

Department of Revenue and Finance
OFFICE OF THE COLLECTOR OF REVENUE
94 WASHINGTON STREET
CITY OF HOBOKEN, NEW JERSEY
07030-4585

SHARON CURRAN
TAX COLLECTOR

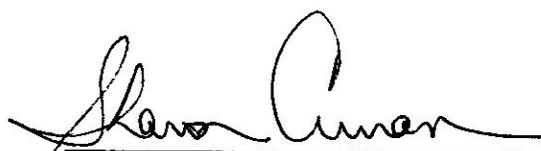
(201) 420-2083
420-2078
420-5631
420-2081
Fax 420-2082

AFFIDAVIT OF TAX BILL MAILING

I, the undersigned, certify as follows,

1. I am the Tax Collector of the City of Hoboken in the County of Hudson.
2. The mailing or other delivery all of actual tax bills for the 4th Quarter installment for tax year 2010, 1st & 2nd Quarter of 2011 were completed on October 20, 2010.
3. Pursuant to N.J.S.A. 54:4-66 et seq., the payment for the 4th Quarter 2010 installment must be received by November 17, 2010, payments for the 1st Quarter of 2011 due by 2/10/2011, 2nd Quarter due 5/10/11 after which time all receipts shall be deemed delinquent with interest accruing from November 1, 2010 for the 4th Quarter 2010, February 1, 2011 for the 1st Quarter 2011, and May 1, 2011 for the 2nd Quarter 2011.

I do certify that the foregoing statements made by me are true.


SHARON CURRAN, CTC #t-1284

Code 0905

New Jersey Department of Community Affairs
Division of Local Government Services

STATEMENT OF STATE AID FOR CY 2010 PROPERTY TAX BILLS

The Statement of State Aid required pursuant to N.J.S.A. 54:4-65(c) must be calculated and presented on the property tax bill pursuant to the requirements of Local Finance Notice 2007-8, using the total below as the basis for the calculation. The breakdown by government is for informational use only. The Certification below must be completed and submitted to the Division of Local Government Services once tax bills have been mailed.

The total of the following amounts is the basis for the computation of the amount of aid to appear on individual property tax bills.

Municipality:	Hoboken City	County:	Hudson
Municipal Government		State Aid Amount	\$12,030,060
Local & Regional School District(s)			\$19,265,978
County Government			\$14,775,762
Total (for use in MOD IV to calculate parcel amounts)			\$46,071,800

**NEW JERSEY DIVISION OF LOCAL GOVERNMENT SERVICES
CERTIFICATION OF STATEMENT OF STATE AID MAILING**
(to be completed by the Tax Collector)

I, Sharon Curran, Tax Collector of Hoboken in Hudson County, hereby certify that tax bills mailed for (at minimum) the third and fourth quarters of 2010 included the required Statement of State Aid. Attached hereto is a copy of the Tax Bill containing the Statement, as mailed in accordance with Local Finance Notice 2010-15.

Certified by: Sharon Curran License # T1284 Date 10/20/10
Signature

CITY OF HOBOKEN HUDSON

EXPLANATION OF TAXES

DESCRIPTION	RATE PER \$100	AMOUNT OF TAX
COUNTY TAX	1.500	4984.50
SCHOOL TAX	1.199	3984.28
LOCAL MUNICIPAL TAX	2.022	6719.11
COUNTY OPEN SPACE TAX	0.004	13.29
MUNICIPAL OPEN SPACE	0.020	66.46

BLOCK NUMBER 75 LOT NUMBER 2.1 QUALIFICATION C0001

PROPERTY LOC: 603-607 MONROE ST
 BLDG-DESC: 3BR-PS#15
 ADDITIONAL LOTS: L2.2&2.3
 LAND DIMENSIONS: .118-1545 SF
 BANK: 00660 MORTGAGE # TAX ACCT. # 12929

ASSESSED VALUATION INFORMATION

LAND	IMPROVEMENTS	TOTAL
22700	309600	332300

EXEMPTIONS ▶ NET TAXABLE VALUE ▶ 332300

2010 3RD QTR DUE AUG. 1, 2010	3944.55	2010 4TH QTR DUE NOV. 1, 2010	3944.55	2011 1ST QTR DUE FEB. 1, 2011	3941.91	2011 2ND QTR DUE MAY 1, 2011	3941.91
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THOMSON, MARK K & MARYJO
 603-07 MONROE ST #1
 HOBOKEN, NJ 07030

2010 TOTAL TAX 4.745 15767.64
 2010 NET TAX 15767.64
 LESS 2010 PREV. BILLED 11823.09
 BALANCE OF 2010 TAX 3944.55

INFORMATION FOR TAXPAYERS

MAKE CHECK PAYABLE TO: CITY OF HOBOKEN

MAIL TO: CITY OF HOBOKEN TAX OFFICE
 94 WASHINGTON STREET
 HOBOKEN, NEW JERSEY 07030
 201-420-2081

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

THIS IS THE 4TH QTR 2010 AND 1ST QUARTER 2011 BILLS. 4TH QUARTER TAXES ARE DUE ON OR BEFORE 11/17/10 1ST QTR OF 2011 IS DUE 2/10/11, 2ND QTR DUE 5/10/11. PAYMENTS RECEIVED AFTER THESE DATES WILL BE CHARGED INTEREST FROM THE 1ST OF THOSE MONTHS. TAX OFFICE IS OPEN 8AM TO 5PM THE FIRST 10 BUSINESS DAYS OF EACH QTR. AND LATE NIGHTS UNTIL 7PM ON 11/03/10, 2/02/11 & 5/04/11
 WEBSITE: www.hobokennj.org/proptaxes

2011 PRELIMINARY TAX

PRELIMINARY TAX IS EQUAL TO ONE HALF OF 2010 TOTAL NET TAX **7883.82**

DISTRIBUTION OF TAXES BEFORE REPAIR

Tax Type	Percentage	Amount
County Taxes	31.70%	\$ 4997.79
School Taxes	25.27%	\$ 3984.28
Municipal Taxes	43.03%	\$ 6785.57

STATE AID USED TO OFFSET LOCAL PROPERTY TAXES: The budgets of the government agencies funded by this tax bill include State aid used to reduce property taxes. Based on the assessed value, the amount of this State aid used to offset property taxes on this parcel equals: **\$ 5040.99**

CITY OF HOBOKEN HUDSON

2011-2

TAX COLLECTOR'S STUB-DETACH AND RETURN WITH YOUR PAYMENT
 2011 2ND QUARTER TAX DUE MAY 1, 2011

BLOCK NUMBER	LOT NUMBER	QUALIFICATION	BANK CODE
75	2.1	C0001	00660

TAX ACCOUNT NUMBER	TAX BILL NUMBER	TAX AMOUNT BILLED	DUE MAY 1, 2011
12929			3941.91

CREDIT: ADJUSTMENT 976.28-

AMT DUE: 2965.63

THOMSON, MARK K & MARYJO
 603-607 MONROE ST

INTEREST
 CASH
 CHECK
 TOTAL

CITY OF HOBOKEN HUDSON

2011-1

TAX COLLECTOR'S STUB-DETACH AND RETURN WITH YOUR PAYMENT
 2011 1ST QUARTER TAX DUE FEBRUARY 1, 2011

BLOCK NUMBER	LOT NUMBER	QUALIFICATION	BANK CODE
75	2.1	C0001	00660

TAX ACCOUNT NUMBER	TAX BILL NUMBER	TAX AMOUNT BILLED	DUE FEBRUARY 1, 2011
12929			3941.91

CREDIT: ADJUSTMENT 976.29-

AMT DUE: 2965.62

THOMSON, MARK K & MARYJO
 603-607 MONROE ST

INTEREST
 CASH
 CHECK
 TOTAL

CITY OF HOBOKEN HUDSON

2010-4

TAX COLLECTOR'S STUB-DETACH AND RETURN WITH YOUR PAYMENT
 2010 4TH QUARTER TAX DUE NOVEMBER 1, 2010

BLOCK NUMBER	LOT NUMBER	QUALIFICATION	BANK CODE
75	2.1	C0001	00660

TAX ACCOUNT NUMBER	TAX BILL NUMBER	TAX AMOUNT BILLED	DUE NOVEMBER 1, 2010
12929			3944.55

CREDIT: ADJUSTMENT 5905.14-

AMT DUE: 39.41

THOMSON, MARK K & MARYJO
 603-607 MONROE ST

INTEREST
 CASH
 CHECK
 TOTAL

CITY OF HOBOKEN HUDSON

2010-3

TAX COLLECTOR'S STUB-DETACH AND RETURN WITH YOUR PAYMENT
 2010 3RD QUARTER TAX DUE AUGUST 1, 2010

BLOCK NUMBER	LOT NUMBER	QUALIFICATION	BANK CODE
75	2.1	C0001	00660

TAX ACCOUNT NUMBER	TAX BILL NUMBER	TAX AMOUNT BILLED	DUE AUGUST 1, 2010
12929			3944.55

CREDIT: ADJUSTMENT 3944.55-

PREVIOUSLY BILLED AMT DUE: 0.00

THOMSON, MARK K & MARYJO
 603-607 MONROE ST

INTEREST
 CASH
 CHECK
 TOTAL



MEMORANDUM

TO: Hoboken City Clerk James Farina
FR: Mayor Dawn Zimmer
RE: Historic Preservation Board

Mr. Farina,

I have appointed the following new members to the Historic Preservation Board:

Steve Bauman (to replace Vincent Wasserman, Class C holdover)

Joan Abel (to replace Elayne Nestor, Class B holdover)

Please administer the oaths to the new board members, and take note of these appointments in your records and on the City website.

Thank you,

Mayor Zimmer

SPONSORED BY: _____

SECONDED BY: _____

**MEETING OF THE CITY COUNCIL
OF HOBOKEN, NEW JERSEY
MISCELLANEOUS LICENSING
NOVEMBER 3, 2010**

VENDOR 2 ITEMS

GLENN BRABHAM
3 VETS VENDING
109 CAMPBELL AVE #1
STATEN ISLAND, NY 10310

ANTHONY YOKA
3 VETS VENDING
1150 COMMONWEALTH AVE
BRONX, NY 10472

RAFFLES 2 ITEMS

UNITED SYNAGOGUE OF HOBOKEN	RA1350
115 PARK AVE.	CASINO NIGHT
HOBOKEN, NJ 07030	\$100. 00

UNITED SYNAGOGUE OF HOBOKEN	RA1351
115 PARK AVE	50/50
HOBOKEN, NJ 07030	\$20.00

Rcvd Batch Id Range: First to Last		Rcvd Date Start: 10/27/10 End: 10/29/10		Report Format: Condensed		
Rcvd Date	Batch Id	PO #	Description	Vendor	Amount	Contract
10/27/10	MPG	11-01362	REIMBURSEMENT, TAX OVERPAYMENT	00774 F & S INVESTMENTS, LLC	4,821.25	
10/27/10	MPG	11-01186	REIMBURSEMENT, TAX APPEAL 2009	01411 SMYTH, WESLEY	1,930.27	
10/27/10	MPG	11-01187	REIMBURSEMENT, TAX APPEAL 2007	01412 ZIPP & TANNENBAUM, LLC	1,745.00	
10/27/10	MPG	11-01188	REIMBURSEMENT, TAX OVERPAYMENT	01413 BARNES, C JEFFREY & JAMIE P	125.31	
10/27/10	MPG	11-01190	REIMBURSEMENT, TAX OVERPAYMENT	01415 GRAYBILL, JASON R & REGAN M	3,491.79	
10/27/10	MPG	11-01358	REIMBURSEMENT, TAX OVERPAYMENT	01429 AVALON TITLE AGENCY, LLC	4,222.04	
10/27/10	MPG	11-01192	REIMBURSEMENT, TAX OVERPAYMENT	04758 METLIFE HOME LOANS	1,384.71	
10/27/10	MPG	11-01365	REIMBURSEMENT, TAX OVERPAYMENT	08155 MICHAEL CONTICELLO	109.79	
Total for Batch: MPG					17,830.16	
Total for Date: 10/27/10					Total for All Batches:	17,830.16
10/28/10	JMW	11-01405	REDEMPTION	01287 TOWER LIEN LLC	3,399.09	
10/28/10	JMW	11-01415	REDEMPTION	01288 VIRGO MUNICIPAL FINANCE FUND	3,489.08	
10/28/10	JMW	11-01420	REDEMPTION	08370 PAM INVESTORS	4,424.53	
10/28/10	JMW	11-01400	REDEMPTION	09669 PLYMOUTH PARK TAX SERVICE LLC	32,930.96	
Total for Batch: JMW					44,243.66	
10/28/10	MPG	11-01363	REIMBURSEMENT, TAX OVERPAYMENT	01430 HARMAN, LI SE	3,032.90	
10/28/10	MPG	11-01364	REIMBURSEMENT, TAX OVERPAYMENT	01431 KIM, BRYAN J & JENNIFER	2,109.64	
Total for Batch: MPG					5,142.54	
Total for Date: 10/28/10					Total for All Batches:	49,386.20
10/29/10	JMW	11-01044	REPAIR BROKEN LOCK ON SAFE	00142 HOBOKEN LOCK & SUPPLY	225.00	
10/29/10	JMW	11-01147	ADVERTISEMENT FOR FLU SHOTS	00148 HUDSON REPORTER ASSOC LP	379.35	
10/29/10	JMW	11-01193	AD FOR SHUTTLE BUS	00148 HUDSON REPORTER ASSOC LP	639.28	
10/29/10	JMW	11-01197	LEGAL SERVICES	00235 MARTIN F. SCHEINMAN, ESQ.	32.75	
10/29/10	JMW	11-01083	08/07/10 0000832331	00262 JERSEY JOURNAL	4,023.56	
10/29/10	JMW	11-01082	METROPOLITAN COLUMBIAN 42/CS	00287 METROPOLITAN COFFEE SERVICE	202.30	
10/29/10	JMW	11-00924	PROFESSIONAL SERVICES	00290 KATES NUSSMAN RAPONE ELLIS &	6,250.00	
10/29/10	JMW	11-00744	AD POST FOR FINANCE DIRECTOR	00331 N. J. STATE MUNICIPALITIES	100.00	
10/29/10	JMW	11-01111	BINDING MINUTE BOOKS	00419 POGGI PRESS	505.00	
10/29/10	JMW	11-01275	PERIODIC SERVICES FOR CCTV	00522 SUPREME SECURITY SYSTEMS INC	345.39	
10/29/10	JMW	11-00715	SOCCER SUPPLIES	00690 STAN'S SPORT CENTER	3,165.00	
10/29/10	JMW	11-00992	SOCCER SPORTING EQUIPMENT	00690 STAN'S SPORT CENTER	642.30	
10/29/10	JMW	11-01165	SCOREBOOKS	00690 STAN'S SPORT CENTER	15.90	
10/29/10	JMW	11-01166	SOFTBALL SPORTING EQUIPMENT	00690 STAN'S SPORT CENTER	624.00	
10/29/10	JMW	11-01167	BASKETBALL SPORTING EQUIPMENT	00690 STAN'S SPORT CENTER	338.00	
10/29/10	JMW	11-01168	SPADING BASKETBALL	00690 STAN'S SPORT CENTER	22.00	
10/29/10	JMW	11-01171	SOCCER SPORTING EQUIPMENT	00690 STAN'S SPORT CENTER	340.00	
10/29/10	JMW	11-01184	SOCCER SPORTING EQUIPMENT	00690 STAN'S SPORT CENTER	293.00	
10/29/10	JMW	11-01322	STADIUM PADS AND CLIPS	00690 STAN'S SPORT CENTER	5,637.16	
10/29/10	JMW	11-00616	FINAL CORPORATION PAYMENTS	00779 KATES, NUSSMAN, RAPONE, ELLIS	2,300.00	
10/29/10	JMW	11-00644	CAR WASH SERVICE/JULY 2010	00806 RIVERFRONT CAR WASH	408.00	
10/29/10	JMW	11-00848	CAR WASH SERVICE	00806 RIVERFRONT CAR WASH	337.00	
10/29/10	JMW	11-01100	CITY VEHICLE CAR WASHES	00806 RIVERFRONT CAR WASH	36.00	

Rcvd Date	Batch Id	PO #	Description	Vendor	Amount	Contract
10/29/10	JMW	11-01110	CITY VEHICLE CAR WASH	00806 RIVERFRONT CAR WASH	12.00	
10/29/10	JMW	11-01325	CAR WASH SERVICES	00806 RIVERFRONT CAR WASH	331.00	
10/29/10	JMW	11-01068	YOUTH LEVEL II DIPLOMAS	00871 NSCAA COACHING ACADEMY	405.00	
10/29/10	JMW	11-00537	HOB. POLICE BADGES/RETIRED	01008 S. MANZO UNIFORM	1,222.50	
10/29/10	JMW	11-01199	PROFESSIONAL SERVICE	01049 VANDOR & VANDOR LTD.	3,535.00	
10/29/10	JMW	10-02881	SERVICES	01086 BLUE CHIP ATHLETIC INC	599.40	
10/29/10	JMW	11-01353	ANIMAL CONTROL SERVICES SEPT.	01136 LIBERTY HUMANE SOCIETY	8,000.00	
10/29/10	JMW	11-01198	LEGAL SERVICES	01306 US PACK LOGISTICS, LLC	168.00	
10/29/10	JMW	11-01052	2010 NJ PLAN CONF REGISTRATION	01310 AMERICAN PLANNING ASSOCIATION	275.00	
10/29/10	JMW	11-01321	SIGNS FOR SKATEBOARD PARK	01361 J. S. DESIGN	800.00	
10/29/10	JMW	11-01032	GOGGLES/PAINTBALLS	01386 SAK WORLD PAINTBALL	681.96	
10/29/10	JMW	11-01286	DATA RECOVERY & RECONSTRUCTION	01394 FORD CONSULTING GROUP	450.83	
10/29/10	JMW	11-01176	REIMBURSEMENT	01404 DEBRA VELOSE	25.00	
10/29/10	JMW	11-01210	COURSE REGISTRATION	01408 RUTGERS, THE STATE UNIVERSITY	713.00	
10/29/10	JMW	11-01259	COURSE REGISTRATION	01408 RUTGERS, THE STATE UNIVERSITY	177.00	
10/29/10	JMW	11-01329	LEGAL SERVICES	01418 VINCENT J. LAPAGLIA	6,195.27	
10/29/10	JMW	11-01330	LEGAL SERVICES TAX APPEALS	01418 VINCENT J. LAPAGLIA	3,088.28	
10/29/10	JMW	11-01085	TRANSCRIPTION SERVICES	01647 AUDIO EDGE TRANSCRIPTION LLC	3,971.52	
10/29/10	JMW	11-01236	3RD QUARTER DOG LICENSE REPORT	02065 TREASURER, STATE OF NEW JERSEY	198.00	
10/29/10	JMW	11-01080	LEGAL SERVICES	02136 SUSAN FERRARO, ESQ.	300.00	
10/29/10	JMW	11-01096	PROFESSIONAL SERVICE	02147 ROSENBERG & ASSOCIATES	475.00	
10/29/10	JMW	11-01169	T-SHIRT PRINTING	02270 SPOO, INC.	617.00	
10/29/10	JMW	11-01237	3RD QUARTER MARRIAGE LICENSES	02858 TREASURER, STATE OF NEW JERSEY	3,925.00	
10/29/10	JMW	11-01287	MONTHLY MAINT. BUSINESS COMM.	03342 ENTERPRISE CONSULTANTS	415.50	
10/29/10	JMW	11-01300	MONTHLY MAINTENANCE	03342 ENTERPRISE CONSULTANTS	212.50	
10/29/10	JMW	11-01207	REPAIRS TO REPEATER	03887 COMMAND RADIO COMMUNICATIONS	770.00	
10/29/10	JMW	11-01274	MAY 2010 MONTHLY TRANSMITTALS	03974 STATE OF NEW JERSEY	316.68	
10/29/10	JMW	10-03245	DOCUMENT SERVICE	04140 SHRED-IT	206.64	
10/29/10	JMW	11-01249	PROFESSIONAL LEGAL SERVICES	04203 LINDABURY, MCCORMICK	3,060.00	
10/29/10	JMW	11-01251	PROFESSIONAL LEGAL SERVICES	04203 LINDABURY, MCCORMICK	8,820.00	
10/29/10	JMW	11-01301	INTERPRETATION SERVICES	04492 ALCAZAR COMMUNICATION, INC.	6,690.00	
10/29/10	JMW	11-01208	PROFESSIONAL SERVICES	04660 KAUFMAN, BERN & DEUTSCH, LLP	4,571.00	
10/29/10	JMW	11-00324	OFFICE SUPPLIES	05307 W. B. MASON CO., INC.	187.05	
10/29/10	JMW	11-00491	OFFICE SUPPLIES	05307 W. B. MASON CO., INC.	298.68	
10/29/10	JMW	11-00558	OFFICE SUPPLIES	05307 W. B. MASON CO., INC.	93.45	
10/29/10	JMW	11-00665	OFFICE SUPPLIES	05307 W. B. MASON CO., INC.	129.33	
10/29/10	JMW	11-01312	PROFESSIONAL SERVICE	05788 THE GALVIN LAW FIRM	1,386.75	
10/29/10	JMW	11-01079	INFORMATION CHGS	06090 WEST GROUP	321.55	
10/29/10	JMW	11-01194	RISO LEASE PAYMENT	06601 DE LAGE LANDEN PUBLIC FINANCE	567.64	
10/29/10	JMW	11-01252	PROFESSIONAL LEGAL SERVICES	07750 COHEN, LEDER, MONTALBANO	1,530.00	
10/29/10	JMW	11-01315	SERVICES RENDERED	08241 DERRICK LADSON	600.00	
10/29/10	JMW	11-01313	SERVICES RENDERED	08281 LUIS ACEVEDO	420.00	
10/29/10	JMW	11-01314	SERVICES RENDERED	08281 LUIS ACEVEDO	420.00	
10/29/10	JMW	11-01316	SERVICES RENDERED	08918 MIGUEL ACEVEDO	300.00	
10/29/10	JMW	11-01317	SERVICES RENDERED	08918 MIGUEL ACEVEDO	300.00	
10/29/10	JMW	11-01134	QTRLY DUES OEP OFFICERS UNION	09120 HOBOKEN PBA LOCAL 1 #12	11,068.00	
10/29/10	JMW	11-01203	AUDIT 2010	09168 FERRAIOLI, WIELKOTZ, CERULLO &	45,000.00	
10/29/10	JMW	11-01204	UNAUDITED FINANCIAL DEBT STATE	09168 FERRAIOLI, WIELKOTZ, CERULLO &	11,745.00	
10/29/10	JMW	11-01205	LOCAL FINANCE BOARD	09168 FERRAIOLI, WIELKOTZ, CERULLO &	5,000.00	
10/29/10	JMW	11-01159	PORTABLE TOILET RENTAL	09246 ZUIDEMA/ROYAL THRONE PORTABLE	145.00	
10/29/10	JMW	11-01201	PAYING AGENT GO REFUND BONDS	09267 M & T BANK	2,500.00	
10/29/10	JMW	11-01195	LABOR MATTERS	09531 WEINER & LESNIAK, LLP	11,204.59	
10/29/10	JMW	11-01307	SERVICES RENDERED ACTING JUDGE	09972 KELLY AUSTIN, JMC	300.00	

