

MEETING OF OCTOBER 2, 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, OCTOBER 2, 2013 AT 7:00 PM

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President Cunningham opened the meeting at 7:00 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.

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

Council President comments that they will probably suspend the agenda around 8:00 PM

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

BOND ORDINANCE AUTHORIZING THE REHABILITATION AND RECONSTRUCTION OF PIER "A" IN THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY; APPROPRIATING THE SUM OF \$2,500,000 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 AMOUNT OF UP TO \$2,375,000; MAKING CERTAIN DETERMINATIONS AND CONVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTIONS WITH THE FOREGOING (**Z-235**)

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: 8 – NAYS: 0

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

---Nays: None.

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

---Motion duly seconded by Councilman Bhalla

---Adopted by the following vote: YEAS: 6 – NAYS: 1 - ABSTAIN:1

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

---Nays: Russo

---Abstain: Mason

Council President comments

Special Counsel Garcia comments and gives an overview to the Governing Body and agreeing to give up \$2.7 Million and there are some minor changes with these terms and conditions for the bond

Councilman Russo comments

Councilman Occhipinti comments

Special Counsel Garcia comments

Councilwoman Castellano comments

Director Pellegrini comments  
Councilwoman Mason comments  
Councilman Occhipinti comments  
BA Wiest comments  
Special Counsel Garcia comments  
Councilman Russo comments  
Director Pellegrini comments  
BA Wiest comments  
Councilwoman Mason comments  
Councilman Russo comments  
Councilman Occhipinti comments  
BA Wiest comments  
Council President comments  
Councilwoman Castellano comments  
Council President comments

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-253)**

(sponsored by Councilman Cunningham and Councilman Bhalla) (Special Counsel will be available) (waiting for the Planning Board recommendations) (will be carried to the October 17, 2013 ccm)

REFUNDING BOND ORDINANCE PROVIDING FOR THE REFINANCING OF ALL OR A PORTION OF THE CITY'S OUTSTANDING PARKING UTILITY GENERAL OBLIGATION BONDS, SERIES 2002A, DATED DECEMBER 15, 2002; AUTHORIZING THE ISSUANCE OF UP TO \$14,000,000 OF GENERAL OBLIGATION REFUNDING BONDS (PARKING UTILITY) OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY, TO FINANCE THE COSTS THEREOF; MAKING CERTAIN DETERMINATIONS AND COVENANTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING **(sponsored by Councilwoman Giattino and Councilman Bhalla) (Z-254) (Will be heard on Thursday, Oct. 17, 2013 ccm following the Local Finance Board)**

Councilwoman Mason comments when will the Local Finance Board meeting be held  
BA Wiest comments the 9<sup>th</sup> of October

AN ORDINANCE TO ENABLE THE PURCHASING AGENT TO DETERMINE "RESPONSIBLE" and "RESPONSIVE" BIDDERS BY WAY OF DETAILED BID SPECIFICATION REQUIREMENTS (as amended) **Z-255)**

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.

---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 President Cunningham.  
---Nays: None.

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

---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.

Councilman Russo has left the table at 9:00 PM  
Councilman Russo has returned to the table at 9:07 PM

Stephen Marks comments and gives an overview of the ordinance to the Governing Body  
Councilwoman Giattino comments  
BA Wiest comments  
Councilman Occhipinti comments

### **PUBLIC PORTION**

The regular business concluded the following members of the public spoke at the "Public Portion" of the meeting:  
Patricia Waiters, Robert Kolhler, Elizabeth Adams, Dan Tumpson, Mary Ondrejka, Ron Simoncini, Cheryl Fallick,  
Barbara Reyes, David Liebler, Elissa Brachfeld, Lauren Calmas, Deidra Grode, Jessica CoCo, Deborah Morrissette.

Councilman Occhipinti has left the table at 8:01 PM  
Councilman Occhipinti has returned to the table at 8:07 PM

Councilwoman Mason has left the table at 8:32 PM  
Councilwoman Mason has returned to the table at 8:38 PM

#### **13-465**

Council President suspends the public portion to allow Proclamation(s) from Mayor Dawn Zimmer Mayor Zimmer to present proclamations for Christian Santini, Angelina Ledesma and Carlos Rodriguez.

#### **13-466**

### **APPLICATION FOR MISCELLANOUS LICENSES.**

Vendors----- 1 item  
Taxi Drivers Licenses----- -12 items

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

#### **13-467**

---By Councilwoman Giattino

### **CLAIMS**

Total for this agenda **\$3,262,017.95**

---Motion duly seconded Councilman Bhalla  
---Adopted by the following vote: YEAS: 6 – NAYS: 4 - ABSTAIN: 2  
---Yeas: Council persons Bhalla, Castellano, Giattino, Mason, Mello and President Cunningham  
---Nays: Castellano (13-03856), Mason(13-03849, 13-03856, 13-03354), Russo, Occhipinti (13-03856)  
---Abstain: Bhalla (13-00143, 13- 03755), Mason (13-03081, 13-03276, 13-00129, 13-0133, 13-0140)

