

CITY HALL
HOBOKEN, NEW JERSEY

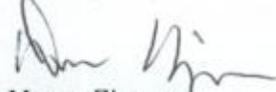
4/15/11

TO: City Clerk James Farina
FR: Mayor Dawn Zimmer
RE: Shade Tree Commission

Mr. Farina,

I have appointed Larry Henriques to the Hoboken Shade Tree Commission. Please update your records accordingly.

Thank you,


Mayor Zimmer

RECEIVED
2011 APR 15 AM 10:30
CITY CLERK
HOBOKEN, NJ 07039

Juan Machin
7015 Cottage Avenue, Ste. 2B
North Bergen, NJ 07047
201-424-7331
201-864-5710 (fax)

April 12, 2011

City Council of Hoboken
City Hall
Newark & Washington Street
Hoboken, NJ 07030

**Re: Livery Licenses
#23 and #25**

Dear Sir or Madam:

Please be advised that I have been the license holder of the above licenses for the past seventeen (17) years.

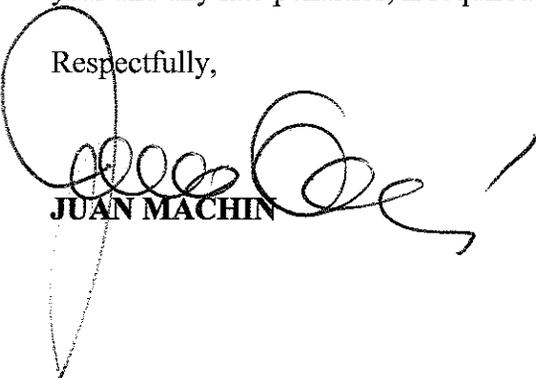
Due to unforeseen circumstances I was unable to renew the licenses by March 31, 2011.

On Friday, April 1, 2011, I left a telephone message for Jennifer stating my intentions to renew the licenses.

On Tuesday, April 5, 2011, I personally spoke to Jennifer and she advised me that she would consult with the legal department about my situation. Today she told me to submit a letter to the City Council, requesting an extension.

I hereby respectfully request that an extension be granted in order to renew the licenses for the year and any late penalties, if required.

Respectfully,


JUAN MACHIN

SPONSORED BY: _____

SECONDED BY: _____

**MEETING OF THE CITY COUNCIL
OF
HOBOKEN, NEW JERSEY**

April 20, 2011

TAXI, LIVERY, AND LIMOUSINE DRIVERS
(60 ITEMS @ \$75.00 EACH SEE ATTACHED LIST)

VENDORS (\$100.00 EA.) 1 ITEM

TINA'S CREATIONS
TINA LANNING
39 AIRMOUNT AVE.
RAMSEY, NJ 07446

RAFFLES (\$20.00 / DRAWING) 2 ITEMS

ST. ANN'S R.C. CHURCH RA1361
704 JEFFERSON ST
HOBOKEN, NJ 07030

HOBOKEN CATHOLIC ACADEMY RA1362
555 7TH ST.
HOBOKEN, NJ 07030

Rcvd Batch Id Range: First to Last		Rcvd Date Start: 04/14/11 End: 04/15/11		Report Format: Condensed		
Rcvd Date	Batch Id	PO #	Description	Vendor	Amount	Contract
04/14/11	JMW	11-00384	COUNCIL RESOLUTION - 7/14/10	01318	VICTOR A. AFANADOR, ESQ.	6,974.31
04/14/11	JMW	11-00385	reconditioning of sports equip	00058	RIDDELL, INC.	5,997.89
04/14/11	JMW	11-00643	20 FT. USED GRADE A CONTAINER	08221	COLUMBIA CONTAINER SERVICES	2,475.00
04/14/11	JMW	11-01182	COUNCIL RESOLUTION 10/06/10	09265	MCMANIMON & SCOTLAND, LLC	1,202.50
04/14/11	JMW	CY-00222	TEAM ENTRY JAM FEST NATIONALS	08959	JAM FEST NATIONAL	4,280.00
04/14/11	JMW	CY-00304		02969	AIR PURIFIERS, INC.	950.00
04/14/11	JMW	CY-00349	MONTHLY LAPTOP WIRELESS SVC.	01320	VERIZON WIRELESS SERVICES LLC	2,280.73
04/14/11	JMW	CY-00351	HOLLOWAY SWEATSHIRTS WITH LOGO	00690	STAN'S SPORT CENTER	1,878.75
04/14/11	JMW	CY-00352	HOLLOWAY JACKETS WITH LOGO	00690	STAN'S SPORT CENTER	2,475.00
04/14/11	JMW	CY-00391	LEGAL TRANSACTION	01512	MARINIELLO & MARINIELLO, P.C.	1,750.00
04/14/11	JMW	CY-00409	LEGAL SERVICES	02136	SUSAN FERRARO, ESQ.	600.00
04/14/11	JMW	CY-00426	LEGAL SERVICES	07030	ANSELL ZARO GRIMM & AARON	476.00
04/14/11	JMW	CY-00684	GEAR REPAIRS	00801	TURNOUT FIRE AND SAFETY	30.00
04/14/11	JMW	CY-00709	LADDER 2	00348	ABSOLUTE FIRE PROTECTION	456.12
04/14/11	JMW	CY-00711	RADIOS	01259	PINNACLE	2,314.54
04/14/11	JMW	CY-00713	EQUIPMENT REPAIRS	01601	AAA EMERGENCY SUPPLY CO.	349.00
04/14/11	JMW	CY-00752	2011 Maint Comm Consoles/Equip	06598	PROCOMM SYSTEMS	13,900.00
04/14/11	JMW	CY-00753	Svc Agmt Portable Police Radio	02823	MOTOROLA	16,935.60
04/14/11	JMW	CY-00785	REPAIR FD TRK #155	01480	LATIN AMERICAN AUTO BODY	2,134.20
04/14/11	JMW	CY-00791	PERMIT APPLICATION FOLDERS	00206	DREW & ROGERS, INC.	630.00
04/14/11	JMW	CY-00820		07771	SHORE SOFTWARE	1,760.00
04/14/11	JMW	CY-00869	PURCHASE OF HT RADIO BATTERIES	06649	MOTOROLA SOLUTIONS, INC.	396.00
04/14/11	JMW	CY-00875	TRAVEL GIRLS SOFTBALL EQUIP.	00690	STAN'S SPORT CENTER	2,406.90
04/14/11	JMW	CY-00876	EQUIPMENT FOR ISNTR. BASEBALL	00690	STAN'S SPORT CENTER	1,664.50
04/14/11	JMW	CY-00892	Notary Public	07921	FRANCES ZAMPELLA	40.00
04/14/11	JMW	CY-00939	PROFESSIONAL SERVICES	04037	BIRDSALL SERVICES GROUP	3,269.50
04/14/11	JMW	CY-00952	APPARATUS TIRE REPLACEMENT	00304	KLINGER TIRE & SERVICE CO.	720.00
04/14/11	JMW	CY-00954	OXYGEN RENTAL	00250	I.D.M. MEDICAL SUPPLY CO.	96.00
04/14/11	JMW	CY-00961	TRAVEL GIRLS SOFTBALL EQUIP	00690	STAN'S SPORT CENTER	2,261.85
04/14/11	JMW	CY-00962	PROFESSIONAL SERVICES	00879	STAR LEDGER	124.12
04/14/11	JMW	CY-00963	PPE	00801	TURNOUT FIRE AND SAFETY	134.99
04/14/11	JMW	CY-01017	Legal Services	04203	LINDABURY, MCCORMICK	4,470.00
04/14/11	JMW	CY-01018	REIMBURSEMENT FOR EXPENSES	01420	ARCH LISTON	62.64
04/14/11	JMW	CY-01020	QUARTERLY CONTRACT PAYMENT	09113	TYCO/ADT SECURITY SERVICES	305.00
04/14/11	JMW	CY-01026	RECORDING EQUIPMENT	02130	B & H PHOTO VIDEO	129.99
04/14/11	JMW	CY-01028	INFORMATION SERVICES	06090	WEST GROUP	321.55
04/14/11	JMW	CY-01036	SUPPLIES I.T. DEPT	00077	CITY PAINT AND HARDWARE	120.04
04/14/11	JMW	CY-01037	PETTY CASH	07064	CHIEF RICHARD BLOHM	273.48
04/14/11	JMW	CY-01038	PROFESSIONAL SERVICES	00262	JERSEY JOURNAL	339.45
04/14/11	JMW	CY-01042	PROFESSIONAL SERVICES/ESCROW	04660	KAUFMAN, BERN & DEUTSCH, LLP	3,542.00
04/14/11	JMW	CY-01054	PROFESSIONAL SERVICES/	07968	MASER CONSULTING	315.00
04/14/11	JMW	CY-01055	PROFESSIONAL SERVICE/ ESCROW	05788	THE GALVIN LAW FIRM	2,415.00
04/14/11	JMW	CY-01075	ANNUAL MEMBERSHIP DUES - 2011	01309	CHIEFS OF POLICE OF HUDSON CTY	500.00
04/14/11	JMW	CY-01076	ANNUAL MEMBERSHIP DUES - 2011	01935	N. J. STATE ASSOC. OF CHIEFS OF	200.00
04/14/11	JMW	CY-01077	IN-SERVICE TRAINING COURSE	01935	N. J. STATE ASSOC. OF CHIEFS OF	120.00
04/14/11	JMW	CY-01078	LAPTOP REPAIRS - PD VEHICLES	08072	GOLD TYPE BUSINESS MACHINES	664.50
04/14/11	JMW	CY-01079	DET. BUREAU PRINTER REPAIR	08072	GOLD TYPE BUSINESS MACHINES	154.80
04/14/11	JMW	CY-01080	MONTHLY RISOGRAPH LEASE PYMT	06601	DE LAGE LANDEN PUBLIC FINANCE	567.64
04/14/11	JMW	CY-01081	QUARTERLY SVC CONTRACT PYMNT	09113	TYCO/ADT SECURITY SERVICES	305.00
04/14/11	JMW	CY-01083	VCAD SOFTWARE UPGRADES	04190	ADMIT COMPUTER SERVICES INC.	1,445.00
04/14/11	JMW	CY-01084	SERVER HARD DRIVE REPLACEMENT	04781	GOLD TYPE BUSINESS MACHINE	499.00
04/14/11	JMW	CY-01086	PROF. SERVICES REPOSITORY INFO	07346	DIGITAL ASSURANCE	1,500.00

Rcvd Date	Batch Id	PO #	Description	Vendor	Amount	Contract	
04/14/11	JMW	CY-01087		00879	STAR LEDGER	59.16	
04/14/11	JMW	CY-01088	PROFESSIONAL SERVICES	00693	NORTH JERSEY MEDIA GROUP	276.72	
04/14/11	JMW	CY-01091	ANIMAL CONTROL FEBRUARY 2011	01136	LIBERTY HUMANE SOCIETY	8,000.00	
04/14/11	JMW	CY-01093		00879	STAR LEDGER	40.60	
04/14/11	JMW	CY-01094		00262	JERSEY JOURNAL	4,468.50	
04/14/11	JMW	CY-01096	LEGAL SERVICES	01307	RON A. VENTURI, ESQ.	3,550.50	
04/14/11	JMW	CY-01099	SUBSCRIPTION - FOOD TALK	06756	SETANTA PUBLISHING, LLC	131.00	
04/14/11	JMW	CY-01105	CORN BEEF FOR ST. PATRICKS DAY	04219	TRUGLIO'S MEAT MARKET	466.75	
04/14/11	JMW	CY-01106	SERVICES RENDERED CHAIR YOGA	01192	REBEKAH ARAMINI LUPO	320.00	
04/14/11	JMW	CY-01115	PROFESSIONAL SERVICES	07968	MASER CONSULTING	615.00	
04/14/11	JMW	CY-01125	PROFESSIONAL SERVICES	07912	EFB ASSOCIATES, LLC	3,153.75	
04/14/11	JMW	CY-01126	PROFESSIONAL SERVICES	05788	THE GALVIN LAW FIRM	2,960.94	
04/14/11	JMW	CY-01127	PROFESSIONAL SERVICES	06531	NEW JERSEY PLANNING OFFICIALS	300.00	
04/14/11	JMW	CY-01130	Redevelopment Counsel	06166	MARAZITI, FALCON & HEALEY	17,834.68	CY110001
04/14/11	JMW	CY-01131	Redevelopment Counsel	09265	MCMANIMON & SCOTLAND, LLC	10,274.20	CY110002
04/14/11	JMW	CY-01138	FLAT TIRE REPAIR	00304	KLINGER TIRE & SERVICE CO.	115.00	
04/14/11	JMW	CY-01139	PROFESSIONAL SERVICES	07912	EFB ASSOCIATES, LLC	833.75	
04/14/11	JMW	CY-01159	PROFESSIONAL SERVICES	02147	ROSENBERG & ASSOCIATES	1,209.00	
04/14/11	JMW	CY-01161	KEYS MADE FOR OFFICE	04254	PATRUNO, MARIO	2.80	
04/14/11	JMW	CY-01176	REGISTRATION FEE - C. BALDWIN	03745	RUTGERS STATE UNIVERSITY OF NJ	1,106.00	
04/14/11	JMW	CY-01191	RETURN ESCROW /305 WILLOW	01845	HECTOR GENAO	718.00	
04/14/11	JMW	CY-01195	CDBG REIMB MARCH 2011	03591	HOBOKEN FAMILY PLANNING, INC.	1,917.00	
04/14/11	JMW	CY-01196		00879	STAR LEDGER	83.52	
04/14/11	JMW	CY-01200	Phone Charge Review	04789	TARIFF BILLING SPECIALISTS	2,374.80	
04/14/11	JMW	CY-01220	CITY MATCH TO CDBG REIMB MARCH	03562	HOPES CAP, INC.	4,210.91	
04/14/11	JMW	CY-01224	MSC HVAC REHAB SR#10-705	01847	WHL ENTERPRISES T/A	19,110.00	CY110004
04/14/11	JMW	CY-01248	SRING CONFERENCE 4/17 & 4/18	01489	TROPICANA CASINO AND RESORT	174.00	
04/14/11	JMW	CY-01261	SERVICES RENDERED 3/17 - 3/30	01501	JERSEY PROFESSIONAL MANAGEMENT	3,187.50	
04/14/11	JMW	CY-01273	Todd Shipyard NJDEP RemedCosts	00825	TREASURER, STATE OF N. J. D. E. P.	748.38	
04/14/11	JMW	CY-01285	1ST QUARTER DOG LICENSE REPORT	02065	TREASURER, STATE OF NEW JERSEY	1,465.20	
04/14/11	JMW	CY-01334	CDBG MATCH REIM JAN-MAR 2011	03564	MILE SQUARE DAY CARE CENTER	28,994.09	
					Total for Batch: JMW	217,915.34	
04/14/11	MEM	11-01233	POSTAGE METER	02513	PURCHASE POWER/SUPERVISOR	36.00	
04/14/11	MEM	CY-00284	SERVICES FOR HPU	02513	PURCHASE POWER/SUPERVISOR	21.00	
04/14/11	MEM	CY-00416	REFILL POSTAGE ACCOUNT	02513	PURCHASE POWER/SUPERVISOR	45.00	
04/14/11	MEM	CY-00744	BATTERIES-OEM	06649	MOTOROLA SOLUTIONS, INC.	792.00	
04/14/11	MEM	CY-00902	REFILL POSTAGE ACCOUNT	02513	PURCHASE POWER/SUPERVISOR	71.00	
04/14/11	MEM	CY-00988	STORAGE - JAN. 2011	08989	NOVA RECORDS MANAGEMENT, LLC	236.53	
04/14/11	MEM	CY-00990	HOP MONTHLY PASS CARDS	06960	ID WHOLESALER NORTH	319.50	
04/14/11	MEM	CY-01063	PHONE MAINTENANCE - MAR. 2011	03342	ENTERPRISE CONSULTANTS	112.50	
04/14/11	MEM	CY-01065	SERVICES - 3/9/11	00142	HOBOKEN LOCK & SUPPLY	80.00	
04/14/11	MEM	CY-01095	BUSINESS CARDS	01804	CONCEPT PRINTING INC.	129.90	
04/14/11	MEM	CY-01119	WATER FOR COOLER	00287	METROPOLITAN COFFEE SERVICE	30.00	
04/14/11	MEM	CY-01133	REPAIRS - 916 GARDEN STREET	00260	J & J ROOFING	375.00	
04/14/11	MEM	CY-01135	TRACKING SERVICES - 3/11	01134	PARKINGMAPPER GROUP, INC.	3,000.00	
04/14/11	MEM	CY-01136	UTILITIES-FEBRUARY, 2011	00424	P. S. E. & G. COMPANY	23,814.46	
04/14/11	MEM	CY-01166	UTILITIES - MARCH 2011	00424	P. S. E. & G. COMPANY	17,521.30	
04/14/11	MEM	CY-01168	STORAGE - MARCH 2011	08989	NOVA RECORDS MANAGEMENT, LLC	236.53	
04/14/11	MEM	CY-01180	LIGHT PURCHASE - MIDDTOWN	00269	FCA LIGHTING	1,775.00	
04/14/11	MEM	CY-01185	REPAIRS-HPU VEHICLE	00733	CLIFFSIDE BODY CORP.	121.13	
04/14/11	MEM	CY-01227	BLUE HOP TOWING	06543	MILE SQUARE TOWING	80.00	
04/14/11	MEM	CY-01229	LONG DISTANCE CHARGES	01961	AT&T (LD)	130.40	

Rcvd Date	Batch Id	PO #	Description	Vendor	Amount	Contract
04/14/11	MEM	CY-01230	MONI TORING/INSPECTI ON CONTRACT	07511	HIGH TECH PROTECTIVE SVS. INC.	639.02
04/14/11	MEM	CY-01231	GARAGES MAINTENANCE	07512	CENTRAL PARKING SYSTEM	84,918.00
04/14/11	MEM	CY-01232	PHONE/COMPUTER/ALARM SERVICES	01089	VERIZON	1,318.84
04/14/11	MEM	CY-01233	PROFESSIONAL SERVICES	00031	BOSWELL ENGI NEERING	6,617.00
04/14/11	MEM	CY-01234	COVERS FOR FIRE EXTINGUISHERS	02721	BOB'S GLASS WORKS	60.00
					Total for Batch: MEM	142,480.11
Total for Date: 04/14/11					Total for All Batches:	360,395.45
04/15/11	MPG	11-00006	7-12/10 WATER	01733	HOBOKEN WATER SERVICE	6,601.05
04/15/11	MPG	11-00856	FALL FESTI VAL ADVERTI SEMENT	04307	TIME OUT NEW YORK	2,662.20
04/15/11	MPG	11-01686	SUPPLI ES MSC	01776	STATE CHEMI CAL MFG.	485.71
04/15/11	MPG	CY-00013	CY2011 AUTO/GL/PP ACCT#1238468	07031	THE PMA INSURANCE GROUP	33,001.73
04/15/11	MPG	CY-00026	CY2011 STREET LIGHTING	00424	P. S. E. & G. COMPANY	65,518.09
04/15/11	MPG	CY-00030	CY2011 POLI CY #1249580 SI -WC	07031	THE PMA INSURANCE GROUP	33,082.29
04/15/11	MPG	CY-00031	CY2011 POLI CY #1250372 SI -WC	07031	THE PMA INSURANCE GROUP	76.68
04/15/11	MPG	CY-00103	SERV-BA OFFI CE LOCK	00142	HOBOKEN LOCK & SUPPLY	80.00
04/15/11	MPG	CY-00141	CLEANING SUPPLI ES MULTI CENT.	01776	STATE CHEMI CAL MFG.	757.31
04/15/11	MPG	CY-00142	CLEANING SUPPLI ES CITY HALL	01776	STATE CHEMI CAL MFG.	937.67
04/15/11	MPG	CY-00195	JANI TORIAL SUPPLI ES	01776	STATE CHEMI CAL MFG.	859.99
04/15/11	MPG	CY-00313	SNOW PLOW REPAIRS GARAGE	00733	CLIFFSIDE BODY CORP.	553.76
04/15/11	MPG	CY-00386	ADVERTI SEMENT FOR SPRING FEST.	01515	RIGHT ANGLE FRAMI NG	845.30
04/15/11	MPG	CY-00717	SPRING ARTS FEST. ASSI STANCE	06677	STEPHANI E SASSOLA	165.00
04/15/11	MPG	CY-00740	PLAQUES FOR LUNCHEON	00690	STAN' S SPORT CENTER	100.00
04/15/11	MPG	CY-00777	CLEANING SUPPLI ES CITY HALL	01776	STATE CHEMI CAL MFG.	619.16
04/15/11	MPG	CY-00828	BLACK TOP FOR ROADS	00077	CITY PAINT AND HARDWARE	818.37
04/15/11	MPG	CY-00829	WOOD FOR DOOR FH801	00839	DYKES LUMBER COMPANY	125.76
04/15/11	MPG	CY-00834	SUPPLI ES CG	01776	STATE CHEMI CAL MFG.	646.35
04/15/11	MPG	CY-00883	REPAIR PARTS SWPR #102	00456	W. E. TIMMERMAN CO., INC.	716.04
04/15/11	MPG	CY-00906	SNOW REMOVAL 1/13 &1/14	00387	T & M CONTRACTI NG CO., INC.	15,480.00
04/15/11	MPG	CY-00913	BAGS FOR CG	07310	CLEAN ALL TECH. CORP.	1,840.00
04/15/11	MPG	CY-00914	TELEPHONE EQUIPMENT	03342	ENTERPRI SE CONSULTANTS	479.88
04/15/11	MPG	CY-00915	REPAIR FH201/MSC	02451	QUALI TY PLUMBI NG & HEATING	900.00
04/15/11	MPG	CY-00916	SALT DEL. 2/5,7/11	01494	CARGI LL, INC.	12,978.24
04/15/11	MPG	CY-00918	FENCE AT 15TH ST. PLAY AREA	00557	GALAXY FENCE	1,185.00
04/15/11	MPG	CY-00919	SALT DEL. CG 1/18/11	01494	CARGI LL, INC.	4,371.90
04/15/11	MPG	CY-00920	SALT DEL 2/4/11 CG	01494	CARGI LL, INC.	2,974.05
04/15/11	MPG	CY-00922	HEAT REPAIR P.D.	07185	ENVI RONMENTAL CLI MATE CONTROL	224.26
04/15/11	MPG	CY-00923	PARTS FOR ALL SWEEPERS	02429	KEYSTONE PLASTI CS, INC.	2,466.72
04/15/11	MPG	CY-00925	SALT DEL. CG 1/26/11	01494	CARGI LL, INC.	13,625.18
04/15/11	MPG	CY-00926	CHAIR RENTAL	09973	ALL-IN-ONE ENTERTAINMENT	200.00
04/15/11	MPG	CY-00928	FOOD FOR LUNCHEON AT BOYS CLUB	04992	ANDY' S MODERN MARKET	395.00
04/15/11	MPG	CY-00929	OFFI CE ASSI STANCE 1/21-3/1/11	06677	STEPHANI E SASSOLA	465.00
04/15/11	MPG	CY-00932	BALLASTS AT MSC	00269	FCA LI GHTI NG	4,850.00
04/15/11	MPG	CY-00933	SUPPLI ES CH	03719	JOHN EARL CO.	4,427.95
04/15/11	MPG	CY-00936	INFI EL D CLAY MI X LLF	44690	ABBOTT CONTRACTI NG CO.	950.00
04/15/11	MPG	CY-00969	DOME LI GHTS FOR VEH. #129	02150	GENERAL SALES ADMI NI STRATI ON	104.00
04/15/11	MPG	CY-00983	SUPPLI ES CITY HALL	01776	STATE CHEMI CAL MFG.	975.04
04/15/11	MPG	CY-01056	SEWER BACKUP LLF.	02280	RI CHARD DUNKI N	130.00
04/15/11	MPG	CY-01057	ANTI FREEZE C.G.	01122	DAVI D WEBER OI L CO.	354.75
04/15/11	MPG	CY-01062	OFFI CE ASSI STANCE SPRING FEST.	06677	STEPHANI E SASSOLA	397.50
04/15/11	MPG	CY-01069	SPRING ARTS & MUSI C PERFORMER	01380	EFRAI N MORALES	1,200.00

Rcvd Date	Batch Id	PO #	Description	Vendor	Amount	Contract
04/15/11	MPG	CY-01072	CUTTING OF POSTCARDS FOR FEST	00281 MINUTEMAN PRESS	25.00	
04/15/11	MPG	CY-01089	CARD STOCK FOR FESTIVAL	05307 W. B. MASON CO., INC.	86.00	
04/15/11	MPG	CY-01103	PERFORMANCE SPRINT FEST 2011	01835 SCOTT MCCAUGHEY	2,500.00	
04/15/11	MPG	CY-01113	INK CARTRIDGES FAN D.O.	05307 W. B. MASON CO., INC.	68.90	
04/15/11	MPG	CY-01124	SNOW REMOVAL	01493 AVELLAS GARAGE, INC.	24,750.00	
04/15/11	MPG	CY-01170	SPRING FESTIVAL PERFORMER	01842 JESSE JOHN MUSIC LLC	8,500.00	
04/15/11	MPG	CY-01174	SPRING FESTIVAL PERFORMANCE	01840 TAMMY HARTEL	300.00	
04/15/11	MPG	CY-01235	2011 MEMORIAL DAY PARADE CONTR	00922 HOBOKEN JOINT MEMORIAL COMM.	5,000.00	
04/15/11	MPG	CY-01267	REIMBURSEMENT-TOWING FEE	01852 AMY HOPKINS	176.75	
04/15/11	MPG	CY-01300	CABLES INSTALLED CG	03342 ENTERPRISE CONSULTANTS	135.00	

					Total for Batch: MPG	261,168.58
Total for Date: 04/15/11					Total for All Batches:	261,168.58

Batch Id Batch Total

Total for Batch: JMW 217,915.34

Total for Batch: MEM 142,480.11

Total for Batch: MPG 261,168.58

Total Of All Batches: =====
621,564.03

Fund Description	Fund	Budget Total	Revenue Total
CURRENT FUND	0-01	67,666.82	0.00
PARKING UTILITY FUND	0-31	373.74	0.00
Year Total:		68,040.56	0.00
CURRENT FUND	1-01	318,520.58	0.00
PARKING UTILITY FUND	1-31	142,079.23	0.00
	1-55	33,205.00	0.00
Year Total:		493,804.81	0.00
	C-04	748.38	0.00
	D-12	1,465.20	0.00
GRANT FUND	G-02	23,463.75	0.00
	G-55	1,917.00	0.00
Year Total:		25,380.75	0.00
TRUST FUND & OTHER	T-03	17,841.00	0.00
	T-13	2,354.54	0.00
	T-24	1,669.29	0.00
Year Total:		21,864.83	0.00
Total Of All Funds:		611,304.53	0.00

Project Description	Project No.	Project Total
75 JACKSON STREET	010548	570.00
38 JACKSON STREET	010569	70.00
715 WASHINGTON STREET	1482939	210.00
1028 BLOMMFIELD STREET	1482947	280.00
1039 BLOOMFIELD STREET	1482970	105.00
100 - 109 PATERSON COVE BLOCK D SECTION 4	1482988	1,625.00
292792	292792	315.00
1316 WILLOW AVENUE	292800	280.00
1422 GRAND STREET	292804	47.50
120 JACKSON STREET	292811	770.00
1300 PARK AVENUE	292822	126.00
1401 WASHINGTON STREET	292826	1,027.00
115 CLINTON STREET	292834	2,646.00
222 JACKSON STREET	292840	140.00
90 GARDEN STREET	292842	70.00
734 - 738 WILLOW AVE	292850	175.00
128 - 130 PARK AVE	292851	140.00
506 GARDEN STREET	292858	140.00
1714 WILLOW AVENUE	292861	175.00
1405 CLINTON STREET	292862	210.00
313 - 315 FIRST STREET	45184	420.00
305 WILLOW AVENUE	45253	718.00

Total Of All Projects:

=====
10,259.50

CITY OF HOBOKEN
Purchase Order Listing By P.O. Number
Supplement

P.O. Id	Vendor Id	Vendor Name	Item Description	Amount	Status
CY-01297	07086	GLUCK WALRATH LLP	PROF. SERV. BOND ORDINANCES	\$ 367.50	P
CY-01298	07086	GLUCK WALRATH LLP	PROF. SERVICES 2009 TARNS	\$ 155.06	P
CY-01299	07086	GLUCK WALRATH LLP	PROF. SERV. GENERAL AUDIT	\$ 130.00	P
CY-01296	07086	GLUCK WALRATH LLP	PROFESSIONAL SERVICES	\$ 2,927.51	P
CY-01279	00983	NATIONAL PAL	MEMBERSHIP DUES	\$ 400.00	P
CY-01262	01299	US BANK CUST PRO CAPITAL LLC	REDEMPTION	\$ 939.06	P
CY-01263	08786	MUP-2000 INVESTMENTS	REDEMPTION	\$ 43,262.01	P
CY-01335	09927	ROYAL TAX LIEN SERVICES, LLC	REDEMPTION	\$ 22,988.82	P
CY-01336	09669	PLYMOUTH PARK TAX SERVICE LLC	REDEMPTION	\$ 30,226.78	P
CY-01348	08370	PAM INVESTORS	REDEMPTION	\$ 602.60	P
CY-01350	01867	C & E PARTNERS LLC	REDEMPTION	\$ 2,056.77	P
CY-01351	01861	US BANK CUST TOWER DBW	REDEMPTION	\$ 4,160.20	P
CY-01352	01869	LIONHEART HOLDINGS LLC	REDEMPTION	\$ 300.00	P
CY-01353	01861	US BANK CUST TOWER DBW	REDEMPTION	\$ 55,492.19	P
CY-01354	01870	U.S. BANK CUST PRO CAP I, LLC	REDEMPTION	\$ 3,531.14	P
CY-01355	01870	U.S. BANK CUST PRO CAP I, LLC	REDEMPTION	\$ 8,929.53	P
CY-01357	09701	ROBERT DEL VECCHIO PENSION	REDEMPTION	\$ 7,800.44	P
CY-01335	09927	ROYAL TAX LIEN SERVICES, LLC	PREMIUM	\$ 12,900.00	P
CY-01336	09669	PLYMOUTH PARK TAX SERVICE LLC	PREMIUM	\$ 12,100.00	P
CY-01348	08370	PAM INVESTORS	PREMIUM	\$ 100.00	P
CY-01350	01867	C & E PARTNERS LLC	PREMIUM	\$ 5,100.00	P
CY-01351	01861	US BANK CUST TOWER DBW	PREMIUM	\$ 3,900.00	P
CY-01353	01861	US BANK CUST TOWER DBW	PREMIUM	\$ 79,000.00	P
CY-01354	01870	U.S. BANK CUST PRO CAP I, LLC	PREMIUM	\$ 4,000.00	P
CY-01355	01870	U.S. BANK CUST PRO CAP I, LLC	PREMIUM	\$ 11,000.00	P
CY-01357	09701	ROBERT DEL VECCHIO PENSION	PREMIUM	\$ 2,100.00	P
CY-01192	03974	STATE OF NEW JERSEY	PERS PENSION 2010	\$ 1,393,699.00	P
CY-01193	03974	STATE OF NEW JERSEY	PFRS PENSION 2010	\$ 4,030,256.85	P
CY-01193	03974	STATE OF NEW JERSEY	PFRS PENSION 2010	\$ 3,193,606.00	P
11-01925	08802	EIC ASSOCIATES, INC.	PIER C PARK	\$ 72,835.68	P
				\$ 9,004,867.14	

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:

17-Mar-11	TO	30-Mar-11	Paydate	4/6/2011	
<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	9,141.96	0.00	0.00	9,141.96
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	307.70	307.70
PURCHASING	1-01-20-114	7,021.58	0.00	0.00	7,021.58
GRANTS MANAGEMENT	1-01-20-116	0.00	0.00	0.00	0.00
CITY CLERK'S OFFICE	1-01-20-120	14,959.08	868.14	0.00	15,827.22
ELECTIONS	1-01-20-122	0.00	0.00	0.00	0.00
FINANCE OFFICE	1-01-20-130	23,824.09	0.00	0.00	23,824.09
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	8,848.81	0.00	0.00	8,848.81
ASSESSOR'S OFFICE	1-01-20-150	13,494.27	0.00	0.00	13,494.27
CORPORATE COUNSEL	1-01-20-155	11,987.88	37.92	96.15	12,121.95
COMMUNITY DEVELOPMENT	1-01-20-160	3,980.77	0.00	0.00	3,980.77
TREASURER	1-01-20-146	0.00	0.00	0.00	0.00
PLANNING BOARD	1-01-21-180	5,865.00	206.69	0.00	6,071.69
INFORMATION TECHNOLOGY	1-01-20-147	4,305.46	356.67	0.00	4,662.13
ZONING OFFICER	1-01-21-186	7,056.19	0.00	0.00	7,056.19
HOUSING INSPECTION	1-01-21-187	5,489.84	486.12	0.00	5,975.96
CONSTRUCTION CODE	1-01-22-195	22,277.34	0.00	0.00	22,277.34
POLICE DIVISION	1-01-25-241	527,016.14	10,007.42	3,807.11	540,830.67
CROSSING GUARDS	1-01-25-241	12,813.23	0.00	0.00	12,813.23
EMERGENCY MANAGEMENT	1-01-25-252	4,437.50	0.00	0.00	4,437.50

<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	416,216.34	26,508.02	6,432.72	449,157.08
STREETS AND ROADS	1-01-26-291-011	21,409.89	4,883.46	0.00	26,293.35
ENV SRVCS DIR OFFICE	1-01-26-290	9,973.76	0.00	0.00	9,973.76
RECREATION SEASONAL EMP	1-0128370016	1,691.25	0.00	297.50	1,988.75
CENTRAL GARAGE	1-01-26-301	7,163.04	4,812.35	0.00	11,975.39
SANITATION	1-01-26-305	18,631.66	3,777.44	0.00	22,409.10
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	6,678.48	0.00	12.48	6,690.96
BOARD OF HEALTH	1-01-27-332	18,335.08	0.00	0.00	18,335.08
CONSTITUENT SRCS	1-01-27-333	0.00	0.00	0.00	0.00
SENIOR CITIZENS	1-01-27-336	16,093.33	104.16	0.00	16,197.49
RENT STABILIZATION	1-01-27-347	7,352.96	0.00	0.00	7,352.96
TRANSPORTATION	1-01-27-348	0.00	0.00	0.00	0.00
RECREATION	1-01-28-370	13,026.88	0.00	0.00	13,026.88
PARKS	1-01-28-375	18,240.46	161.64	22,437.96	40,840.06
PUBLIC PROPERTY	1-01-28-377	31,259.20	124.74	0.00	31,383.94
PUBLIC LIBRARY	1-0129-390-021	0.00	0.00	0.00	0.00
PUBLIC DEFENDER	1-01-43-495	2,623.81	0.00	0.00	2,623.81
MUNICIPAL COURT	1-01-43-490	40,402.81	0.00	0.00	40,402.81
PARKING UTILITY	1-31-55-501-101	79,391.42	10,492.82	0.00	89,884.24
MUN COURT OVERTIME	T-0340000-037	0.00	2,737.90	0.00	2,737.90
GRANT#	T0340000004	0.00	0.00	0.00	0.00
GRANT#	G-02-44-701-380	0.00	0.00	0.00	0.00
GRANT#	G-02-44-701-390	0.00	0.00	0.00	0.00
GRANT#	G-02-44-701-392	0.00	0.00	0.00	0.00
GRANT#	T-03-40-000-003	0.00	0.00	0.00	0.00
FIRE EDUCATION	T-13-10-000-000	0.00	0.00	0.00	0.00
CULTURAL AF AFFAIRS	1-01-271-760-11	3,188.13	0.00	0.00	3,188.13

<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	844,701.27	844,701.27
POLICE OUTSIDE EMPL.	T-03-40-000-006	0.00	(597.60)	37,173.00	36,575.40
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	0.00	0.00
GRAND TOTAL		1,424,169.02	64,967.89	915,265.89	2,404,402.80
					2,404,402.80

Introduced by: _____
Seconded by: _____

CITY OF HOBOKEN
RESOLUTION NO. _____

THIS RESOLUTION AWARDS A CONTRACT TO BOSWELL ENGINEERING FOR SERVICES AS WATERFRONT ENGINEER FOR ALL PRIVATE AND PUBLIC WATERFRONT PROPERTIES NORTH OF THE NORTHERN EDGE OF PIER C FOR THE PERIOD OF MAY 1, 2011 THROUGH APRIL 30, 2012 IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00)

WHEREAS, proposals were received on Friday, March 4, 2011 in response to the City's RFP for Waterfront Engineer for a one year period; and,

WHEREAS, eleven (11) proposals were received, these being:

<u>VENDOR</u>	<u>EVALUATION SCORE</u>
Boswell Engineering 330 Phillips Avenue P.O. Box 3152 South Hackensack, NJ 07606-1722	Score: 245.50
McLaren Engineering Group 100 Snake Hill Road West Nyack, NY 10994	Score: 243.00
Birdsall Services Group 611 Industrial Way West Eatontown, NJ 07724	Score: 217.00
WJ Castle PE & Associates Tyndol Building 1345 Route 38 West Hainesport, NJ 08036	Score: 215.00
Aceom 20 Exchange Place New York, NY 10005	Score: 208.00
Maser Consulting PA 331 Newman Springs Road Suite 203 Red Bank, NJ 07701	Score: 196.00
Hatch Mott MacDonald 27 Bleeker Street Millburn, NJ 07041	Score: 191.00
Remington & Vernick Engineers 232 Kings Highway East Haddonfield, NJ 08033	Score: 168.00
Van Cleef Engineering Associates	Score: 165.00

339 Amwell Road
Bldg B
P.O. Box 5877
Hillsborough, NJ 08844-5877

Envar Services Inc.
505 Milltown Road
North Brunswick, NJ 08902

Score: 158.00

Langan Engineering
River Drive Center One
Elmwood Park, NJ 07407

Score: DISQUALIFIED / CONFLICT

WHEREAS, the Administration allowed presentations by, interviewed representatives of, and investigated references and prior projects for those firms highlighted in bold, above; and,

WHEREAS, as a result, the Administration determined that Boswell Engineering was best qualified to render waterfront engineering services relating to all publicly and privately owned waterfront property north of the northernmost point of Pier C within the municipality; and,

WHEREAS, the Administration recommends that a contract be awarded to Boswell Engineering for waterfront engineering services for a one year period for all publicly and privately owned waterfront property north of the northernmost point of Pier C within the municipality, which incorporates with Boswell Engineering's proposal and the scope of work detailed in the City's RFP; and,

WHEREAS, Boswell Engineering shall be required to comply with all pay to play and corporate disclosure requirements as a prerequisite to executing the contract contemplated herein, and shall be required to maintain continued compliance throughout the term of the agreement; and,

WHEREAS, Boswell shall familiarize itself with the Open Public Records Act and work with the City's Custodian of Records to effectuate compliance with any requests for government records under the Act throughout the term of this agreement.

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

- A. This resolution approves a contract with Boswell Engineering for waterfront engineering services for all publicly and privately owned waterfront property north of the northernmost point of Pier C within the municipality, pursuant to the RFP and Boswell Engineering's proposal, which services shall include oversight of waterfront issues for the property within the locations listed herein, guidance toward the City relating to the waterfront properties within the locations listed herein, review and representation of the City in legislation and policy decisions by the City relating to waterfront issues at the locations listed herein; and,
- B. The contract shall be for an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) commencing on May 1, 2011 and terminating on April 30, 2012; and,
- C. The Mayor or her designee is hereby authorized to take the necessary steps to enter into a contract and any other steps necessary to effectuate this resolution.
- D. This resolution shall take effect immediately upon passage. The Clerk shall publish and post this resolution according to law and local ordinance.

Meeting of: April 20, 2011

APPROVED:

Arch Liston
Business Administrator

APPROVED AS TO FORM:

Mark A. Tabakin, Esq.
Corporation Counsel

CHIEF FINANCIAL OFFICER'S CERTIFICATION
OF AVAILABILITY OF FUNDS
FOR CONTRACT AWARDS

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$_____ is available in the following appropriations:

These funds, the amount within the introduced CY 2011 budget, are sufficient to meet the contractual commitment providing for:

Waterfront Engineer
All Waterfront Property North of Pier C

As awarded to the following vendor:

Boswell Engineering
330 Phillips Avenue
PO Box 3152
South Hackensack, NJ 07606-1722

I further certify that, subject to adoption of the CY 2011 budget, this commitment together with all previously made commitments do not exceed the appropriation balance available for this purpose.

Chief Financial Officer: _____

Date: _____

Introduced by: _____
Seconded by: _____

CITY OF HOBOKEN
RESOLUTION NO. _____

THIS RESOLUTION AWARDS A CONTRACT TO BOSWELL ENGINEERING FOR SERVICES AS GENERAL CITY ENGINEER FOR THE PERIOD OF MAY 1, 2011 THROUGH APRIL 30, 2012 IN AN AMOUNT NOT TO EXCEED SEVENTY FIVE THOUSAND DOLLARS (\$75,000.00)

WHEREAS, proposals were received on Friday, February 23, 2011 in response to the City's RFP for General City Engineer for a one year period; and,

WHEREAS, six (6) proposals were received, these being:

<u>VENDOR</u>	<u>EVALUATION SCORE</u>
Maser Consulting P.A. 331 Newman Springs Road Suite 203 Red Bank, NJ 07701	150.00
Van Cleef Engineering Associates 299 Cherry Hill Road Suite 102 Parsippany, NJ 07054	156.50
CME Consulting and Municipal Engineers 3141 Bordentown Avenue Parlin, NJ 08859-1162	156.50
Boswell Engineering 330 Phillips Avenue PO Box 3152 South Hackensack, NJ 07606-1722	188.00
Remington & Vernick Engineers 232 Kings Highway East Haddonfield, NJ 08033	139.00
Carroll Engineering 105 Raider Boulevard Suite 206 Hillsborough, NJ 08844	138.00
Birdsall Services Group 2100 Highway 35 Sea Girt, NJ 08750	161.00

WHEREAS, the highest evaluation score was given to Boswell Engineering which submission was a responsible and responsive to all the RFP requirements; and,

WHEREAS, as a result, the Purchasing Agent recommends that a contract be awarded to Boswell Engineering for general city engineering services for a one year period, which incorporates Boswell Engineering's proposal and the scope of work detailed in the City's RFP; and,

WHEREAS, Boswell shall be required to comply with all pay to play and corporate disclosure requirements as a prerequisite to executing the contract contemplated herein, and shall be required to maintain continued compliance throughout the term of the agreement; and,

WHEREAS, Boswell shall familiarize itself with the Open Public Records Act and work with the City's Custodian of Records to effectuate compliance with any requests for government records under the Act throughout the term of this agreement.

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

- A. This resolution approves a contract with Boswell Engineering for general city engineering services, pursuant to the RFP and Boswell Engineering's proposal, for an amount not to exceed Seventy Five Thousand Dollars (\$75,000.00) commencing on May 1, 2011 and terminating on April 30, 2012; and,
- B. The Mayor or her designee is hereby authorized to take the necessary steps to enter into a contract and any other steps necessary to effectuate this resolution.
- C. This resolution shall take effect immediately upon passage. The Clerk shall publish and post this resolution according to law and local ordinance.

Meeting of: April 20, 2011

APPROVED:

Arch Liston
Business Administrator

APPROVED AS TO FORM:

Mark A. Tabakin, Esq.
Corporation Counsel

CHIEF FINANCIAL OFFICER'S CERTIFICATION
OF AVAILABILITY OF FUNDS
FOR CONTRACT AWARDS

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$75,000.00 is available in the following appropriations:

These funds, the amount within the introduced CY 2011 budget, are sufficient to meet the contractual commitment providing for:

General City Engineer

As awarded to the following vendor:

Boswell Engineering
330 Phillips Avenue
PO Box 3152
South Hackensack, NJ 07606-1722

I further certify that, subject to adoption of the CY 2011 budget, this commitment together with all previously made commitments do not exceed the appropriation balance available for this purpose.

Chief Financial Officer: _____

Date: _____

4/18/2011

Introduced By: _____

Seconded By: _____

**CITY OF HOBOKEN
RESOLUTION NO.:**

**RESOLUTION OF THE CITY OF HOBOKEN AUTHORIZING THE
EXECUTION OF AN INTERIM COST AGREEMENT WITH BIG
TWINKIE, INC. (AKA WATER MUSIC), IN ORDER TO DEFRAY
COSTS INCURRED BY THE CITY OF HOBOKEN IN REVIEWING AND
EVALUATING BIG TWINKIE, INC.'s REDEVELOPMENT PROPOSAL**

WHEREAS, in order to stimulate redevelopment, the City of Hoboken (the "City") by resolution designated certain properties in the City as areas in need of redevelopment ("Redevelopment Area") in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented; and

WHEREAS, on May 20, 1998, the City by ordinance adopted the Northwest Redevelopment Plan, which has been amended from time to time, and which sets forth the plan for the Redevelopment Area; and

WHEREAS, the properties designated as Block 95, Lots 11 through 16 on the Tax Map of the City and commonly known as 921 – 931 Madison Street, Hoboken, NJ 07030 ("Project Site") are included in the Redevelopment Area; and

WHEREAS, Big Twinkie, Inc. (AKA Water Music) ("Big Twinkie") has submitted a Pre-Submission Form to the City proposing a redevelopment project for the Project Site and requesting that the City designate Big Twinkie as the redeveloper of the Project Site; and

WHEREAS, the City requires that prospective redevelopers, such as Big Twinkie, pay the reasonable costs incurred by the City in reviewing and evaluating the prospective redeveloper's proposal, negotiating and drafting a Redevelopment Agreement (should a Redevelopment Agreement ultimately be executed), and all other costs and expenses related to this matter, prior to either the execution of a Redevelopment Agreement or a determination by the City that a Redevelopment Agreement cannot be executed, as the case may be; and

WHEREAS, the City has prepared a form of Interim Cost Agreement, whereby Big Twinkie would pay the reasonable costs incurred by the City in reviewing and evaluating Big Twinkie's redevelopment proposal, negotiating and drafting a Redevelopment Agreement (should a Redevelopment Agreement ultimately be executed), and all other costs and expenses related to this matter, prior to either the execution of a Redevelopment Agreement or a determination by the City that a Redevelopment Agreement cannot be executed, as the case may be;

NOW, THEREFORE, it is hereby resolved by the City Council as follows:

1. The Mayor is hereby authorized to execute an Interim Cost Agreement between the City of Hoboken and Big Twinkie, Inc. (AKA Water Music), in the form attached hereto as Schedule A or in a form substantially similar thereto.

2. Staff and consultants to the City are hereby authorized and directed to take all other administrative actions to implement this Resolution as are necessary and appropriate to accomplish its goals and intent.

3. This Resolution shall be effective immediately.

Meeting Date: April 20, 2011

REVIEWED BY:

APPROVED AS TO FORM:

Arch Liston,
Business Administrator

Mark Tabakin, Esq.
Corporation Counsel

SCHEDULE A

CITY OF HOBOKEN
Department of Community Development

DAWN ZIMMER
Mayor



BRANDY FORBES
Director

MEMORANDUM

DATE: March 28, 2011

TO: Hoboken City Council

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

FROM: Brandy Forbes, Community Development Director *BF*

RE: Interim Cost Agreement between City of Hoboken and Big Twinkie, Inc.

This memo is to provide background information regarding the resolution on the April 6, 2011 City Council agenda on the above issue.

This project has been commonly referred to as the Water Music proposal or, as distinguished in the pre-submission form, the Hoboken Arts Center. The property is a 15,000 square foot parcel within the Northwest Redevelopment Area. The applicant is seeking to construct a building with 55,000 sq ft of commercial/office space, 33 parking spaces, 28,944 sq ft arts center, 14, 825 sq ft educational/arts space, and 42 market rate residential units.

The applicant and owner is Big Twinkie, Inc. The broad project description per the pre-submission form is as follows: "The Hoboken Arts Center will be a mixed use building anchored by a major, high end arts venue, a professional theater, classrooms for education, rehearsal space, studio space for artists, a recording studio, a professional kitchen wired for digital video and ancillary spaces for the arts. Above the theater level will be forty-two (42) residences or a mix of commercial applications and residences."

The Economic Development and Open Space Acquisition subcommittee, redevelopment attorney Joe Maraziti and I met with the representatives of Big Twinkie, Inc. to discuss this item. The subcommittee agreed that the next step is to enter into the Interim Cost Agreement to initiate and to defray the costs of

1) the review and evaluation of the prospective proposal, 2) the negotiations and drafting of the redevelopment agreement, and 3) the preparation of any necessary revisions to the redevelopment plan.

The potential redeveloper is amenable to the Interim Cost Agreement that has been drafted. Please note that the resolution and Interim Cost Agreement are not an official final approval of this project. Rather, the Interim Cost Agreement is the mechanism that allows the City to negotiate the scope of the project and the terms of the redevelopment agreement. Technically the City is not bound to permanently designate this developer as the redeveloper of this property. That is determined at such time as a final redevelopment agreement is mutually executed.

This Interim Cost Agreement is a relatively new step in redevelopment in Hoboken; however, this type of agreement is common practice in the realm of redevelopment in New Jersey. This type of agreement demonstrates a commitment by the developer to negotiate in good faith and to be adequately vetted, while covering the City's costs of such.

A copy of the pre-submission form from the potential redeveloper, the resolution and the Interim Cost Agreement are in the City Council agenda packet.

**INTERIM COST AGREEMENT BETWEEN THE
CITY OF HOBOKEN AND BIG TWINKIE, INC. (AKA WATER MUSIC)**

THIS AGREEMENT, dated as of _____, by and between the City of Hoboken (“City”), a municipal corporation of the State of New Jersey with offices at Hoboken City Hall, acting in the capacity of a redevelopment agency pursuant to the provisions of the Local Redevelopment and Housing Law, and Big Twinkie, Inc. (AKA Water Music) (“Big Twinkie”), with offices located at 931 Madison Street, Hoboken, New Jersey, 07030.

WITNESSETH

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*, as amended and supplemented (the "Act"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, in order to stimulate redevelopment, the Council of the City of Hoboken (“City Council”) by resolution designated certain properties in the City as areas in need of redevelopment (“Redevelopment Area”) in accordance with the Act; and

WHEREAS, the properties designated as Block 95, Lots 11 through 16 on the Tax Map of the City of Hoboken and commonly known as 921 – 931 Madison Street, Hoboken, NJ 07030 (“Project Site”) are included in the Redevelopment Area; and

WHEREAS, on May 20, 1998, the City Council by ordinance adopted the Northwest Redevelopment Plan (“Plan”) which has been amended from time to time, and which sets forth the plan for the Redevelopment Area; and

WHEREAS, Big Twinkie has submitted a Pre-Submission Form (attached hereto as Exhibit A) to the City proposing a redevelopment project for the Project Site and

requesting that the City designate Big Twinkie as the redeveloper of the Project Site; and

WHEREAS, City and Big Twinkie desire to enter into discussions to explore issues relating to the potential redevelopment of the Project Site, in order to evaluate and consider multiple issues relating to the proposed redevelopment, including, but not limited to the nature and use of the proposed components of the potential project, the financial and marketing feasibility of the potential project, the financial capabilities of the proposed redeveloper, the long term financial and operational responsibilities of the non profit components of the potential project, the identification of parking demand and options to satisfy that demand, the nature and the extent of public improvements among others, (the “Unresolved Issues”) and

WHEREAS, City and Big Twinkie desire to enter into an Interim Cost Agreement for a limited period during which time the City will agree to engage in exclusive discussions with Big Twinkie to explore the Unresolved Issues; and

WHEREAS, City requires that all potential redevelopers pay for all of the City’s reasonable and customary costs associated with the review of the redevelopment proposals, drafting and negotiation of the redevelopment documents, the due diligence process and all other costs and expenses related to the Unresolved Issues as set forth below prior to the execution of a Redevelopment Agreement and Big Twinkie agrees to pay such costs, as set forth herein;

NOW, THEREFORE, for and in consideration of the premises and of the mutual representations, covenants and agreements herein set forth, the parties hereto, each binding itself, its successors and assigns, do mutually promise, covenant and agree as follows:

1. **Interim Designation** City hereby designates Big Twinkie on an Interim basis for the sole purpose of exploring the Unresolved Issues and the possible negotiation of a Redevelopment Agreement to be mutually acceptable to the parties. Such designation shall not confer upon Big Twinkie any entitlement to become the conditional redeveloper of the Project Site, which designation will await a formal determination by City, subject to the successful completion of negotiations and the adoption of a Resolution by City to make such determination.
2. **The Interim Period.** The Interim Period shall be one hundred eighty (180) days from the date of execution of this Interim Cost Agreement or the date of termination of the Interim Period by either party, whichever shall occur first (the “Interim Period”). During the Interim Period, Big Twinkie shall pay City all Interim Costs (as defined below) incurred by City during the Interim Period. Big Twinkie shall pay all Interim Costs even if a conditional designation as Redeveloper and a Redevelopment Agreement cannot be executed for any reason.
3. **Payment of Interim Costs.**
 - A. **Definition of “Interim Costs”.** “Interim Costs” shall include, but not be limited to, all reasonable and customary charges, expenses or costs actually incurred by City during the Interim Period for and all reasonable and customary fees and costs of any professional consultant, contractor or vendor retained by City, so long as such retention is necessary for and related to the exploration of the Unresolved Issues, the review of the proposed Redevelopment Project Plan, the evaluation of the provisions of the Northwest Redevelopment Plan, and modifications thereto, and the

negotiation of the Redevelopment Agreement. In the event that the City and Big Twinkie continue to negotiate beyond the expiration of the Interim Period, the definition of Interim Costs shall include all charges, expenses or costs and fees incurred by City following expiration of the Interim Period for so long as such negotiations continue.

B. Payment of Interim Costs. Upon execution of this Agreement, Big Twinkie shall immediately deposit with City the amount of Twenty five Thousand Dollars (\$25,000.00) to be maintained in a separate account by City and to be drawn down by City from time to time to pay Interim Costs (“Interim Cost Funds”). Within fifteen (15) days of the receipt by Big Twinkie of written notice from City, that the amount remaining on deposit in the Interim Fund account has decreased to Ten Thousand Dollars (\$10,000) Big Twinkie shall promptly make payment to City in an amount sufficient to replenish the Interim Fund account to the amount of Twenty Five Thousand Dollars (\$25,000.00).

C. Refund/Application of Account Balance. In the Event that a conditional designation and Redevelopment Agreement is not executed and this Interim Cost Agreement is terminated, City shall draw down the Interim Cost Funds to pay all invoices for Interim Costs incurred up to the date of termination. Within thirty (30) days from the date of termination the City shall return all remaining Interim Cost Funds to Big Twinkie. In the event that a Redevelopment Agreement is executed, the Interim Cost Funds shall remain with City to cover costs incurred by City in implementing the

Redevelopment Agreement, which Redevelopment Agreement shall contain a provision providing for the payment of such costs.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed, all as of the date first above written.

BIG TWINKIE, INC.

By:
Date:

Attest:

Date: _____

CITY OF HOBOKEN

Date: _____

Attest:

Date: _____

STATE OF

SS:

COUNTY OF

I CERTIFY that on _____, _____ personally came before me, and this person acknowledged under oath, to my satisfaction, that this person, if more than one, each person, is the _____ of Big Twinkie, Inc., which is the company named in this document; and signed and delivered this document as his act and deed on behalf of the company named in this document.

_____, Secretary

Signed and sworn to before me
on

Notary Public

RECEIVED MAR 22 2011

CITY OF HOBOKEN PRE-SUBMISSION FORM

REQUEST FOR DESIGNATION AS REDEVELOPER

All Applicants to the City must complete the following form and submit five (5) copies of this form including full sets of the required attachments to the City of Hoboken Director of Community Development, City Hall, 94 Washington Street, Hoboken, New Jersey 07030. The City retains the right to reject any application for any reason, in its sole discretion. All submissions made to the City shall be the property of the City and shall not be returned to the Applicant. Applicants shall submit applications at their sole cost and expense.

I. APPLICANT INFORMATION

Name: Big Twinkie, Inc.
Address: 931 Madison Street, Hoboken, NJ 07030
Telephone: 201-420-7848 X501 Fax: Please call first
Email: rob@watermusic.net

II. PROJECT SITE (If the Project Site consists of more than one property, please provide full descriptions of each property on separate sheets of paper)

Block: 95 Lots: 11 – 16
Address: 921 - 931 Madison Street, Hoboken, NJ 07030

Redevelopment Area: Northwest Redevelopment Zone

Dimensions: 100' X 150' Area (sq. ft.): 15,000 sq. ft.

No. of Residential Units:

Market Rate: 42

Rental: To be determined – Possible use for schools & arts organizations

Affordable: None proposed – Space devoted to Arts Center

Commercial/Office (sq. ft.) 55,000 sq. ft. or more depending on use

Accessory Parking: 33 spaces

Public Parking: None

Public Space: 28,944 sq. ft. Arts Center plus 14,825 educational/arts or greater

Amendments required of the Redevelopment Plan: Yes X No ____

III. RELATIONSHIP OF THE APPLICANT TO THE PROJECT SITE

Owner X

Contract Purchaser _____

Other (Please Specify) _____

IV. APPLICANT PROFESSIONALS

Attorney Name: Robert Matule, Esq.

Address: 70 Hudson Street, 3rd Floor, Hoboken, NJ 07030

Telephone: 201-659-0403 Fax: 201-659-1088

Email: robert@matulelaw.com

Architect Name: John Nastasi Architects

Address: 321 Newark Street, 2nd Floor, Hoboken, NJ 07030

Telephone: 201-653-2577 Fax: 201-653-2642

Email: john@nastasiarchitects.com

Engineer Name: Michael Xing, MYX Engineers, LLC

Address: 730 Boulevard, Suite 10A, Kenilworth, NJ 07033

Telephone: 908-298-0306 Fax: 908-298-0702

Email: mxing@myxengineers.com

HOBOKEN ARTS CENTER

PROJECT DESCRIPTION

Overview

The **Hoboken Arts Center** will be a mixed use building anchored by a major, high end arts venue, a professional theater, classrooms for education, rehearsal space, studio space for artists, a recording studio, a professional kitchen wired for digital video and ancillary spaces for the arts. Above the theater level will be forty two residences or a mix of commercial applications (educational, studio etc.) on lower floors and residences on upper floors. The final determination of use of space will take place once the City Council has approved the project. At that time, substantive discussions with schools and arts organization can proceed in good faith.

Building Design

The building is being designed by award-winning architect John Nastasi and engineered by Dr. Michael Xing, internationally acclaimed for his structural designs. Among its many features are a five story elliptically torqued rotunda; a state-of-the-art heating and cooling system that transfers heat generated by sunlight, theater audiences, stage lighting and other sources to other areas of the building; a column grid that goes from the pilings all the way up to the roof, eliminating the need for a transfer floor; a stunningly beautiful rain screen exterior that is both lightweight and energy efficient; a green roof; a louvered façade to reduce cooling costs and use of Hambro construction techniques.

Site Details

The New York City area is the second most “walked” urban environment in the nation. If people can walk to an event, they will. The **Hoboken Arts Center** location is equidistant for pedestrians coming from the south, north and waterfront. This will encourage people to walk and ensure the lowest amount of vehicular traffic.

The building was designed to maximize the Hoboken Art Center’s location in a transit village. The site is across the street from the city’s largest supermarket, also a major walking destination, and around the corner from the 9th St. light rail station, linking it directly to the PATH, train, bus and ferry terminals. The New York City bus is only four blocks away. Access by car is quick and easy via Madison and Monroe Streets. One can enter and leave Hoboken by car from this location without engaging waterfront and downtown traffic. A safety lane shields buses carrying

children and seniors and creates a Drop Off Zone for taxis and cars. This safety zone leads directly to the handicapped access ramp.

The site is composed of six contiguous 25' X 100' lots comprising a footprint of 15,000 square feet located at the corner of Madison and 10th Streets in Hoboken, NJ. Special importance was paid to two issues: sound and flooding.

An indoor/outdoor theater and recording complex cannot be located near a heavily trafficked area or near train tracks. Twenty years of experience with noise abatement in this location gave us a unique perspective on where to place the stage and how to address acoustic issues.

A civil engineering firm that specializes in municipal flood control was engaged to do civil engineering and site plan. When completed, the **Hoboken Arts Center** will be the first building in Hoboken to meet new FEMA requirements for buildings in flood zones. The firm also designed a twenty thousand gallon reserve tank system that captures storm water and holds it until it can be safely released into the City's sewer system, thereby helping to reduce flash flooding.

Parking

A parking garage under the first floor will satisfy residential parking requirements. A public parking garage is one block away on Madison Street. The ShopRite directly across the street has expressed interest in providing parking for events.

Public Benefits

Hudson County has the largest arts community in the State. Artists are the third largest income producing group in the County behind the finance industry and teachers. They spend three times as much on arts and entertainment as they do on sporting events. Yet, incredibly, there is no professional stage in Hudson County and very little public exhibition space. The Hudson County Master Plan for the Arts notes that 58% of residents – the highest percentage responding to any question in the survey – cited a need for more live entertainment. This project directly addresses that need.

The **Hoboken Arts Center** was designed from the ground up to host multiple events. The Rotunda will easily convert from exhibition to festival space. It will accommodate events, meetings, conferences, weddings and other civic uses.

Economic benefits will include:

- \$17,630,000 contributed to the City's economy
- \$700,000 in taxes paid directly to the City
- 370 jobs
- Employment, job training and internships for youth

Public benefits will include:

- 28,944 sq. ft. Arts Center and festival space
- Fully professional stage
- Architecturally designed exhibition space
- Classroom, studio and meeting space
- Events
- Outdoor park

Constituencies served will include:

- Children – Education and programming
- Families – Events to experience, enjoy and remember
- Seniors – Education and programming
- Singles – A high end, cultural alternative to the club scene

Programming will include:

- Exhibition Arts
- Arts Education
- Dance
- Theater
- Concerts
- Studio, rehearsal and meeting space
- Showcase for local, national and international talent

Building Size

The **Hoboken Arts Center** will be 150 ft. wide and 100 ft. deep at the base and 139 ft. tall.

Affordable Housing

In 2006 the City Council wisely decided to dedicate all of the available space in the building to the **Hoboken Arts Center's** activities. Accordingly, no affordable housing units were required in the building. As part of that agreement, the developer waived 100% of the bonus space created by the public space and the number of residential units was reduced from 48 to 42 units.

Financing

Many financing options exist for this project. However, selection of the most appropriate financing cannot take place until the City Council has approved the Ordinance amending the Northwest Redevelopment Zone Master Plan.

Schedule for Construction

Once the City Council has approved the Ordinance amending the Northwest Redevelopment Zone Master Plan, completion of construction drawings, plan check, issuance of permits and construction will take 24 to 30 months.

Description of Any Proposed Amendments to the Redevelopment Plan

Please see Appendix C for the proposed amendment.

HOBOKEN ARTS CENTER

SHAREHOLDER AND DESIGN TEAM BIOGRAPHIES

Richard Factor received a BA in Economics at the Herbert H. Lehman College for the City University of New York. After graduation, he became an engineer for WABC Radio, spinning records for such celebrated DJs as Cousin Brucie and Dan Ingram. Leaving WABC, he worked for Federal Scientific Corporation designing advanced instrumentation for military intelligence.

As founder of Eventide Inc., Mr. Factor combined his technical knowledge and his love for music when he invented and marketed the first *Digital Delay*, to this day a staple of the broadcast and recording industries. After introducing the first digital *Flangers* and *Phasers*, he invented and patented the *Harmonizer*, the most widely used signal processing device in the music, film and television industries. The *Harmonizer* is best known for the voice of Darth Vader, villain in George Lucas' film *Star Wars*. Continuing to pursue his interests, Mr. Factor created the *Argus*, the first LORAN-based moving map for small aircraft, as well as the first digital phone logger and many other innovative products. Today Eventide has more than 70 employees in the audio, broadcast, avionics, communication logging, and Internet industries. Mr. Factor was also a founder of Ariel, a digital signal processing company based in Princeton, New Jersey. In 1994, he created the SETI League, a non-profit organization devoted to the continued exploration of space.

Aegis J. Frumento is Senior Counsel for Smith Barney Morgan Stanley in New York City. Prior to that, he was a partner in the Broker-Dealer, Securities Litigation and Corporate Governance Practice Groups of Duane Morris, LLP in New York City. A graduate of Harvard College and New York University Law School, Mr. Frumento began his legal career at Skadden Arps Slate Meagher & Flom and Schulte Roth & Zabel.

Mr. Frumento is a member of the bars of New York, the Federal District Courts for the Southern, Eastern and Northern Districts of New York, the Second and Third Circuit Courts of Appeal, and the United States Supreme Court. He is also a member of and has served on several committees of the Association of the Bar of the City of New York, the New York County Lawyers Association, the New York State Bar Association and the American Bar Association, and the Securities Industry Association Legal and Compliance Division. Mr. Frumento has published many articles in legal periodicals, is a regular speaker at continuing education and industry association conferences, and is frequently quoted in the trade and business media on securities and broker-dealer matters.

Dale E. Grenoble earned a Ph.D. in Physics from Rensselaer Polytechnic Institute and an MBA from the University of Southern California. He served as Associate Professor of Dentistry at the University of Southern California and Research Affiliate at the Jet Propulsion Laboratory, California Institute of Technology. While at USC, he published more than forty papers on medical materials and product developments including the vitreous carbon dental implant. During that period, he lectured in more than fifteen countries and consulted on product acquisition and development for Johnson and Johnson, American Hospital Supply Corporation and other medical products companies.

Mr. Grenoble then formed Astral Properties International, a real estate development firm which designed and developed high technology factories and research centers in Southern California. As President, Mr. Grenoble's functions included raising investment capital, land acquisition, management of project design and construction, and marketing of completed projects. Mr. Grenoble later joined International Banking Company Caribbean, IBCC N.V., a Netherlands investment bank as Managing Director and then Common Market Finance Group B.V. In these positions, he managed international trade financing and marketing. Mr. Grenoble has broad expertise in construction, operations, marketing, and finance. Mr. Grenoble is Rob Grenoble's brother.

Rob Grenoble was signed to RCA Records and BMG Music Publishing. While recording for RCA, he built Water Music Recorders into one of the world's most famous cutting edge recording studios. Best known for albums by the Dave Matthews Band, Allman Brothers Band, 2010 Grammy winner Esperanza Spalding, Ween, Taking Back Sunday, Vertical Horizon and Cyndi Lauper, recent clients include Beyoncé, R. Kelly, Sarah McLachlin, Sonic Youth and Hawthorne Heights. In 2008 the studio won a Grammy in Australia for Best Rock Record of the Year with the Living End and went gold in Europe with punk legend Turbonegro.

In 1993, Rob and partners built their current studio complex, creating the only urban, residential complex in the country. Today artists fly in from all over the world to use the classic Neve 8088 console and play in the giant Big Room. John Popper of Blues Traveler wrote the songs for his solo album, Zygote, in the Loft residence. In 1997 Rob and Water Music were awarded an Emmy for music for the L.A. Marathon. He has been the subject of numerous interviews including feature articles in the New York Times, Mix Magazine, Billboard and others, as well as a principal in three television documentaries on the New York area music scene.

Kathryn K. Griffin is controller of Hamiltonair, a New York firm that specializes in the heating, cooling and humidification of custom homes and art collections. She has worked closely with Madonna, Mary Tyler Moore, Sting, John McEnroe, Billy Joel and many others.

John Nastasi, Architect founded his own architectural firm in 1991. Throughout his professional endeavors as principal of his own studio and as a professor of architectural design at Harvard University, Stevens University and New Jersey Institute of Technology, John has remained committed to the creation of an architecture that is informed by philosophical thought while responsive to practical concerns.

Winner of the New York Architectural League of New York Award in 1995, the New Jersey American Institute of Architects Design Award in 1996 and an Excellence in Teaching Award in 2000, John continues to inspire new generations of architects. Active in both residential and commercial design as well as design for nursing homes, student centers and other special projects, Nastasi Architects has four residential projects and a six-story condo complex currently under construction. John designed the Water Music complex in Hoboken, New Jersey.

HOBOKEN ARTS CENTER

Appendix A:
Survey
Elevations



ENGINEERS — SURVEYORS
PLANS — SPECIFICATIONS — SURVEYS

ONE HENDERSON STREET
HOBOKEN, NEW JERSEY 07030

Telephone: (201) 792-0445
FAX: (201) 792-7714

New Jersey License
No. 16757

DESCRIPTION

BEGINNING at a point formed by the intersection of the easterly line of Madison Street with the southerly line of Tenth Street and running thence:

- (1) S-13°-04'-W and along the easterly line of Madison Street a distance of 150.00 feet to a point, thence
- (2) S-76°-56'-E and parallel to Tenth Street a distance of 100.00 feet to a point, thence
- (3) N-13°-04'-E and parallel to Madison Street a distance of 150.00 feet to a point in the southerly line of Tenth Street, thence
- (4) N-76°-56'-W and along the southerly line of Tenth Street a distance of 100.00 feet to a point in the easterly line of Madison Street, said point being the point or place of beginning.

Said parcel known as Lots 11, 12, 13, 14, 15 and 16 as shown on the Official Assessment Map of the City of Hoboken, Hudson County, N.J., and more commonly known as No. 921 thru 931 Madison Street, Hoboken, N.J.

SURVEY OF PROPERTY LOCATED AT BLOCK 95

HOBOKEN, HUDSON COUNTY, N. J.

ONE STORY BLOCK

BLOCK

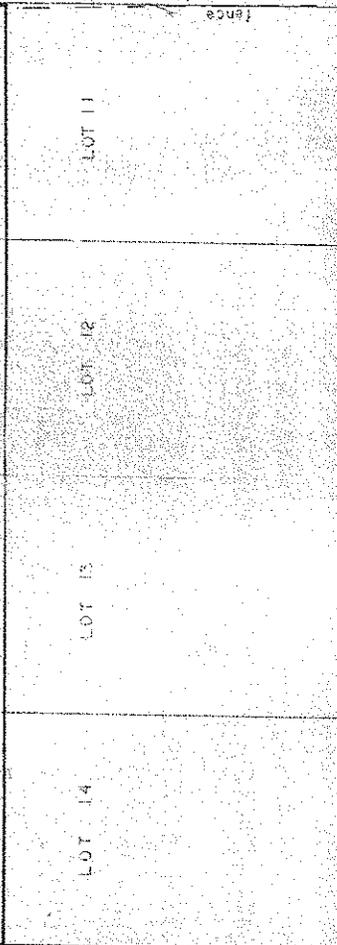
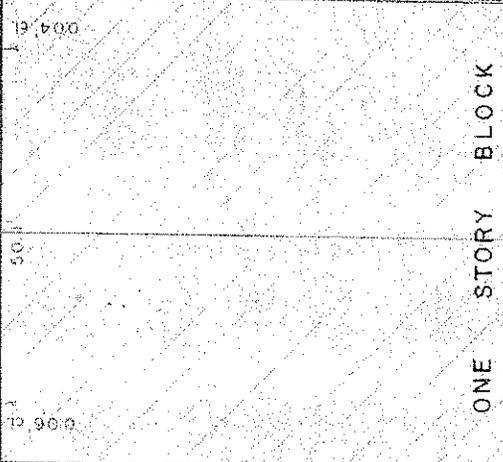
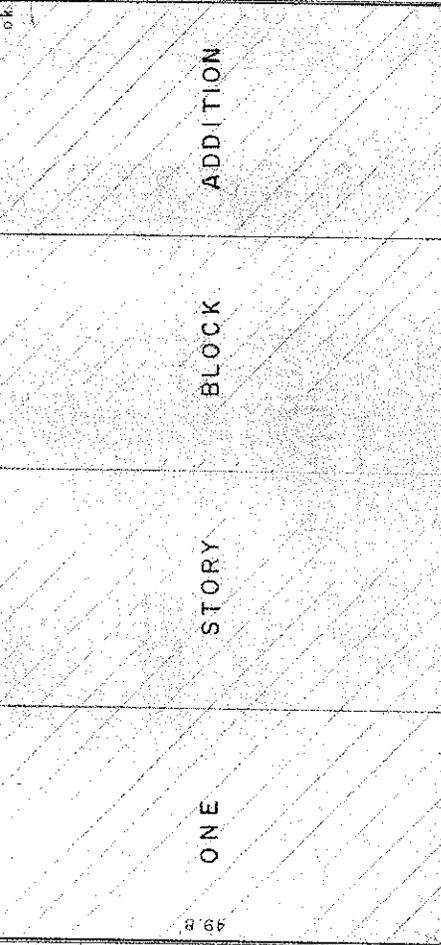
N-13°-04'-E

KNOWN AS LOTS 11
ON A MAP ENTITLED
HOBOKEN, HUDSON
ESTATE OF JOHN G
1860, AND FILED

CERTIFIED TO BE
MUSIC RECORDERS
TRW TITLE INSURAN
MARC ARNOLD, ESQ.
ITS SUCCESSORS AN

100.00

S-76°-36'-E
100.00



STREET

50' R.O.W.

TENTH

100.00'

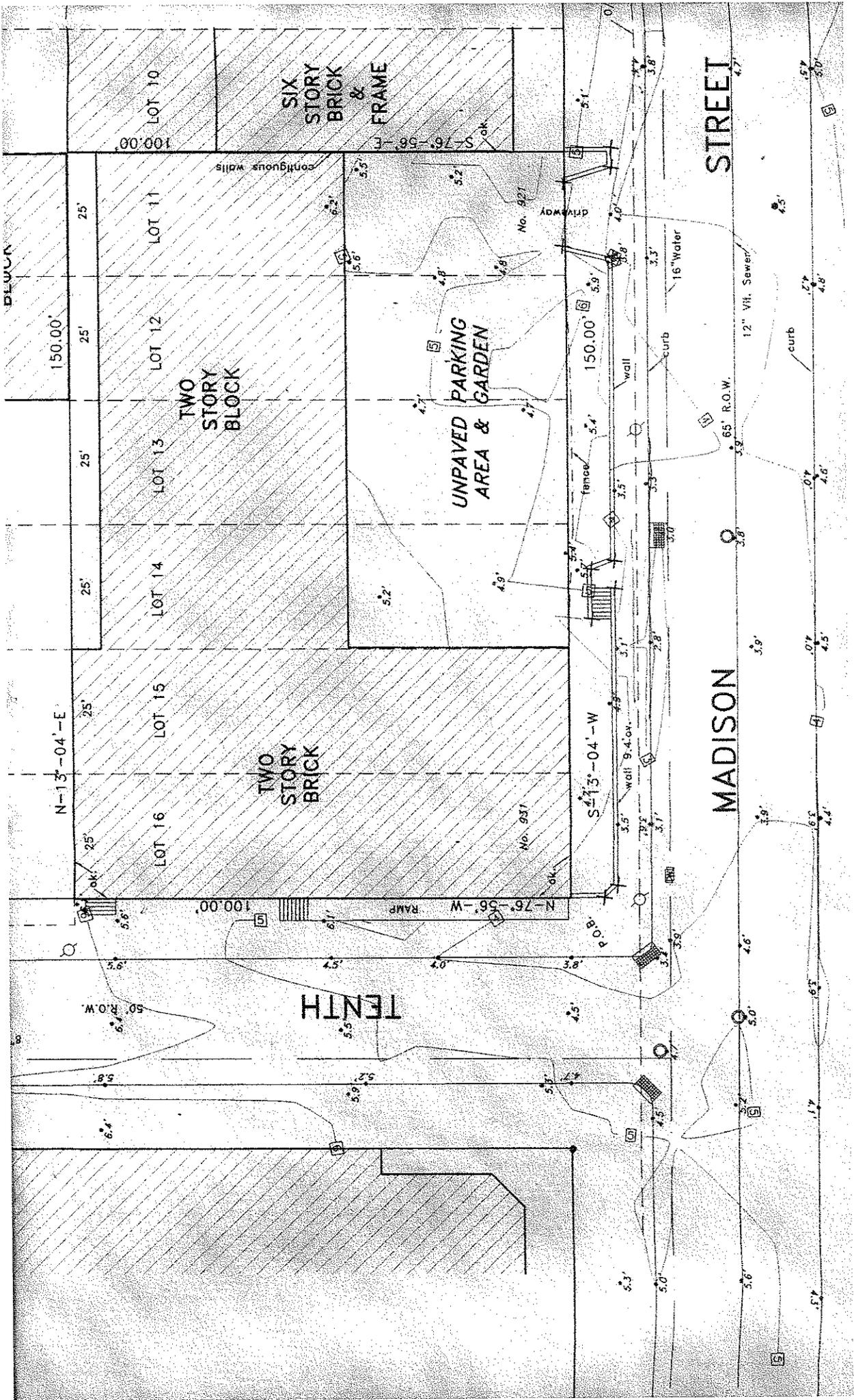
N-76°-36'-W

sidewalk

curb

fence

fence



N-13°-04'-E

150.00'

LOT 10

LOT 11

LOT 12

LOT 13

LOT 14

LOT 15

LOT 16

TWO STORY BRICK BLOCK

TWO STORY BRICK

TENTH

SIX STORY BRICK & FRAME

UNPAVED PARKING AREA & GARDEN

N-76°-56'-W RAMP

S-47°-04'-W

MADISON STREET

STREET

65' R.O.W.

12" V.I.L. Sewer

16" Water

No. 921

No. 931

contiguous walls

DRIVEWAY

fence

wall

wall 9.4' av.

curb

curb

curb

curb

curb

curb

curb

curb

HOBOKEN ARTS CENTER

Appendix B: Building Plans

NO.	REVISIONS	DATE
1	ISSUES	04.11.11
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OWNER
Water Music
931 Madison Street
Hoboken, New Jersey 07030

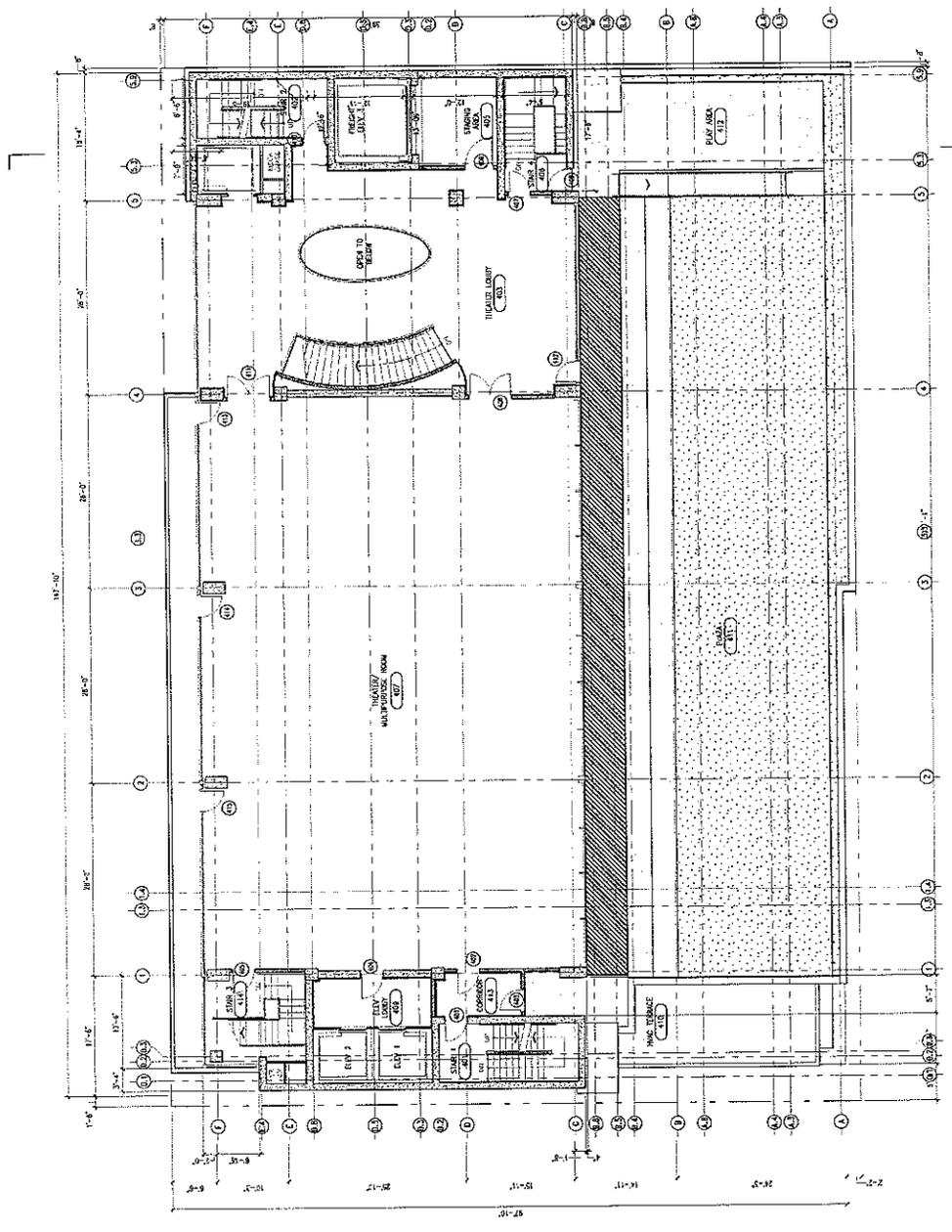
Water Music
Mixed Use Bldg
931 Madison Street
Hoboken, New Jersey 07030

NOT FOR CONSTRUCTION
PROGRESS DRAWING
SUBJECTS
221 Newark Street
Hoboken, NJ 07030
TEL 201 633 2277
FAX 201 633 2662
WWW.WATERMUSIC.COM
NY LICENSE #021876

Fourth Floor Plan

DATE: 2/20/11
BY: JLC
CHECKED: AMM
DATE: 2/20/11
SCALE: AS SHOWN
PROJECT: WATER MUSIC
DRAWN BY: JLC

A114



NO.	REVISIONS	DATE
1	ISSUED FOR PERMITS	05/11/2011
2	ISSUED FOR PERMITS	05/11/2011
3	ISSUED FOR PERMITS	05/11/2011
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5	ISSUED FOR PERMITS	05/11/2011
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99	ISSUED FOR PERMITS	05/11/2011
100	ISSUED FOR PERMITS	05/11/2011

OWNER
 931 Madison Street
 Hoboken, New Jersey 07030

**Water Music
 Mixed Use Bldg**
 931 Madison Street
 Hoboken, New Jersey, 07030

0 4 3 1 4 1 1
 STRUCTURE
NOT FOR CONSTRUCTION
 PROGRESS DRAWING

321 Newark Street
 Hoboken, NJ 07030
 TEL: 201.655.1277
 FAX: 201.655.1443
 NJ LICENSE PA113516
 NY LICENSE 091374

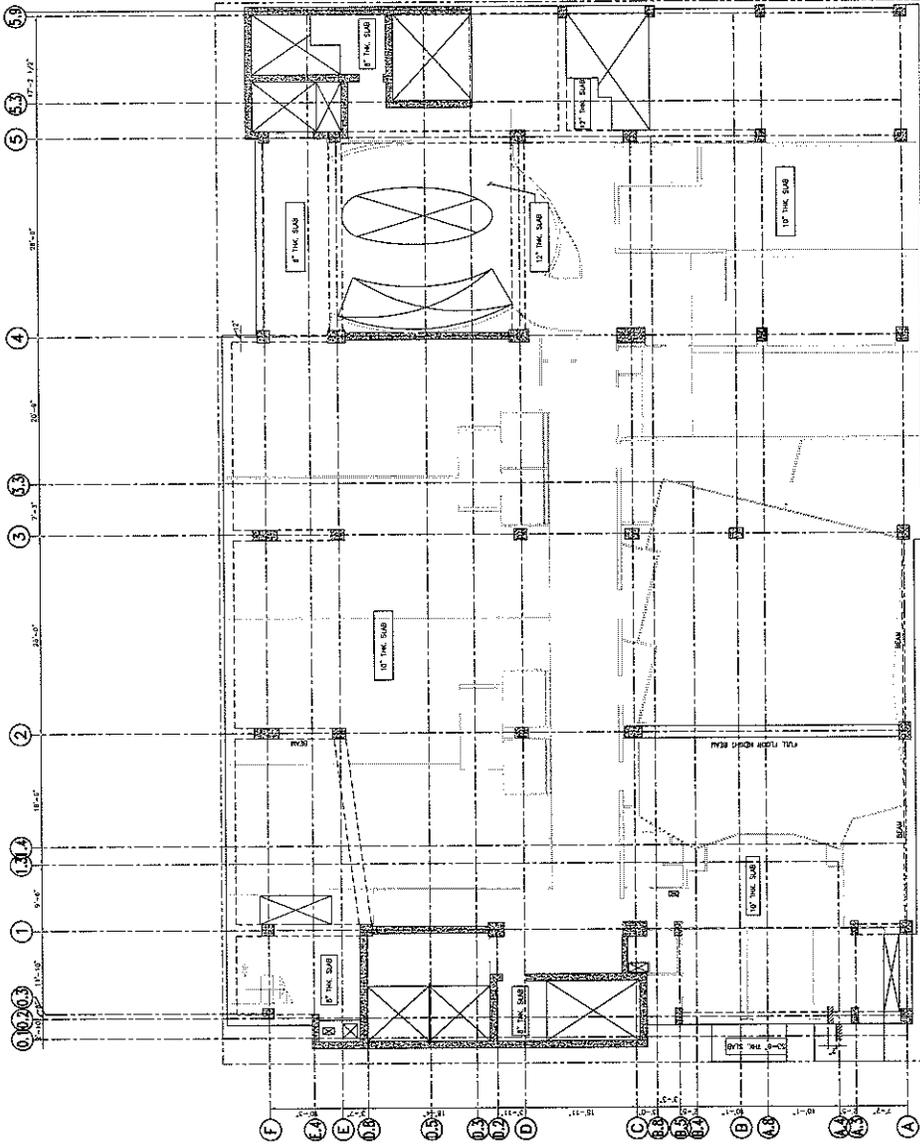
Third Floor Framing Plan



Date: December 23, 2009
 Scale: 1/8" = 1'-0"
 Project: Water Music
 Drawing: 303
 Sheet: S-3

S-3

MYK Engineers LLC
 710 BOWLEND STREET - 5TH FLOOR
 HOBOKEN, NJ 07030
 TEL: 201-941-8000
 FAX: 201-941-8001
 WWW.MYKENGINEERS.COM



LOADING	UNIFORM (PSF)	POINT (KIP)	LIVE LOAD (PSF)
RESIDENTIAL	20.00	40.00	40.00
MECH. EQUIP.	20.00	100.00	100.00
OFFICE	20.00	50.00	50.00
STAIR & RAMP	20.00	80.00	80.00

THIRD FLOOR FRAMING PLAN

- 1. UNIFORM LOADS TO BE APPLIED TO ALL SLABS.
- 2. POINT LOADS TO BE APPLIED TO ALL BEAMS AND SLABS.
- 3. UNIFORM AND POINT LOADS TO BE APPLIED TO ALL BEAMS AND SLABS.
- 4. UNIFORM AND POINT LOADS TO BE APPLIED TO ALL BEAMS AND SLABS.
- 5. UNIFORM AND POINT LOADS TO BE APPLIED TO ALL BEAMS AND SLABS.
- 6. UNIFORM AND POINT LOADS TO BE APPLIED TO ALL BEAMS AND SLABS.
- 7. UNIFORM AND POINT LOADS TO BE APPLIED TO ALL BEAMS AND SLABS.
- 8. UNIFORM AND POINT LOADS TO BE APPLIED TO ALL BEAMS AND SLABS.
- 9. UNIFORM AND POINT LOADS TO BE APPLIED TO ALL BEAMS AND SLABS.
- 10. UNIFORM AND POINT LOADS TO BE APPLIED TO ALL BEAMS AND SLABS.

HOBOKEN ARTS CENTER

Appendix C:
Adopted and Proposed Amendments
to the Northwest Redevelopment Zone Master Plan

Sponsored by: Michael H. Curcio
Seconded by: Robert J. Korman

CITY OF HOBOKEN
ORDINANCE NO. DR-285

1st reading 11.13.06

JP
on

REDEVELOPMENT PLAN FOR THE NORTHWEST INDUSTRIAL AREA
amending an ordinance
ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOBOKEN ADOPTING THE
REDEVELOPMENT PLAN FOR THE NORTHWEST INDUSTRIAL AREA
(Ordinance No. R-318; amended 2-2-2000 by Ord. No. R416; 9-6-2000 by Ord. No. R-452; 6-6-
2001 By Ord. No. R-485; 3-2-2005 by Ord. No. DR-183, 10-4-06 by Ord. No. DR-275)

LAND USE AND BUILDING BULK REGULATIONS, APPLICATION AND
INTERPRETATION

Zone 1

The following blocks will be permitted to have residential buildings: Blocks B 88; B.89; B.95; B.99; B.100; B.103; Lots 1-6 & 27-32; B.104; B.109; B.110; B.114; Lots 1-13, 20-33, and parts of Lots 14-17 consisting of the southerly one-third (25 ft) of these lots; B.115; Lots 1-14 & 19-32; B.150; B.151; B.156 (amended 10-4-06 by Ord. No. DR-275).

Where a redeveloper chooses to combine residential use with permitted non-residential principal uses such as community facility or office or commercial recreation in a single building, all residential use - except for lobby access - must be located on floors above the other uses and have separate secure entrances. In such a case (with the exception of Block 95, Lots 6-21- see special regulations below) the floor area of each use must be prorated relative to the site. Such prorating shall also apply to instances where pre-existing non-residential buildings remain whether for continued non-residential use or renovated for residential use. Residential floor area may abut parking areas which are physically separated but technically on the same level. Maximum building height shall be the maximum permitted for residential use and all residential floors shall have rear yards as required for residential buildings (with the exception of Block 95, Lots 6-21- see special regulations below).

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

Where the re-developer of Block 95, Lots 6 through 21 proposes to create a mixed-use building which includes a music recording studio with special requirements for sound insulation, the following special conditions shall apply: in addition to the base 3.0 FAR permitted for residential use on the site, the re-developer may also create up to 1.55 FAR of space for such music

recording studio and its ancillary space (including transient overnight accommodations as approved previously by the Zoning Board of Adjustment) provided that for every 2.0 sq.ft. of commercial space built, a minimum of 1.0 sq.ft. of programmable public space is also built on-site. It is further provided that so long as at least 12,000 sq.ft. of public space is built, for each 1.0 sq.ft. of public space created, the builder may also create 1.0 sq.ft. of additional residential floor area beyond the base 3.0 FAR. In no event, shall the total number of dwelling units created for the entire site exceed the maximum permitted at the base 3.0 FAR. Special bulk & parking regulations and urban design guidelines for this site can be found following the standard zone regulations immediately below.

Residential buildings shall be designed as follows (with the exception of Block 95, Lots 6-21- see special regulations below):

Building Height: no change

Floor Area Ratio : no change

Density: no change

Lot coverage: no change

Parking: no change

For Block 95, Lots 6 through 21: Where the re-developer proposes to create a mixed-use building which includes a music recording studio and its ancillary space (including transient overnight accommodations as approved previously for this site by the Zoning Board of Adjustment) with special requirements for sound insulation, the following special conditions shall apply (note: hereinafter, such development will be referred to as "studio"):

Building Height

one building mass may contain up to six residential floors (maximum: 60 ft.) which may be increased by a seventh partial floor (up to a maximum: 70 ft. in height) if bonus floor area is granted, supported over a base building which contains no more than one level of parking and one or two levels of studio space (maximum total height: 30 ft.) separated by an open volume of space not to exceed 13 ft. in height. Maximum height of the entire mixed-use structure may not exceed 112 ft. to the top of the roof slab.

Building Base Design:

- Door/Window/Stoop frequency: every 80ft. on Madison St.; every 50ft. on Tenth Street
- Windows: see activity areas

Parking & Parking Design:

- window openings: may be satisfied per streetscape requirements (see below)
- garage roof may be developed for public recreation use (see below)

Streetscape Requirements:

- Street trees: single row of trees every 25ft. on all streets
- Activity areas: activity area requirement may be satisfied by provision of interactive glass wall extending not less than 50% of the length of each street facade at sidewalk level

Public Recreation Space:

- Design, availability and programming to be approved by the City's Department of Cultural Affairs in conjunction with the Department of Community Development with permanent public easements per Corporation Counsel
- Whereas the proposed public space occupies the 30% of the site normally attributed to required private open space, the roof above the topmost residential floor shall be developed as a "green" roof which shall allow access to tenants

Mayor



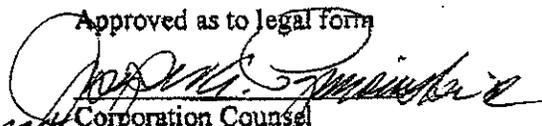
Approved 12-7-06

City Clerk



adopted 12-6-06

Approved as to legal form


_____ Corporation Counsel

Meeting: November 13, 2006

06665

DR-285

AN ORDINANCE AMENDING ORDINANCE OF THE CITY
COUNCIL OF HOBOKEN ADOPTING THE REDEVELOPMENT
PLAN FOR THE NORTHWEST INDUSTRIAL AREA.

Introduced, passed first reading as read and
laid on the table for further consideration
of the Council at its next meeting to be held
on December 6, 2006 at 7 PM

City Clerk
11/13/06

Passed Third and Final Reading
12/6/06

Proposed amendment to Appendix A of Chapter 196 of the Hoboken City Code.

Sponsored by: _____

Seconded by: _____

CITY OF HOBOKEN
ORDINANCE NO. _____

APPENDIX A OF CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN
NORTHWEST REDEVELOPMENT PLAN
FOR THE NORTHWEST INDUSTRIAL AREA

AN ORDINANCE AMENDING AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF HOBOKEN ADOPTING THE NORTHWEST REDEVELOPMENT PLAN
FOR THE NORTHWEST INDUSTRIAL AREA

LAND USE AND BUILDING BULK REGULATIONS, APPLICATION AND
INTERPRETATION

Zone 1

The following blocks will be permitted to have residential buildings: Blocks B.88; B.89; B.95; B.99; B.100; B.103; Lots 1-6 & 27-32; B.104; B.109; B.110; B.114; Lots 1-13, 20-33, and parts of Lots 14-17 consisting of the southerly one-third (25 ft) of these lots; B.115; Lots 1-14 & 19-32; B.150; B.151; B.156.

For All Sites With The Exception Of Block 95, Lots 11-16

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

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

Residential buildings shall be designed as follows:

Building Height: no change

Floor Area Ratio : no change

Density: no change

Lot coverage: no change

Parking: no change

For Block 95, Lots 11 through 16:

Where the redeveloper of Block 95, Lots 11 through 16 proposes to create a mixed-use building which includes a music recording studio (with special requirements for sound insulation) but does not propose a public "arts center" as described below, he shall be regulated pursuant to the plan for mixed-use buildings as described in the section above wherein the non-residential use must be pro-rated (also see other building height and bulk limitations).

Where the redeveloper of Block 95, Lots 11 through 16 proposes to create a mixed-use building which includes a music recording studio (with special requirements for sound insulation), as well as a 30,000 sq.ft. public "arts center", the bonuses and requirements are described as follows: The "arts center" shall be developed for public use, programming and operation and, at a minimum, shall include a theater, educational and/or community use space as well as related support spaces such as kitchen, gallery space and multi-purpose rooms. The following special bulk & parking regulations and urban design guidelines apply (see below):

Building Height:

A residential building mass may contain up to six residential floors (maximum: sixty-six (66) feet) which may be increased by a seventh partial floor (up to a maximum: seventy-seven (77) feet in height). The residential building mass shall be supported over a base building which contains no more than one level of parking and a music recording studio (with special requirements for sound insulation), for a total of up to four (4) levels also containing the public "arts center" as defined above (maximum total height: thirty-eight (38) feet) above base flood elevation. The two building masses shall be joined by an enclosed volume of space for the theatre not to exceed twenty-five (25) feet in height. Maximum height of the entire mixed-use structure shall not exceed one hundred thirty-eight (138) feet above base flood elevation to the top of the roof slab.

Floor Area Ratio:

3.0 for residential floor area; additional floor area pursuant to the bonus described below:

- Bonus FAR:
in addition to the base 3.0 FAR permitted for residential use on the site, the redeveloper may also create up to 1.55 FAR of space for such music recording studio and its own ancillary space (including transient overnight accommodations as approved previously by the Zoning Board of Adjustment) provided that for every 2.0 sq.ft. of studio/ancillary space built, a minimum of 1.0 sq.ft. of programmable public space shall be built on-site. It is further provided that so long as at least 30,000 sq.ft. of public space is built, for each 1.0 sq.ft. of public space created, the builder may also create 1.0 sq.ft. of additional residential floor area beyond the base 3.0 FAR.

Density:

maximum dwelling units permitted on the site shall be calculated by dividing permitted base FA by 1,000 (to be calculated at 3.0 FAR). In no event, shall the total number of dwelling units created exceed the maximum permitted at the base 3.0 FAR.

Lot coverage:

sixty-five (65) percent for the residential portion of the building

one hundred (100) percent for the base building containing the parking and the arts center up to thirty-eight (38) feet above base flood elevation as required.

Parking: no change

Urban Design Guidelines:

The following regulations apply specifically to Block 95, Lots 11 through 16; where a conflict appears between these and the Urban Design Guidelines for the Plan as a whole, the following regulations shall control:

General Building Bulk & Yard Requirements: no change

Building Base Design: no change

Parking & Parking Design:

- Window openings: no change
- Arts center roof shall be developed for public recreation use
- Below grade parking floors are permitted so long as they are adequately designed to prevent flooding
- Garage door may be no taller than required for a handicap van
- Garage door must have a horizontal strip of transparency at pedestrian eye level
- Garage door must be a color that matches the building base to the greatest extent possible

Streetscape Requirements:

- Street trees: maximize street trees to the extent possible and provide landscaping appropriate to building design
- Activity areas: no change

Arts Center:

- Provisions for ownership, programming, operation and maintenance of the public portions of the arts center shall be provided for in a developer's agreement between the City and the redeveloper.
- The roof above the topmost residential floor shall be developed so as to allow access to tenants to at least 50% of the roof area while the balance is developed as a vegetated roof.

Other Regulations:

- Signage: the "arts center" project may have signs as follows:
 - One "medallion" type sign on the north facade and one such sign on the south facade at, but not above, the penthouse level measuring no more than twenty (20) feet in length and twelve (12) feet in height depicting a logo which represents the Hoboken Arts Center but not a sponsor; and
 - One rectangular sign on the north facade and one such sign on the west facade to be set into the "frieze" at a height not to exceed fifty-four (54) feet above grade measuring no more than fifty-two (52) feet in length and six (6) feet in height depicting the Hoboken Arts Center and its sponsor if so desired.
- Facade materials: the building may utilize lightweight curtain wall system, rain screen system and louvers (note: louvers shall be subject to special review by Board planner)
- All residential use, except for lobby access, must be located on floors above the other uses except that the topmost floor of the arts center may also contain residential uses so long as the Planning Board determines that adequate security for site residents has been provided through separation of uses including separate secure entrances

Mayor

City Clerk

Approved as to legal form

Corporation Counsel

Meeting: July 22, 2009

HOBOKEN ARTS CENTER

Appendix D: Ancillary Renderings and Documentation



Hoboken Arts Center

Grand Opening – 2014



Economic Impact Using
"Americans for Arts" Calculator

- Total Annual Contribution to the HOBOKEN
Economy
\$17,630,000
- Direct Revenue To The City
\$698,389
- State Government Revenue
\$799,110

Hudson County Residents

spend three times more on arts & entertainment
than on sporting events

- Total annual spending on movies, theatre, opera and
ballet
\$32,680,002
- Total annual spending on sporting events
\$10,449,051

Job Creation

- An estimated 370 jobs will be created in Hoboken!
- Every dollar made gets re-spent five fold! Check this fact!
- Professional – curators, talent managers, booking agents, Arts Center executives, marketing, promoters etc.
- Technical - staging, lighting, sound, electricians, art handlers etc.
- Artists – actors, singers, dancers, writers, directors, photographers, film
- Support Staff – ushers, administration, parking attendants, janitorial
- Other small businesses in the City: food establishments; catering, retail
- See www.artsusa.org economic prosperity calculator

Constituencies Served

- Children – Education & programming
- Families – Events to experience and share; unique amenity
- Seniors – Education & programming
- Singles – An upscale alternative to the “bar scene”
- Greater North Jersey area – total audience of 25 million people

Programming

- Exhibition arts
- Arts education
- Dance – modern dance, ballet, jazz, improvisational etc.
- Theatre – Plays and Musicals
- Concerts
- Meeting space
- Studio and rehearsal space

About the Venue

- A 5,250 sq. ft. lawn will serve as passive or programmable open space and outdoor seating
- Scalable indoor theater for up to 500
- Additional 44,775 sq. ft. of gallery , classroom and festival space
- Community access – public meetings, fund raisers, formal private and public events

Venue Commerce

- 60% of people who go to the theatre go to dinner before the show
- 55% of people who go to concerts buy something from the performer or venue equal to or greater than the ticket price
- Artists sell more art when audiences can directly experience their art

LOCATION, LOCATION, LOCATION!

- Equal walking distance from uptown, downtown and the waterfront
- Public Transportation - 9th Street Light Rail and Willow Ave bus
- Vehicular Traffic - Enters and exits using Madison and Monroe, therefore no further congestion of water front and Washington Street
- Parking - ShopRite parking across the street; public parking garage on Madison between 8th and 9th

Why Should You Support the Hoboken Performance Arts Center?

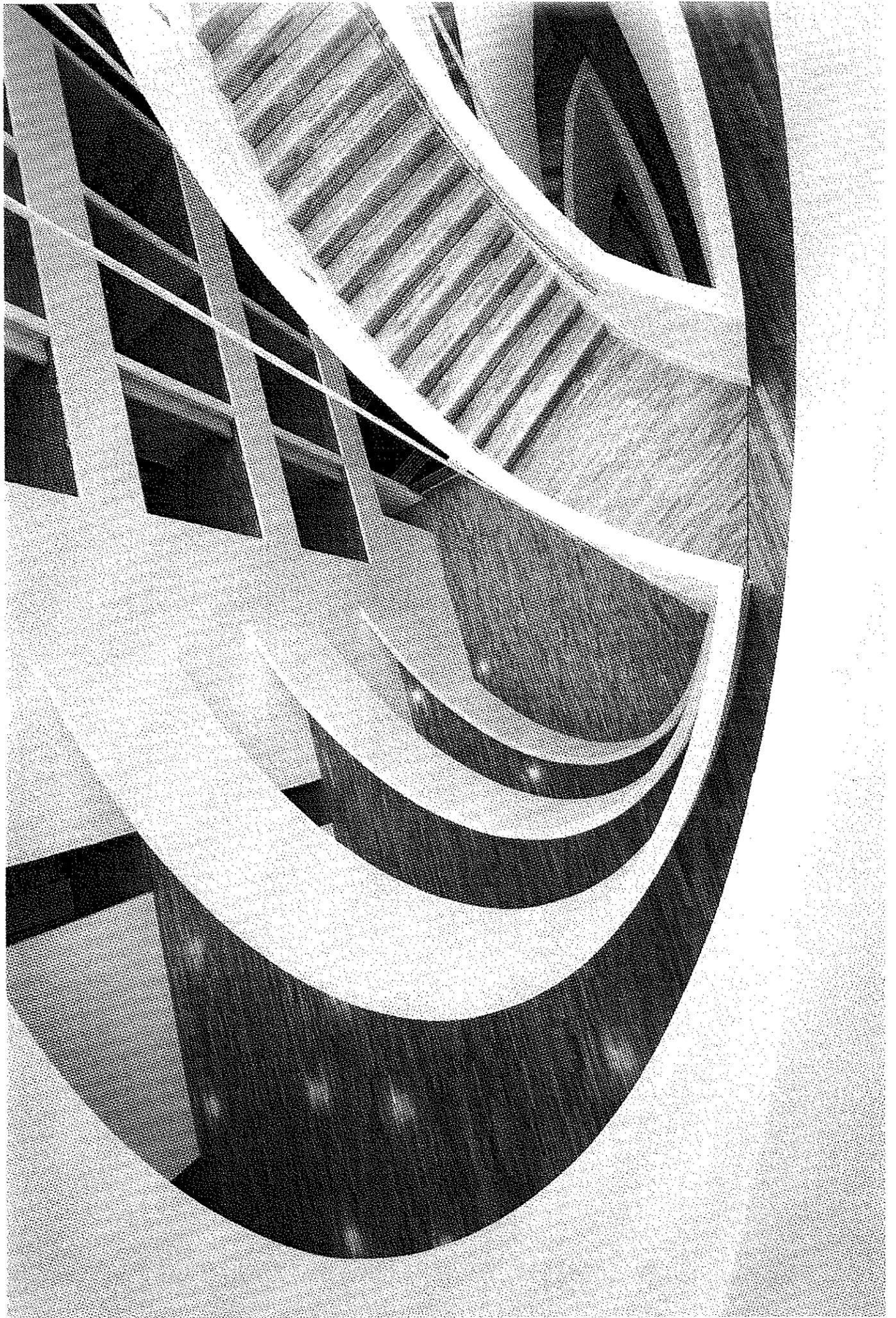
- It's the fiscally responsible decision. Hoboken stands to directly effect the **National Economy** by creating 370 jobs and generating \$18 million dollars annually
- Provides on-going quality arts education: career training and creativity-based learning
- Opens the Arts to a wider audience
- Offers an incredible and unique amenity to homeowners: increased housing demand = higher property values

The Bottom Line

Arts Centers are economic power houses.

Hoboken already has an unrecognized Arts
District.

We need to PROTECT it and MARKET it!



Hoboken Arts Center Hoboken, NJ

Naming Rights and Advertising Value Analysis



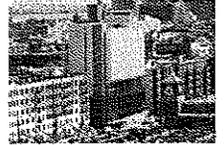
Date: August 28, 2008

By: Front Row Marketing Services © 2008



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D. Ancillary Media Exposure	
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Executive Summary – Naming Rights

Water Music ("WM") retained Front Row Marketing Services ("Front Row") to provide a Naming Rights Analysis projection for the soon to be built Hoboken Arts Center in Hoboken, NJ.

The intent of this report is to assist WM in assessing the value and viability of selling the Naming Rights of the facility. This report highlights the value that a Naming Rights partner would receive on an annual basis via partnership exposure. All attendance projections used were based on information provided by Water Music.

As this section is only a summary of the key findings, the full report should be read in its entirety to ensure that all methodologies, assumptions, and analyses are considered.

Naming Rights Analysis Highlights

- The potential value of the exposure received by a Naming Rights partner from facility exterior and interior signage is \$799,920 annually.
- The potential value that would be received from television media is \$15,000.
- The potential value that would be received from ancillary venue exposure is \$41,440. This includes exposure from venue literature, public address announcements, promotional events, etc.
- The potential value that would be received from ancillary media exposure is \$158,906. This includes exposure from newspapers, magazines and websites.
- The potential value that would be directly related to hospitality elements is \$40,000.

Results and Recommendation

Front Row has determined from the findings of this analysis that the annual media value of the Hoboken Arts Center Naming Rights is \$1,055,266. **Based on the Naming Rights market and the return-on-investment value that is required by advertisers, it is Front Row's recommendation that the Naming Rights be sold for \$265,000 to \$350,000 per year.** Based on Front Row's experience in valuing and selling Naming Rights, we feel that this investment range can be obtained from an advertiser based on the suggested elements and the complete advertising program.



Executive Summary – Advertising and Sponsorship Program

Front Row's secondary objective in this report is to identify the viable advertising and sponsorship inventory of the Hoboken Arts Center and assign a value for each inventory element.

Front Row has determined the potential for \$285,550 in annual advertising and sponsorship revenue beyond the facility naming rights revenue. This revenue is attainable from the successful sale of sponsorship packages that include elements such as facility signage, sub-naming rights opportunities, event sponsorships, etc.

It should be noted that these revenue projections are conservative and could increase through implementation of an effective sales and marketing plan, as well as the development of additional sponsorship and advertising inventory.



Graham-Pelton

CONSULTING, INC.

A Strategic
Approach to
Fundraising

HOBOKEN ARTS CENTER FOUNDATION

Graham-Pelton Feasibility Study Bullet Points

- All components of the plan were rated "Good" or better by an overwhelming majority of the participants
- 100% of the interviewees indicated a "Positive" reaction to the concept of establishing a multi-purpose arts venue in Hudson County that would host live concerts, theatrical performances, studio exhibitions and arts education
- 80% of the respondents believe that the Hoboken Arts Center Foundation should proceed with some type of fundraising campaign
- Strategic Vision, Architectural Plan, Educational Component and Artistic Vision were extremely well received with 80%, 63%, 62% and 57% of the participants rating each as "Very Good" to "Excellent"
- 70% would facilitate a contact introduction
- 68% said they would make a gift
- 50% said they would host an event
- 45% said they would serve on a committee

APPENDIX A to Chapter 196

REDEVELOPMENT PLAN FOR THE NORTHWEST INDUSTRIAL AREA

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOBOKEN ADOPTING THE REDEVELOPMENT PLAN FOR THE NORTHWEST INDUSTRIAL AREA (Ordinance No. R-318; amended 2-2-2000 by Ord. No. R416; 9-6-2000 by Ord. No. R-452; 6-6-2001 By Ord. No. R-485; 3-2-2005 by Ord. No. DR-183; 10-4-2006 by Ord. No. DR-275; 12-6-2006 by Ord. No. DR-285]

WHEREAS the City Council's ad hoc Committee on Development had concluded that the area of the City shown on the City's zoning map as the I-1 zoning district south of Fourteenth Street had experienced significant erosion in assessed property values from 1990 forward as well as continuing erosion in manufacturing jobs; and

WHEREAS the revised Land Use Plan Element of the City's master plan had recommended in 1986 that the I-1 designation be re-considered if no comprehensive industrial retention program had been initiated; and

WHEREAS the City Council therefore adopted resolutions on February 7, 1996 and September 17, 1997 authorizing the Planning Board to conduct a preliminary blight investigation study of said I-1 zoning district south of Fourteenth Street (the "Study Area") pursuant to NJSA 40A:12A-5 to determine whether the area was an "area in need of redevelopment" and further authorized the Planning Board to prepare a redevelopment plan pursuant to NJSA 40A:12A-7a et seq. if such a finding was made; and

WHEREAS the Planning Board engaged the planning firm of Vandor + Vandor (the "Consultant") to provide the necessary planning expertise to assist the City in conducting the blight investigation of the Study Area and to prepare a redevelopment plan for the Study Area or any portion of it found to be an "area in need of redevelopment"; and

WHEREAS the Planning Board held a public hearing on April 29, 1998 on the results of the blight investigation following public notice and notification of property owners pursuant to NJSA 40A:12A-6; and

WHEREAS the Planning Board at its regular meeting on May 5, 1998 adopted the recommendations of the Consultant as to the proposed boundary for the redevelopment area after determining that Block 89, Lots 22-26 should be an

outparcel and further adopted the redevelopment plan prepared by the Consultant entitled the "Northwest Redevelopment Plan"; and

WHEREAS the Planning Board has referred said redevelopment plan to the Council for its adoption pursuant to NJSA 40A: 12A-7

WHEREAS, upon review of the Redevelopment Plan, the City Council makes the following findings with respect to said Redevelopment Plan:

1. The Redevelopment Plan will provide broad general guidelines for a comprehensive renewal program for the City's northwest industrial area which is intended to revitalize the area.

2. The rationale for the Redevelopment Plan, set forth in Pages 3–8 and incorporated herein by reference, will permit the City to transform the uses and thus revitalize the northwest industrial area.

3. The Redevelopment Plan provides an outline for the replanning, development or redevelopment of the Redevelopment Area sufficient to indicate the Redevelopment Plan's relation to the goals or objectives set forth above and set forth in the Plan itself.

4. The Redevelopment Plan is structured to build on the existing strengths of the area, to coordinate and promote retail, light commercial and residential development compatible with the scale and texture characteristic of Hoboken.

5. The Redevelopment Plan recommendations, with regard to the following general aspects of development, are reasonable:

(a) Land Use Plan; (b) Vehicular Circulation Plan; (c) Pedestrian Circulation; (d) Parking Plan; (e) Open Space (f) Utilities Plan; and (g) Density/Bulk Controls.

6. The recommendations of the Redevelopment Plan with regard to land uses and building requirements in the Northwest Industrial Area are reasonable ways of effectuating the goals set forth in the Redevelopment Plan.

7. The Redevelopment Plan provides an outline for redevelopment sufficient to indicate provisions for relocation of commercial tenants, in those cases where relocations become necessary.

8. The land uses, densities and other recommended aspects of development are consistent with the Master Plan.

9. The City will derive benefits from the development recommended in the Redevelopment Plan. The effectuation of the Redevelopment Plan would help the City to revitalize an underused and blighted former industrial area.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN that, based upon the City Council's review and study of the Redevelopment Plan, the Mayor and Council hereby adopts the Redevelopment Plan annexed hereto as the Redevelopment Plan for the Northwest Industrial Area, and

BE IT FURTHER ORDAINED, that the Zoning Map of the City of Hoboken is hereby amended to indicate the Redevelopment Area as outlined in the map attached to and made part of the Northwest Redevelopment Plan pursuant to N.J.S.A. 40A: 12A-7.

PASSED: 5-20-98

President of the Council

APPROVED: 5-21-98

/s/

Anthony Russo, Mayor

/s/

James J. Farina, City Clerk

COUNCIL AUTHORIZATION

Pursuant to resolutions adopted by the City Council on February 7, 1996 and September 17, 1997, the Council concluded that the city's I-1 industrial zoning district south of 14th Street had experienced a loss in tax assessment levels as well as jobs. Furthermore, a statement in the 1986 Reexamination Report and Revised Land Use Plan Element of the city's Master Plan concluded that there would be no reason to continue the I-1 designation in the absence of a "comprehensive district renewal program" within two years (i.e., by 1988). The Planning Board was therefore authorized to conduct a blight investigation of the said area in order to determine whether the area was in need of redevelopment pursuant to the criteria identified in N.J.S.A. 40A:12A-5. The Board was further authorized to prepare a Redevelopment Plan pursuant to N.J.S.A. 40A: 12A-7a through 40A: 12A-7d if such a finding was made. The Planning Board completed its blight investigation study of the subject area and scheduled a public hearing on the findings for April 29, 1998.

BLIGHT INVESTIGATION STUDY

Study Area Description

The study area is located in the northwestern industrial area of the city currently designated I-1 on the zoning map. The 14th St. viaduct forms the northern boundary of the study area, the city boundary with Union City and Jersey City forms the western boundary, while the step-shaped boundary separating the I-1 zoning district from the adjacent R-2 and R-3 districts (moving in a northeasterly direction from 7th St. to 14th St.) forms the remaining boundary. The balance of the existing I-1 zoning district north of 14th St. was not part of the study area.

The study area is approximately 72 acres in size and is comprised of approximately 24 blocks. Several of the blocks are at least double size ranging in size from 60,000 sq. ft. to 180,000 sq. ft. resulting from earlier attempts to create a more workable industrial district by de-mapping streets to create large sites. Some of the blocks along the western municipal boundary are irregular in shape and contain some railroad trackage owned by New Jersey Junction Railroad.

Survey of Conditions

The land use survey found that "at least nine of the blocks have substantial levels (greater than 75%) of undeveloped land which are unused or are used for parking or open storage or which contain the remains of earlier building foundations. Some of the vacancy has been present for more than ten years. At least ten of the blocks have buildings that appear inactive or abandoned. The area as a whole appears to be suffering from a substantial degree of long-standing vacancy of land, commercial and industrial building abandonment, lack of maintenance and a general sense of stagnancy and under-utilization." In addition, "the examination of tax assessments and labor data supported the observations of the survey."

Change in Tax Assessments, Employment Characteristics

The entire I-1 zone below 14th Street suffered an erosion in its assessed valuation of 26% (more than \$19,000,000) between 1990 and 1997 as a result of repeated successful tax appeals. When the sites which have lost value are isolated from the total, the loss represents 31% of their assessed value.

Within the study area there are no properties owned by the city of Hoboken or by Hudson County. There are however a number of parcels along the municipal boundary within Blocks 80, 86, 92, 97, 101, 105 and 111 which are owned by the New Jersey Junction Railroad. Those properties are tax-exempt. Public Service Electric and Gas owns Lot 7 (formerly Lots 9-24) of Block 102. Its transformer station occupies the northern half of that block along 12th St. between Monroe and Madison St. That property is not tax-exempt. All remaining properties in the study area are privately owned, in many cases as large tracts comprising one-quarter of a

block or more.

New Jersey Department of Labor statistics were examined as to manufacturing jobs in the city. The city was once a manufacturing powerhouse with more than 15,000 manufacturing jobs in 1966. This declined to around 2,000 in 1996. Hudson County experienced a similar if slightly less dramatic decline and NJDOL projected that the county will lose an additional 30% of its manufacturing jobs between 1994 and 2005. These projections are based on trends which have been documented regionally as well as nationally.

Blocks Found to Be In Need of Redevelopment

As a result of the blight investigation study, the following blocks were found, in whole or in part, to be in need of redevelopment pursuant to the criteria of N.J.S.A. 40A: 12A-1 et seq.

The following 15 blocks, seen as a whole, meet at least one of the criteria:

Blocks 86, 87, 88, 89, 94 (includes B.98), 99, 100, 104, 109, 110, 114, 115, 150, 151, 156 (Lot 6)

The following 3 blocks, in part, meet at least one of the criteria:

Blocks 102 (Lots 1-6, 27-32)
103 (Lots 1-6, 27-32)
113 (Lots 11-22)

The following 2 blocks do not technically meet the criteria for an area in need of redevelopment but are recommended for inclusion pursuant to N.J.S.A. 40A:12A-3:

Blocks 80 (includes B. 81), 95

The following site is recommended as an outparcel from both the blight designation and the redevelopment plan:

Block 89 (Lots 22-26)

REDEVELOPMENT PLAN

Rationale

By all measures, the city's economy is no longer driven by the manufacturing/ transportation sector. Moreover, the drop in assessed value of properties in the I-1 zone south of 14th St. indicates an increasingly stagnant condition. The success of

so many tax appeals would appear to be due in large part to the increasing lack of utilization of manufacturing sites as industrial jobs flee the city, county and region. While some sites are not obviously dilapidated or obsolete, they are most likely substantially underutilized relative to the uses for which they were built.

Both Hoboken and Hudson County reflect the larger economy, one which is driven by the retail/finance/service sectors. In 1966 there were 3500 jobs in that combined sector in Hoboken. By 1996 the number of jobs had more than doubled to 7900. While local employment in those sectors may not fully reach the level of manufacturing jobs in the '60's, such jobs have increased markedly and are expected to increase in the years to come.

With the end of the sewer moratorium and the improvements in the economy, demand to create housing in Hoboken is at an all-time high. The City would like to take advantage of the twin demands for housing and for white collar jobs in a measured fashion while reversing the erosion in its tax base. Based on the Planning Board's findings that the blocks listed above are in need of redevelopment, the Proposed Redevelopment Plan below has been prepared pursuant to the resolution of the City Council of September 17, 1997 and pursuant to N.J.S.A. 40A: 12A-7. The Plan's objectives are based on the objectives highlighted in the text below as expressed in earlier Planning Board master plan documents and the city's zoning ordinance.

In general the Plan attempts to improve the city's tax base, create locations for new job opportunities of a type which are currently in demand, allow a limited amount of enlargement of existing non-residential uses where it is related to job expansion, create a reasonable level of residential density tied directly to provision of parking (based on a 1:1 ratio of parking spaces to dwelling units), create opportunities for large-scale retail (such as supermarkets), and encourage development of much needed public parking garages.

The Plan recognizes that because of the potential of contaminated soil, it is likely that some sites will be subject by NJDEPE to soil excavation and/or capping to allow for residential use. Consequently, it is anticipated that most sites will be more developable by allowing full coverage garage bases. In order to ensure that each site creates rear yard recreation equivalents for site residents, the garage roofs are required to be fully landscaped and made accessible for use by the occupants of the site.

To encourage creation of public recreation space on private property, developers are being given an opportunity to gain bonus floor area for dwelling units in a 1:1 ratio (up to a limit as specified in the bulk regulations) by providing either publicly accessible open space or publicly accessible un-programmed interior recreation

space (to be available without a fee). No parking will be required for the dwelling units created in this way.

At the same time, urban design guidelines are provided to ensure that the new neighborhoods that will be created in this former industrial area will have lively streetscapes lined with trees, blockfronts punctuated only infrequently by curbcuts, and streetwalls marked by windows, doors, stoops, small-scale retail and other active uses to ensure safety and visual variety and interest.

Relationship To Local Objectives

Pursuant to the requirements of the redevelopment law, all local development regulations have been examined to establish what current goals and methodologies are being used by the city to guide development. Each adopted master plan element and Reexamination Report was reviewed as well as the most recently submitted Reexamination Report. The zoning/site plan ordinance (including its most recent amendment adopted 2/18/98) and the subdivision ordinance were also reviewed.

REEXAMINATION REPORT: adopted May 6, 1986

MASTER PLAN REVIEW STATEMENT: REVISED LAND USE
PLAN ELEMENT

The Revised Land Use Plan of 1986 recommended continuing the I-1 industrial designation but permitting large-scale residential uses with associated retail along the waterfront. The Report also mentioned the need for a "comprehensive industrial retention and development program" for the remaining I-1 zoning district. It stated very clearly, however, that "unless there is significant progress on a rigorous comprehensive district renewal program within two years (i.e. 1988), including financing and development plans, there will be no reasons for recommending continuation of the westerly portion of the I-1 district."

The report also recommended pushing building heights of more than 8 or 10 stories to the southern or eastern perimeter of the city to create a "finished edge" and to take the pressure off the interior of the city. The Report further discussed the parking problem recommending elimination of any "forgiveness" of off-street parking.

Since that time, parking forgiveness was eliminated, the I-1(W) waterfront district was created allowing 12-story high residential buildings along the eastern edge of the city. No industrial retention program was initiated.

REEXAMINATION REPORT: adopted February 7, 1995

The report remarked on the Circulation and Parking Plan Element's general philosophy of preservation of the city's "stoop life" by preventing actions which would facilitate traffic movements through the city's heavily residential interior streets and by discouraging the creation of more driveways and curb cuts along residential blocks. The CPPE pointed out that car ownership had continued to increase and parking remained problematic from a circulation, safety and urban design perspective.

The report also recommended that the zoning be revised to consider more creative and effective parking solutions for various residential and commercial land uses, to reinforce policies against open rear yard parking and excessive curb cuts in residential zoning districts, and to revise the design standards for parking spaces to acknowledge the increased use of compact cars.

Other issues of concern included lack of open space for recreation and high taxes increasingly carried by the city's residents as the manufacturing base continues to shrink; to retain as much of the non-residential tax base as possible; maintaining general urban design objectives of balancing urban scale, tax revenue potential and provision of reasonable ranges of parking for new construction.

In February 1998, the residential zoning was revised to reduce density (and thus parking demand) by reducing maximum building height from five residential floors over one of parking to four residential floors over parking, to limit curbcuts and prohibit curbcuts altogether in the R-1 zoning district to both preserve urban design qualities and also restore a measure of safety to the sidewalks. The recent amendments prohibit open rear yard parking and propose new standards for parking.

REEXAMINATION REPORT: submitted April 7, 1998

The Report reiterated the recommendation to discontinue the I-1 zoning designation. It concluded that there is more interest in developing residential use than industrial use in the area. Sites that have been vacant for more than ten years have become particularly attractive. The city can choose to pursue either a re-zoning or a Redevelopment Plan. However, the Redevelopment Plan would bring with it the option of using eminent domain to help assemble sites or to acquire sites for municipal purposes. It would also allow the city to issue bonds, offer credit to developers, make plans for voluntary repair or enforce regulations for compulsory

repair, etc.

In either case, the area should be thought of in a manner similar to the I-1(W) - an opportunity to introduce large-scale residential with other uses such as retail, parking garages, commercial recreation, etc. In order not to exacerbate the city's parking problem, every project should provide 100% of its required parking. Guidelines should also be provided which will ensure that the streetscape will be pedestrian-friendly, well landscaped and marked by real activity in the form of small retail locations in corner locations as well as a variety of non-residential uses.

Land Use Plan Element: The Report recommended changing the objectives as follows: discontinue the I-1 designation at least south of 14th Street; consider mixed use for I-1 including residential and non-residential uses; continue review of remaining industrial zones for redevelopment designation or re-zoning.

The Planning Board clearly recognized from 1986 forward that the local and regional economy had shifted away from manufacturing and towards the service sector. The Board had recommended industrial retention programs but recognized that such a program might not happen. The Board understood that if demand for areas in industrial zones was turning to residential and other non-industrial use, it is better to plan to accommodate it rather than leave it to chance. At the same time, the Board always recognized that there needs to be a balance in the tax base between places to live and places to work and that consideration must always be made for proper levels of parking while preserving and creating a lively urban streetscape.

Relationship to Local Development Regulations

The Plan will supersede the underlying zoning except as indicated. Urban design guidelines will be applied to all development within the redevelopment area. A program of code enforcement will be instituted to encourage voluntary repair and rehabilitation of buildings.

Existing uses not permitted in the Plan will be allowed to continue their operations and make improvements. Expansion of the physical plant will not be permitted except where it has been designed to increase employment opportunities on-site. The subject property owner may request concept review at the Planning Board to demonstrate whether the proposed expansion will significantly increase employment (new employment must equal at least 1 employee per 1000 sq. ft. of new floor area). If the Board agrees, it may approve (subject to site plan approval) a maximum increase up to 25% of the floor area in existence at the time of the

adoption of the plan. Certificates of occupancy will not be granted until hiring is completed.

Sites granted use variances prior to the adoption of the Plan will have the option to build pursuant to their approvals (subject to all other relevant municipal or state regulations regarding such variances) or may apply to the Planning Board with a new development scheme conforming to the Redevelopment Plan.

Sites on Blocks 80/81 and 95 which have been included pursuant to 40A:12A-3 have the option to build pursuant to the underlying zoning or pursuant to the Redevelopment Plan. The Plan's urban design guidelines will apply to both options.

Deviations From Redevelopment Plan

The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan, where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the developer of such property. The Planning Board may also grant such relief in any application relating to a specific piece of property, where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments.

No relief may be granted under terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan.

Property Acquisition Plan

The City has no plan to acquire property for municipal use at this time. However, the City may act as outlined in the Observer Highway Redevelopment Plan's "Property Acquisition and Relocation Plan". That is to say, the City may seek to negotiate contracts of sale of privately-held parcels of land within the redevelopment area to enable consolidation of redevelopment sites. If such contracts are executed, they shall be assigned to the developer who is selected to develop the area.

Should negotiation fail, the City Council, acting as redevelopment agency, shall

condemn all privately-held parcels of property within the subject portion of the redevelopment area on behalf of the selected developer pending the deposit of cash or a letter of credit with the City by the developer equal to the value of such parcel as determined by appraisal. Such money shall be used to purchase the property. The developer also must agree to pay the difference between that appraisal price and a court-determined final condemnation award as well as the relocation costs of any businesses or individuals affected by the condemnation, according to the standards of state or federal law, whichever is applicable. Such condemnation shall be subject to all requirements of state and federal law.

The selected developer shall be responsible for the payment of all costs that may arise from the requirements of the Industrial Site Recovery Act (ISRA) of the State of New Jersey, N.J.S.A. 13:1K-6 et. seq.

Relocation Plan

Within the blocks that were determined to be in need of redevelopment (all of which are zoned for industrial use), there are only a few non-conforming residential buildings. Block 114 has a single non-conforming residence that appeared to be abandoned. Lots 22-26 of Block 89 are occupied by the condominium "James Place" which has been designated an outparcel (i.e. it will be exempt from both the blight designation and the requirements of the redevelopment plan). Block 95 has several active non-conforming residences. Redevelopers will be responsible for any relocation costs.

Governing Body's Powers to Carry Out Redevelopment Plan

The city's powers to effect the Redevelopment Plan include the following:

- The authority to issue bonds to undertake redevelopment projects
- The authority to acquire property, including the authority to use eminent domain (condemnation)
- The authority to clear land, construct or install infrastructure and/or site improvements
- Prepare or arrange for professional services and plans
- Arrange or contract with public agencies or private redevelopers for any project, infrastructure or redevelopment work
- Collection of revenues from redevelopers
- Extension of credit

- Lease or convey land or improvements to any other party without public bidding and at prices and terms it deems reasonable to effect the Redevelopment Plan
- Enter into any building or property to conduct investigations or make surveys in furtherance of the Redevelopment Plan
- Arrange or contract for relocation of residents, industry or commerce displaced by redevelopment activities
- Make plans for voluntary repair and rehabilitation of buildings
- Make plans for enforcement of regulations relating to use and occupancy of buildings and improvements, including regulations for compulsory repair, rehabilitation, demolition or removal

LAND USE AND BUILDING BULK REGULATIONS, APPLICATION AND INTERPRETATION

The plan area will be subdivided into Zones 1, 2 & 3. Zones 1 & 2 will permit residential use, Zone 3 will not. Otherwise, all other permitted uses will be the same in all zones. The primary difference between Zones 1 & 2 will be the building configuration possible for residential. A set of urban design guidelines is included in the plan and will apply to all new construction and substantial rehabilitation. Minimum site size is 10,000 sq. ft. unless otherwise specified.

Residential buildings, both principal and accessory, shall be constructed only within the boundaries of Zones 1 & 2 which permit residential use. Where a property owner owns and develops adjacent lots which overlap a residential and non-residential zone, no part of the principal or accessory residential building (e.g., accessory parking) shall be located within the abutting non-residential zone (Zone 3). Public recreation space created to generate bonus residential units shall be located on the same lots as the principal residential building receiving the bonus (i.e. only within the boundaries of Zone 1 or Zone 2) unless granted a special exception by the City Council or as indicated below in the sub-zone regulations and in the Urban Design Guidelines.

Permitted Land Uses - All Areas

The following uses are currently permitted in the underlying I-1 zone and may continue to be created as new uses or may be expanded (all other uses now listed in §196-17B(1) and D(1) of the Hoboken Zoning Ordinance as permitted or conditional uses are not permitted under the Plan but may continue as non-

conforming uses and may be rehabilitated but not expanded unless specifically permitted under the Plan); parking and loading requirement is pursuant to §196-44 & §196-45 unless otherwise indicated.

See Urban Design Guidelines: General Building Bulk and Yard Requirements for application of street setbacks and yard locations.

Office/research labs:

Bldg. Ht: 60 ft. (4 floors at 50 ft. total, over one floor of parking at 10 ft.)

Yards, Min.: street setback requirements per guidelines; rear - 0 ft. up to 10 ft. above grade; 20 ft. for floors housing principal use above 10 ft.; open rear yard parking permitted with trellis covering or trees to buffer view from above on adjacent properties or enclosed parking, see lot coverage below.

Lot coverage - 70% for floors housing the principal use; 90% for parking floor

Factory Outlet stores (free-standing)

Bldg. Ht.: 40 ft. (2 floors at 15 ft. per floor, over one floor of parking at 10 ft.)

Yards, Min.: street setback requirements per guidelines; rear - up to 10 ft. above grade; 20 ft. for floors housing principal use above 10 ft.; open rear yard parking permitted with trellis covering or trees to buffer view from above on adjacent properties or enclosed parking, see lot coverage below.

Lot coverage - 70% for floors housing the principal use; 90% for parking floor

Public parking garages:

Bldg. Ht., max.: 60 ft.

Yards, Min.: street setback requirements per guidelines, 0 ft. up to 10 ft. above grade, 5 ft. for remaining floors

Lot coverage, max.: 90%

USES PERMITTED PER THE PLAN; PARKING REQUIREMENTS

Minimum site size is 10,000 s.f. unless otherwise specified. Minimum parking is required pursuant to § 196-44 unless otherwise specified.

Accessory parking for residential buildings shall be located as described above;

accessory parking for nonresidential uses located on floors above the groundfloor shall be satisfied on-site; retail or office uses which serve as required "activity areas" in corners of building base will not require parking if each gross area is less than 1000 s.f.; all other nonresidential uses located on the groundfloor may satisfy their parking requirement on or off-site (at a public parking facility within 800 ft.).

Small scale retail: permitted on groundfloor of all buildings in all sub-zones of the Plan area; required for corners of large-scale residential projects; limit of 1000 s.f. of customer service area only when located on groundfloor of residential buildings.

Commercial recreation: (uses such as health clubs, gyms, billiards, bowling, skating, indoor play places for children, etc.); parking required per § 196-44 or at current industry standards for urban locations. **[Amended 10-4-2006 by Ord. No. DR-275]**

Bars/restaurants/sidewalk cafes: 1000 s.f. limit for customer service area, sidewalk cafes per City Code; parking required at one space per four persons permitted pursuant to maximum occupancy code.

Professional & business offices/instructional & other educational uses.

Community facilities: uses such as educational facilities, daycare centers, charter schools and other social, recreational or cultural activities owned or operated by governmental or nonprofit organizations.

Studios:

In Nonresidential Buildings (a building with more than 51% of its gross floor area devoted to nonresidential uses, excluding parking areas):

Artist studio: nonresidential work studio where artists (such as painter, sculptor, photographer, craftsperson but not limited thereto) may create and sell their own work; parking required at one space per 1000 gross s.f.

In Residential Buildings (a building with more than 51% of its gross floor area devoted to residential uses, excluding parking areas):

Live/work studio: a residential unit where a part of the unit is used as a work studio/sales area for an artist. The sales area is to be limited to the artist's own work. No more than one additional person may work there. It shall be the developer's responsibility to designate and design such studios to have proper sound insulation and ventilation as appropriate to such uses. The artist shall not use any devices or substances prohibited by applicable municipal, state and federal law(s), rule(s) and/or regulation(s). Such units may only be created

where they abut (on at least one side) a parking area or another nonresidential area. In a residential structure designed to have residential floor area masking the on-site parking floors (see Zone 1 and Zone 2 regulations below) or in a parking garage with residential units masking the facade, the studio/sales area shall have direct, exclusive access to the street or to the parking area such that non-artist residents are protected from the movement of materials, products or visitors to the studios. Where such a unit is used to satisfy the "activity area" requirement, the unit shall be a duplex; the groundfloor portion may be used alternatively as an office by a resident professional living on the second floor so long as the groundfloor office has windows on the street as described in the Urban Design Guidelines below. One parking space required for the residential unit; none required for the studio area.

Dance, rehearsal or exercise studio: a large open space for the practice of the performing arts or for instruction in various physical skills (e.g. yoga, martial arts); parking required at one space per 400 s.f. of instructional area.

Music studios: areas for the recording, rehearsing & related performance of music; sound insulation shall be required to protect adjacent residential uses; parking required at one space per 1000 s.f.; if fixed seating is provided for performance space, additional parking will be required for that area at one space per five seats.

Gallery: a room in which works of art are displayed for sale or exhibition; may be operated commercially or communally by participating artisans; parking to be provided at one space per 400 s.f. of exhibition space.

Communications/telecom services: establishments primarily engaged in the provision of broadcasting and other information technologies accomplished through the use of electronic, fiber optic cable and telephonic mechanisms (e.g. publishing, internet); parking required at one space per 1000 gross s.f.

Large scale retail (supermarket, shopping center): this use is encouraged to provide second floor space for various non-retail office space which does not normally require street frontage such as dance studios, daycare centers, educational and professional office uses; although open parking will be permitted, such sites are encouraged to provide enclosed parking facilities which can also function as public parking facilities; if facilities will have differing hours of operation, proof may be offered to show that some of the parking spaces may be "shared."

Site size, min.: 40,000 s.f.

Bldg. Ht., max.: 40 ft.

Yards, Min.: setback from east-west public streets or from east-west private streets along the line of extension of the curblineline of adjacent public street - 5 ft.; setback from north-south public streets - none required for building, 5 ft. required for open parking area.

Permitted encroachment in setback area required from private street: overhead canopies/awnings provided to cover loading areas or to provide weather protection for pedestrians; up to but in no event beyond the curblineline.

Lot coverage, max.: 50% if open parking provided, 65% if parking garage is included.

Parking:

Minimum of three spaces per 1000 s.f. of sales area of the supermarket; one space per 400 s.f. of other retail, office and instructional use. **[Amended 10-4-2006 by Ord. No. DR-275]**

See Urban Design Guidelines: Parking & Parking Design.

Movie theaters: **[Added 10-4-2006 by Ord. No. DR-275]** movie theaters will be permitted with no requirement for on or off-site parking in conformity with regulations in similar high density neighborhoods such as New York City subject to the special bulk regulations and urban design guidelines below:

Site size, min.: 10,000 s.f.

Bldg. Ht., max.: 60 ft.

Yards, Min.: no yards required at grade

Lot coverage, max: 100% at grade, 90% for the building structure above a height of 25 ft.

Interior waiting area: in order to prevent obstruction of street areas, the theater shall provide waiting area within the zoning lot; the waiting area shall either be an enclosed lobby or an open area that is covered or protected during inclement weather and shall not include space occupied by stairs; the design shall be subject to Planning Board approval.

Parking and loading: no parking required; a loading dock is permitted but not required subject to urban design guidelines below.

Zone 1

[Amended 12-6-2006 by Ord. No. DR-285]

The following blocks will be permitted to have residential buildings: (Blocks B.88; B.89; B.95; B.99; B.100; B.103; Lots 1-6 & 27-32; B.104; B.109; B.110; B.114: Lots 1-13, 20-33, and parts of Lots 14-17 consisting of the southerly one-third (25 ft.) of these lots; B.115: Lots 1-14 & 19-32; B.150; B.151; B.156).
[Amended 10-4-2006 by Ord. No. DR-275]

Where a redeveloper chooses to combine residential use with permitted nonresidential principal uses such as community facility or office or commercial recreation in a single building, all residential use – except for lobby access – must be located on floors above the other uses and have separate secure entrances. In such a case (with the exception of Block 95, Lots 6-21 — see special regulations below) the floor area of each use must be prorated relative to the site. Such prorating shall also apply to instances where preexisting nonresidential buildings remain whether for continued nonresidential use or renovated for residential use. Residential floor area may abut parking areas which are physically separated but technically on the same level. Maximum building height shall be the maximum permitted for residential use and all residential floors shall have rear yards as required for residential buildings (with the exception of Block 95, Lots 6-21 – see special regulations below).

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

Where the redeveloper of Block 95, lots 6 through 21 proposes to create a mixed-use building which includes a music recording studio with special requirements for sound insulation, the following special conditions shall apply: in addition to the base 3.0 FAR permitted for residential use on the site, the redeveloper may also create up to 1.55 FAR of space for such music recording studio and its ancillary space (including transient overnight accommodations as approved previously by the Zoning Board of Adjustment) provided that for every 2.0 sq. ft. of commercial space built, a minimum of 1.0 sq. ft. of programmable public space is also built on-site. It is further provided that so long as at least 12,000 sq. ft. of public space is built, for each 1.0 sq. ft. of public space created, the builder may also create 1.0 sq. ft. of additional residential floor area beyond the base 3.0 FAR. In no event, shall the total number of dwelling units created for the entire site exceed the maximum permitted at the base 3.0 FAR. Special bulk and parking regulations and urban design guidelines for this site can be found following the standard zone regulations immediately below.

Where such a mixed-use building directly abuts an off-site residential

development, the design shall be evaluated by the Planning Board as to potential negative impact on the access to light and air of the adjoining building's residential floors.

Residential buildings shall be designed as follows (with the exception of Block 95, Lots 6-21 – see special regulations below):

Building Height

five residential floors (50 ft.) over one floor (10 ft.) of parking (max. total building height 60 ft.) except as varied below where residential floor area is used to mask the parking, the ground floor residential use shall not be counted as a “residential floor” so long as maximum FAR and density have not been exceeded; in such a design, the parking may occupy up to two levels so long as the parking floors are completely masked and so long as all other regulations specified herein are complied with; the ground floor height may exceed 10 ft. only to the extent necessary to raise the first residential floor level to base flood elevation.

- **Bonus Bldg. Ht.**

where stoops are provided pursuant to the bonus provisions described below, maximum total building height may exceed 60 ft.:

Alternate A: where stoops are provided along the north-south frontage(s) of a site at least once every 50 ft., floor-to-floor heights may be increased to 11 ft.; no fewer than two such stoops per north-south frontage may be provided to qualify for the bonus; in such a case, maximum building height is 65 ft.; if a parapet is required by BOCA or local Fire Dept. regulations, it shall not exceed in height the minimum required.

Alternate B: where residential floor area is used to mask parking floors and stoops are provided along the north-south frontage(s) of a site at least once every 50 ft., floor-to-floor heights may be increased to 11 ft.; the ground

floor height may exceed 10 ft. only to the extent necessary to raise the first residential floor level to base flood elevation or to create a minimum four-step stoop; no fewer than two such stoops per north-south frontage may be provided to qualify for the bonus; if a parapet is required by BOCA or local Fire Dept. regulations, it shall not exceed in height the minimum required.

Floor Area Ratio

3.0 for residential floor area; to be calculated using only those lots located within the residential zone boundary to be used for the residential structure (except as varied below).

- Bonus FA:

where public recreation space is created within the footprint of the residential structure or on adjacent lots within the residential zone boundaries (unless granted special exception by the City Council), the builder may add an equivalent amount of floor area to the building in the form of one penthouse level occupying no more than half the area of the roof below and set back a minimum of ten feet from the front facade subject to the following controls:

- the public recreation space may be no smaller than 50 ft. by 50 ft. in size if open, 25 ft. by 25 ft. if enclosed
- penthouse may not rise higher than 10 ft. above maximum building height permitted for the site

- Corner Bldgs.:

any residential building which "wraps around" a corner may exceed the maximum floor area permitted for the principal portion of that structure only to the extent necessary to allow such building structure to be located anywhere within a square defined by a line drawn 70 ft. along the lot lines extending in each direction from the street intersection and two perpendicular lines drawn to connect them,

provided that all setback, density and parking requirements have been met; also see lot coverage exception.

Density: max. dwelling units permitted on the site shall be calculated by dividing permitted FA (to be calculated at 3.0 as described above - whether the site is an interior or corner location) by 1000; bonus FA may be translated into additional dwelling units by dividing it by 1000.

Lot coverage: 60% for the residential portion of building (except on corner sites as described in the discussion of building depth and rear yards; see Urban Design Guidelines: General Building Bulk and Yard Requirements)

90% for parking level up to 10 ft. above grade as required for second level as described above.

Parking: one space for each dwelling unit except for bonus units; no spaces required for public recreation space or any publicly accessible activity areas required in the building base so long as no individual activity area exceeds 1000 s.f. gross.

For Block 95, Lots 6 through 21: Where the redeveloper proposes to create a mixed-use building which includes a music recording studio and its ancillary space (including transient overnight accommodations as approved previously for this site by the Zoning Board of Adjustment) with special requirements for sound insulation, the following special conditions shall apply (note: hereinafter, such development will be referred to as "studio"):

Building Height: one building mass may contain up to six residential floors (maximum: 60 ft.) which may be increased by a seventh partial floor (up to a maximum: 70 ft. in height) if bonus floor area is granted, supported over a base building which contains no more than one level of parking and one or two levels of studio space

(maximum total height: 30 ft.) separated by an open volume of space not to exceed 13 ft. in height. Maximum height of the entire mixed-use structure may not exceed 112 ft. to the top of the roof slab.

Floor Area Ratio:

3.0 for residential floor area; additional floor area pursuant to the bonus described below:

- Bonus FR:

in addition to the base 3.0 FAR permitted for residential use on the site, the redeveloper may also create up to 1.55 FAR of space for the studio provided that for every 2.0 sq. ft. of studio space built, a minimum of 1.0 sq. ft. of programmable public space shall be built on-site. It is further provided that so long as at least 12,000 sq. ft. of public space is built, for each 1.0 sq. ft. of public space created, the builder may also create 1.0 sq. ft. of additional residential floor area beyond the base 3.0 FAR

Density:

maximum dwelling units permitted on the site shall be calculated by dividing permitted base FA by 1,000 (to be calculated at 3.0 FAR). In no event, even if bonus floor area, is granted, shall the total number of dwelling units created exceed the maximum permitted at the base 3.0 FAR

Lot coverage:

60% for the residential portion of the building

100% for the base building containing the parking and the music recording studio up to 30 ft. above grade as required

Parking:

five spaces for the music studio (pursuant to the previous variance granted); 0.5 spaces for each dwelling unit; no spaces required for public recreation space or any publicly accessible activity areas provided in the building base

Urban Design Guidelines:

the following regulations apply specifically to Block 95, Lots 6 through 21; where a conflict

appears between these and the Urban Design Guidelines for the Plan as a whole, the following regulations shall control:

- | | |
|----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| General Building Bulk and Yard Requirements: | <ul style="list-style-type: none">• Minimum front yard setback from north-south street: 0 ft.• Minimum side street setback from east-west street: 0 ft. |
| Building Base Design: | <ul style="list-style-type: none">• Door/Window/Stoop frequency: every 80 ft. on Madison Street; every 50 ft. on Tenth Street• Windows: see activity areas |
| Parking and Parking Design: | <ul style="list-style-type: none">• Window openings: may be satisfied per streetscape requirements (see below)• Garage roof may be developed for public recreation use (see below) |
| Streetscape Requirements: | <ul style="list-style-type: none">• Street trees: single row of trees every 25 ft. on all streets• Activity areas: activity area requirement may be satisfied by provision of interactive glass wall extending not less than 50% of the length of each street façade at sidewalk level |
| Public Recreation Space: | <ul style="list-style-type: none">• Design, availability and programming to be approved by the City's Department of Cultural Affairs in conjunction with the Department of Community Development with permanent public easements per Corporation Counsel |
| Public Recreation Space: (Continued) | <ul style="list-style-type: none">• Whereas the proposed public space occupies the 30% of the site normally attributed to required private open space, the roof above the topmost residential floor shall be developed as a "green" roof which shall allow access to tenants |

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

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

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

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

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

and parking in the interest of providing light, air and open space and a desirable visual environment so long as the general intent of the Plan is carried out.

If the redeveloper of Block 86, a 400 ft. long trapezoidal-shaped block with approximately 113 ft. of depth at Eighth Street and approximately 55 ft. at Ninth Street, creates a public park at the Eighth Street end of the block, the park area itself may remain privately owned and maintained, may be counted toward developable floor area, but, in such case, there shall be a permanent public easement provided to ensure public access pursuant to an agreement with the city. If such park is no less than approximately 12,040 sq. ft. in area and if the redeveloper chooses the high-rise configuration for a residential building, and if the minimum average unit size is no less than 1100 net sq. ft., then the maximum FAR attributable to the residential units, including a prescribed number of affordable units may be 3.88 excluding the bonus area. Retail and/or restaurant space will be subject to Planning Board approval.

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

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

Building Height

ten residential floors (100 ft.) over maximum of two floors (20 ft.) of parking (maximum total building height 120 ft.), except as varied below and under "Bonus FA":

parking may be provided in a cellar as defined by the Hoboken zoning ordinance; such cellar parking shall not be counted as a "floor" so long as it extends less than 10 ft. above the sidewalk grade nearest the front street facade and so long as the final height of the building does not exceed the maximum permitted.

where residential floor area is used to mask the

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

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

(see "Bonus FA" below); if the fourth side abuts an off-site development within the Plan area, the structure at the lot line may be a maximum of 20 ft. in height, structure above that height must be set back a minimum of 5 ft. or sufficient to minimize any negative impact on the light and air of the adjoining property; the visible portion of the wall which is set back from the property line shall be designed in a manner to disguise the parking use; where such structure is proposed on land adjacent to the railroad on Blocks 80/81 or Block 86, maximum height is 60 ft. so long as the structure is not immediately adjacent to an off-site residential development.

Floor Area Ratio

3.0 (except as varied above and below)

- Bonus FA

where public recreation space is created within the footprint of the residential structure or on adjacent lots within the residential zone

boundaries (unless granted special exception by the City Council), the builder may add an equivalent amount of floor area to the building adding no more than an additional two floors (20 ft., for a total building height of 140 ft.) subject to the following controls:

- Bonus FA contd.
 - an area equivalent to at least 30% of any site area attributable to residential use shall be developed and accessible exclusively to site residents as private open space; such space may be calculated as any combination of on-grade areas and/or rooftops other than the roofs above residential floors, e.g. garage or office building roofs;
 - bonusable public space may be proposed from remaining open areas whether on-grade or on rooftops (each 1.0 sq. ft. of rooftop space may generate 1.0 sq. ft. of bonus residential floor area only if the Planning Board finds the design satisfactory including but not limited to the provision of easy and obvious accessibility to the public)
 - where the roof above the topmost residential floor is developed as a "green" roof and where such design allows access to tenants, such roof may count toward the 30% requirement; an enclosed community room which encloses the stair and elevator access to such roof shall be permitted; outside roof decks designed to enable tenants to maximize the enjoyment of such roof shall not be counted as roof coverage
 - the public recreation space may be no smaller than 50 ft. by 50 ft. in size if open, 25 ft. by 25 ft. if enclosed.

Density	max. dwelling units permitted on the site shall be calculated by dividing permitted FA by 1000; bonus FA may be translated into additional dwelling units by dividing it by 1000.
Lot coverage	<p>50% for the residential portion of the building or buildings; where multiple towers are planned, they shall be no closer than 60 ft. window to window; (see Urban Design Guidelines: General Building Bulk and Yard Requirements).</p> <p>90% for first parking level up to 10 ft. above grade; if two levels of parking are created, the second floor of parking may not extend beyond a line drawn around all the exterior walls of the residential portion of the building; where complete masking is provided as described under "Building Height" above, the second parking floor may also cover 90%.</p> <p>on Block 86, if the building is designed in conjunction with a public park as described above such that the footprint of the ground-floor covers less than 60% of the site, parking located on no more than one floor above such floor may match the lot coverage of said ground floor subject to the Planning board's approval of its urban design characteristics (i.e. that it is clad to look like the residential floors above rather than like a parking garage)</p>
Parking	one space for each dwelling unit except for bonus units; no spaces required for public recreation space or any publicly accessible activity areas required in the building base so long as no individual activity area exceeds 1000 s.f. gross
Parking contd.	on Block 86, where a public park is created and the footprint of the building is less than 60% on all floors thus restricting the parking

floors, the Planning Board shall give special consideration to any need for parking variances that may arise for retail and restaurant uses on the lower floors considering the availability of mass transit in the form of the nearby Light Rail station.

Zone 3

[Amended 10-4-2006 by Ord. No. DR-275]

The following blocks or portions of blocks will not be permitted to have residential buildings or any structure housing a use accessory to a residential building. They will be permitted to have all other nonresidential uses permitted in the Plan.

Blocks 94/98

Block 102, Lots 1-6 & 27-32

Block 113, Lots 11-22

Block 114, Lots 18-19 and parts of Lots 14-17 to a depth of 50 feet from the southerly side of 14th Street

Block 115, Lots 15-18

Block 94/98, which currently is a merged block encompassing the formerly vacated Tenth St., shall open Tenth St. through the block to allow vehicular circulation by the public. The land itself may remain privately owned and maintained but there shall be a permanent public easement provided to ensure public access along the designated right-of-way. The subject area may be counted toward developable floor area and need not provide the mandated setbacks for east-west streets except as provided above or below.

Where the specified lots on Blocks 102 and 113 are developed as single entities, the rear yards shall be measured from the Plan boundary line running east-west through the subject blocks.

URBAN DESIGN GUIDELINES

The urban design guidelines are to be applied within the redevelopment area for all new construction and to substantial alterations (where possible). Signage shall be governed by § 196-31A & B. Roof coverage shall be governed by the limitations specified in § 196-23A for residential districts (roof appurtenances shall include decorative roof forms).

General Building Bulk and Yard Requirements

- 10 ft. minimum front yd. setback required from north-south streets for entire structure (including garage base) for all uses except large-scale retail, see below; stoops may encroach into the street setback area.
- 5 ft. minimum side-street setback required from east-west streets at 40 ft. above grade (or at the floor level closest to 40 ft. above grade) for all uses except free-standing parking garages).
- rear yard to be measured from mid-block line (N-S) except as modified elsewhere in the text.
- balconies/decks/bay windows within project lot lines will not be counted toward lot coverage so long as in their aggregate they do not exceed five percent (5%) of the site area; in no event may such projections encroach into the north-south street setback area below a height of 10 ft. above grade nor may they encroach into the east-west street setback area at 40 ft. above grade.
- corner sites other than large-scale developments (where building wraps around the corner).
- rear wall of the residential portion of a building may not be more than 70 ft. distant from the street lot line measured along a line running perpendicularly from said lot line toward the interior of the lot whether on the N-S or E-W street.
- rear yard to be measured as follows: an area with a minimum depth of 30 ft. must be provided between the rear wall of a residential building or portion of building and the nearest lot line or the N-S mid-block line (where a garage forms the groundfloor of the building, rear yards are to be measured behind the first residential floor).
- rear yard for a double corner building to be measured as follows: an area with a minimum depth of 30 ft. must be provided between the rear wall of a residential building or portion of building facing the east-west street and the nearest east-west lot line; where a residential building is single-loaded on one of the north-south streets, a minimum distance of 60 ft. shall be provided in the interior of the site between the rear walls of the residential structures facing the north-south streets (where a garage forms the groundfloor of the building, rear yards are to be measured behind the first residential floor facing the interior courtyard).

any residential building which “wraps around” a corner may exceed the maximum lot coverage permitted for the principal portion of that structure

only to the extent necessary to allow such building structure to be located anywhere within a square defined by a line drawn 70 ft. along the lot lines extending in each direction from the street intersection and two perpendicular lines drawn to connect them, provided that all setback requirements have been met

Building Base Design

windows/doors/stoops required as activity points at least every 10 ft. of a building facade as follows (activity areas satisfy this requirement):

- windows to be designed as follows:
 - the sill shall begin at a height no greater than 4 ft.-6 inches above the average grade of the blockfront on which it is located.
 - where residential floor area is used to mask parking floors, the window may begin at a height demonstrated by the applicant as reasonable for the residential design; in such case, the base on the building shall be heavily landscaped.
 - such window shall have an opening no smaller than two feet by two feet.
 - window openings must have decorative grill work where glass is not provided, see Parking & Parking Design below.
- doors are to be provided at least every 100 ft. of street facade.
- at least one prominent pedestrian entrance/lobby required on every N-S street front of the building base.

Parking & Parking Design

- garages - whether free-standing or comprising a building base, they are to be designed as follows:
 - all exposed facades are to be clad like residential or office buildings to the greatest extent possible (applied facades are required for robotic garages and are to be designed to be compatible with adjacent buildings).
 - where public parking garages are adjacent to residential structures, special design considerations regarding aesthetics, noise and light are to be given to the facade and window treatment on any wall facing the residential structure.
 - all building base garage roofs are to be landscaped and accessible to

tenants; a portion of the roof may be used as private terraces for immediately adjacent units; in no event may the area of such private terraces exceed the length of the unit and a depth of 10 ft..

- no more than one driveway will be permitted per 100 ft. of street frontage.
- public parking facilities can be used to satisfy non-residential off-street parking requirements for land uses within 800 ft. as described above with proof of lease or equivalent.
- window openings are required where the garage forms the building base and shall be designed in the same style as the building above; no window openings may begin below 4 ft. above grade, nor may they be larger than three ft. by three ft.; decorative grilles, glass block or similar material designed to create 50% opacity or evergreen buffer planting shall be provided to block the view into the garage.
- no open parking will be permitted except as specified:
 - rear yard parking (where permitted) must be trellised or landscaped to provide screening from above and must be paved with decorative brick pavers, grass pavers or the equivalent.
 - no parking is permitted in any required street setback area.

Large-scale Retail (Supermarkets/Shopping Centers)

- 5 ft. setbacks will be required from north-south streets only for the parking area; 5 ft. setbacks will be required from east-west public streets on the line of extension of a public street – no other yard requirements apply; see “Uses Permitted Pursuant to the Plan” for lot coverage limitations and permitted encroachments.

loading dock size shall be determined after consultation with the Directors of Environmental Services and Public Safety as to what size tractor-trailer can safely access the site.

- in no event shall the required loading dock be smaller than 33 ft. in length, 12 ft. in width and 14 ft. in vertical clearance.
- the loading locks shall be enclosed by the building screened along street frontages as follows:
- the roof of the building or a substantial canopy structure must cover the

entire loading dock area as viewed from above (roof plan view).

- roll-down doors shall be provided for each individual loading dock.
- no signs shall be attached to any structure in the loading dock/trash/recycling area other than a single sign no larger than 2 ft. by 2 ft. indicating information dictated by local regulations or providing emergency phone numbers.
- in order to provide street wall articulation and visual relief, windows, doors, plantings and/or artwork shall be provided every 10 ft. along the street facade other than the loading area in some combination of the following (note that a single row of street trees is required):
 - fenestration shall occupy a minimum of 50% of the linear street frontage; it shall begin at a height such that passersby can view the activity inside the store; where individual windows are used (as opposed to ribbon windows), there shall be no more than 10 ft. of linear distance between them.
 - the benches specified by the Washington St. streetscape specs. may be placed inside the setback area or between the street trees which shall be spaced every 25 ft.; or as appropriate for mature size of the species of tree chosen; so long as the seating area is lighted and firmly anchored.
 - murals (applied directly or attached), recesses or projections treated with decorative masonry or ironwork (no smaller than 4 ft. by 4 ft.), or other artwork to be approved by the Planning Board.
 - evergreen ivy or other vines using trellises or shrubs which provide year-round interest may be planted in the areas between the required windows
- a screened and covered trash and recycling area shall be provided adequate for the private or public pick-up schedule (to be shown to the Planning Board); it shall be located in or immediately adjacent to the loading area.
- open parking for large-scale retail uses shall have:
 - a driveway giving access to parking area (no backing out over curb)
 - a single row of trees shall be provided along the curb as well as buffer landscaping along the street side of the open parking area (may be combination of berms, shrubs & decorative fences to a height of at least three feet above sidewalk grade).

Streetscape Requirements

- double row of street trees on north-south streets at least every 25 ft. or as appropriate for the tree species chosen (one row along the curb, one row inside the property line); see planting requirement for open parking for large-scale retail above
- new sidewalks and curbs, lighting and other street furniture pursuant to the Washington Street streetscape specifications as amended
- activity areas such as retail, office or ancillary uses (such as laundry rooms or gym facilities or live/work studios in residential buildings) required in corners of building base (activity areas available to the public will not require parking if each gross area is less than 1000 s.f.)
- any site having only the minimum required site size (10,000 s.f.) regardless of location on the block may satisfy the activity area requirement with a prominent lobby/pedestrian entrance
- sites from 10,000 s.f. to 20,000 s.f. in area:
 - activity areas required at street corners of at least 400 s.f. in area; where a facade is no longer than 100 ft., a lobby may be used to satisfy the activity area requirement; any street facade longer than 100 ft. must provide either an activity area or at least two stoops
 - east-west street facade must have at least one significant pedestrian or vehicular/pedestrian entrance
 - north-south street facade must have at least one significant pedestrian entrance/lobby
- sites larger than 20,000 s.f. in area:
 - activity areas required at street corners and interior corners of at least 400 s.f. in area; lobby may not be used to satisfy the activity area requirement
 - east-west street facade must have at least one significant pedestrian or vehicular/pedestrian entrance
 - north-south street facade must have at least one significant pedestrian entrance/lobby or one activity area every 100 ft.

Public Recreation Space:

- If intended to generate bonus residential space, the public recreation space must be located on lots zoned for residential use, see Sub-Zone regulations for special application

- Enclosed space must be available to the public as follows:
 - without a fee but subject to reasonable scheduling by the building management or coop board - signage at location should direct interested parties to the individual who can provide information and access
 - space must be serviced with lights, electric outlets, sink and toilet
 - minimal furnishing must be available in the form of folding tables and chairs which may be kept in a locked area of the room with the key readily available from the management
 - room must be available during the week at least from mid-afternoon to evening hours and during morning hours as well on weekends
 - signage must be placed to clearly indicate location and accessibility of the public space (must be open at least 6 hours between 2 pm & 10 pm; weekends between 10 am and 5 pm)
- Open Space must be designed as follows:
 - designed & built for at least passive use (plantings & park furniture required)
 - design to be approved by Planning Board
 - property owner must provide permanent public easements
 - signage must be placed to clearly indicate location and accessibility of the public open space (must be open at least 12 hours between 8 am & 10 pm)
 - landscaped rooftops which are attributed to the rear yard/private open space requirement of the residential building surrounding them may not be credited toward public recreation space, see full discussion under Sub-Zone 2 regulations.

Miscellaneous

- bay windows and stoops extending no more than eighteen inches into the street right-of-way may be approved by the Planning Board on presentation of appropriate liability insurance policy approved by the City attorney
- minimum dwelling unit size 750 s.f.

Movie Theaters [Added 10-4-2006 by Ord. No. DR-275]

- a loading dock may be provided but its dimensions should be the smallest

possible to accommodate the appropriate vehicles; the location shall be limited to the interior of the block with access from one or more north-south streets

- the loading dock shall be enclosed by the building and screened along street frontages as follows:
 - roll-down or similar doors shall be provided for each loading dock such that the interior of the dock is not visible when the door is closed; the door shall be kept closed at all times when not in use.
 - a screened and covered trash and recycling area shall be provided adequate for the private or public pick-up schedule (to be shown to the Planning Board); it shall be located in the loading dock.
 - no signs shall be attached to any structure in the loading dock/trash/recycling area other than a single sign no larger than 1 ft. by 1 ft. indicating information dictated by local regulations or providing emergency phone numbers.
- in order to provide street wall articulation and visual relief, windows, doors, plantings and/or artwork shall be provided every 10 ft. along all street facades other than the loading dock in some combination of the following (note that a single row of street trees is required):
 - fenestration beginning at a height such that passersby can view the activity inside the theater;
 - movie posters or other artwork mounted in display windows (no smaller than approximately 3 ft. by 4 ft.);
 - evergreen ivy or other vines using trellises or shrubs which provide year-round interest.
- the benches specified by the Washington St. streetscape specs. may be placed between the street trees which shall be spaced every 25 ft. or as appropriate for the mature size of the species of tree chosen; the seating area must be lighted and benches firmly anchored.
- where the wall of the upper floors of the movie theater on the interior of the block faces property zones by the Plan for residential use, the wall shall be designed to have variation in texture, color, material, murals, false windows, or other treatment so as to create an interesting and attractive neighbor; the design will be subject to approval by the Planning Board at the time of site plan approval.

RELATIONSHIP TO MASTER PLANS OF CONTIGUOUS MUNICIPALITIES (JERSEY CITY, UNION CITY, WEEHAWKEN), HUDSON COUNTY AND THE STATE PLAN

The municipalities contiguous to the City of Hoboken are Jersey City, Union City and Weehawken. The municipalities which directly abut the redevelopment area are Jersey City and Union City. The master plans and most recent Reexamination Reports of those municipalities were examined to establish whether there was any potential conflict of land uses existing or proposed. The planners were also consulted in order to confirm the intent of the written material. The proposed change of uses in the Redevelopment Plan poses no conflict with existing or proposed land uses in the adjacent municipalities.

The Hudson County Plan is being revised for the first time in 24 years. A Draft Strategic Plan for the county has been made public and was reviewed. Discussions with the planners responsible indicate that there is no inherent conflict between the proposed Redevelopment Plan and the proposed revisions to the County Plan.

Hoboken recently participated in the Cross-Acceptance process of reviewing and updating the State Plan. The proposed Redevelopment Plan is in conformance with the goals of the State Plan for urban places with old industrial areas.

CONSISTENCY WITH MASTER PLAN

As discussed earlier in the section entitled "Relationship to Local Objectives", the Redevelopment Plan outlined above is not only consistent with the city's master plan but is designed to carry out its objectives. The only minor variation it makes from recent recommendations is to allow no parking spaces for residential units resulting from the public recreation space bonus. In that case the Plan suggests that it is a worthwhile tradeoff to get public recreation space in exchange for very few parking spaces. It also built on the concept of allowing greater height on the perimeter of the city by adding the western perimeter (Blocks 80/81, 86 & 87).

Sponsored by:

Michael J. Curcio

Seconded by:

Robert J. Korman

CITY OF HOBOKEN
ORDINANCE NO. DR-285

1st reading 11.13.06

JP
on

REDEVELOPMENT PLAN FOR THE NORTHWEST INDUSTRIAL AREA
amending an ordinance
ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOBOKEN ADOPTING THE
REDEVELOPMENT PLAN FOR THE NORTHWEST INDUSTRIAL AREA
(Ordinance No. R-318; amended 2-2-2000 by Ord. No. R416; 9-6-2000 by Ord. No. R-452; 6-6-
2001 By-Ord. No. R-485; 3-2-2005 by Ord. No. DR-183, 10-4-06 by Ord. No. DR-275)

LAND USE AND BUILDING BULK REGULATIONS, APPLICATION AND
INTERPRETATION

Zone 1

The following blocks will be permitted to have residential buildings: Blocks B.88; B.89; B.95; B.99; B.100; B.103; Lots 1-6 & 27-32; B.104; B.109; B.110; B.114; Lots 1-13, 20-33, and parts of Lots 14-17 consisting of the southerly one-third (25 ft) of these lots; B.115; Lots 1-14 & 19-32; B.150; B.151; B.156 (amended 10-4-06 by Ord. No. DR-275).

Where a redeveloper chooses to combine residential use with permitted non-residential principal uses such as community facility or office or commercial recreation in a single building, all residential use -- except for lobby access -- must be located on floors above the other uses and have separate secure entrances. In such a case (with the exception of Block 95, Lots 6-21- see special regulations below) the floor area of each use must be prorated relative to the site. Such prorating shall also apply to instances where pre-existing non-residential buildings remain whether for continued non-residential use or renovated for residential use. Residential floor area may abut parking areas which are physically separated but technically on the same level. Maximum building height shall be the maximum permitted for residential use and all residential floors shall have rear yards as required for residential buildings (with the exception of Block 95, Lots 6-21- see special regulations below).

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

Where the re-developer of Block 95, Lots 6 through 21 proposes to create a mixed-use building which includes a music recording studio with special requirements for sound insulation, the following special conditions shall apply: in addition to the base 3.0 FAR permitted for residential use on the site, the re-developer may also create up to 1.55 FAR of space for such music

recording studio and its ancillary space (including transient overnight accommodations as approved previously by the Zoning Board of Adjustment) provided that for every 2.0 sq.ft. of commercial space built, a minimum of 1.0 sq.ft. of programmable public space is also built on-site. It is further provided that so long as at least 12,000 sq.ft. of public space is built, for each 1.0 sq.ft. of public space created, the builder may also create 1.0 sq.ft. of additional residential floor area beyond the base 3.0 FAR. In no event, shall the total number of dwelling units created for the entire site exceed the maximum permitted at the base 3.0 FAR. Special bulk & parking regulations and urban design guidelines for this site can be found following the standard zone regulations immediately below.

Residential buildings shall be designed as follows (with the exception of Block 95, Lots 6-21- see special regulations below):

Building Height: no change

Floor Area Ratio : no change

Density: no change

Lot coverage: no change

Parking: no change

For Block 95, Lots 6 through 21: Where the re-developer proposes to create a mixed-use building which includes a music recording studio and its ancillary space (including transient overnight accommodations as approved previously for this site by the Zoning Board of Adjustment) with special requirements for sound insulation, the following special conditions shall apply (note: hereinafter, such development will be referred to as "studio"):

Building Height

one building mass may contain up to six residential floors (maximum: 60 ft.) which may be increased by a seventh partial floor (up to a maximum: 70 ft. in height) if bonus floor area is granted, supported over a base building which contains no more than one level of parking and one or two levels of studio space (maximum total height: 30 ft.) separated by an open volume of space not to exceed 13 ft. in height. Maximum height of the entire mixed-use structure may not exceed 112 ft. to the top of the roof slab.

Building Base Design:

- Door/Window/Stoop frequency: every 80ft. on Madison St.; every 50ft. on Tenth Street
- Windows: see activity areas

Parking & Parking Design:

- window openings: may be satisfied per streetscape requirements (see below)
- garage roof may be developed for public recreation use (see below)

Streetscape Requirements:

- Street trees: single row of trees every 25ft. on all streets
- Activity areas: activity area requirement may be satisfied by provision of interactive glass wall extending not less than 50% of the length of each street facade at sidewalk level

Public Recreation Space:

- Design, availability and programming to be approved by the City's Department of Cultural Affairs in conjunction with the Department of Community Development with permanent public easements per Corporation Counsel
- Whereas the proposed public space occupies the 30% of the site normally attributed to required private open space, the roof above the topmost residential floor shall be developed as a "green" roof which shall allow access to tenants

Mayor



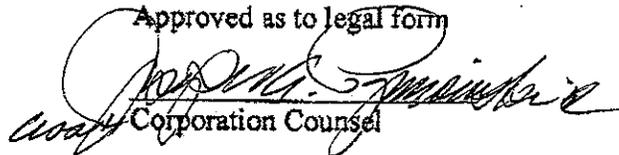
Approved 12-7-06

City Clerk



adopted 12-6-06

Approved as to legal form


Corporation Counsel

Meeting: November 13, 2006

Notes + M-800

AN ORDINANCE AMENDING ORDINANCE OF THE CITY COUNCIL OF HOBOKEN ADOPTING THE REDEVELOPMENT PLAN FOR THE NORTHWEST INDUSTRIAL AREA.

Introduced, passed first reading as read and laid on the table for further consideration of the Council at its next meeting to be held on December 6, 2006 at 7 PM

City Clerk
11/13/06

Passed Third and Final Reading
12/6/06

Sponsored by: _____

Seconded by: _____

**CITY OF HOBOKEN
ORDINANCE NO.: _____**

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

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

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

WHEREAS, Block 95, Lots 6 through 21 are located within the Northwest Industrial Area, and constitute the property upon which the renowned Water Music recording studio is located ("the Water Music Site");

WHEREAS, the City Planner has prepared certain amendments to the Northwest Redevelopment Plan, which amendments are in furtherance of the redevelopment of the Water Music Site in a manner that would promote the creation of a mixed-use building with a music recording studio and an arts center; and

WHEREAS, the City Council has reviewed and considered the recommendations of the Planning Board regarding the amendments to the Northwest Redevelopment Plan; and

WHEREAS, the amendments to the Northwest Redevelopment Plan meet the statutory requirements of, and can be adopted consistent with, the applicable provisions of the Redevelopment Law.

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

Section 1. The Northwest Redevelopment Plan is hereby amended as follows:

LAND USE AND BUILDING BULK REGULATIONS, APPLICATION AND INTERPRETATION

Zone 1

The following blocks will be permitted to have residential buildings: Blocks B.88; B.89; B.95; B.99; B.100; B.103: Lots 1-6 & 27-32; B.104; B.109; B.110; B.114: Lots 1-13, 20-33, and parts of Lots 14-17 consisting of the southerly one-third (25 ft) of these lots; B.115: Lots 1-14 & 19-32; B.150; B.151; B.156.

For All Sites With The Exception Of Block 95, Lots 6-21

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

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

Residential buildings shall be designed as follows:

Building Height: no change

Floor Area Ratio: no change

Density: no change

Lot coverage: no change

Parking: no change

For Block 95, Lots 6 through 21:

Where the re-developer of Block 95, Lots 6 through 21 proposes to create a mixed-use building which includes an "arts center" which, at a minimum shall include a music recording studio (with special requirements for sound insulation), and which may also include a theater, educational and related spaces such as a kitchen, gallery space and multi-purpose rooms, the following special bulk & parking regulations and urban design guidelines shall apply (see below):

Building Height:

One building mass may contain up to six residential floors (maximum: sixty-six (66) feet) which may be increased by a seventh partial floor (up to a maximum: seventy-seven (77) feet in height) if bonus floor area is granted, supported over a base building which contains no more than one level of parking and up to four (4)

levels containing an "arts center" which, at a minimum shall include a music recording studio (with special requirements for sound insulation), and which may also include a theater, educational and related spaces such as a kitchen, gallery space and multi-purpose rooms (maximum total height: thirty-eight (38) feet) separated by an enclosed volume of space for a theatre not to exceed twenty-three (23) feet in height. Maximum height of the entire mixed-use structure may not exceed one hundred forty-one (141) feet above base flood elevation to the top of the roof slab. If the proposed educational use cannot be funded prior to construction, the assigned floor area shall be removed from the project.

Floor Area Ratio:

3.0 for residential floor area; additional floor area pursuant to the bonus described below:

• Bonus FAR:

In addition to the base 3.0 FAR permitted for residential use on the site, the re-developer may also create up to 1.55 FAR of space for such music recording studio and its own ancillary space (including transient overnight accommodations as approved previously by the Zoning Board of Adjustment) provided that for every 2.0 sq. ft. of studio/ancillary space built, a minimum of 1.0 sq. ft. of programmable public space shall be built on-site. It is further provided that so long as at least 12,000 sq. ft. of public space is built, for each 1.0 sq. ft. of public space created, the builder may also create 1.0 sq. ft. of additional residential floor area beyond the base 3.0 FAR.

Density:

Maximum dwelling units permitted on the site shall be calculated by dividing permitted base FA by 1,000 (to be calculated at 3.0 FAR). In no event, even if bonus floor area is granted, shall the total number of dwelling units created exceed the maximum permitted at the base 3.0 FAR.

Lot coverage:

Sixty-five (65) percent for the residential portion of the building.

One hundred (100) percent for the base building containing the parking and the arts center up to thirty-eight (38) feet above base flood elevation as required.

Parking: no change

Urban Design Guidelines:

The following regulations apply specifically to Block 95, Lots 6 through 21; where a conflict appears between these and the Urban Design Guidelines for the Plan as a whole, the following regulations shall control:

General Building Bulk & Yard Requirements: no change

Building Base Design: no change

Parking & Parking Design:

- Window openings: no change
- Arts center roof may be developed for public recreation use (see below)
- Below grade parking floors are permitted so long as they are adequately designed to prevent flooding
- Garage door may be no taller than required for a handicap van
- Garage door must have a horizontal strip of transparency at pedestrian eye level
- Garage door must be a color that matches the building base to the greatest extent possible

Streetscape Requirements:

- Street trees: maximize street trees to the extent possible and provide landscaping appropriate to building design
- Activity areas: no change

Public Recreation Space:

- Design, availability and programming to be approved by the City's Department of Cultural Affairs in conjunction with the Department of Community Development with permanent public easements per Corporation Counsel
- Whereas the proposed public space occupies the 30% of the site normally attributed to required private open space, the roof above the topmost residential floor shall be developed so as to allow access to tenants to at least 50% of the roof area; the remaining area of the roof shall be developed using green roof technology

Other Regulations:

- Signage: the "arts center" project may have signs as follows:
 - One "medallion" type sign on the north facade and one such sign on the south facade at, but not above, the penthouse level measuring no more than twenty (20) feet in length and twelve (12) feet in height depicting a logo which represents the Hoboken Arts Center but not a sponsor; and
 - One rectangular sign on the north facade and one such sign on the west facade to be set into the "frieze" at a height not to exceed fifty-four (54) feet above grade, measuring no more than fifty-two (52) feet in length and six (6) feet in height, and depicting the Hoboken Arts Center and its sponsor if so desired.
- Facade materials: the building may utilize any of the following: a lightweight curtain wall system, a rain screen system, louvers (note: louvers shall be subject to special review by Board planner).

- All residential use, except for lobby access, must be located on floors above the other uses except that the topmost floor of the arts center may also contain residential uses so long as the Planning Board determines that adequate security for site residents has been provided through separation of uses including separate secure entrances.

Section 2. A copy of this Ordinance shall be maintained in the offices of the City Clerk.

Section 3. The Northwest Redevelopment Plan shall continue to supersede applicable provisions of the Zoning Ordinance of the City of Hoboken. In all situations where zoning issues are not specifically addressed by the Northwest Redevelopment Plan, the Zoning Ordinances of the City of Hoboken shall remain in full force and effect.

Section 4. If any provision of this Ordinance shall be held invalid by any court of competent jurisdiction, the same shall not affect the other provisions of this Ordinance, except so far as the provision so declared invalid shall be inseparable from the remainder of any portion thereof.

Section 5. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed.

Section 6. This Ordinance shall take effect immediately upon adoption and publication according to law, and upon filing with the Hudson County Planning Board.

Dated: _____, 2009

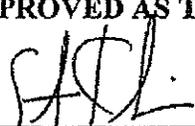
ADOPTED:

APPROVED:

James J. Farina, City Clerk

David Roberts, Mayor

APPROVED AS TO FORM:



Steven W. Kleinman, Corporation Counsel

V A N D O R + V A N D O R

M E M O R A N D U M

To: City Council

From: Elizabeth Vandor, P.P., AICP EV

Date: March 10, 2009

Re: PROPOSED AMENDMENT TO NORTHWEST REDEVELOPMENT PLAN
REGARDING "WATER MUSIC"

As you recall, in December 2006, the Council adopted an amendment to the Northwest Redevelopment Plan to enable the Water Music studio located at 931 Madison Street across from the ShopRite supermarket to remain in place while creating six floors of residential use and a 12,000 sf open public performance space between the roof of the studio and the first floor of the residential units (there would also have been 1600 sf of gallery space inside the studio building).

Since that time, the property owner, Rob Grenoble, has had many discussions with various artists about the use of the space and he has learned that the open-air element combined with an inadequate head height clearance was actually inadequate for theatre type uses. Mr. Grenoble has recently asked for further changes to allow the public space to be enclosed and expanded. He has also asked for classroom space as the result of a request from the Board of Education. I have attached the proposed ordinance language in black-line form showing all the changes. Below is a summary of the changes in tabular form.

Reqmnt.	Amendment adopted 12/06	Amendment proposed 03/09
BLDG. HT. (feet)	112 ft.	141 ft. above BFE (approx. 145 ft.)
BLDG. HT. (floors)	Total: 10 + 1/2 flr.	Total: 11 + 1/2 flr.
resid.	6 + 1/2 penthouse flr w. bonus (70ft.)	6 + 1/2 penthouse flr w. bonus (77ft.)
parking	1 flr.	1 flr.
other	1-2 flr. studio (30ft. incldg. pkg.) 1 plaza flr. for pub. use (13ft.)	4 flr. art center (38ft. incldg. pkg.) 1 pub. theater flr. (23ft.)
LOT COVERAGE	60%+ @ corner for resid. 100% pkg. up to 30ft. above grade	65%+ @ corner for resid. 100% pkg. up to 38ft. above grade
PUBLIC USE SPACE (proposed)	12,000sf semi-open theater 1,600sf indoor gallery, etc.	6,000sf rooftop plaza 22,000sf enclosed arts center 14,825sf classrooms

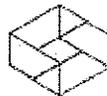
V A N D O R + V A N D O R

One further change has been made to the proposed amendment since March 4, 2009 regarding signage. The property owner wishes to procure "naming rights" for its signage in order to generate an income stream to fund the arts center. The initial proposal was discussed with the Department of Community Development and has been further changed as to size and location of signs. It was agreed to allow a "medallion" type sign showing only the logo to be designed for the Hoboken Arts Center at the top of the entire structure on both the north and south facades with a maximum measurement of 20ft. in length and 12' in height. This would sit on the facade of the upper most level (penthouse). It was further agreed to allow a sign which incorporates the name of the arts center as well as its sponsor be set into the frieze of the west and north facades, at a height not to exceed 54' above grade on the north and west facades, measuring as follows: 52' running length by 6' high.

The signage regulation language is the only aspect of the March 4th proposed amendment that has been changed. The complete amendment in both ordinance form and in black-line form is attached.

Note: The project is located in what is called Zone 1 of the Northwest Redevelopment Plan. Because there have already been several amendments to this zone since the plan was adopted in 1998, the language has become somewhat confusing as particular sites have been singled out for particular amendments. At this point, it is appropriate to completely segregate all language relating to the Water Music site which is identified as Block 95, Lots 6-21. Thus some of the changes in language have to do with improving the clarity of all regulations relating to Zone 1 and making sure that it is obvious which regulations relate to Block 95, Lots 6-21 and which do not. In short, the subject proposed amendment does not change the regulations of any site other than the one on which Water Music sits.

THE HUDSON COUNTY CULTURAL DEVELOPMENT PLAN



ARTSMARKET
www.artsmarket.com

November, 2006

Executive Summary of Goals

The vision for Hudson County is to firmly establish it as a regional center for the arts and creative economy, and to make the arts, culture and heritage accessible and available for all residents.

Goal 1: Bring attention to Hudson County as a center for the arts industry.

Goal 2: Identify and utilize communications and service strategies that build the full sector in Hudson County.

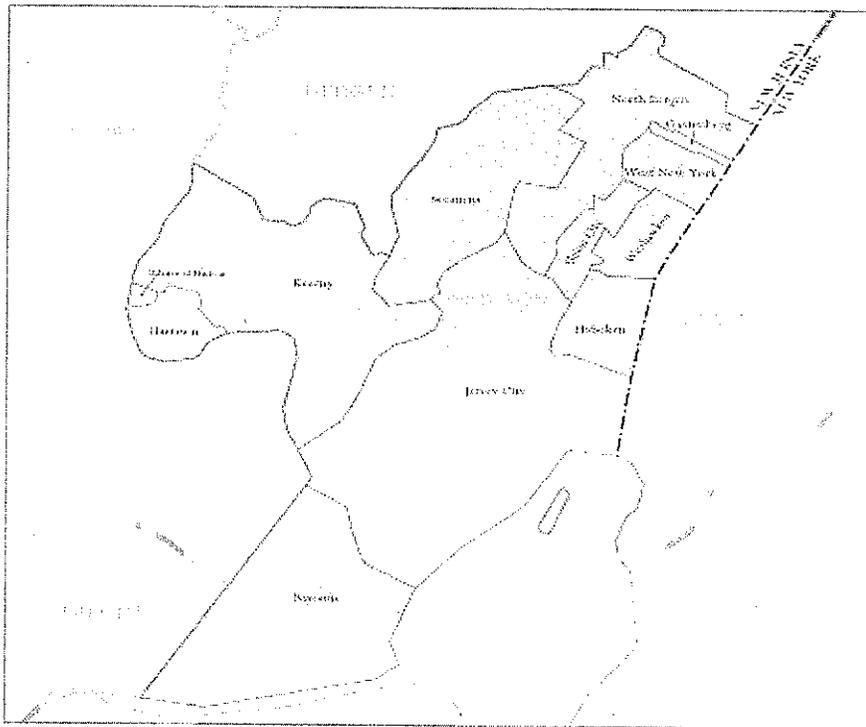
Goal 3: Make Hudson County arts, cultural and heritage offerings available and accessible to all residents.

Goal 4: Strengthen cultural institutions and develop new institutions to serve the County residents and visitors.

Goal 5: Work to beautify Hudson County communities, streets, and neighborhoods, through a range of arts and design programs that speak to the County's diverse heritages and history.

Goal 6: Support on-going quality arts education in all Hudson County schools, at all grade levels, to provide county children and youth with the creativity-based learning and career training they need for 21st Century careers.

The Cultural Development Master Plan for Hudson County



“Real economic success is reliant on wise, well planned implementation of sound public policy.” -- Hudson County Master Plan

INTRODUCTION

This plan for the Hudson County Office of Cultural Affairs marks the first time that Hudson County has embarked on cultural development master planning. The process, launched early in 2006, speaks of the County government's firm commitment to the arts and culture as an important part of the quality of life for every resident in Hudson County.

Led and coordinated by the Office of Cultural affairs, the plan grew out of the work of a Steering Committee broadly representative of the County's culture and arts community. The steering committee members met monthly to provide input and guidance for the plan's development.

Community leaders and elected officials throughout the County provided extensive input for the plan. Every nonprofit arts organization in the county participated in some way – through interviews, roundtable discussions, facility on site tours, or participation in the survey process. In addition, arts educators from throughout the County actively participated, representing the strong role the arts play in the schools County wide.

Public input was essential to this plan. To this end, three survey processes were used. 1) An on-line survey was posted through the Office of Cultural Affairs; 2) A print survey was distributed at most of the County arts and cultural events and festivals through the summer months, 2006; 3) A print survey was sent to a random sample of 20,000 households within the county.

A total of 863 surveys were completed and returned for analysis. This size response provides an excellent statistical read of opinions and attitudes. The margin of error at a 95% level of confidence, for 800 surveys, is 3.5%, which is well within acceptable levels of validity. This means that the survey responses can be viewed as broadly representative of the views of County residents.

We want to acknowledge the leadership of County Executive Thomas DeGise in supporting the development of this plan; Freeholder Maurice Fitzgibbons; Bill LaRosa, the Director of the Hudson County Office of Cultural & Heritage Affairs, for undertaking and directing the plan; and Project Development Specialist Meredith Lippman, at the Hudson County Office of Cultural & Heritage Affairs, for coordinating and organizing the planning process. Arts, entertainment, culture and heritage matter to Hudson County residents.

■ Louise K. Stevens, President
ArtsMarket, Inc
September, 2006

I. HOW IMPORTANT ARE THE ARTS TO HUDSON COUNTY?

Hudson County has always been culturally rich. The County has always been socially and culturally diverse, a magnet for immigrants seeking available work, affordable housing, and freedom from persecution. As the County's Master Plan notes, this diverse heritage has "been the driving force behind the types of industries and the development patterns established in Hudson County."

Hudson County Diversity Indicators	Hudson County	New Jersey
2005 Population ¹	603,521	8,717,925
Percent language other than English spoken at home (2000)	56.1%	25.5%
Foreign born persons (2000)	38.5%	17.5%

The County's cultural richness has in some ways always simply been a natural component of community life. Immigrant communities have traditionally created cultural centers and celebrations. Neighborhoods have shared heritage and deep respect for artistic traditions. Schools serving immigrant populations have traditionally maintained a commitment to teaching the arts.

Changes in the county's economic and employment base over the past fifteen years, however, have led to a growing recognition that the arts and culture are more than a local quality of life benefit. They are an important part of the current and new economy and social infrastructure of the County.

- New residents moving into Hudson County seek arts and culture within their communities so that they do not need to travel elsewhere to experience the arts;
- New corporations moving into Hudson County seek culture and the arts as visible elements of civic life, to benefit their employees;
- Community redevelopment efforts seek to build aesthetically attractive neighborhoods, with excellent architecture, respect for historic preservation, and public art;
- Parents recognize the importance of quality arts education in training students for the new creative jobs that are vital to the 21st Century economy;
- Civic leaders recognize that arts, culture, and heritage build bridges between neighborhoods, ethnic and immigrant groups, and communities;

¹ US Census, 2005 and 2000 data sets.

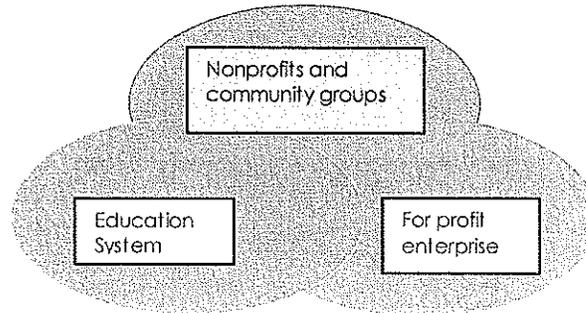
- Likewise, civic leaders recognize that the arts, culture and heritage build community pride in place, benefiting the entire County;
- The arts are an important economic force in the County. Thousands of artists make up a significant part of the County workforce. The economic benefit of strong arts and culture – inclusive of the for-profit and non profit sectors – is now and can be very important to the overall economy.
- As creative industries continue to grow in economic important internationally, Hudson County is well poised to become a hub for new creative businesses (the creative industry includes graphic designers, publicists, event planning, etc.).

Cultural development is not something many civic leaders have traditionally pondered. There hasn't been a long history of examining its potential as a prime component of overall economic development. Yet, many overall economic development needs point to the importance of growing a strong cultural and creative sector or industry cluster within Hudson County. The County's Master Plan notes that "the quality of life within Hudson County will become increasingly important in attracting and maintaining a skilled work force, as the communication revolution makes location less relevant and markets increasingly global." The Master Plan went on to note the importance of investing in industries that have the following criteria:

- Matches local resources to business needs
- Provides training and skill improvement to the labor force
- Creates local jobs itself
- Creates additional jobs among supplies and support organizations
- Contributes to the tax base
- Is export-oriented, preferably with international potential
- Is a stable or growing industry
- Is environmentally friendly

The arts, culture and heritage sector or, as it is increasingly known, the creative industries economic cluster is all of this. Historically, this cluster has been associated only with civic and nonprofit entities. This is only one mode of the sector, and in Hudson County is a relatively small part of the sector. As such, the entire cluster has been less visible than in other New Jersey counties and elsewhere throughout the nation. Growing recognition of the vast developmental opportunities for the creative cluster, however, shows that Hudson County's substantial artist and creative workforce is an excellent base for new economic development.

The Creative Cluster



The presence of vital nonprofit and community cultural activities, along with excellent arts and creativity training in local education systems, is essential to the development of for profit enterprise in the creative cluster. Each supports the other. The for-profit sector's thousands of creative workers, in turn, create an asset to the local education system and foster a community appreciation of shared cultural activities.

Just how strong is the current creative cluster in Hudson County? This plan studied the sector as an economic force, and found that the direct labor force is of significant scale.

According to the US Census Bureau (2002 Economic Census of Arts, Entertainment and Recreation, Hudson County, NJ), the arts are a significant industry in Hudson County. This chart shows the identified enterprises in the county in fields that are directly a part of the arts and creative sectors. This chart is, therefore, very conservative in nature. Many more types of businesses than these rely directly on a creativity-trained work force.



ABOVE: Hudson County Artist Rimli Roy with Surati.

US Census Geographic Area Survey of For Profit and Non Profit Arts Enterprises in Hudson County With Payrolls²

	Count
-- Total performing arts companies	12
-- Total musical groups and artists	8
-- Total museums, historical sites and similar institutions	7
-- Independent artist businesses (employers)	13
-- Photography/video galleries	13
-- Photography/media groups	21
-- Graphic design groups	31
TOTAL	105

These one hundred and five enterprises employ many Hudson County residents. Perhaps even more important, there are thousands of sole proprietor arts and culture businesses reported in Hudson County.

Total non-employers (self employed with arts as primary business): 2002 Non-employer statistics from Federal Income Tax³

	Count
-- Nonprofit employees ⁴	37
-- Independent artists, writers and performers	1,778
-- Artist Agents and managers	87
-- Promoters	80
-- Other incorporated artists, writers and performers	13
-- Photography/media employees	138
-- Graphic design employees	56
TOTAL	2,189

This workforce only includes those individuals that show the arts as primary source of wages. In addition, thousands of part time employees and contractors are likely to work within the arts field. Just counting the independent artists, writers and performers who work as sole proprietors the creative sector employment compares favorably to other types of employment in Hudson County:

² Source: 2002 US Economic Census, NAICS Industry data for Hudson County. Does not include employers with total earnings of less than \$1,000.

³Source: 2002 US Economic Census, NAICS Industry data for Hudson County

⁴ Employee data from Form 990s. All other employee data from US Census.

Total occupation employment comparisons: Hudson County

Occupation Classification	2002 Hudson County Employment Count ⁵
-- Management Analysts	1,150
-- Computer Systems Analysts	1,350
-- Waiters and Waitresses	1,773
-- Independent writers, artists, & performers	1,778
-- Financial Managers	2,050
-- Secondary school teachers	2,350

The Economics of Creativity

Largely because so much of the creative cluster is comprised of small businesses, nonprofits, and individual sole proprietors, the economic value of the industry has not previously been noted within Hudson County. The economic value is significant, however, which this plan illustrates as a baseline for further arts and creativity development within the county.

Economic Profile	Earnings
-- Total earnings ⁶ , Hudson independent artists, writers, performers & agents	\$37,154,000
-- Total earnings, Hudson musical groups & artist group	\$ 5,854,000
-- