of the New Jersey Department of Community Affairs.

---Motion duly seconded by Councilman Russo

---Adopted by the following vote: YEAS: 8 – NAYS: 0 -

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

---Nays: None.

**13-549**

---By Councilwoman Giattino

**A RESOLUTION REQUESTING PERMISSION FOR A DEDICATION  
BY RIDER FOR Fees Paid to the City's Developer Off Tract Improvement Trust Fund to be utilized for City  
Improvements within the City of Hoboken REQUIRED BY N.J.S.A. 40A:4-39**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and,

**WHEREAS**, N.J.S.A. 40A:4-39 provides for receipt of other deposits and expenditures by the municipality to provide for the operating costs to administer this act, which in this case relates to deposits and expenditures relating to the City's attempt to provide for Developers' Contributions to Off Tract Improvements within the City; and,

**WHEREAS**, Hoboken Code § 196-63.1 provides the dedicated revenues anticipated from the Payment of Fees for Off Tract Improvements from Developers into the Off Tract Improvement Trust Fund which are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement, which in this case is fees paid by Developer to be utilized by the City for off tract improvements.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the City of Hoboken, County of Hudson, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Off Tract Improvement Trust Fund, pursuant to

- N.J.S.A. 40A:4-39, for the exclusive purpose of depositing and expending funds paid by Developers for the City to provide the community with Citywide Off Tract Improvements.
2. The Governing Body requests the Division of Local Government Services provide their approval of said Trust Fund
  3. The Clerk of the City of Hoboken, County of Hudson is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

---Motion duly seconded by President Cunningham

---Adopted by the following vote: YEAS: 8 – NAYS: 0

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

---Nays: None.

**13-550**

---By Councilwoman Giattino

**RESOLUTION AWARDDING GK FOTINOS LLC A CONTRACT IN ACCORDANCE WITH THE NEGOTIATED BID SPECIFICATIONS FOR SINATRA BATTING CAGES FOR THE PARKS DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$195,000.00**

**WHEREAS**, the City of Hoboken seeks to obtain batting cages at Sinatra Park; and,

**WHEREAS**, the Administration issued two (2) separate bids for the scope of work of the batting cages, and all proposals under both bids were required to be rejected due to proposals significantly above the City's budget amount; and,

**WHEREAS**, the Administration contacted the previous bidders in accordance with N.J.S.A. 40A:11-5(3) to conduct negotiations in an attempt to resolve the budgetary issues and obtain a vendor to perform the scope of work, or an amended scope of work, for the proposed project; and,

**WHEREAS**, in accordance with the direction of the Administration, the City Council is asked to award a contract for the batting cages, as negotiated between the Administration and the vendor pursuant to N.J.S.A. 40A:11-5(3), to GK FOTINOS LLC for a total contract amount of One Hundred Ninety Five Thousand Dollars (**\$195,000.00**), for goods and services as described in the attached negotiated proposal of GK FOTINOS LLC dated 10/22/2013; and,

**WHEREAS**, certification of funds is available as follows:

**I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$195,000.00 is available in the following appropriation C-04-60-713-100 in the CY2013 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 CY2013 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 One Hundred Ninety Five Thousand Dollars (**\$195,000.00**) for the batting cages, as negotiated between the Administration and the vendor pursuant to N.J.S.A. 40A:11-5(3), as follows:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The terms of the attached proposal shall govern the contract, and where not inconsistent therewith, the scope of work and all other aspects of the rebid of the Sinatra Batting Cages shall govern this 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:

GK FOTINOS LLC  
62 Rockwell Circle  
Marlboro, New Jersey 07046

---Motion duly seconded by President Cunningham

---Adopted by the following vote: YEAS: 8 – NAYS: 0

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

---Nays: None.

### **13-551**

---By Councilwoman Giattino

### **RESOLUTION TO AUTHORIZE SUBMISSION OF THE ATTACHED GRANT APPLICATION FOR THE FY2013 U.S. DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM**

**WHEREAS**, the Hoboken Department of Public Safety has presented the City with a request to submit a grant application for the FY2013 U.S. Department of Homeland Security Federal Emergency Management Agency Assistance to Firefighters Grant Program; and,

**WHEREAS**, the attached application describes the terms and conditions of applying for the grant funding, which includes municipal acceptance of up to 10% matching funds provided by the City for the project; and,

**WHEREAS**, the City Council accepts the terms of the grant funding and authorizes the Administration to submit an application for the FY2013 U.S. Department of Homeland Security Federal Emergency Management Agency Assistance to Firefighters Grant Program,

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

A. This resolution authorizes submission of the attached application (FY2013 U.S. Department of Homeland Security Federal Emergency Management Agency Assistance to Firefighters Grant Program), as attached hereto;

B. This resolution shall take effect immediately upon passage.

---Motion duly seconded by President Cunningham

---Adopted by the following vote: YEAS: 8 – NAYS: 0

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

---Nays: None.

### **13-552**

---By Councilwoman Giattino

### **Resolution to Rescind the Insertion of a Special Item of Revenue and Appropriation**

#### **GARDEN STATE PRESERVATION TRUST CY 2013**

**WHEREAS**, the City Council adopted a resolution at its meeting of August 7, 2013 inserting an item of revenue and appropriation into the CY 2013 budget for the Garden State Preservation Trust; and

**WHEREAS**, the City Council subsequently determined that this item was more appropriately appropriated via Ordinance; and

**WHEREAS**, the City Council adopted Ordinance Z-252 appropriating \$400,000 from the Capital Fund at its meeting of September 17, 2013;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, hereby rescinds resolution number 13-393 requesting the Director of the Division of Local Government Services to approve the insertion of revenue and appropriation into the CY2013 budget and **cancels the item of revenue and appropriation as follows:**

Special Item of Revenue **Canceled**

Miscellaneous Revenues:

Special Items of General Revenue Anticipated  
With Prior Written Consent of the Director of the  
Division of Local Government Services:

State and Federal Revenues Off-set with  
Appropriations:

Elysian Park Develop \$400,000.00

**NOW, THEREFORE, BE IT RESOLVED** that the like sum of: \$400,000.00

Be and the same is hereby **canceled** under the caption of:

General Appropriations:

(a) Operations Excluded from CAPS

State and Federal Programs Off-Set by

Revenues:

Elysian Park Develop \$400,000.00

**NOW, THEREFORE, BE IT RESOLVED**, that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

---Motion duly seconded by President Cunningham

---Adopted by the following vote: YEAS: 8 – NAYS: 0

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

---Nays: None.

**13-553**

---By Councilwoman Giattino

**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 **\$ 3,046.35**

<u>NAME</u>	<u>BL/LT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
Roundpoint Financial 5032 Parkway Plaza Blvd Charlotte, NC 28217	27/17/C004A	132 Monroe St	2/13	\$ 1,527.13
Citi Mortgage P O Box 23689 Rochester, NY 14692	84/14/C002A	730-732 Adams St	3/13	\$ 1,398.07
Simon, Steve & Allison 333 River St #307 Hoboken, NJ 07030	255/2/C0P16	150 Fourteenth St	3/13	\$ 121.15

---Motion duly seconded by President Cunningham  
 ---Adopted by the following vote: YEAS: 8 – NAYS: 0  
 ---Yeas: Council persons Bhalla, Castellano, Giattino, Mason, Mello, Occhipinti, Russo and President Cunningham  
 ---Nays: None.

**13-554**

---By Councilwoman Giattino

**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 **\$ 7,117.50**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>YEAR</u>	<u>AMOUNT</u>
Carlet, Garrison, Klein & Zaretsky, LLP Attorneys at Law 1135 Clifton Avenue P O Box 2666 Clifton, NJ 07015-2666	91/1.01	801-823 Adams St	2010	\$ 7,117.50

---Motion duly seconded by President Cunningham  
 ---Adopted by the following vote: YEAS: 8 – NAYS: 0  
 ---Yeas: Council persons Bhalla, Castellano, Giattino, Mason, Mello, Occhipinti, Russo and President Cunningham  
 ---Nays: None.

**13-555**

---By Councilwoman Giattino

**RESOLUTION TO ADOPT THE MINUTES OF MEETINGS OF THE CITY COUNCIL OF THE CITY OF HOBOKEN dated: Regular meetings of October 2, 2013 and October 17, 2013**

---Motion duly seconded by Councilman Bhalla  
---Adopted by the following vote: YEAS: 8 – NAYS: 0  
---Yeas: Council persons Bhalla, Castellano, Giattino, Mason, Mello, Occhipinti, Russo and President Cunningham  
---Nays: None.

**13-556**

---By Councilwoman Giattino

**RESOLUTION APPROVING CHANGE ORDER NO. 1 ON BEHALF OF SYSTEM ONE ALARM SERVICES, INC. FOR ADDITIONAL WORK ON THE HOBOKEN POLICE DEPARTMENT SECURITY AND FIRE ALARM UPGRADES PROJECT (HO-467B, BID NO. 13-07) FOR THE CITY OF HOBOKEN IN THE AMOUNT OF \$12,565.00.**

**WHEREAS**, the City of Hoboken previously appropriated funds totaling \$ 89,869.00 for the Hoboken Police Department Security and Fire Alarm Upgrades project (HO-467B, Bid No. 13-07) for the City of Hoboken; and

**WHEREAS**, the City Council, by resolution dated September 3, 2013, originally awarded a contract to System One Alarm Services, Inc. in the amount of \$ 89,869.00; and

**WHEREAS**, during the performance of the project, the installation of additional detection devices, equipment relocations, infrastructure upgrades, and the furnishing of consumables were required; and

**WHEREAS**, Boswell Engineering has, by letter dated November 13, 2013, reviewed the additional work, and requests the City approve a change order in the amount of \$12,565.00, which results in a total contract price of \$ 102,434.00 (14% increase); and

**WHEREAS**, certification of funds is available as follows:

**I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$12,565.00 is available in the following capital appropriations C-04-60-711-330; and I further certify that this commitment together with all previous made commitments does not exceed the appropriation balance available for this purpose.**

**Signed: \_\_\_\_\_, George DeStefano, CFO**

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council does hereby approve Change Order #1 for the Hoboken Police Department Security and Fire Alarm Upgrades project (HO-467B, Bid No. 13-07) for the City of Hoboken in favor of System One Alarm Services, Inc. in the amount of Twelve Thousand Five Hundred Sixty-Five Dollars and Zero Cents (\$ 12,565.00) for a new amended contract price of One Hundred Two Thousand Four Hundred Thirty-Four Dollars and Zero Cents (\$ 102,434.00) which equals a Fourteen Percent (14%) increase in the contract amount.

---Motion duly seconded by President Cunningham  
---Adopted by the following vote: YEAS: 8 – NAYS: 0  
---Yeas: Council persons Bhalla, Castellano, Giattino, Mason, Mello, Occhipinti, Russo and President Cunningham

**ORDINANCES**

## **Introduction and First Reading**

**13-557**  
**Z-268**

AN ORDINANCE TO AMEND CHAPTER 6 TITLED “ADMINISTRATIVE AFFAIRS” TO ADD ARTICLE XV TITLED “PERSONNEL POLICIES”

**WHEREAS**, Chapter 6 of the Administrative Code of the City of Hoboken titled “Administrative Affairs” addresses various issues, including those pertaining to City employees, such as longevity pay, harassment policy and deferred compensation; and

**WHEREAS**, the Administration wishes to enact a new drug and alcohol policy for current and potential City of Hoboken employees working in safety-sensitive positions;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Hoboken that Chapter 6 of the Administrative Code of the City of Hoboken shall be amended as follows (additions noted in underline; ~~deletions~~ noted in ~~strikethrough~~):

### **SECTION ONE: AMENDMENTS**

#### **Article XV Personnel Policies**

##### **Section 6-60. Drug and Alcohol Policy for Safety-Sensitive Employees in Transit**

The City hereby adopts and enacts the Drug and Alcohol Policy for Safety-Sensitive Employees in Transit, which shall be effective as of the date this ordinance becomes law.

### **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 are 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 effect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain 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 Administrative 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 Administrative Code.

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Administrative 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 Administrative Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

President Cunningham moved that the ordinance pass its first reading as read and be laid of the table for public inspection to be further considered for final passage at a meeting of the Council to be held on **December 4, 2013 at 7:00 PM.**

---Adopted by the following vote: YEAS: 8 – NAYS: 0

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

---Nays: None.

**13-558**

**Z-269**

**AN ORDINANCE TO AMEND AMENDING CHAPTER 190 ENTITLED “VEHICLES AND TRAFFIC” TO AMEND PARKING REGULATIONS RELATING TO PARKING PROHIBITION**

**WHEREAS**, Chapter 190 of the General Code of the City of Hoboken establishes the rules and regulations associated with parking permits within City borders; and,

**WHEREAS**, the municipality has found that specific sections of Chapter 190 currently requires amendments in order to best effectuate parking in the City; and,

**WHEREAS**, the City Council wishes to more closely align the City’s actual parking practices with the best practices for parking and transportation.

**NOW, THEREFORE**, the City Council of the City of Hoboken does hereby Ordain as follows (additions noted in underline, deletions noted in strikethrough):

**SECTION ONE: AMENDMENTS TO HOBOKEN CODE CHAPTER 190**

**§ 190-3. Parking prohibited at all times.**

In accordance with the provisions of this § 190-3, no person shall park a vehicle at any time upon the following streets or portion thereof except for the pickup and drop off of passengers, in accordance with N.J.S.A. 39:4-139:

<b>Name of Street</b>	<b>Sides</b>	<b>Location</b>
<u>Sixteenth Street</u>	<u>North</u>	<u>Beginning at the easterly curbline of Willow Avenue and exte to the westerly curbline of Park Avenue</u>

**§ 190-6B. No stopping or standing.**

**B.** Stopping or standing prohibited at any time. In accordance with the provisions of this subsection, no person shall stop or stand a vehicle at any time upon any of the following described streets or parts of streets:

<u>Sixteenth Street</u>	<u>South</u>	<u>Beginning at the easterly curbline of Willow Avenue and extending to the westerly curbline of Park Avenue</u>
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**SECTION TWO: REPEAL OF INCONSISTENT PROVISIONS**

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in 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 immediately 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 Cunningham moved that the ordinance pass its first reading as read and be laid of the table for public inspection to be further considered for final passage at a meeting of the Council to be held on **December 4, 2013 at 7:00 PM.**

---Motion duly seconded by Councilman

---Adopted by the following vote: YEAS: 8 – NAYS: 0

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

---Nays: None.

**13-559**

**Z-270**

**AN ORDINANCE AMENDING THE NORTHWEST REDEVELOPMENT PLAN AND APPENDIX A OF CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN**

**WHEREAS**, by Ordinance adopted May 20, 1998, the City Council of the City of Hoboken (“City Council”) adopted a redevelopment plan known as the Northwest Redevelopment Plan for the redevelopment of an area in the City of Hoboken known as the Northwest Industrial Area, which was determined to be an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law (“Redevelopment Law”), N.J.S.A. 40A:12A-1 et seq.; and

**WHEREAS**, the Northwest Redevelopment Plan is reprinted in Appendix A of Chapter 196 of the Code of the City of Hoboken; and

**WHEREAS**, Block 74 Lots 3-20 and the surrounding rights of way are located immediately adjacent to the Northwest Industrial Area; and

**WHEREAS**, Block 74 Lots 3-20 and the surrounding rights of way were declared an Area in Need of Rehabilitation per the Redevelopment Law; and

**WHEREAS**, to ensure that the development of these two adjacent areas is coordinated efficiently and effectively it is desired that the redevelopment plan for the Block 74 Lots 3-20 and the surrounding rights of way are included in the Northwest Redevelopment Plan; and

**WHEREAS**, the amendments to the Northwest Redevelopment Plan to include Block 74 Lots 3-20 and the surrounding rights of way meet the statutory requirements of, and can be adopted consistent with, the applicable provisions of the Redevelopment Law.

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

**SECTION ONE: AMENDMENT**

The “Zone 2” portion of the Northwest Redevelopment Plan is hereby amended to read as follows; deletions to the current ordinance are noted in ~~strike through~~, additions to the current ordinance are noted in underline:

**196 Zoning  
Attachment 1  
City of Hoboken  
Appendix A - Redevelopment Plan for the Northwest Industrial Area**

**Zone 2**

Sub-Area 1: Blocks 80/81, 86 & 87

Blocks 80/81, 86 & 87 near the railroad along the Jersey City municipal boundary will be permitted to have residential buildings:

Where a redeveloper chooses to combine residential use with permitted non-residential principal uses such as community facility or office or commercial recreation in a single building, all residential use — except for lobby access — must be located on floors above the other uses and have separate secure entrances. In such a case, the floor area of each use must be prorated relative to the site. Such prorating shall also apply to instances where pre-existing non-residential buildings remain whether for continued non-residential use or renovated for residential use. Residential floor area may abut parking areas which are physically separated but technically on the same level. Maximum building height shall be the maximum permitted for residential use and all residential floors shall have rear yards as required for residential buildings.

Where such a mixed-use building directly abuts an off-site residential development, the design shall be evaluated by the Planning Board as to potential negative impact on the access to light and air of the adjoining residential building or residential floors of such building.

The redeveloper of Block 80/81, which currently is a merged block encompassing the formerly vacated portion of Jackson St. between 7th and 8th St. shall open Jackson St. through the block to the extent necessary to allow vehicular circulation by the public in a manner mutually agreed on between the redeveloper and the city. The land itself may remain privately owned and maintained, may be counted toward developable floor area, but there shall be a permanent public easement provided to ensure public access along the designated right-of-way (ROW). If the vehicular ROW is designed as part of a programmable public space, the redeveloper may design the ROW in a manner different in appearance and alignment from standard city streets subject to review by the city's engineer. If the ROW is so designed and programmed, the redeveloper may count the area of the ROW toward a bonus and shall enter into an agreement with the city to permit limited closings for specified public events.

Whereas a single entity has been designated as redeveloper of all of Block 80/81 (with the exception of one lot owned by NJT) and Block 87 (lots 1-12 and 21-32), and whereas existing buildings may remain, the following rules may be applied: multiple principal buildings may be created so long as the maximum permitted floor area, maximum permitted lot coverages and minimum open space (i.e. yard areas) of the various uses are prorated as discussed above. The Planning Board may regard the combined site as a large-scale development and permit exceptions from the strict application of the setback requirements and the location of yards and parking in the interest of providing light, air and open space and a desirable visual environment so long as the general intent of the Plan is carried out.

If the redeveloper of Block 86, a 400 feet long trapezoidal-shaped block with approximately 113 feet of depth at Eighth Street and approximately 55 feet at Ninth Street, creates a public park at the Eighth Street end of the block, the park area itself may remain privately owned and maintained, may be counted toward developable floor area, but, in such case, there shall be a permanent public easement provided to ensure public access pursuant to an agreement with the city. If such park is no less than approximately 12,040 square feet in area and if the

redeveloper chooses the high-rise configuration for a residential building, and if the minimum average unit size is no less than 1,100 net square feet, then the maximum FAR attributable to the residential units, including a prescribed number of affordable units may be 3.88 excluding the bonus area. Retail and/or restaurant space will be subject to Planning Board approval.

As with the development of Blocks 80/81 & 87, the Planning Board may consider the peculiar and exceptional shape of Block 86 and permit exceptions from the strict application of the setback requirements and the location of yards in the interest of providing light, air and public open space including a designated area to be used as a bikeway in compliance with the City's Master Plan so long as the general intent of the Redevelopment Plan is carried out. In conjunction with such site planning for Block 86, the City may also allow the widening of the sidewalk along Jackson Street (with or without on-street parking) in order to improve the pedestrian ambience and to further "calm" the vehicular traffic on the street.