Councilwoman Mason comments on the claim for the Borgata hotel  
BA Wiest comments that this is for the upcoming conference for the NJLM  
Councilwoman Mason comments

Councilwoman Castellano has left the table at 9:11 PM  
Councilwoman Castellano has returned to the table at 9:14 PM

Councilwoman Mason comments on ASL Productions and to go for bidding

**13-468**

---By Councilwoman Giattino

**PAYROLL**

**For the two week period starting August 29, 2013 – September 18, 2013**

<b>Regular Payroll</b>	<b>O/T Pay</b>	<b>Other Pay</b>	
\$1,482,237.90	\$57,301.65	\$112,686.30	
<b>Total</b>	\$1,652,225.85		

---Motion duly seconded by Councilwoman Giattino  
---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**

Pulled from the agenda for discussion: 5, 7, 8 & 12  
Removed by Administration: 11

**RESOLUTIONS**

**13-469**

---By Councilwoman Giattino

**THIS RESOLUTION AUTHORIZES THE CITY OF HOBOKEN TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE HOBOKEN MUNICIPAL SUPERVISORS ASSOCIATION**

**WHEREAS**, the City of Hoboken by and through the Mayor, Corporation Counsel and Business Administrator have engaged in negotiations on behalf of the City with the Municipal Supervisor's Association, regarding the Memorandum of Understanding and Agreement; and,

**WHEREAS**, the terms resulting from said negotiations have been memorialized in the attached correspondence and Memorandum of Agreement between the parties which is attached hereto and incorporated by reference; and,

**WHEREAS**, the City of Hoboken, by the Mayor, Corporation Counsel and Business Administrator recommend that the terms memorialized in the attached correspondence and Memorandum of Agreement be accepted by the City Council.

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

1. The above recitals are incorporated as if 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 all actions necessary to complete and realize the intent and purpose of this resolution;
3. This resolution shall be effective immediately;
4. This resolution shall be supplemented with the attached correspondence as well as the formal presentation of a fully executed Memorandum of Agreement immediately upon receipt.

---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.

### **13-470**

---By Councilman Mello

### **A RESOLUTION TO AUTHORIZE AND EFFECTUATE THE DEDICATION OF 17<sup>TH</sup> STREET FROM THE NORTHERN CURBLINE OF CLINTON STREET TO THE NORTHERNMOST BOUNDARY OF 17<sup>TH</sup> STREET AS A DEDICATED PUBLIC RIGHT OF WAY**

WHEREAS, although tax records held by the City Tax Assessor evidence that 17<sup>th</sup> Street, between the northernmost curbline of Clinton Street and the northernmost extension of the roadway, has been dedicated as a public right of way, no official record of City Council action is maintained in the City Clerk's office.

WHEREAS, the City wishes to grant PSE&G a nonexclusive temporary easement on the 17<sup>th</sup> Street public right of way, which easement would require evidence of the formal dedication of that portion of the roadway as a public right of way.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, that the roadway commonly known as 17<sup>th</sup> Street is hereby formally and forever dedicated as a public right of way from the northernmost corner of Clinton Street to the northernmost boundary of the 17<sup>th</sup> Street roadway, and any prior records indicating otherwise are hereby repealed; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be certified and forwarded PSE&G, the City of Hoboken Tax Assessor, Corporation Counsel of the City of Hoboken, and the Mayor of the City of Hoboken.

---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.

**13-471**

---By President Cunningham

**RESOLUTION IN SUPPORT OF NATIONAL HISPANIC HERITAGE MONTH 2013**

**WHEREAS**, the observation of National Hispanic Heritage Month began in 1968 as Hispanic Heritage Week under President Lyndon B. Johnson and was expanded by President Ronald W. Reagan in 1988 to cover a 30-day period starting on September 15 and ending on October 15, which was enacted into law on August 17, 1988, on the approval of Public Law 100-402; and

**WHEREAS**, the day of September 15 is significant because it is the anniversary of independence for Latin American countries Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua. In addition, Mexico and Chile celebrate their independence days on September 16 and September 18, respectively. Also, Columbus Day or Día de la Raza, which is October 12, falls within this 30 day period; and

**WHEREAS**, the City Council of the City of Hoboken acknowledges the vital contributions made by the Hispanic community and celebrates its Hispanic heritage;

**NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HOBOKEN** that it declares its support for National Hispanic Heritage Month 2013.

---Motion duly seconded by Councilman Mello

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

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

---Nays: None.