Rcvd Date	Batch Id	PO #	Description	Vendor	Amount	Contract
					Total for Batch: JMW	181,606.11
10/29/10	MEM	11-01310	PROFESSIONAL SERVICES	00031	BOSWELL ENGINEERING	3,201.75
10/29/10	MEM	11-01230	SUPPLIES CITY PAINT & HARDWARE	00077	CITY PAINT AND HARDWARE	1,752.04
10/29/10	MEM	11-01228	SUPPLIES METROPOLITAN COFFEE	00287	METROPOLITAN COFFEE SERVICE	200.95
10/29/10	MEM	11-01424	UTILITIES HPU 9/10; 10/10	00424	P. S. E. & G. COMPANY	32,253.60
10/29/10	MEM	11-01231	UNIVERSAL MAILING SERVICE	00894	UNIVERSAL MAILING SERVICE	1,584.00
10/29/10	MEM	11-01425	TELEPHONE/ALARM HPU 10/10	01089	VERIZON	775.85
10/29/10	MEM	10-03557	EQUIP-CRSTWN BUS	01219	ITUNER NETWORKS CORPORATION	1,098.43
10/29/10	MEM	11-01162	SHUTTLE BUS SUPPLIES	01303	DIAMOND MANUFACTURING INC	49.50
10/29/10	MEM	11-01229	SERVICES M&G AUTO PARTS, INC	01597	M & G AUTO PARTS, INC.	71.66
10/29/10	MEM	11-01138	POWER SUPPLY PARTS/916	02145	NEWARK	760.00
10/29/10	MEM	11-01141	POWER SUPPLY PARTS/916	02145	NEWARK	526.30
10/29/10	MEM	11-01234	TRAFFIC SUPPLIES	02148	THE PARKING ZONE	4,150.00
10/29/10	MEM	11-01309	SERVICES BOB'S GLASS WORKS	02721	BOB'S GLASS WORKS	690.00
10/29/10	MEM	11-00668	AVL ILLUSTRATOR CS5 WIN L1	04485	CDWG/MICRO WAREHOUSE	593.50
10/29/10	MEM	11-01324	SERVICES EXXONMOBIL	05470	EXXONMOBIL FLEET/GECC	1,296.23
10/29/10	MEM	11-01296	LD/TOLL SERVICES - HPU OFFICE	07187	PAETEC COMMUNICATIONS INC.	201.02
10/29/10	MEM	11-01343	SERVICES RENDERED	08010	MARY C. BERGIN	200.00
10/29/10	MEM	11-01423	MANAGEMENT FEES 10/10	08305	CENTRAL PARKING	84,918.00
10/29/10	MEM	11-00053	7-12/10 SERV APG 916	08876	UNITRONICS INC.	11,500.00
					Total for Batch: MEM	145,822.83
10/29/10	MPG	11-01304	PRO. SERVICES THROUGH 9/24/10	00031	BOSWELL ENGINEERING	498.00
10/29/10	MPG	11-01305	GENERAL ENGINEERING FY2010	00031	BOSWELL ENGINEERING	3,224.50
10/29/10	MPG	11-00814	SUPPLIES 9/10 PARKS	00077	CITY PAINT AND HARDWARE	1,202.21
10/29/10	MPG	10-01162	TO REPAIR BROKEN WINDOW	00141	HOBOKEN GLASS COMPANY	310.00
10/29/10	MPG	10-03176	REPLACE BROKEN GLASS-1ST FL	00141	HOBOKEN GLASS COMPANY	365.00
10/29/10	MPG	11-01036	GLASS IN DOOR CH 1ST STREET	00141	HOBOKEN GLASS COMPANY	325.00
10/29/10	MPG	11-01213	INSTALL COMPRESSOR AT GARAGE	00269	FCA LIGHTING	200.00
10/29/10	MPG	11-01311	ELEC. FOR TRAILER AT GARAGE	00269	FCA LIGHTING	325.00
10/29/10	MPG	11-01351	ELEC. REPAIR LITTLE LEAGUE FLD	00269	FCA LIGHTING	95.00
10/29/10	MPG	11-01216	REPAIR GARAGE ROLLING DOORS	00279	LOMBARDY DOOR SALES	825.00
10/29/10	MPG	11-01255	MU RECYCLING COLLECTION 10/10	00321	CALI CARTING, INC.	128,786.00
10/29/10	MPG	11-01335	SHADE TREE CONFERENCE 2010	00330	N. J. SHADE TREE FEDERATION	300.00
10/29/10	MPG	10-03150	PARTS FOR SWEEPER 101 AND 102	00456	W. E. TIMMERMAN CO., INC.	3,063.80
10/29/10	MPG	11-01109	REPAIR TO SWEEPER CR2132D	00456	W. E. TIMMERMAN CO., INC.	3,573.00
10/29/10	MPG	11-00036	7-12/10 HEALTH	00701	BLUE CROSS-BLUE SHIELD OF NJ	2,124,119.96
10/29/10	MPG	11-00039	7-12/10 PRESCRIPTION	01084	GSPO PROVIDER SERVICES CORP.	721,797.01
10/29/10	MPG	11-00026	7-12/10 CITY	01089	VERIZON	12,270.96
10/29/10	MPG	10-02220	BULK FLUIDS	01122	DAVID WEBER OIL CO.	458.75
10/29/10	MPG	11-01133	SERVICES RENDERED	01192	REBEKAH ARAMINI LUPO	80.00
10/29/10	MPG	10-03730	REPAIR PLAYGROUND EQUIPMENT	01246	KOMPON INC	84.00
10/29/10	MPG	11-00876	REPAIRS	01289	WILFRED MAC DONALD, INC.	204.67
10/29/10	MPG	11-01010	SOUND TECHNICIAN	01322	MICHAEL FORBES	225.00
10/29/10	MPG	11-00611	ART IN THE PARK REIMBURSEMENT	01347	AARTI MEHENDALE	35.00
10/29/10	MPG	11-01073	REPAIR SIDEWALK CITY HALL	01362	B & M CONTRACTING, INC	6,500.00
10/29/10	MPG	11-01223	FOOD - LATIN HERITAGE DINNER	01407	BIG BANNER	336.00
10/29/10	MPG	11-01323	REIMBURSEMENT	01425	LEO PELLEGRINI	26.46
10/29/10	MPG	11-00824	CLEANING SUPPLIES GARAGE	01776	STATE CHEMICAL MFG.	811.67
10/29/10	MPG	11-00169	ASSORTED SANDWICHES	02271	M & P BIANCOMONO	160.00
10/29/10	MPG	11-00451	RADIO ANTENNA FOR GARAGE	02590	ELECTRONIC SERVICE SOLUTIONS	1,746.00
10/29/10	MPG	11-00281	Prune and add trees	03129	RELIABLE TREE SERVICES	2,500.00

Rcvd Date	Batch Id	PO #	Description	Vendor	Amount	Contract
10/29/10	MPG	11-01217	RECYCLING/TONNAGE COSTS	03241	HUDSON COUNTY IMPROVEMENT AUTH	170,792.92
10/29/10	MPG	11-01218	HOLIDAY SURCHARGE GARBAGE FEE	03241	HUDSON COUNTY IMPROVEMENT AUTH	373.76
10/29/10	MPG	11-01221	DISPOSAL FEES GARBAGE	03241	HUDSON COUNTY IMPROVEMENT AUTH	14,821.78
10/29/10	MPG	11-01318	REIMBURSEMENT	03633	VALENTE, MARY ANN C.	34.73
10/29/10	MPG	11-00027	7-12/10 CELL SERV-MAYOR	03973	VERIZON WIRELESS	83.50
10/29/10	MPG	11-01053	FALL FESTIVAL	04745	BML-BLACKBIRD THEATRICAL SRVS	2,200.00
10/29/10	MPG	11-00025	7-12/10 CELL ACCT #141015027	04794	NEXTEL COMMUNICATIONS	8,465.69
10/29/10	MPG	11-00021	7-12/10 INTERNET SERV #45278	04947	CABLEVISION LIGHTPATH, INC.	2,308.10
10/29/10	MPG	11-00022	7-12/10 REVERSE 911 SYST SERV	04947	CABLEVISION LIGHTPATH, INC.	5,571.36
10/29/10	MPG	10-00007	FY10 SUPPLIES	05307	W. B. MASON CO., INC.	1,315.60
10/29/10	MPG	11-00009	7-12/10 CONSUMABLE SUPPLIES	05307	W. B. MASON CO., INC.	279.50
10/29/10	MPG	11-00275	LASER PRINT CARTRIDGE	05307	W. B. MASON CO., INC.	70.17
10/29/10	MPG	11-00276	INK CARTRIDGES	05307	W. B. MASON CO., INC.	89.07
10/29/10	MPG	11-00514	OFFICE SUPPLIES CULT AFF	05307	W. B. MASON CO., INC.	48.95
10/29/10	MPG	11-00010	7-12/10 GASOLINE	05470	EXXONMOBIL FLEET/GECC	27,724.19
10/29/10	MPG	11-00719	NEW TIRES FOR SWEEPERS	05558	CUSTOM BANDAG, INC.	1,660.52
10/29/10	MPG	11-00241	REIMBURSEMENT, PART B MEDICARE	05838	GEORGE F. SCHLERETH	1,272.00
10/29/10	MPG	11-00028	7-12/10 FAX EQUIP LEASE/MAINT	06417	OCE IMAGISTICS	1,265.66
10/29/10	MPG	11-01273	PAPP MAINT 7, 9, 10/10	06663	HUFNAGEL LANDSCAPING INC.	8,715.00
10/29/10	MPG	11-01132	FESTIVAL ENTERTAINMENT	08000	GUITAR BAR	400.00
10/29/10	MPG	11-00854	FALL FESTIVAL ADVERTISEMENT	08806	THE L MAGAZINE	750.00
10/29/10	MPG	11-01336	REPAIR MC16 P.D.	09181	QUALITY AUTOMALL	52.89
Total for Batch: MPG						3,262,743.38
10/29/10	RFE	11-01326	PIERS AND MULTI-SERVICE CTR	00031	BOSWELL ENGINEERING	16,376.50
10/29/10	RFE	11-01164	ESCROW ACCOUNT REVIEWS	01049	VANDOR & VANDOR LTD.	5,250.00
10/29/10	RFE	11-00589	GRANT WRITING & FUND PROCURING	01100	LENOX CONSULTING LLC	7,250.00
10/29/10	RFE	11-01144	WESTERN EDGE REDEVELOPMENT PLN	01198	TALLEY PLANNING ASSOCIATES	5,531.25
10/29/10	RFE	10-03708	CITY COUNCIL RESOLUTN 6/22/10	01241	MATRIX CONSULTING GROUP	20,888.00
10/29/10	RFE	11-01327	PIER "C" RAILING - CAPITAL	01424	Z'S IRON WORKS	4,690.00
10/29/10	RFE	11-01260	PLANNING BOARD ESCROW WORK	02147	ROSENBERG & ASSOCIATES	331.00
10/29/10	RFE	11-01281	PLANNING BOARD ESCROW ACCOUNTS	04037	BIRDSALL ENGINEERING	4,072.50
10/29/10	RFE	11-01271	REFUND OF ESCROW MONIES	04294	79 HUDSON STREET LLC	2,176.25
10/29/10	RFE	11-01264	ZONING BOARD ESCROW ACCOUNTS	04660	KAUFMAN, BERN & DEUTSCH, LLP	6,412.00
10/29/10	RFE	11-01265	ZONING BOARD ESCROW ACCOUNTS	05788	THE GALVIN LAW FIRM	4,758.79
Total for Batch: RFE						77,736.29
Total for Date: 10/29/10						Total for All Batches: 3,667,908.61

	Batch Id	Batch Total
Total for Batch:	JMW	225,849.77
Total for Batch:	MEM	145,822.83
Total for Batch:	MPG	3,285,716.08
Total for Batch:	RFE	77,736.29
Total Of All Batches:		=====
		3,735,124.97

Fund Description	Fund	Budget Total	Revenue Total
CURRENT FUND	0-01	30,153.79	0.00
PARKING UTILITY FUND	0-31	1,098.43	0.00
Year Total:		31,252.22	0.00
CURRENT FUND	1-01	3,438,149.21	0.00
PARKING UTILITY FUND	1-31	144,724.40	0.00
Year Total:		3,582,873.61	0.00
	C-04	11,402.00	0.00
	D-12	198.00	0.00
GRANT FUND	G-02	3,656.90	0.00
	G-55	9,664.50	0.00
Year Total:		13,321.40	0.00
TRUST FUND & OTHER	T-03	64,052.20	0.00
	T-24	9,025.00	0.00
Year Total:		73,077.20	0.00
Total Of All Funds:		3,712,124.43	0.00

Project Description	Project No.	Project Total
STEVENS GARAGE 5TH SINATRA DR	010432	112.00
1422 GRAND STREET	010499	735.00
1400 CLINTON STREET	010550	595.00
38 JACKSON STREET	010569	2,336.75
202 BLOOMFIELD STREET	292777	518.00
503 MONROE STREET	292796	315.00
1422 GRAND STREET	292804	380.00
610-612 RIVER TERRACE	292813	1,512.00
75 JACKSON STREET	292814	95.00
1401 WASHINGTON STREET	292826	616.00
728 BLOOMFIELD STREET	292829	35.00
1317 - 1327 MADISON STREET	292832	805.00
115 CLINTON STREET	292834	1,204.00
401 - 403 1st Street	292835	95.00
822 HUDSON STREET	292837	140.00
609 MONROE STREET	292839	105.00
222 JACKSON STREET	292840	175.00
300 WASHINGTON STREET	292841	2,072.50
90 GARDEN STREET	292842	805.00
615 MONROE STREET	292843	285.00
1201 HUDSON STREET	292844	812.50
1314 WASHINGTON STREET	292845	35.00
78 JEFFERSON STREET	292847	47.50
734 - 738 WILLOW AVE	292850	70.00
128 - 130 PARK AVE	292851	35.00
506 GARDEN STREET	292858	946.76
1201 - 1222 WASHINGTON STREET	292859	841.76

Project Description	Project No.	Project Total
517 GARDEN STREET	292860	666.76
1714 WILLOW AVENUE	292861	1,891.76
313 - 315 FIRST STREET	45184	2,331.00
79 - 83 HUDSON STREET	45215	2,176.25
1405 - 1413 CLINTON STREET	45242	105.00
720 - 729 CLINTON STREET	45254	105.00
		=====
Total Of All Projects:		23,000.54