Residential buildings shall be designed as follows or pursuant to the Zone 1 option:

**Building Height** ten residential floors (100 feet) over maximum of two floors (20 feet) of parking (maximum total building height 120 feet), except as varied below and under "Bonus FA": parking may be provided in a cellar as defined by the Hoboken zoning ordinance; such cellar parking shall not be counted as a "floor" so long as it extends less than 10 feet above the sidewalk grade nearest the front street facade and so long as the final height of the building does not exceed the maximum permitted.

where residential floor area is used to mask the parking, such residential use shall not be counted as a "residential floor" so long as maximum FAR and density have not been exceeded; if a combination of residential and non-residential (non-parking) floor area is so used, the parking may occupy up to two levels covering 90% of the site so long as the parking floors are completely masked and so long as all other regulations specified herein are complied with: the ground floor height may exceed 10 feet only to the extent necessary to raise the first residential floor level to base flood elevation.

a residential accessory parking structure may be 40 feet tall if all such floors are completely masked by residential or other non-parking floor area on at least three sides so long as the roof of the parking is landscaped and accessible to tenants of the site

(See "Bonus FA" below); if the fourth side abuts an off-site development within the Plan area, the structure at the lot line may be a maximum of 20 feet in height, structure above that height must be set back a minimum of five feet or sufficient to minimize any negative impact on the light and air of the adjoining property; the visible portion of the wall which is set back from the property line shall be designed in a manner to disguise the parking use; where such structure is proposed on land adjacent to the railroad on Blocks 80/81 or Block 86, maximum height is 60 feet so long as the structure is not immediately adjacent to an off-site residential development.

**Floor Area Ratio** 3.0 (except as varied above and below)

**Bonus FA** where public recreation space is created within the footprint of the residential structure or on adjacent lots within the residential zone boundaries (unless granted special exception by the City Council), the builder may add an equivalent amount of floor area to the building adding no more than an additional two floors (20 feet, for a total building height of 140 feet) subject to the following controls:

an area equivalent to at least 30% of any site area attributable to residential use shall be developed and accessible exclusively to site residents as private open space; such space may be calculated as any combination of on-grade areas and/or rooftops other than the roofs above residential floors, e.g. garage or office building roofs;

bonusable public space may be proposed from remaining open areas whether on-grade or on rooftops (each 1.0 square feet of rooftop space may generate 1.0 square feet of bonus residential floor area only if the Planning Board finds the design satisfactory including but not limited to the provision of easy and obvious accessibility to the public)

where the roof above the topmost residential floor is developed as a "green" roof and where such design allows access to tenants, such roof may count toward the 30% requirement; an enclosed community room which encloses the stair and elevator access to such roof shall be permitted; outside roof decks designed to enable tenants to maximize the enjoyment of such roof shall not be counted as roof coverage

the public recreation space may be no smaller than 50 feet by 50 feet in size if open, 25 feet by 25 feet if enclosed.

Density

maximum dwelling units permitted on the site shall be calculated by dividing permitted FA by 1,000; bonus FA may be translated into additional dwelling units by dividing it by 1,000.

Lot coverage

50% for the residential portion of the building or buildings; where multiple towers are planned, they shall be no closer than 60 feet window to window; (see Urban Design Guidelines: General Building Bulk and Yard Requirements).

90% for first parking level up to 10 feet above grade; if two levels of parking are created, the second floor of parking may not extend beyond a line drawn around all the exterior walls of the residential portion of the building; where complete masking is provided as described under "Building Height" above, the second parking floor may also cover 90%.

on Block 86, if the building is designed in conjunction with a public park as described above such that the footprint of the ground-floor covers less than 60% of the site, parking located on no more than one floor above such floor may match the lot coverage of said ground floor subject to the Planning board's approval of its urban design characteristics (i.e. that it is clad to look like the residential floors above rather than like a parking garage)

Parking

one space for each dwelling unit except for bonus units; no spaces required for public recreation space or any publicly accessible activity areas required in the building base so long as no individual activity area exceeds 1,000 square feet gross on Block 86, where a public park is created and the footprint of the building is less than 60% on all floors thus restricting the parking floors, the Planning Board shall give special consideration to any need for parking variances that may arise for retail and restaurant uses on the lower floors considering the availability of mass transit in the form of the nearby Light Rail station.

Sub-Area 1: Blocks 74 Lots 3-20

Block 74 Lots 3-20 and the surrounding rights of way shall be regulated according to the Plan but utilizing the use, bulk, density and parking requirements articulated for the R-3 zoning district. All other applicable standards (such as façade, signage, etc.), as set forth in the City of Hoboken Zoning Ordinance and Municipal Code, will also apply.

#### **SECTION TWO: REPEAL OF INCONSISTENT PROVISIONS**

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in 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 effect 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 not withstanding 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 Cunningham moved that the ordinance pass its first reading as read and be laid of the table for public inspection to be further considered for final passage at a meeting of the Council to be held on **December 4, 2013 at 7:00 PM.**

---Motion duly seconded by Councilman

---Adopted by the following vote: YEAS: 8 – NAYS: 0

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

---Nays: None.

#### **RESOLUTIONS(cont'd)**

#### **13-560**

---By Councilman Mello

#### **RESOLUTION OF THE CITY OF HOBOKEN, COUNTY OF HUDSON REFERRING AN ORDINANCE AMENDING THE NORTHWEST REDEVELOPMENT PLAN AND APPENDIX A OF CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN TO THE PLANNING BOARD OF THE CITY OF HOBOKEN**

**WHEREAS**, the City Council of the City of Hoboken (“Hoboken”) proposes to adopt an ordinance to amend the Northwest Redevelopment Plan and Appendix A of Chapter 196 of the Hoboken Municipal Code; and

**WHEREAS**, section N.J.S.A. 40A:12a-7(e) of the Redevelopment and Housing Law provides, in part:

”(e) Prior to the adoption of a redevelopment plan, or revision or amendment thereto, the planning board shall transmit to the governing body, within 45 days after referral, a report containing its recommendation concerning the redevelopment plan. . . .”

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

**Section 1.** The aforementioned recitals are incorporated herein as though fully set forth at length.

**Section 2.** The City Council hereby refers the proposed amendment the Northwest Redevelopment Plan and Appendix A of Chapter 196 of the Hoboken Municipal Code to the Planning Board, pursuant to N.J.S.A.40A:12A-7(e).

**Section 3.** This Resolution shall take effect immediately.

---Motion duly seconded by Councilman Russo

---Adopted by the following vote: YEAS: 8 – NAYS: 0

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

---Nays: None.

**13-561**

---By Councilman Mello

**RESOLUTION TO AUTHORIZE A PURCHASE AND SALES AGREEMENT WITH MARANO AND SONS FOR TWO MINI VANS FOR THE CITY OF HOBOKEN HPU, FOR A TOTAL NOT TO EXCEED AMOUNT OF \$33,100.00**

**WHEREAS**, purchases under the bid threshold (\$36,000.00) by N.J.S.A. 40A:11-1 et seq. are exempt from public bidding requirement, in favor of the quote system in the amount of the contract award is between \$5,400.00 and \$36,000.00; and,

**WHEREAS**, the City accepted three different quotes from individual car retailers for the purchase of two mini vans, and the quote of Marano and Sons was the lowest quote and was otherwise the quote in the best interest of the City’s needs; and,

**WHEREAS**, the City of Hoboken seeks to award a contract to Murano and Sons, in accordance with their attached purchase and sales agreement, for the purchase of two mini vans, with a not to exceed amount of Thirty Three Thousand One Hundred Dollars (\$33,100.00); and,

**WHEREAS**, *Murano and Sons 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 the award and continuation of this contract are subject to continued compliance and may be terminated if the vendor is found to be noncompliant during the term of the contract; and,*

**WHEREAS**, certification of funds for this contract is available as follows:

**I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$33,100.00 is available in the following appropriation account 3-31-55-540-200 in the CY2013 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 CY2013 budget; and I further certify that the funds being appropriate are intended for the purposes herein appropriated.**

**Signed: \_\_\_\_\_, George DeStefano, CFO**

**NOW THEREFORE, BE IT RESOLVED**, that a contract with Murano and Sons to provide two mini vans, in accordance with the purchase and sales agreement attached hereto; and, the total not to exceed amount shall of the two vans (combined) shall be Thirty Three Thousand One Hundred Dollars (\$33,100.00) which shall be paid at the time of delivery of the vans; 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 contractor until delivery of the vehicles; 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 any change orders that become required as part of this contract shall be in compliance with all applicable state statutes, and shall be subject to the availability and proper appropriation of funds by the City, which shall be in the City's sole discretion with or without cause, and without the result of damages being assessed by the contractor; and,

**BE IT FURTHER RESOLVED**, the Mayor shall have the approval of Council to execute the attached purchase and sales agreement for the two mini vans (serial numbers 2C4RDGCG3DR575878 / 2C4RDGCG4DR550780) for a total purchase price of \$33,100.00 in favor of Marano and Sons.

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

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0

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

---Nays: None.

### **NEW BUSINESS**

Councilman Occhipinti comments on the loan interest program to fund the pumping stations and hopefully see this move forward and also need to get more parking garages in the Northwest which is outside of Shoprite  
Council President comments on the pumps and asks Stephen Marks  
Stephen Marks comments that the City back in the spring that they submitted 7 letters of intent (pre-applications) for state hazard mitigation programs and one is requesting \$30 million to fund three (3) of the pump stations and also a few months ago, they submitted a pre-application NJ Trust Fund for a low interest loan for the H5 Pump located at 11<sup>th</sup> Street roughly around the Shop Rite area and won't hear back till March 2014 and the City has been submitting grants and also submitted Rebuild by Design to the County, google OMA [www.rebuildbydesignhoboken.com](http://www.rebuildbydesignhoboken.com) and the secretary of Housing of Urban Development and these jurors will select these projects  
Councilwoman Castellano comments if the Sewerage Authority submit application for the three (3) pumps

Stephen Marks comments that there was a letter of intent and the City worked in cooperation.

Councilman Occhipinti comments

Councilman Russo comments

Councilman Mello comments that November 30 is Small Business Saturday

Councilman Occhipinti comments on the temporary no parking and start thinking about it and eventually implement

Councilwoman Castellano comments that she spoke with Director Morgan who will discuss further in sub-committee meeting

Councilwoman Giattino comments that United Synagogue of Hoboken did not renew their licenses for Casino night and did submit them to the state and their Casino night is in March and she spoke to Director Wiest on the revaluation and all the initial work has been done and if you have not heard and the letter should be coming out soon, 1862 amending the rent control ordinance and hopefully the subcommittee can meet and address now

Council President comments on the ad-hoc meeting and would like

Councilman Bhalla, Councilwoman Giattino and Councilman Russo and have it on the agenda in early December

Councilwoman Castellano comments on light out on River Street and PSE & G who got it up and running in 3 days and would like to thank them

Councilwoman Mason comments on the plaque and the bench and the tree in Elysian Park and elaborate on what the City can do

BA Wiest comments on setting up administrative rules

Councilwoman Mason comments on the shipyard telephone polls look like they are going to collapse and have someone look at them

Council President comments to call Richard Dwyer

Councilwoman Mason comments on the status of the Monarch

Corporation Counsel comments that she will follow-up for the next meeting

Councilman Russo comments on the renewals for parking

Director Morgan comments that the City has 2 systems running – an old system and the new one

Council President comments on the filing the Financial Disclosure Forms compliance

Council President comments on station 13<sup>th</sup> and Willow and 12<sup>th</sup> and Garden Stop sign

Director Morgan comments and that he is working on it

Councilman Mello comments if Parking and Transportation sub-committee meet on 7:30 PM on November 25, 2013

Council President comments to put on the agenda for the sub-committee on the parking for the BOE and address the bicycle issue on the sidewalks and address the parking on corners and eliminate the yellow and keep the red, the sunset clause and have an ordinance for first reading on December 4<sup>th</sup> and discuss the free parking on Washington street for the holiday season and there will be a rent control ad-hoc and Councilwoman Giattino will chair it and talk about the condos

Council President comments

At 9:02 P.M. the Governing Body on a motion by Councilman Russo duly seconded by the Council

Council President Cunningham then adjourned the meeting at 9:03 P.M.

PRESIDENT OF THE COUNCIL

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CITY CLERK