**13-472**

---By Councilwoman Giattino

**RESOLUTION AWARDING A CONTRACT TO REGGIO CONSTRUCTION INC. FOR THE PROVISIONS OF CY2013 ROAD PROGRAM IN ACCORDANCE WITH THE CITY’S BID NO. 13-12 IN THE TOTAL AMOUNT OF \$395,406.25 FOR BASE BID PLUS ALTERNATE A**

**WHEREAS**, proposals were received for Bid Number 13-12 for the provisions of CY2013 Road Resurfacing Program; and,

**WHEREAS**, two (2) bid proposals were received in good stead, of which the lowest three responsible and responsive were:

<u>VENDOR</u>	<u>BASE</u>	<u>ALT A</u>	<u>ALT B</u>	<u>TOTAL</u>
Reggio Construction Inc. 1575 West Street Fort Lee, NJ 07024	\$300,522.18	\$94,884.07	\$85,134.28	\$480,540.53
AJM Contractors 300 Kuller Road Clifton, NJ 07011	\$425,360.00	\$131,535.00	\$128,038.00	\$684,933.00

**WHEREAS**, pursuant to the recommendation of the City Contractor and the Purchasing Department (attached hereto) the City wishes to contract for the services specified in Bid No. 13-12, and Reggio Construction Inc. submitted a responsible, and responsive bid for the base bid plus alternate A in the amount of \$395,406.25; and,

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

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$395,406.25 is available in the following appropriation 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; 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 awards a contract to Reggio Construction Inc. for the Base Bid plus Alternate A fro Bid No. 13-12, in the total amount of Three Hundred Ninety Five Thousand Four Hundred Six Dollars and Twenty Five Cents (\$395,406.25).
- B. This contract award is subject to the condition precedent that the contractor submit a complete Iranian Investment Form the Purchasing Agent prior to the City's requirement to execute the contract, and within seven (7) business days of the award of this contract.
- C. If the contract, as provided by the City of Hoboken, is not executed by the vendor within 21 days of execution of this award, the City may cancel this award and rebid the contract.
- D. The contract shall be in accordance with the terms of the specifications and the vendor's corresponding bid proposal documents. No exceptions were noted in the Purchasing Agent's recommendation; therefore, none will be accepted in performing obligations under the bid.
- E. This contract is subject to the submission of accurate and enforceable performance and maintenance bonds in accordance with the terms of the specifications.
- F. This contract is subject to liquidated damages as more definitely described in the specifications.
- G. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor or her agent is hereby authorized to enter into an Agreement with Foley for said purchase and sale.
- H. This resolution shall take effect immediately upon passage.

---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.

**13-473**

---By Councilwoman Giattino

**RESOLUTION TO AUTHORIZE A PROFESSIONAL SERVICE CONTRACT WITH REMINGTON VENRICK AS GENERAL ENGINEER FOR THE CITY OF HOBOKEN FOR THE 2013 ROAD RESURFACING PROJECT RELATING TO THE BASE BID AND ALTERNATE A, FOR A MAXIMUM ONE YEAR TERM, AND FOR A TOTAL NOT TO EXCEED AMOUNT OF \$31,200.00**

**WHEREAS**, service to the City as a General Project Engineer 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 of Hoboken seeks to award a contract to a Project Engineer for the 2013 Road Resurfacing Project, and has chosen Remington Vernick for a one year term, with a not to exceed amount of Thirty One Thousand Two Hundred Dollars (\$31, 200.00); and,

***WHEREAS**, Remington Vernick 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 for insurance premiums is available as follows:

**I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$31,200.00 is available in the following appropriation account 3-01-31-461-000 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 Remington Vernick to represent the City as General Project Engineers, in accordance with the scope of work detailed in their September 26, 2013 proposal, attached hereto, and the RFP for Engineering for 2013 Road Resurfacing Project; the maximum term shall be one year from the date of award; and, the total not to exceed amount shall be Thirty One Thousand Two Hundred Dollars (\$31,200.00) which shall be paid incrementally within 45 days of receiving a valid invoice for services; 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 Remington Vernick; 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 Bhalla

---Adopted by the following vote: YEAS: 7 – NAYS: 0 - ABSENT: 1

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

---Nays: None.

---Absent: Bhalla

Councilman Bhalla has left the table at 9:21 PM

Councilman Bhalla has returned to the table at 9:24 PM

13-474

---By Councilwoman Giattino

**RESOLUTION AUTHORIZING THE CLOSURE OF A BANK ACCOUNT AT THE RECOMMENDATION OF THE DEPARTMENT OF REVENUE AND FINANCE**

**WHEREAS**, The Department of Revenue and Finance of the City of Hoboken has recommended the closure of the following Bank Account which has been dormant:

City of Hoboken Sovereign Bank

#1246012569

**NOW, THEREFORE, BE IT RESOLVED**, that the Department of Revenue & Finance be and is hereby authorized to close the aforementioned bank account and to execute any and all documents necessary for the closure of said accounts; and be it further

**RESOLVED**, that the Sovereign Bank, which administers the accounts noted above shall be furnished with a certified copy of this resolution.

---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.

**13-475**

---By Councilwoman Giattino

**RESOLUTION AWARDING A CONTRACT TO ZENITH CONSTRUCTION SERVICES INC. FOR THE PROVISIONS OF CONSTRUCTION OF DOG PARKS AT CHURCH SQUARE PARK AND STEVENS PARK IN ACCORDANCE WITH THE CITY'S BID NO. 13-09 IN THE TOTAL AMOUNT OF \$213,877.00**

**WHEREAS**, proposals were received for Bid Number 13-09 for the provisions of dog parks in Church Square Park and Stevens Park; and,

**WHEREAS**, seven (7) bid proposals were received in good stead, of which the lowest three responsible and responsive were:

<u>VENDOR</u>	<u>BID AMOUNT (BASE)</u>
Zenith Construction Services Inc. 365 Thomas Boulevard Orange, New Jersey 07050	\$213,877.00
Adamo Brothers Construction 1033 Alexander Avenue Ridgefield, New Jersey 07657	\$273,095.00
V&K Construction 37 Bartha Avenue Edison, New Jersey 08817	\$299,205.00

**WHEREAS**, pursuant to the recommendation of the Purchasing Department (attached hereto) the City wishes to contract for the goods specified in Bid No. 13-09, and Zenith Construction Services Inc. submitted a responsible, and responsive bid in the amount of \$213,877.00; and,

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

**I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$213,877.00 is available in the following appropriation C-04-60-713-110 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; 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 awards a contract to Zenith Construction Services Inc. for Bid No. 13-09, in the total amount of Two Hundred Thirteen Thousand Eight Hundred Seventy Seven Dollars (\$213,877.00).
- B. This contract award is subject to the condition precedent that the contractor submit a complete Nuclear Activities form the Purchasing Agent prior to commencement of the contract, and within seven (7) business days of the award of this contract.
- C. If the contract, as provided by the City of Hoboken, is not executed by the vendor within 21 days of execution of this award, the City may cancel this award and rebid the contract.
- D. The contract shall be in accordance with the terms of the specifications and the vendor's corresponding bid proposal documents. No exceptions were noted in the Purchasing Agent's recommendation; therefore, none will be accepted in performing obligations under the bid.
- E. This contract is subject to the submission of accurate and enforceable performance and maintenance bonds in accordance with the terms of the specifications.
- F. This contract is subject to liquidated damages as more definitely described in the specifications.
- G. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor or her agent is hereby authorized to enter into an Agreement with Zenith for said purchase and sale.
- H. This resolution shall take effect immediately upon passage.

---Motion duly seconded by Councilman Mello

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

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

---Nays: None.

**13-476**

---By Councilwoman Giattino

**RESOLUTION REJECTING A BID FOR THE PROVISIONS OF THE BATTING CAGES AT SINATRA PARK, OTHERWISE KNOWN AS BID NO. 13 – 08 REBID , IN ACCORDANCEWITH N.J.S.A. 40A:11-13.2(A), (B) AND (D)**

**WHEREAS**, proposals were received for the provisions of the batting cages at Sinatra Park, as specified in Bid Number 13-08 REBID; and,

**WHEREAS**, four (4) proposals were received; and,

**WHEREAS**, the proposal was substantially above the budgeted and appropriated amount for the project; and,

**WHEREAS**, as a result, Purchasing Agent recommends that the City Council of the City of Hoboken reject all bid submissions for the provision under Bid No. 13-08 REBID, pursuant to N.J.S.A. 40A:11-13.2(a), (b), and (d).

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Hoboken hereby rejects all bid proposals submitted for the provision under Bid No. 13-08 REBID, pursuant to N.J.S.A. 40A:11-13.2(a), (b), and (d); and,

**BE IT FURTHER RESOLVED** that the City Council authorizes the Administration to take any and all steps necessary to properly rebid and contract for the provisions necessary for the batting cages at Sinatra Park.

---Motion duly seconded by Councilman Mello

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

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

---Nays: None.

**13-477**

---By Councilwoman Giattino

**RESOLUTION REJECTING A BID FOR THE PROVISIONS OF THE HPU SHUTTLE BUS, OTHERWISE KNOWN AS BID NO. 13 – 10, IN ACCORDANCE WITH N.J.S.A. 40A:11-13.2(A), (B) AND (D)**

**WHEREAS**, proposals were received for the provisions of the HPU Shuttle Bus(es), as specified in Bid Number 13-10; and,

**WHEREAS**, one (1) proposal was received; and,

**WHEREAS**, the proposal was substantially above the budgeted and appropriated amount for the project; and,

**WHEREAS**, as a result, the Office of Corporation Counsel and Purchasing Agent recommend that the City Council of the City of Hoboken reject all bid submissions for the provision under Bid No. 13-10, pursuant to N.J.S.A. 40A:11-13.2(a), (b), and (d).

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Hoboken hereby rejects all bid proposals submitted for the provision under Bid No. 13-10, pursuant to N.J.S.A. 40A:11-13.2(a), (b), and (d); and,

**BE IT FURTHER RESOLVED** that the City Council authorizes the Administration to take any and all steps necessary to properly rebid and contract for the provisions necessary for the HPU to obtain additional shuttle bus(es).

---Motion duly seconded by Councilman Mello

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

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

---Nays: None.