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD:

30-Sep-10	TO	13-Oct-10	Paydate	10/20/2010	
<u>DEPARTMENT</u>	<u>ACCOUNT NUMBER</u>	<u>REGULAR PAY (11)</u>	<u>O/T PAY (14)</u>	<u>OTHER PAY (11)</u>	<u>TOTAL PAY</u>
PERSONNEL	1-01-20-105	9,090.00	0.00	0.00	9,090.00
MAYOR'S OFFICE	1-01-20-110	9,155.78	0.00	0.00	9,155.78
CITY COUNCIL	1-01-20-111	8,445.45	0.00	0.00	8,445.45
BUS ADMINISTRATOR	1-01-20-112	8,637.81	0.00	0.00	8,637.81
ABC BOARD	1-01-20-113	0.00	0.00	153.85	153.85
PURCHASING	1-01-20-114	9,756.87	0.00	0.00	9,756.87
GRANTS MANAGEMENT	1-01-20-116	0.00	0.00	0.00	0.00
CITY CLERK'S OFFICE	1-01-20-120	14,870.08	0.00	0.00	14,870.08
ELECTIONS	1-01-20-122	0.00	0.00	0.00	0.00
FINANCE OFFICE	1-01-20-130	23,504.88	0.00	0.00	23,504.88
ACCOUNTS/CONTROL	1-01-20-131	0.00	0.00	0.00	0.00
PAYROLL DIVISION	1-01-20-132	0.00	0.00	0.00	0.00
TAX COLLECTION	1-01-20-145	8,810.35	0.00	0.00	8,810.35
ASSESSOR'S OFFICE	1-01-20-150	13,362.54	0.00	0.00	13,362.54
CORPORATE COUNSEL	1-01-20-155	6,156.73	0.00	0.00	6,156.73
COMMUNITY DEVELOPMENT	1-01-20-160	6,290.08	0.00	40.00	6,330.08
TREASURER	1-01-20-146	0.00	0.00	0.00	0.00
PLANNING BOARD	1-01-21-180	5,824.62	602.16	0.00	6,426.78
INFORMATION TECHNOLOGY	1-01-20-147	4,305.46	645.86	0.00	4,951.32
ZONING OFFICER	1-01-21-186	4,746.88	0.00	0.00	4,746.88
HOUSING INSPECTION	1-01-21-187	5,451.38	364.59	0.00	5,815.97
CONSTRUCTION CODE	1-01-22-195	28,085.61	0.00	0.00	28,085.61
POLICE DIVISION	1-01-25-241	523,245.82	3,980.89	14,355.69	541,582.40
CROSSING GUARDS	1-01-25-241	13,144.65	0.00	0.00	13,144.65
EMERGENCY MANAGEMENT	1-01-25-252	4,437.50	929.16	250.00	5,616.66

<u>DEPARTMENT</u>	<u>ACCOUNT NUMBER</u>	<u>REGULAR PAY (01)</u>	<u>O/T PAY (02)</u>	<u>OTHER PAY (01)</u>	<u>TOTAL PAY</u>
FIRE DIVISION	1-01-25-266	450,980.99	1,182.30	164.22	452,327.51
STREETS AND ROADS	1-01-26-291-011	24,918.84	6,321.60	0.00	31,240.44
ENV SRVCS DIR OFFICE	1-01-26-290	9,937.15	0.00	0.00	9,937.15
RECREATION SEASONAL EMP	1-0128370016	100.00	0.00	0.00	100.00
CENTRAL GARAGE	1-01-26-301	3,145.92	999.20	0.00	4,145.12
SANITATION	1-01-26-305	20,985.42	2,267.04	0.00	23,252.46
LICENSING DIVISION	1-31-55-501-101	3,732.34	0.00	0.00	3,732.34
HUMAN SRVCS DIR OFFICE	1-01-27-330	6,668.07	5,699.20	0.00	12,367.27
BOARD OF HEALTH	1-01-27-332	19,238.04	0.00	0.00	19,238.04
CONSTITUENT SRCS	1-01-27-333	0.00	0.00	0.00	0.00
SENIOR CITIZENS	1-01-27-336	15,691.87	0.00	0.00	15,691.87
RENT STABILIZATION	1-01-27-347	7,285.92	0.00	0.00	7,285.92
TRANSPORTATION	1-01-27-348	0.00	0.00	0.00	0.00
RECREATION	1-01-28-370	14,172.50	149.40	0.00	14,321.90
PARKS	1-01-28-375	19,612.53	1,158.96	0.00	20,771.49
PUBLIC PROPERTY	1-01-28-377	27,316.52	480.14	0.00	27,796.66
PUBLIC LIBRARY	1-0129-390-021	0.00	0.00	0.00	0.00
PUBLIC DEFENDER	1-01-43-495	2,600.38	0.00	0.00	2,600.38
MUNICIPAL COURT	1-01-43-490	36,264.14	0.00	0.00	36,264.14
PARKING UTILITY	1-31-55-501-101	75,104.08	15,436.55	750.00	91,290.63
MUN COURT OVERTIME	T-0340000-037	0.00	1,987.92	0.00	1,987.92
GRANT#	T0340000004	0.00	112.23	0.00	112.23
GRANT#	G-02-44-701-380	0.00	0.00	0.00	0.00
FIRE EDUCATION	T-13-10-000-000	0.00	1,229.54	0.00	1,229.54
CULTURAL AF AFFAIRS	1-01-271-760-11	3,587.07	0.00	0.00	3,587.07

<u>DEPARTMENT</u>	<u>ACCOUNT NUMBER</u>	<u>REGULAR PAY (01)</u>	<u>O/T PAY (02)</u>	<u>OTHER PAY (01)</u>	<u>PAY</u>
OTHER:					
SALARY SETTLEMENT	1-01-36-479-000	0.00	0.00	0.00	0.00
POLICE OUTSIDE EMPL.	T-03-40-000-006	0.00	0.00	26,675.00	26,675.00
RESERVE FOR POAA	T-03-40-000-032	0.00	0.00	0.00	0.00
GRANT	G-02-44-701-310	0.00	0.00	0.00	0.00
POLICE HOUSING AUTHORITY OEP	1-01-25-241-017	0.00	0.00	17,200.00	17,200.00
GRAND TOTAL		1,448,664.27	43,546.74	59,588.76	1,551,799.77
					1,551,799.77

Introduced by: _____

Seconded by: _____

**CITY OF HOBOKEN
RESOLUTION NO. _____**

Inserting a Special Item of Revenue into the TY 2010 Municipal Budget

PEDESTRIAN SAFETY EDUCATION GRANT – TY 2010

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 \$15,000.00 from State of New Jersey, Division of Highway Traffic Safety to amend its TY 2010 Budget to include this amount as revenue.

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 TY 2010 in the sum of..... \$15,000.00
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:
Pedestrian Safety Highway Grant 2010 O/E

NOW, THEREFORE, BE IT RESOLVED that the like sum of: \$15,000.00

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:
Pedestrian Safety Highway Grant 2010 O/E
Other Expenses

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.

MEETING DATE: November 3, 2010

Reviewed by:

Approved as to Form:

Arch Liston
Business Administrator

Mark Tabakin
Corporation Counsel

Introduced by: _____

Seconded by: _____

**CITY OF HOBOKEN
RESOLUTION NO. _____**

Inserting a Special Item of Revenue into the TY 2010 Municipal Budget

COOPERATIVE HOUSING INSPECTION PROGRANT – TY 2010

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 \$100,000.00 from State of N.J., Department of Community Affairs to amend its TY 2010 Budget to include this amount as revenue.

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 TY 2010 in the sum of.....\$100,000.00 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:

Housing Inspection Grant O/E

NOW, THEREFORE, BE IT RESOLVED that the like sum of: \$100,000.00 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:

Housing Inspection Grant O/E
Other Expenses

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.

MEETING DATE: November 3, 2010

Reviewed by:

Approved as to Form:

Arch Liston
Business Administrator

Mark Tabakin
Corporation Counsel

Introduced by: _____

Seconded by: _____

**CITY OF HOBOKEN
RESOLUTION NO. _____**

Inserting a Special Item of Revenue into the TY 2010 Municipal Budget

COMMUNITY DEVELOPMENT BLOCK GRANT – TY 2010

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 \$457,000.00 from Hudson County, Division of Housing & Community Development to amend its TY 2010 Budget to include this amount as revenue and Miscellaneous Program Income \$105,000.00.

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 TY 2010 in the sum of..... \$562,000.00
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:
 - Community Development Block Grant 2010 O/E

NOW, THEREFORE, BE IT RESOLVED that the like sum of: \$562,000.00

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:
 - Community Development Block Grant 2010 O/E
 - Other Expenses

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.

MEETING DATE: November 3, 2010

Reviewed by:

Approved as to Form:

Arch Liston
Business Administrator

Mark Tabakin
Corporation Counsel

Introduced By: _____

Second By: _____

**CITY OF HOBOKEN
RESOLUTION NO. _____**

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 **\$ 19,697.23**

<u>NAME</u>	<u>BL/LT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
FARRELL, THOMAS & MEGAN 636 FIFTH ST #207 HOBOKEN, NJ 07030	66/1/C0207	636 FIFTH ST	1/10	\$ 2,101.47
ZALESKI, BRIAN R 812 GRAND ST #221 HOBOKEN, NJ 07030	91/1.2/C0221	812 GRAND ST	3/09	\$ 1,635.82
GOTTLIEB, MELISSA 812 GRAND ST #505 HOBOKEN, NJ 07030	91/1.2/C0505	812 GRAND ST	2/10	\$ 1,879.46
MORRISON, ROBERT M & KERRY N 1021 GRAND ST #PHH HOBOKEN, NJ 07030	155/3/C0PHH	1021 GRAND ST	1/09 & 2/09	\$ 2,412.85
BATINO, CHARINA 924 WILLOW AVE #2 HOBOKEN, NJ 07030	161/22/C0002	924 WILLOW AVE	3/10	\$ 1,187.05
CIRILLI, CARLOS & MARIA 908 PARK AVENUE HOBOKEN, NJ 07030	171/33/	908 PARK AVE	2/10	\$ 4,828.87
HUDSON CITY SAVINGS BANK WEST 80 CENTURY ROAD PARAMUS, NJ 07652	179/31/C0002	328 GARDEN ST	4/09	\$ 446.60

<u>NAME</u>	<u>BL/LT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
IOANNOU, STEVEN J 139 BLOOMFIELD ST #1-B HOBOKEN, NJ 07030	200/19/CB001	139 BLOOMFIELD ST	3/10	\$ 1,601.33
CORCORAN, CHRISTOPHER W & MARY C 1500 HUDSON ST #8P HOBOKEN, NJ 07030	268.1/3/C008P	1500 HUDSON ST	1/10 & 2/10	\$3,603.78

Meeting: NOVEMBER 3, 2010

Approved as to Form:

CORPORATION COUNSEL

Sharon Curran

CITY OF HOBOKEN
Department of Community Development

DAWN ZIMMER
Mayor



BRANDY FORBES
Director

MEMORANDUM

DATE: October 27, 2010

TO: Hoboken City Council

CC: Dawn Zimmer, Mayor
Arch Liston, Business Administrator
Mark Tabakin, Corporation Counsel
Ed Buzak, Special Legal Counsel

FROM: Brandy Forbes, Community Development Director *BF*

RE: Maxwell Place Block E – Waterfront Park

BACKGROUND ON WATERFRONT PARK REQUIREMENT

The Maxwell Place Developer's Agreement, dated September 4, 2003 provides for Block E to be developed as a Waterfront Park in accordance with the drawings entered into evidence at the hearing (see attached map). The intent of the Waterfront Park is for it to be conveyed to the City of Hoboken so that the citizens of Hoboken can use it as a park in perpetuity. The developer, Toll Brothers, asserts that this park is complete and is interested in conveying the park to the City of Hoboken.

Last November Toll Brothers requested that the City accept the deed for Block E, the waterfront park. However, part of accepting the deed is the activation of the Operation and Maintenance Agreement for the facility.

As was discussed last year, there are significant issues with the Operations and Maintenance (O&M) Agreement that was signed by the City and the Developer in June 2004. There is a question to the agreement's validity. Even if valid, the agreement represents a challenge to implement due to issues surrounding the control of the funds

and the ability of the City to relinquish control of the operation and maintenance of the public park and facilities to a private non-profit organization.