**13-478**

---By Councilwoman Giattino

**AUTHORIZING SUBMISSION OF THE ROCKEFELLER FOUNDATION 100 RESILIENT CITIES CENTENNIAL CHALLENGE GRANT TO THE ROCKEFELLER FOUNDATION**

**WHEREAS**, the City of Hoboken has been made aware of the opportunity to submit an application to The Rockefeller Foundation for a 100 Resilient Cities Centennial Challenge, which will award grants to 100 cities

worldwide to provide technical support and resources for developing and implementing plans for urban resilience over the next three years; and

**NOW THEREFORE, BE IT RESOLVED**, that the City Council authorizes the City of Hoboken to submit an application to The Rockefeller Foundation for grant funds for the 100 Resilient Cities Centennial Challenge; and

**BE IT FURTHER RESOLVED**, that the Mayor, or her designee, are hereby authorized on behalf of the City of Hoboken to:

1. Execute and submit such grant application;
2. Furnish such documents as may be required;
3. Act as authorized correspondent of the City of Hoboken;
4. Execute necessary contracts, if funding is awarded, subject to Council approval if a certification of funds is required for the City's matching funds, if necessary.

---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.

**13-479**

---By Councilwoman Giattino

**RESOLUTION APPROVING THE FRIENDS OF HOBOKEN CHARTER SCHOOL'S THIRD REQUEST FOR A CONSTRUCTION NOISE WAIVER AND MITIGATION PLAN IN ACCORDANCE WITH HOBOKEN CODE SECTION 133-9(C)**

WHEREAS, according to the City of Hoboken's Code § 133-9(C), "[a]ll construction and demolition activity, excluding emergency work, shall not be performed between the hours of 6:00 p.m., and 8:00 a.m. on weekdays or at any time during weekends and federal holidays. Work crews may be on site between 7:00 a.m. and 8:00 a.m. to do preparatory work, but no motorized equipment, including but not limited to pile drivers, jackhammers, riveters, stone breakers, cranes, earthmoving equipment, compressors, saws and cutting equipment, and any other such equipment that is plainly audible beyond the real property line, shall be operated before 8:00 a.m. Work may take place after hours and on weekends only with express authorization from the approving Board and only after a noise mitigation plan has been submitted to that Board"; and,

WHEREAS, on August 7, 2013, the City Council passed a resolution that approved a construction noise waiver and mitigation plan with certain conditions for The Friends of Hoboken Charter School so that construction of the school could be completed in time for students to begin school on Monday, September 9, 2013; and

WHEREAS, on September 17, 2013, the City Council passed a resolution that approved a second construction noise waiver and mitigation plan for The Friends of Hoboken Charter School; and

WHEREAS, on September 26, 2013, Harold Berlowe, a representative of The Friends of Hoboken Charter School, e-mailed Councilwoman Jennifer Giattino, requesting a construction noise waiver in accordance with Hoboken Code § 133-9(C) to perform construction activities from 7:30 a.m. to 9:00 p.m. on weekdays and on Saturdays during October 2013; and,

WHEREAS, the City Council is deemed with the task of considering the within waiver request, is authorized to add conditions to any grant of the waiver based on its finding and investigation of the request, if the City Council believes such conditions are necessary and proper to protect the quality of life and/or the safety, health and general welfare of the residents and visitors of the City of Hoboken.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Hoboken, that the Council hereby accepts receipt of The Friends of Hoboken Charter School's third request for a construction noise waiver and mitigation plan; and,

BE IT FURTHER RESOLVED, that the City Council approves The Friends of Hoboken Charter School's second request for a construction noise waiver for construction by Brawn Construction, the general contractor, at Block 218, Lot 4, commonly known as 713 Washington Street, Hoboken, as follows:

1. The contractor herein may conduct construction activity, in addition to the City's codified hours, on weekdays from 7:30 a.m. to 8:00 a.m. and 6:00 p.m. to 9:00 p.m. on Saturdays from Tuesday, October 1, 2013 through Thursday, October 31, 2013 and from 9:00 a.m. 6:00 p.m., subject to the following conditions:

a. By utilizing the within waiver, both the contractor and property owner agree to indemnify and hold the City of Hoboken and its officers, employees and agents harmless from any and all claims which relate in any way to this waiver, whether in law or at equity, whether in tort, contract or otherwise.

b. Any and all work done on weekdays from 7:30 a.m. to 8:00 a.m. and 6:00 p.m. to 9:00 p.m. and on Saturdays from 9:00 a.m. to 6:00 p.m. in accordance with this waiver shall in all other ways comply with the City Code and any and all county, state or federal laws. This waiver shall not be intended to waive any other requirements of the City's Noise Ordinance or any other sections of the City Code.

c. Only interior construction work will be done on weekdays from 7:30 a.m. to 8:00 a.m. and 6:00 p.m. to 9:00 p.m. and on Saturdays from 9:00 a.m. to 6:00 p.m. to mitigate potential noise. Such interior construction work will consist of the following: (i) installing vinyl floor tile in some areas; (ii) painting some walls and ceilings; (iii) trimming some windows and doors; (iv), installing some cabinetry, countertops and shelving; (v) installing some accessories; and (vi) and completing touch-ups and punch list items.

All exterior work will be done during regularly-permitted construction hours, which is 8:00 a.m. to 6:00 p.m. on weekdays pursuant to Hoboken Code 133-9(C). No exterior work will be done on weekdays from 7:30 a.m. to 8:00 a.m. and 6:00 p.m. to 9:00 p.m. and on Saturdays.

d. The exterior windows will be sound-proofed and will remain closed at all times.

2. If The Friends of Hoboken Charter School and/or Hoboken Charter School, Inc. fail to abide to the terms and conditions in this resolution, the construction noise waiver granted herein will be null and void.

BE IT FURTHER RESOLVED, this resolution shall be effective immediately upon adoption.

The speaker who spoke: Howard Burlo.

---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

**13-480**

---By Councilwoman Giattino

**RESOLUTION TO APPROVE A "LICENSE AGREEMENT" BETWEEN THE**

**CITY OF HOBOKEN AND THE OWNER OF BLOCK 253 LOT 18.09 (a/k/a 1236 Garden Street) FOR USE AND MAINTENANCE OF A PORTION OF THE PUBLIC RIGHT OF WAY ADJACENT TO SAID PROPERTY**

**WHEREAS**, the City of Hoboken requires property owners to maintain the public right-of-way adjacent to their property, including but not limited to sidewalks, stairs, stoops, fences, areaways, trees and other landscaping; and

**WHEREAS**, the City of Hoboken encourages property owners to landscape and otherwise improve said right-of-way to enhance the urban landscape; and

**WHEREAS**, the City of Hoboken and the City Council, by resolution, provides for the issuance of license agreements for the aforementioned purpose; and

**WHEREAS**, the City of Hoboken desires to grant to Brian Maloney, owner of Block 253 Lot 18.09, more commonly known as 1236 Garden Street, Hoboken, such a license.

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

- 1) Approval of the attached "License Agreement" between the City of Hoboken and Brian Maloney, owner of Block 253 Lot 18.09, more commonly known as 1236 Garden Street, shall be subject and limited to the specifications included in Exhibit "A" (Jensen Vasil architectural drawings dated 06/19/2013 with Metes and Bounds attached hereto);
- 2) The Mayor or her agent is hereby authorized to enter into the attached agreement; and
- 3) This resolution shall become effective immediately upon adoption.

---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

**13-481**

---By Councilwoman Giattino

**AUTHORIZING SUBMISSION OF FY2014 APPLICATION TO THE HUDSON COUNTY OFFICE OF CULTURAL & HERITAGE AFFAIRS/TOURISM DEVELOPMENT FOR LOCAL ARTS PROGRAM GRANT FUNDS FOR THE SUMMER ENCHANTED EVENINGS PERFORMANCE SERIES, WITH A 1:1 CITY IN-KIND MATCH OF AWARDED FUNDS**

**WHEREAS**, the City of Hoboken has, for many years, been the recipient of funds for the Summer Enchanted Evenings Series through the Hudson County Office of Cultural & Heritage Affairs/Tourism Development; and

**WHEREAS**, the Hudson County Office of Cultural & Heritage Affairs/Tourism Development has once again invited the City of Hoboken to submit an application for funding for FY2014 Local Arts Program Funds (LAP).

**NOW THEREFORE, BE IT RESOLVED**, that the City Council authorizes the City of Hoboken to submit an application for such funds; and

**BE IT FURTHER RESOLVED**, that the Mayor, or her designee, are hereby authorized on behalf of the City of Hoboken to:

1. Execute and submit such application to the Hudson County Office of Cultural &

- Heritage Affairs/Tourism Development;
2. Furnish such documents as may be required;
  3. Act as authorized correspondent of the City of Hoboken;
  4. Execute necessary contracts, if funding is awarded, subject to Council approval if a Certification of funds is required for the City's matching funds, if necessary.

---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

**13-482**

---By Councilwoman Giattino

**Inserting a Special Item of Revenue into the CY 2013 Municipal Budget**

**PORT SECURITY GRANT CBRNE DETECTION UNIT – CY 2013**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any county or municipality when such item shall have been made available

By law and the amount thereof was not determined at the time of the adoption of the Budget, and

**WHEREAS**, said Director may also approve the insertion of an item of Appropriation for an equal amount, and

**WHEREAS**, the City of Hoboken has received notice of an award of \$105,000.00 from FEMA Port Security Grant to amend its CY 2013 Budget to include this amount as revenue and City Match of \$35,000.00 over 2 years.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, hereby requests the Director

Of the Division of Local Government Services to approve the insertion of an item of Revenue in the budget of the year CY 2013 in the sum of..... \$105,000.00

This is now available as revenue from:

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:	
Port Security CBRNE Detection Unit CY2013	105,000.00

**NOW, THEREFORE, BE IT RESOLVED** that the like sum of: \$105,000.00

Be and the same is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from CAPS

State and Federal Programs Off-Set by  
Revenues:

Port Security CBRNE Detection Unit CY 2013 S/W	\$105,000.00
Police S/W (match)	35,000.00

**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 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

**13-483**

---By Councilman Bhalla

**RESOLUTION TO ACCEPT A GRANT AWARD OF \$105,000.00 FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY’S FY 2013 PORT SECURITY GRANT PROGRAM**

**WHEREAS**, the Hoboken Police Department applied for a FY 2013 Port Security Grant Program from the United States Department of Homeland Security (the “DHS”) for funding for an additional police officer and a K9; and

**WHEREAS**, the award information, copies of which are attached, describes the terms and conditions of the grant funding, which include a DHS share of \$105,000.00, and a matching cost by the City in the amount of \$35,000.00 for a total project cost of \$140,000.00; and,

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

**I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$35,000.00 is available in the following appropriation G-02-412-00-HS3 in the CY2013 budget, subject to prior Council approval of a Chapter 159 resolution; 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; 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 authorizes the Administration to apply for funding from the FY 2013 Port Security Grant Program and accepts this grant in the amount of \$105,000.00, as described in the award information, and the City Council consents to the amount required in matching City funds, which constitutes \$35,000.00, for a total project cost of \$140,000.00.

B. The Mayor or her agent is hereby authorized to take action to accept the grant award, appropriate the necessary matching funds and obtain the provisions contemplated herein; and

C. This resolution shall take effect immediately upon passage.

---Motion duly seconded by Councilman Mello

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

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

---Nays: None

**13-483**

---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 **\$ 17,058.97**

<b><u>NAME</u></b>	<b><u>BL/LT/UNIT</u></b>	<b><u>PROPERTY</u></b>	<b><u>QTR/YEAR</u></b>	<b><u>AMOUNT</u></b>
Bosi, Frank & Pearlmtter, Julie 700 First St. #9C Hoboken, NJ 07030	25/1/C009C	700 First St	3/13	\$ 1,696.10
Chase Att: Chase Refund Dept P O Box 961227 Ft. Worth, TX 76161-0227	66/27/C0403	506-514 Monroe St	2/13	\$ 1,751.56
Cenlar Federal c/o Corelogic Refund Dept. 1 Corelogic Way Westlake, TX 76262	70/1/C003L	501-515 Adams St	4/12	\$ 1,768.63
Coniglio, Joseph 812 Grand St #204 Hoboken, NJ 07030	91/1.02/C0204	812 Grand St	3/13	\$ 1,962.63
Higgins, Matthew & Tracey Regan 928 Park Ave Hoboken, NJ 07030	171/23	928 Park Ave	2/13	\$ 4,140.81
Wells Fargo Home Mort. MAC X2302-04D 1 Home Campus Des Moines, IA 50328	202/35/C0002	300 Washington St	3/13	\$ 397.63
Wells Fargo Home Mort. MAC X2302-04D 1 Home Campus Des Moines, IA 50328	202/35/C0004	300 Washington St	3/13	\$ 436.98

Wells Fargo Home Mort.    202/35/C0008                      300 Washington St                      3/13                      \$ 745.73  
MAC X2302-04D  
1 Home Campus  
Des Moines, IA 50328

Chase                      261.04/1/C0302                      1025 Maxwell Lane    2/12                      \$ 4,158.90  
Att: Chase Refund Dept  
P O Box 961227  
Ft. Worth, TX 76161-0227

---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

## ORDINANCES

### Introduction and First Reading

#### 13-485 Z-256

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED (PARKING FOR HANDICAPPED) (**APPROVAL RE: 521 GARDEN STREET , 151 3<sup>RD</sup> STREET, AND 1115 PARK AVENUE**)

THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:

#### **Section 1:**

##### Handicapped Parking

Section 192-4 is hereby amended to add the following restricted handicapped parking spaces:

**Cora Paznokas Losordo** 521 Garden Street east side  
Beginning at a point of 195 feet south of Sixth Street and extending 22 feet southerly therefrom.

**Mehmet Esendemir**                      151 3<sup>rd</sup> Street    Apt#1 south side  
Beginning at a point of 178 feet east of Garden Street and extending 22 easterly therefrom.

**Mario Mercado Jr.**                      1115 Park Avenue east side  
Beginning at a point of 160 feet north of Eleventh Street and extending 22 feet northerly therefrom.

**Section 2:** This ordinance shall be part of the General Code of the City of Hoboken as though codified and fully set forth therein.

**Section 3:** The City Clerk shall have this ordinance codified and incorporated in the official copies of the Hoboken code. All ordinance and parts of ordinances inconsistent herewith are hereby repealed.

**Section 4:** This ordinance shall take effect as provided by law.

President Cunningham moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on **October 17, 2013** at 7:00 PM.

---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

**13-486**

**Z-257**

AN ORDINANCE TO AUTHORIZE A TEMPORARY EASEMENT TO PSE & G FOR THE STORAGE AND MAINTENANCE OF CONSTRUCTION EQUIPMENT AND VEHICLES WITHIN THE BOUNDARIES OF LANDS OWNED AND CONTROLLED BY THE CITY OF HOBOKEN ON THE 17<sup>TH</sup> STREET PUBLIC RIGHT OF WAY.

THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DO ORDAIN AS FOLLOWS;

1. The attached Easement Agreement, and all attachments thereto, shall become legally valid, shall be properly executed by the Mayor or her designee, as provided by law, and shall be complied with and enforced by and on behalf of the City of Hoboken.
2. All ordinances or parts of ordinances inconsistent herewith are herewith repealed.
3. This ordinance shall take effect as provided by law.

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 **October 17, 2013** at 7:00 PM.

---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.

**13-487**

**Z-258**

AN ORDINANCE TO APPROVE AN AUTHORIZE THE USE OF THE ATTACHED MAPS IN ACCORDANCE WITH N.J.S.A. 2C:35-7 AND N.J.S.A. 39:4-50

THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DO ORDAIN AS FOLLOWS;

1. The attached Drug Free School Zone Map and Public Park and Recreation Map, and all attachments thereto, shall become legally valid and enforceable, shall be properly executed by the Mayor or her designee and an Engineer authorized by the City of Hoboken, as provided by law according to N.J.S.A. 2C:35-7 and N.J.S.A. 39:4-50, and shall be complied with and enforced by and on behalf of the City of Hoboken.
2. All ordinances or parts of ordinances inconsistent herewith are herewith repealed.
3. This ordinance shall take effect as provided by law.

President Cunningham moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on **October 17, 2013** at 7:00 PM.

---Motion duly seconded by Councilman Mello

---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 Russo comments on responding to the public regarding pay to play for Councilman Bhalla, Frank Raia and Joe Mindak

Council President comments to please report back

Councilman Bhalla comments that he had no vendor at that time when he was running for office and is not applicable

Councilman Russo excuses himself at 9:39 PM

Councilman Occhipinti comments on the tree planting for 12 new trees at the Light Rail by the Hoboken Housing Authority and thanks all his sponsors

Councilwoman Castellano comments on the resolution regarding Sayerville for the Federal minimal wage and if possible have Corporation Counsel to report back before November 5, 2013

Councilwoman Mason comments on the hotel tax mentioned by the public and she's not sure if there are any ordinances in place put in place and would like to know where we are and what we want to do and thinks it's a valid comment because there could be ramifications in the city if there's a fire and the City could be potentially viable

Councilman Mello comments that he will schedule a sub-committee meeting and what was she referring to

Council President comments 333 River and please schedule one next week preferably Thurs.

Councilwoman Mason comments on the issues regarding Redevelopment with NJ Transit and if someone can fill me in

Councilman Mello comments that he did not hear about a revised plan and check with Director Forbes for the exact status

Councilwoman Mason comments on the northern part of town

Council President comments that there needs to be an area of rehabilitation

Councilwoman Mason comments on issues regarding Willow Ave park the design so the Governing Body can move forward and the same with Elysian Park so the public can understand, would like to thank Director Morgan for the bike rack and the sponsorship program, transparency for the public to express their views and their opinions, our minutes need to be updated and the Clerk's office needs to move forward and would like to go on record that we are not following the law.

Councilman Bhalla comments about the right to speak and spoke at the last meeting was called an animal and there are government limits for disparaging remarks made by the public and unfortunately made by the governing body It involves a ~~DOCA~~ LFB notice regarding a contract given to an attorney for a 9-0 vote who had business with the City, according to the Local Finance Board, the conflict arose and that attorney and I shared office space and because of that and we had a joint lease that they had adjudicated and this has cause this violation and conflict and 4 years ago I spoke to our

Corporation Counsel and was advised that I could work and my vote did not have a material impact on the result, the fine that was imposed was a total of \$100.00 and it was waived by the Local Finance Board because it was viewed that there was no guidance or precedent, on what should have been done and the Local Finance Board disagreed recently and wanted to get those facts in the open and I do take it offensive when I am called an animal and a lot of attacks that I see in the online atmosphere which I personally feel and that's my opinion, I want to let the public know that I took this job very seriously and I wanted to serve with honor and dignity, I want to make my family proud

Council President comments that two weeks ago, I should have taken action and from here on out I will be very careful with the public taking disparaged points, it's political season, its already high drama and very proud to serve the city and saddened to have experienced a few weeks ago and assure you that this will not happen again

Council President comments on that bike corals will be installed in the 5<sup>th</sup> ward and they are located on 10<sup>th</sup> and Bloomfield and 10<sup>th</sup> and Willow and hopefully be installed in the next 30-60 days and encourage his colleagues to look into it also, he would like Mr. Marks and Mr. Wiest to look into Madison Street – Mr Kolhler and have this taken care of as soon as possible Council President comments to look into the PSE & G trailers and lastly Mr. Marks, the street light at 13<sup>th</sup> and Clinton

Stephen Marks comments that the street light has been ordered and should be installed in the end of October

Councilwoman Giattino comments on Councilman Bhalla in 2009, the counsel voted unanimously and Mr. Bhalla asked Corporation Counsel and they said yes, and then received a fine four years later for \$100.00 but the DCA treated it as trivial and the last council meeting was disgusting for the personal attacks and I find it appalling and ask people to stop doing, as to business, the next Council meeting, I will address the issue with 1862, now condos and fixed rent and hopefully next Tuesday around 6:00 PM

Councilman Occhipinti and Councilman Mello comments that they will look into Councilwoman Giattino comments The stop sign on 4<sup>th</sup> and Park Ave. and flyers on cars Councilman Occhipinti comments

At 10:04 P.M. the Governing Body on a motion by Councilwoman Giattino duly seconded by Councilman Mello

Council President Cunningham then adjourned the meeting at 10:04 P.M.

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PRESIDENT OF THE COUNCIL

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CITY CLERK