Thus, the deed for Block E, the Waterfront Park at Maxwell Place (see attached map), was not accepted by the City last year because of the concerns with the associated O&M Agreement

To address this issue, negotiations commenced with representatives of Toll Brothers (Toll) to modify the O&M Agreement. After several months of negotiations at which progress was made, Toll indicated that they were unwilling to negotiate further without having the concurrence of the Maxwell Place Condominium Association (HOA) because ultimately the HOA would be directly affected by the terms of such an Agreement. Toll sent a letter to the HOA outlining the status of negotiations, and it was the intent of the parties to work toward revising the O&M Agreement.

On October 19th, 2010, at the request of Toll, Special Legal Counsel Ed Buzak and I met with both Toll representatives and Toll's partners Daniel Gans and George Vallone, (assumedly members of 1101-1125 Hudson Street, LLC, the predecessors in title). At that meeting, the Toll's partners advised the City that they would insist that if the City did not accept title to Block E by December 15, 2010, they would proceed to convey the property to the Condo Association per the terms of the Developer's Agreement. Toll and Toll's partners do not see a relationship between the O&M Agreement and the acceptance of title to Block E.

The Developer's Agreement sets up a road map for the development and ultimate conveyance of Block E. The Developer's Agreement, dated September 4, 2003, between 1101-1125 Hudson Street, LLC and the City of Hoboken provides the following with regard to Block E:

- Block E will be developed at the applicant's expense as a waterfront park in accordance with drawings L-1 through L-7, previously submitted.
- This waterfront park will be conveyed to the City of Hoboken so that the citizens of Hoboken can use it as a park in perpetuity.
- In the event the City of Hoboken is unable or unwilling to accept the waterfront park conveyance, then
 - (i) the park will be conveyed to the owners of Blocks A through D, and
 - (ii) a conservation easement precluding development of the park will be conveyed to the City of Hoboken or, if not accepted within 60 days by the City of Hoboken, then to an IRS-qualified charity selected by the Hoboken Planning Board within 60 days of the City's non-acceptance or, if not, to any such charity selected by the owners of Blocks A through D.
- Funding for the operation and maintenance of this waterfront park will come from the owners of Development Blocks A through D. The structure of the funding agreement will be patterned on the agreement for funding the South Waterfront Park's operation and maintenance.

- Provided the City accepts the conveyance of the waterfront park, public access to the waterfront park shall be regulated in accordance with rules and regulations which may be amended from time to time by the Mayor and City Council.

RECOMMENDATION

Given the current status, the suggested course of action to achieve the City's dual goal of having Block E deeded over to the City of Hoboken and that there be a legal funding agreement per the requirement of the Developer's Agreement that does not impose any financial obligation on the other taxpayers of the City is to adopt an ordinance accepting title to Block E with conditions. The conditions are based on best real estate practices and on the requirements of the Developer's Agreements and are as follows:

1. The Developer is to demonstrate clear and marketable title to Block E.
2. The Developer is to provide appropriate certification that the park improvements to Block E have been completed in accordance with the terms and conditions of the applicable agreements and City requirements and that the same are all in acceptable condition at the time of acceptance of the title.
3. The Developer is to provide appropriate certification that the pier and boat house improvements to Block E have been completed in accordance of City requirements and that the same are all in acceptable condition at the time of acceptance of title.
4. Execution of a revised O&M Agreement to comport with law, or a declaration by a court of competent jurisdiction that the June 17, 2004 O&M Agreement is not ultra vires (invalid excess of authority or power exercised by an entity) and can be implemented in accordance with its terms.

As well, it is the recommendation to have the ordinance effective immediately upon second and final reading by adopting a resolution declaring an emergency.

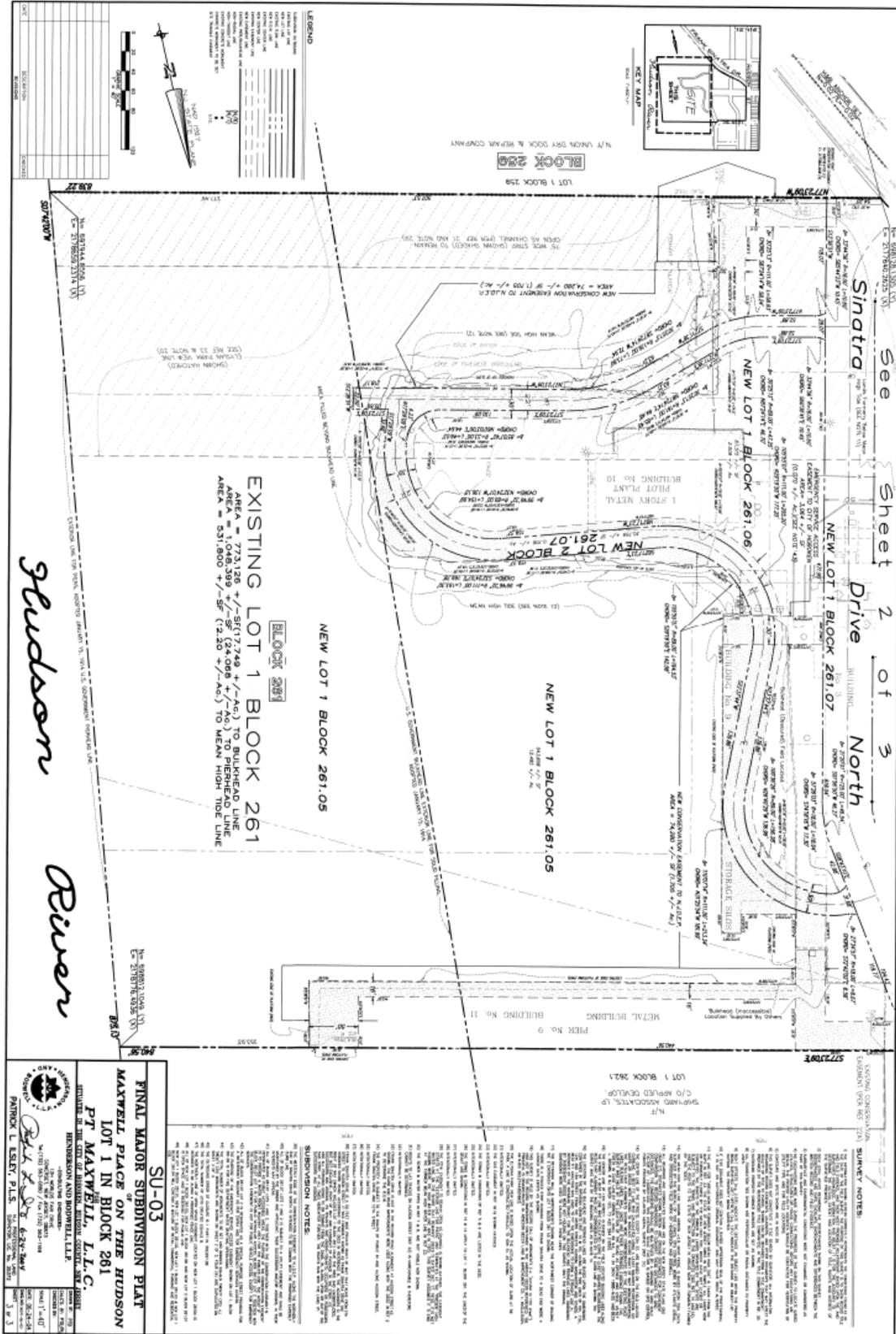
The introduction and adoption of the ordinance as suggested above prior to the December 15, 2010 deadline provided by Toll and its partners unequivocally demonstrates that the City is both **willing** and **able** to accept the conveyance and not only intends to do so, but has done so, conditioned upon the satisfaction of reasonable criteria, both to address best real estate practices and to have the O&M Agreement either renegotiated or declared legal and binding on the City.

LEGAL DESCRIPTION OF AREA

All that tract or parcel of land and premises, situated, lying and being in the City of Hoboken, County of Hudson, State of New Jersey, and being more particularly described as follows:

Being known and designated as New Lot 1 Block 261.05, New Lot 1 Block 261.06 and New Lot 2 Block 261.07 on a map entitled "Final Major Subdivision Plat of Maxwell Place on the Hudson Lot 1 in Block 261 for PT Maxwell, LLC, situated in the City of Hoboken, Hudson County, New Jersey", prepared by Henderson and Bodwell, LLP, dated June 24, 2004 and last revised May 26, 2005, consisting of three (3) sheets, and filed in the Hudson County Register on September 8, 2005 as Map 4049.

MAP OF AREA



fd-s-227 (HC-2010-A)
102701

Sponsored By: _____
Seconded By: _____

CITY OF HOBOKEN
Ordinance No.: _____

**AN ORDINANCE ACCEPTING A DEED FROM P.T. MAXWELL, LLC
FOR NEW LOT 1, BLOCK 261.05; NEW LOT 1, BLOCK 261.06; AND
NEW LOT 2, BLOCK 261.07 AS SHOWN ON A MAP FILED
IN THE OFFICE OF THE HUDSON COUNTY REGISTRAR AS MAP NO. 4049
ON SEPTEMBER 8, 2005 UPON THE SATISFACTION OF THE
CONDITIONS SET FORTH HEREIN.**

WHEREAS, the City of Hoboken is a municipal entity organized under the laws of the State of New Jersey; and

WHEREAS, P.T. Maxwell, LLC is a New Jersey Limited Liability Company that is the sponsor of a condominium project commonly known as Maxwell Place Condominium, located at 1101-1125 Hudson Street within the City of Hoboken; and

WHEREAS, P.T. Maxwell, LLC is the successor in interest to 1101-1125 Hudson Street LLC, which received preliminary site plan and subdivision approval of a planned unit development for 1101-1125 Hudson Street LLC ("Development Project") by resolution entitled "Preliminary Site Plan and Subdivision Approval of Planned Unit Development for 1101-1125 Hudson Street, LLC", adopted by the Planning Board of the City of Hoboken on or about March 4, 2003; and

WHEREAS, P.T. Maxwell, LLC received final site plan approval for Blocks A & E and final major subdivision approval by resolution entitled "Resolution for Final Site Plan Approvals Blocks A & E and Final Major Subdivision", adopted by the Planning Board of the City of Hoboken on or about January 4, 2005; and

WHEREAS, in conjunction with the aforementioned Planning Board approvals, 1101-1125 Hudson Street, LLC entered into a Developer's Agreement ("Agreement") with the City of Hoboken setting forth in general the rights, duties and obligations of the parties in connection with the Development Project, which Agreement set forth conditions under which certain property known as the Block E Waterfront Park ("Block E") is to be developed and conveyed to the City of Hoboken; and

DRAFT

WHEREAS, the Agreement further stated that this Waterfront Park and Block E was to be conveyed to the City of Hoboken so that the citizens of Hoboken can use it as a park in perpetuity; and

WHEREAS, the Agreement further establishes that a funding agreement for the Waterfront Park would be implemented so that funding for the operation and maintenance of this Waterfront Park and Block E will come from the owners of Block A through Block D; and

WHEREAS, an agreement entitled "Maxwell Place Waterfront Park Operation and Maintenance Funding Agreement" ("O&M Agreement") was executed by and between P.T. Maxwell LLC and the City of Hoboken, dated June 17, 2004, which establishes, among other things, that the cost for the operation and maintenance of this Waterfront Park will be derived from the owners of Block A through Block D; and

WHEREAS, legal questions have been raised to the validity and implementability of the June 17, 2004 O&M Agreement as it relates to Block E; and

WHEREAS, the City of Hoboken has initiated and participated in several meetings to negotiate revisions to the O&M Agreement to eliminate its legal impediments and to make the same implementable and functional; and

WHEREAS, despite the fact that negotiations have not as yet been concluded, the Developer has demanded that the City of Hoboken accept title to the Waterfront Park and Block E by December 15, 2010, ignoring the legal questions raised regarding the O&M Agreement and the satisfaction of other conditions and criteria as set forth hereinafter; and

WHEREAS, P.T. Maxwell, LLC has represented that it has completed the Waterfront Park and is prepared to transfer it to the City of Hoboken pursuant to its obligations under the Agreement; and

WHEREAS, to date the City of Hoboken has not been furnished with appropriate certifications with regard to the improvements constructed by the developer on Block E, including, without limitation, the Waterfront Park, the pier and the walkway, which will be accepted simultaneous with, and as part of the acceptance of the underlying real property (Block E) as an appurtenance on Block E, nor has there been adequate proof submitted of clear and marketable title, free and clear of all liens and encumbrances; and

WHEREAS, the City of Hoboken desires to express its willingness and ability to accept the Block E property, provided that the conditions as set forth hereinafter are satisfied; and

WHEREAS, this action is authorized pursuant to the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hoboken, County of Hudson, State of New Jersey as follows:

1. Subject to the satisfaction of the conditions as set forth in this Ordinance, the City of Hoboken hereby accepts a certain Deed from P.T. Maxwell, LLC to the City of Hoboken, conveying Block E to the City of Hoboken, together with all appurtenances thereon, including, without limitation, the playground and equipment, pier, boathouse, walkway and other improvements and appurtenances thereon.

2. Subject to the satisfaction of the conditions as set forth in this Ordinance, the Mayor and City Clerk are hereby authorized to accept said Deed and improvements and appurtenances, and arrange for the recording of the Deed in the Office of the Hudson County Registrar.

3. The conditions that are required to be satisfied as set forth in this Ordinance to allow for the effectuation of the acceptance of the Deed and improvements and appurtenances are as follows:

- (i) The Developer shall demonstrate ownership of, and ability to convey clear and marketable title to, Block E to the City of Hoboken, free and clear of all liens and encumbrances and shall provide the City with all the usual and necessary closing documents, including, but not limited to, affidavits of title and releases from mortgages and other encumbrances.
- (ii) The Developer shall provide to the City of Hoboken appropriate certifications that the Waterfront Park improvements on Block E have been completed in accordance with the terms and conditions of the applicable Agreement and approvals and other City requirements and that all are in acceptable condition at the time of the acceptance of title.

- (iii) The Developer shall provide to the City of Hoboken appropriate certifications that the pier and boat house improvements and all other improvements and appurtenances on Block E have been completed in accordance with the terms and conditions of the applicable Agreement and approvals and other City requirements and that all are in acceptable condition at the time of the acceptance of title.
- (iv) A revised O&M Agreement to comport with law shall be executed by the parties or, a court of competent jurisdiction shall declare and determine that the June 17, 2004 O&M Agreement is not ultra vires and is legally implementable by the Mayor and Council of the City of Hoboken.

4. The Mayor and City Clerk and all other appropriate employees and professionals of the City of Hoboken are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Ordinance.

5. The City Tax Collector and City Tax Assessor are hereby authorized and directed to take any action necessary to further the purposes of this Ordinance.

6. 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 intention that all 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.

7. If any section, subsection, sentence, clause, or phrase thereof is for any reason 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 remain in effect, it being the legislative intent that this Ordinance shall stand, notwithstanding the invalidity of any part thereof.

8. This Ordinance shall effect upon passage and publication as provided by law, except to the extent that an emergency is declared and the Ordinance is made effective immediately, pursuant to N.J.S.A. 40:69A-181(b).

9. This Ordinance, along with the Deed of conveyance approved hereby shall be recorded in the Office of the Hudson County Registrar upon the satisfaction of the conditions set forth herein, and shall be maintained in the Office of the Hoboken City Clerk.

Date of Introduction:

ADOPTED:

James J. Farina, City Clerk

APPROVED:

Dawn Zimmer, Mayor

APPROVED AS TO FORM:

Mark A. Tabakin, Corporation Counsel

DRAFT

Sponsored by: _____

Seconded by: _____

**CITY OF HOBOKEN
ORDINANCE NO. _____**

AN ORDINANCE TO AMEND AND SUPPLEMENT SECTIONS 141A-2, 190-3, AND 190-28 OF THE GENERAL CODE OF THE CITY OF HOBOKEN TO CREATE PARKING REGULATIONS ON HARRISON STREET.

WHEREAS, pursuant to Title 39 of the New Jersey Statutes, the City of Hoboken is entitled to create, repeal and amend ordinances relating to parking on municipal rights of way;

WHEREAS, Harrison Street, between Fifth Street and the Northern Boundary currently does not have any parking regulations;

WHEREAS, the General Code of the City of Hoboken, at Section 141A-2, currently regulates Resident Only parking areas within the City;

WHEREAS, the General Code of the City of Hoboken, at Section 190-3, currently regulates No Parking Anytime areas within the City;

WHEREAS, the General Code of the City of Hoboken, at Section 190-28, currently regulates Alternate Side Parking within the City;

WHEREAS, the City Council seeks to regulate parking on Harrison Street between Fifth Street and the Northern Boundary of the City.

NOW, THEREFORE, BE IT ORDAINED by the Hoboken City Council, County of Hudson, in the State of New Jersey as follows:

Section One: Section 141A-2 Amendments

Section 141A-2 of the General Code of the City of Hoboken, currently titled "Resident Permits" is hereby amended to incorporate the following addition in Subsection H:

<u>Name of Street</u>	<u>Side</u>	<u>Limits</u>	<u>Location</u>
Harrison Street	East	24 Hours	From Fifth Street to the Northern Boundary

Section Two: Section 190-3 Amendments

Section 190-3 of the General Code of the City of Hoboken, currently titled "Parking prohibited at all times" is hereby amended to incorporate the following addition:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Harrison Street	West	From Fifth Street to the Northern Boundary

Section Three: Section 190-28 Amendments

Section 190-28 of the General Code of the City of Hoboken, currently titled "Alternate Parking Locations" is hereby amended to incorporate the following addition:

<u>Name of Street</u>	<u>Time</u>	<u>Side</u>	<u>Location</u>
Harrison Street	3:00pm to 4:00pm Mondays	East	From Fifth Street to the Northern Boundary

Section Four: 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 inconsistent with any provision of this Ordinance shall remain in effect.

Section Five: 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 notwithstanding the invalidity of any part.

Section Six: Effective Date

This Ordinance shall take effect upon passage and publication as provided by law.

Section Seven: 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.

Proper signs shall be erected in accordance with the current "Manual on Traffic Control Devices." The City Clerk shall immediately forward a certified copy of this Ordinance to the New Jersey Department of Transportation.

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.

ADOPTED:

APPROVED:

James J Farina, City Clerk

Dawn Zimmer, Mayor

APPROVED AS TO FORM:

Mark A. Tabakin, Esq.
Corporation Counsel

Date of Introduction: November 3, 2010

Sponsored by: _____

Seconded by: _____

CITY OF HOBOKEN

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF HOBOKEN GRANTING AN EASEMENT FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY AT THE SITE OF REAL PROPERTY LOCATED AT 251-259 FOURTEENTH STREET, HOBOKEN, NEW JERSEY, MOR PARTICULARLY KNOWN AS BLOCK 117 LOTS 5, 6, 7, AND 8 ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY

WHEREAS, the applicant, Katerina Scigutano for NDKB Inc., has petitioned the City of Hoboken for the granting of a certain easement over municipal lands at 251-259 Fourteenth Street, Hoboken, New Jersey, (“the premises”) which premises is more particularly described as Block 117, Lots 5, 6, 7 and 8, on the Tax Map of the City of Hoboken, New Jersey, in order to perpetuate an existing and long-standing condition, and to clarify a prior easement granted April 15, 1998, allowing the continued parking of vehicles at the premises as outlined in the attached drawing. The easements are described as follows:

METES AND BOUNDS

ALL that certain lot, parcel or tract of land, situated and lying in the City of Hoboken, County of Hudson, State of New Jersey, and being more particularly described as follows:

BEGINNING at a point in the northwesterly corner of the property (Lot 5) of Fourteenth Street, running thence:

1. N-23°-00’-00”-E, a distance of 6.25 feet to a point; thence
2. S-67°-00’-00”-E, a distance of 90.00 feet to a point; thence
3. S-23°-00’-0”-W, a distance of 6.25 feet to a point; thence
4. N-67°-00’-0”-W, a distance of 90.00 feet to a point, said point being the place of beginning; and

BEGINNING at a point on the southeasterly corner of the property (Lot 8) of Park Avenue, running thence:

1. N-23°-00’-00”-E for a distance of 100.00 feet to a point; thence
2. S-67°-00’-00”-E for a distance of 7.50 feet to a point; thence
3. S-23°-00’00”-W for a distance of 100.00 feet to a point; thence
4. N-67°-00’-00”-W for a distance of 7.50 feet to a point, said point being the place of beginning.

The above being known as a portion of the public right of way of Fourteenth Street adjacent to Lots 5 through 7, and a portion of the public right of way of Park Avenue adjacent to Lots 7 and 8 of Block 117, as shown on the Official Tax Assessment Map for Hoboken, Hudson County, New Jersey.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF HOBOKEN THAT THE CITY OF HOBOKEN HEREBY GRANTS NDKB, Inc., THE AFORMENTIONED EASEMENT SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:

1. The following recitals are incorporated herein as though fully set forth at length.
2. The City of Hoboken expressly reserves the right to require the removal of any projections or encumbrances, under or upon any street, sidewalk or public easement, for any reason including but not limited to destruction of premises by fire.
3. The applicant shall immediately remove any or all projections or encumbrances that are improperly maintained and thus present a public hazard.
4. The applicant shall indemnify the City of Hoboken, for any and all damages or money loss occasioned by the City of Hoboken or its officers or agents by any neglect, wrong-doing, omissions or commissions by the applicant arising from the making of improvements referred to herein and the construction, use and maintenance of the property described herein, and shall hold harmless the Mayor and Council of the City of Hoboken, its officers, agents and employees, against all claims, charges, judgments, costs, penalties, remediation or counsel fees arising from such damages or loss, including but not limited to death and injury, to any person or damage to property of any person, firm or corporation occasioned wholly or in part from the construction, use and maintenance of the property described herein, and the applicant shall maintain liability insurance with respect thereto, in an amount of one million (\$1,000,000.00) dollars with a policy to be issued by an insurance company approved by the Office of the Corporation Counsel, naming the City of Hoboken, the Mayor and the City Council as additional insured's.
5. These easements shall run with the land and inure to the benefits of the applicant's successors and assigns in title and interest to the property served by these easements. The covenants and conditions set forth herein shall similarly be the obligation of the applicant's successors and assigns in title and interest to the property served by the within easements.
6. The permission granted herein is conditioned upon and shall be effective only upon the applicant obtaining any and all other necessary permits and consent that may be required by local or state law, including but not limited to approval by the Hudson County Planning Board.
7. This ordinance shall take effect as provided by law.

Date of Introduction: _____

Attested:

City Clerk

Approved:

Mayor

Approved as to Form:

Mark A. Tabakin, Corporation Counsel

Adopted: _____

CITY OF HOBOKEN

Department of Community Development

DAWN ZIMMER
Mayor



BRANDY FORBES
Director

MEMORANDUM

DATE: October 29, 2010

TO: Hoboken City Council

CC: Dawn Zimmer, Mayor
Arch Liston, Business Administrator
Mark Tabakin, Corporation Counsel

FROM: Brandy Forbes, Community Development Director

RE: Solar Panel Ordinance

Our current ordinances do not outright permit solar panel installation. Thus, this Solar Ordinance is being presented to the City Council for your consideration in order to streamline the process and regulate how and where solar panels can be installed.

This ordinance was developed with the input from members of the Zoning Office, Construction Code Office, Fire Department and solar installation companies. Per the Construction Code Office, the minimum setback from the front of the building is 10', per Fire Department safety standards, and the other installation elements are governed by the UCC.

The Fire Department expressed that their need is a 10' setback on any building edge that is accessible from the street via an aerial ladder. This excludes buildings over seven stories in height and any building frontage that is obscured by high tension electrical wires. The Fire Department also needs a clear area of passage front to back and around any egress openings or access points. The ordinance has been drafted to address these issues.

The Fire Department did mention concern about having signs that alert them to the fact that solar panels are installed on a building and how they are to disengage the system. This has been addressed in the ordinance. As well, one of the solar installation companies has offered to conduct safety seminars for the Fire Department to help dispel concerns about safety and disconnect procedures in case of a fire. The Fire Department has expressed that they would be interested and this training will be coordinated through Training Officer Stefano if this ordinance is adopted.

Sponsored by: _____

Seconded by: _____

City of Hoboken
Ordinance No.: _____

**AN ORDINANCE AMENDING CHAPTER 196 “ZONING”
ARTICLE IX “GENERAL SUPPLEMENTARY REGULATIONS” TO INCLUDE
A NEW SECTION 196-35.1 ENTITLED “SOLAR INSTALLATION”**

WHEREAS, the City of Hoboken, the Administration and the Governing Body wish to encourage the use of alternative energy sources and to advance the City of Hoboken as a sustainable community; and

WHEREAS,

Now **THEREFORE**, be it ordained by the City Council of the City of Hoboken, County of Hudson, State of New Jersey, as follows:

SECTION ONE: ADDITION

The following Section is hereby added to the Municipal Code of the City of Hoboken:

ARTICLE IX
General Supplementary Regulations

196-35.1 Solar Installation

196-35.1-1. Definitions.

The following words and terms, when used in this ordinance, shall have the following meanings, unless the context clearly indicates otherwise.

ARRAY – A linked collection of photovoltaic modules which are in turn made of multiple interconnected solar cells.

GROUND MOUNTED INSTALLATION – Installations that are free standing or attached to framework that is at grade.

NON-HABITABLE BUILDING INSTALLATION – Non-Habitable building installations include but are not limited to; shade structures, carports, solar trellises, and the like.

PHOTOVOLTAIC (PV) – Capable of producing a voltage, usually through photoemission, when exposed to radiant energy, especially light. Collectively used to refer to solar panels.

SOLAR ENERGY SYSTEM – A complete design or assembly consisting of a solar energy collector, and energy storage facility (where used), and components for the distribution of transformed energy.

196-35.1-2. Roof Installation.

- A. Installation type shall meet or exceed the minimum design load for wind speeds established by the American Society of Civil Engineers (ASCE) for Hoboken, New Jersey of one hundred ten miles per hour (110 mph).
- B. A ten (10) foot setback is required from any frontage that is accessible from the public right-of-way by a fire department aerial ladder truck, except:
 - (1) Buildings over seventy-five (75) feet are exempt from the setback requirements.
 - (2) Corner buildings where access to one frontage is obstructed by electrical lines, utility poles, or other immovable objects, shall provide a ten (10) foot set back on the frontage side that is least encumbered.
- C. Three (3) feet of clearance must be provided around all fire escape ladders, and/or other points of emergency access.
- D. Installations on a flat roof shall not exceed six (6) feet in height above the surface of the roof.
- E. Access and spacing requirements shall be observed in order to ensure safe passage for egress from the roof, maintenance of equipment, and to provide smoke ventilation opportunity areas.
- F. No solar photovoltaic array or related equipment shall be attached to a common or adjoining wall between two buildings.
- G. Remote disconnect. DC circuits shall be equipped with a means for remote disconnect located downstream from the photovoltaic array. Control of the remote disconnect shall be located within five (5) feet of the building's main electrical panel and shall meet all requirements of the New Jersey Electrical Code.
- H. For installation on a multiple ownership or condominium building, a letter from the owners association stating their acquiescence shall be required.

196-35.1-3. Non-Habitable Building Installation.

- A. Non-habitable building installations include but are not limited to; shade structures, carports, solar trellises, and the like.
- B. Non-habitable solar array structures shall not be applied as lot coverage, however, no lot shall be covered more than 85% by structures including solar.
- C. Solar shade structures or trellises may be incorporated into a roof deck structure provided the roof deck meets the safety set back standards listed in - **1-2** above, and provided the shade or trellis structure does not exceed twenty percent (20%) of the total area of the roof.
- D. Minimum standards for installation shall be the same as for roof installations. (196-35.1-2.A,B)

196-35.1-4. Ground Mounted Installation.

- A. Setback requirements do not apply to ground-mounted, free standing photovoltaic arrays, except as stated in C below.
- B. Ground mounted arrays shall not be applied as lot coverage, however, no lot shall be covered more than 85% by structures including solar.
- C. Ground mounted installations exceeding six (6) feet in height as measured from grade, shall be set back from any lot line two (2) feet for each additional foot in height.

196-35.1-5. Signage Requirements

Marking is needed to provide emergency responders with appropriate warning and guidance with respect to isolating the solar electric system. This will facilitate identifying energized electrical lines that connect the solar panels to the inverter, as these should not be cut when venting for smoke removal.

All signs shall be made of reflective weather resistant material suitable for the environment; UL 969 shall be used as a standard for weather rating. All CAUTION signs shall have a red background with white lettering; a minimum 1/2" letter height, all capitals in Arial or similar font, unless otherwise specified. The "PV" sign shall be of the same color and weather resistant material, but shall be 5' x 5' square and shall have a letter height of 3".

- A. **PV** - Signage signifying the presents of a solar photovoltaic array shall be posted at the main entry door of the structure, and at all other points of access to the roof.
- B. **CAUTION: SOLAR ELECTRICAL SYSTEM CONNECTED** – For residential applications the marking may be placed within the main service disconnect. If the main service disconnect is operable with the service panel closed, then the marking shall be placed on the outside cover. For commercial applications the marking shall be placed adjacent to the main service disconnect in a location clearly visible from the location where the lever is operated.
- C. **CAUTION: SOLAR ELECTRIC CIRCUIT** – Marking is required on all interior and exterior DC conduit, raceways, enclosures, cable assemblies, and junction boxes to alert emergency responders to avoid cutting them. Markings shall be placed every ten (10) feet, at turns and above and/or below penetrations, and at all DC combiner and junction boxes.
- D. **CAUTION: SOLAR CIRCUIT DISCONNECT** - Signage shall be located immediately next to the remote disconnect control.
- E. **CAUTION: SOLAR ARREY DISCONNECT** – Signage shall be located immediately next to, or on the array disconnect.

196-35.1-6. Approval and Permitting.

- A. No installation of solar energy systems shall be permitted without a First Certificate of Zoning Compliance and a Building Permit.

- B. The Zoning Officer is hereby authorized to issue First Certificates of Zoning Compliance for the purposes of erecting or maintaining solar energy systems.
- C. The Construction Official shall issue the necessary building permit(s) provided that:
 - (1) All safety and installation requirement listed in -1-2 or -1-3 above have been met; and
 - (2) All Uniform Construction Code (UCC) provisions as set forth in N.J.A.C. 5:23 et al, and National Fire Protection Standards (NFPA) have been met.

196-35.1-7. Location in the Historic District.

In the event that an application is made pursuant to the terms of this Article for premises that are located in the Hoboken Historic District, or on a designated historic site or structure, approval must be obtained from the Hoboken Historic Preservation Commission (HPC). Applicants shall submit preliminary plans to the Zoning Officer for review, and if appropriate, a letter of pending approval shall be issued by the Zoning Officer to the HPC, prior to their review. Upon approval by the HPC, a First Certificate of Zoning Compliance shall be issued, and construction permits may be sought from the Building Department.

196-35.1-8. Enforcement.

- A. The Construction Official, Fire Code Official, and/or Zoning Officer of the municipality are authorized to investigate suspected violations of any section of this ordinance and pursue enforcement activities.
- B. Violation of any provision of this ordinance shall be cause for the revocation of the First Certificate of Zoning Compliance and/or Construction Permit(s).
- C. Violation of any provision of this ordinance shall be subject to a civil penalty for each offense of not more than \$3,000. If the violation is of a continuing nature, each day during which it occurs shall constitute and addition, separate, and distinct offense.

196-35.1-9. Right to require removal.

The City of Hoboken expressly reserves the right to require the removal of any solar energy system, or portion thereof, which is improperly constructed or maintained, or which poses an imminent public safety hazard.

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.

Date of Introduction: _____

ADOPTED:

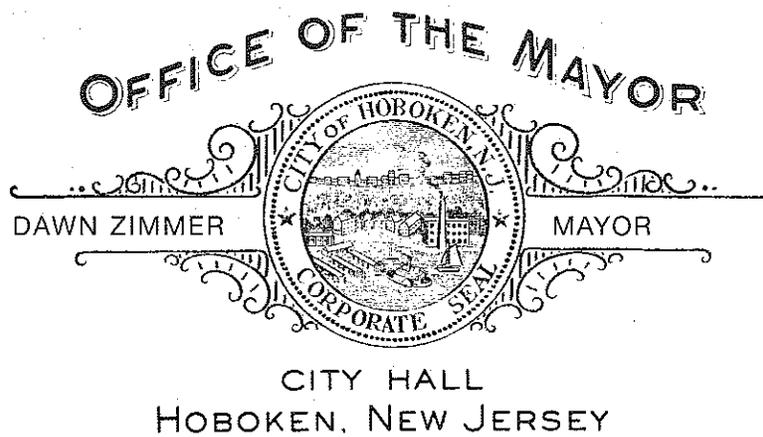
APPROVED:

James J. Farina, City Clerk

Dawn Zimmer, Mayor

APPROVED AS TO FORM:

Mark A. Tabakin
Corporation Counsel



MEMORANDUM

October 29, 2010

TO: City Council
FR: Mayor Dawn Zimmer
RE: Sidewalk Café Ordinance

My Administration is committed to supporting and growing the hospitality business community which creates jobs and plays a key role in making Hoboken a vibrant City where people want to both visit and live. Based on feedback from residents and the business community, we are introducing for your consideration a revised ordinance that addresses sidewalk cafés.

In particular, I have heard interest from residents and the business community in expanding the timeframe for sidewalk cafes and establishing standards for outdoor heaters so restaurants can offer sidewalk café seating to residents and visitors for a longer period of time.

Our Zoning Officer, Ann Holtzman, has reviewed the existing ordinance and found significant deficiencies including issues regarding enforcement. Based on her experience, she has drafted a revised ordinance which has been reviewed by legal counsel and discussed in subcommittee.

The attached document from Ann Holtzman provides an overview of the differences between the existing and the proposed revised ordinances. Additionally, I think it would be beneficial to the community if the subcommittee were to hold a public meeting to discuss this ordinance. Ann Holtzman will be available during the second reading, at any public meeting, and at any time prior to then to answer any questions.

Sincerely,

Mayor Dawn Zimmer

§168: ARTICLE II - "Sidewalk Cafes"

Revised Ordinance	Current Ordinance
<p>Definitions relevant to the Article are added.</p> <p>168-30 "Projection Into Streets" consolidates information and more clearly defines the requirements for use of the sidewalk for a café; licensing requirements, size allowances, location considerations, and who is eligible for a café license.</p> <p>168-31 "Construction Requirements" is replaced with "General Requirements" that include <u>all</u> of the construction, maintenance and operational standards that a café operator must be accountable for. (18)</p> <p>168-32 is replaced with a new section that consolidates "Terms of License, Dates and Hours of Operation" information into one section. In the draft I extended the months to include March and December. Revised hours of operation also proposed. **Need to discuss.</p> <p>168-33 is replaced with a new section that specifies the documentation that all applicants are required to submit, the fee for application and licensing fee. I've proposed a new fee structure.</p> <p>168-34 is a new section that spells out the insurance requirements and the indemnification of the city.</p> <p>168-35 is a new "Enforcement" section that consolidates all enforcement provisions, identifies the enforcement authority, and provides for appeal of said enforcement action to the Planning Board.</p> <p>The above section also makes provision for this amendment to supersede all prior conditions and exceptions to the rules.</p> <p>Other revision to be address:</p> <ul style="list-style-type: none"> • Chapter 168: ARTICLE V "Limited Sidewalk Cafes" is a redundancy and needs to be eliminated in its entirety. Pertinent regulations stated in this article have been incorporated into the new ordinance. <i>(Covered in the ordinance submitted as an additional amendment.)</i> • Chapter 196 definitions need to be updated for consistency with those listed here. <i>(These are addressed in the proposed revision to that section, TBD at a later date.)</i> • Chapter 196, conditional use Section 38.Q needs to be amended to reflect the new Chapter 168 section for consistence. <i>(Covered by proposed ordinance amendment.)</i> 	<p>No definitions provided.</p> <p>168-30. Current section only describes the permitted size allowance for a café.</p> <p>168-31 "Construction Requirements" includes only one entry about movable partitions.</p> <p>168-32 "Promulgation of Regulations; Fees" makes the Building Subcode Official the responsible party for establishing rules and regulations. It also establishes a fee structure for "construction" of the café. This is in conflict with the requirements set fourth in 168-31. Furthermore, no construction permits are necessary for sidewalk cafes as they are not structural or permanent.</p> <p>168-33 is a standard "rights, privileges and immunities" statement with regard to the public easement. This is covered in the new "enforcement" section.</p> <p>168-34 is a standard "right to require removal" statement, also covered in the new "enforcement" section.</p> <p>168-35 requires approval from the Historic District Commission for cafes in the Historic District. In all the years that cafes have been on Washington Street, the Historic Preservation Commission has never been a part of the approval process.</p> <p>Other considerations / Need to address:</p> <ul style="list-style-type: none"> • Fee structure • Hours of operation • Months of operation. <i>I have included my recommendations.</i> • Do cafes that serve alcohol produce more noise and nuisance than cafes that don't? Should there be an additional surcharge or is that discriminatory? N.J.S.A. citation of ABC guidelines needs to be filled in.

Sponsored by: _____

Seconded by: _____

City of Hoboken
Ordinance No.: _____

**AN ORDINANCE AMENDING CHAPTER 168 OF THE CODE OF THE CITY OF HOBOKEN
DELETING ARTICLES II AND V IN THEIR ENTIRETY AND REPLACING THEM WITH A NEW
ARTICLE II ENTITLED "SIDEWALK CAFES"**

WHEREAS, the language, rules and regulations of Articles II and V of Chapter 168 of the current Municipal Code of the City of Hoboken lack sufficient detail and have become outdated for the licensing and governance of operations of the City's sidewalk cafes; and

WHEREAS, it is in the best interest of the City to update the Municipal Code to reflect modern issues and conditions; and

WHEREAS, the City wishes to ensure the quality of life of its residents, and promote a positive environment for economic development that services both residents and businesses alike.

Now **THEREFORE**, be it ordained by the City Council of the City of Hoboken, County of Hudson, State of New Jersey, as follows:

SECTION ONE: DELETION

The current ARTICLE II entitled "Sidewalk Cafes" and ARTICLE V entitled "Limited Sidewalk Cafes" of Chapter 168 of the Municipal Code of the City of Hoboken are hereby deleted in their entirety.

SECTION TWO: ADDITION

The following Section is hereby added to the Municipal Code of the City of Hoboken:

ARTICLE II
Sidewalk Cafes

§168-29. Definitions.

As used in this article, the following terms shall have the meanings indicated:

BAR -- A place of business whose primary function is the on-premises sale and consumption of alcoholic beverages. Food may be prepared and consumed on site but is incidental to the purpose of the establishment.

RESTAURANT -- Any establishment primarily for the serving of food and drink and offering tables and chairs for the use of dining patrons, where the tables and chairs utilize more than 50% of the customer service area.

RESTAURANT, CLASS I -- A restaurant which is designed for and whose primary function and operation is the preparation and service by employees of food and drink to a customer or customers seated at the counter, bar or table at which the meal is consumed. A category one restaurant operates without substantial carry-out service and/or delivery service.

RESTAURANT, CLASS II -- A restaurant whose primary function is the preparation and service by employees of food and drink to customers as part of an operation designed to include substantial carry-out service; delivery service; self-service, and which may also include on-premises consumption.

RETAIL FOOD ESTABLISHMENT -- A grocery store, convenience store, or market in which food or drink is sold for off-premises preparation and/or consumption.

SIDEWALK -- That portion of the public easement which lies between the building line and the curb.

SIDEWALK CAFÉ -- Partitioned sidewalk space beyond the building line used to accommodate tables, chairs, and the serving of food and drink to patrons of a restaurant fronting on that space.

TAVERN / PUB -- An establishment in which alcoholic beverages are served, primarily by the drink, and where food is also prepared and served, but where tables and chairs utilize less than 50% of the customer service area.

§168-30. Projection Into Streets.

- A. No person may operate a sidewalk café without obtaining a license from the Zoning Officer of the City of Hoboken.
- B. No sidewalk café shall be permitted to project into a sidewalk more than half the width of said sidewalk or eight (8) feet, whichever is less, but in no case shall it extend so far as to leave less than six (6) feet for pedestrian traffic; except in areas where the sidewalk is twenty (20) feet or more wide from the building line to the curb, then a sidewalk café may be permitted to project into a sidewalk a maximum of ten (10) feet.
- C. Where an operating restaurant is located on a corner, both the front and side sidewalk areas fronting the restaurant may be used for the sidewalk café.
- D. Sidewalk cafes shall only be permitted in front of an operating restaurant, or tavern that is a permitted conforming use under the City's zoning ordinances. Locations seeking to expand a prior nonconforming or conditional use shall be required to obtain the appropriate variance from the City of Hoboken Planning Board.
- E. Sidewalk cafes shall not be permitted in front of bars or retail food establishments as defined herein.

§168-31. General Requirements.

- A. All establishments licensed to operate a sidewalk café shall display the license in an unobstructed location on the door or a window of the primary business which faces onto the sidewalk.
- B. No permanent form of space delineation or construction for the sidewalk café will be permitted within the public right-of-way.
- C. The sidewalk café area shall be partitioned on three sides, by a movable structure separating the sidewalk café from the public portion of the sidewalk, and which is no less

than thirty (30) inches in height and no more than thirty-six (36) in height, providing one opening for entrance and exit which is no less than forty-two (42) inches in width and no more than sixty (60) inches in width, and whose boundaries allow patrons and pedestrians to clearly ascertain the entrance and exit to the sidewalk café area.

- D. At no time shall the sidewalk café partition, tables, chairs, and other café furniture block any residential entrance.
- E. The sidewalk café shall have an overhead covering, consisting of either an individual umbrella over each table or a retractable awning covering all tables and chairs. Covering must have a minimum clearance of eight (8) feet from the sidewalk to the bottom of the awning/umbrella.
- F. The sidewalk café partition and overhead covering shall be appropriate in style to the façade of the building and shall not contain advertising.
- G. The sidewalk café shall be at the same elevation as the sidewalk. Paint, carpet, platforms, or any other surface cover or treatment of any kind shall not be permitted in the area of the sidewalk café, unless expressly permitted by variance.
- H. Commercial wall mounted electric heating units are permitted provided that all Uniform Construction Code and Electrical Subcode requirements for installation are met and a Certificate of Approval has been issued by the Construction Code Official. Heating units must be mounted not less than eight (8) feet above sidewalk grade and shall not project more than twelve (12) inches from the façade. Heating units must be mounted in such a way that they may be removed when not in use. Operating controls must be located within the interior of the restaurant or in a secure location not accessible to the general public.
- I. Musical instruments, outside speakers or other sound reproduction devices shall not be operated or used within a sidewalk café for any reason.
- J. The sidewalk café partition, overhead covering, and all tables, chairs, and other café furniture shall be removed from the sidewalk at the close of business each day. Where planters have been approved as a part of the movable structure, those planters shall be placed against the storefront façade over night.
- K. The entire sidewalk area in front of the premises, including eighteen (18) inches into the street, must be maintained by sweeping or washing daily or more frequently, as needed, by the licensee.
- L. No preparation of food or beverages shall take place outdoors but shall be restricted to the inside of the licensed establishment.
- M. Food service shall be available during all times in which the sidewalk café is open for business.
- N. Restaurants which hold a liquor license, and who wish to extend service area to the sidewalk café shall have completed a "Place to Place Transfer" with the Alcoholic Beverage Control Board. Licensees not covered for the sidewalk area shall not be permitted to serve alcoholic beverages in the sidewalk café.
- O. Sidewalk cafés that permit patrons to bring their own beer or wine shall adhere to all laws governing B.Y.O.B. as set forth in N.J.S.A. and City of Hoboken Municipal Code, Chapter 68.
- P. Alcoholic beverages, when permitted under this article, shall not be served or consumed on any sidewalk or any other public area which is outside the partitioned area of the sidewalk café.

- Q. The number of patrons served in the sidewalk café shall be limited to the maximum number indicated on the sidewalk café license. No persons other than those being served and restaurant personnel shall be within the sidewalk café area except for those persons passing through the sidewalk café to enter or exit the restaurant proper.
- R. Holes drilled into the sidewalk for the support of movable partitions shall be capped when not in use.
- S. Class II restaurants that do not have table service, shall provide waste receptacle(s) for all used containers, wrappers, bottles, cans and other waste materials. The waste receptacles shall be located within the sidewalk café partitioned area, and shall be removed from the sidewalk along with other café equipment each day.

§168-32. Terms of License, Dates and Hours of Operation.

- A. The sidewalk café license shall be personal to the applicant and may not be sold, leased or transferred and shall be deemed revoked by the sale or transfer of lease or title to the building to which the sidewalk café is related.
- B. Any and all licenses issued pursuant to this article shall permit sidewalk café operations beginning on March 1 and terminating on December 31 of each year.
- C. Hours of operation shall be between 8:00 a.m. and 10:00 p.m. Sunday through Wednesday; 8:00 a.m. and 11:00 p.m. Thursday; and between 8:00 a.m. and 12:00 midnight Friday and Saturday; except that no alcoholic beverages, when permitted under this article, shall be served in a sidewalk café before 11:00 a.m.

§168-33. Application and Fees.

- A. Applicants for a sidewalk café shall submit the following documents;
 - 1. A completed application form to be issued by the Zoning Officer and available through the Zoning Office and on the City's web site.
 - 2. A copy of the restaurant's certificate of liability insurance.
 - 3. A letter of consent from the property owner stating that the restaurant and its operator, by name, are permitted to operate a sidewalk café in front of their property.
 - 4. A letter from the City of Hoboken Health Department confirming that the applicant restaurant is in good standing.
 - 5. A letter from the City of Hoboken ABC Board confirming that the applicant restaurant, where applicable, is licensed to sell alcoholic beverages and permitted to extend the service area of their license to the sidewalk café.
 - 6. First time applicants shall submit scale drawings of the proposed sidewalk café by a licensed architect or engineer and photos of the property.
 - a. All buildings, trees and street furniture within ten (10) feet of the proposed café must be included in the plans.
 - b. All tables, chairs and accessory equipment must also be shown.
 - 7. Applicants for renewal of a previously licensed café shall submit a photo and sketch of the location and dimensions of the sidewalk café, the number and placement of tables and chairs, and all other accessory equipment and information deemed necessary by the Zoning Officer. Scaled architectural plans shall not be required for

renewal, unless the sidewalk café is located on a street that has had obstructions added or removed since its last licensing, or in front of a building that has been significantly altered since the last licensing.

- B. Any person submitting an application for a sidewalk café shall pay an application fee of fifty (\$50) dollars.
- C. Upon approval, any successful applicant for a sidewalk café shall pay an annual license fee, with no proration for a partial year, as provided below:

Base fee, all cafes:	\$300
Cafes with 13 or more seats:	+\$25/seat over 12

§168-34. Insurance Required.

- A. The applicant shall file with the Zoning Officer, a certificate of liability insurance in the minimum amount of one million (\$1,000,000) dollars, naming the City of Hoboken and its agents, servants, and employees as additional insured, which policy shall be kept in full force during the operation of the sidewalk café. The policy of insurance must be occurrence based coverage.
- B. Laps in insurance coverage will result in the immediate suspension of the café license.
- C. In addition to obtaining the insurance coverage, the applicant/owner of the sidewalk café shall execute a hold harmless agreement in which the applicant/owner of the sidewalk café agrees to save, defend, keep harmless and indemnify the City and all of its officials and employees from and against any and all claims, loss, damages, injury cost, liability or exposure arising out of the granting of this license or the operation of the sidewalk café.

§168-35. Enforcement.

- A. The Zoning Officer and the Police Department of the City of Hoboken shall have the authority to enforce this article.
- B. The City of Hoboken, through its duly authorized agent, shall revoke the license of any sidewalk café licensee who, upon receipt of notice of violation of city or state law or any of the requirements set fourth herein, fails to cure the violation within five (5) days of said notice.
- C. The City of Hoboken may require the immediate closure and removal of all sidewalk cafes or other projections or encumbrances upon any street, sidewalk or public easement which are improperly constructed or maintained, or which otherwise create a hazard to the public.
- D. A licensee aggrieved by any decision to revoke a license, or to close or remove a sidewalk café, shall be afforded a hearing before the Planning Board, or its designee. Such request for hearing shall be in writing and delivered to the Planning Board, attn. Board Secretary, 94 Washington Street, Hoboken, New Jersey, 07030.
- E. The rules and regulations set forth herein shall be applied to all sidewalk café licensees, effective upon adoption of this amended section. Prior conditions that are noncompliant must be abated or approved by variance issued by the Planning Board before a license shall be issued for the next following calendar year.

SECTION THREE: AMENDMENTS

The following section of Chapter 196, entitled "Zoning" the Municipal Code of the City of Hoboken, is hereby amended to conform with the new language in Chapter 168; deletions shall be noted by strikethrough and additions shall be noted by underline:

§196-38. Standards for particular use.

- Q. Sidewalk café. The utilization of sidewalk space beyond the building line to accommodate the serving of food and drink to patrons of a restaurant fronting on that space shall be subject to the following conditions:
- (1) Conformity with ~~the Building Code and all applicable state and local Health Department standards.~~ the rules and regulation set forth in Chapter 168, Article II of the Code of the City of Hoboken.
 - (2) ~~A renewable annual contract between the restaurant management and the Mayor and Council of the City of Hoboken setting forth the annual fee to the city, the hours and conditions of operation and such circumstances as will void renewal of the annual contract.~~
Qualification and retention of a renewable annual license administered by the Zoning Officer.
 - (3) ~~No more than half the sidewalk or six (6) feet, whichever is less, shall be utilized for sidewalk cafes. In no case shall less than four (4) feet of sidewalk be available for pedestrian traffic.~~
 - (4)(3) Site plan review and approval by the Planning Board, when matters of compliance are outside of those expressly permitted in Chapter 168, Article II.

SECTION FOUR: 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 FIVE: 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 notwithstanding the invalidity of any part.

SECTION SIX: EFFECTIVE DATE

This Ordinance shall take effect upon passage and publication as provided by law.

SECTION SEVEN: 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.

Date of Introduction: _____

ADOPTED:

APPROVED:

James J. Farina, City Clerk

Dawn Zimmer, Mayor

APPROVED AS TO FORM:

Mark A. Tabakin
Corporation Counsel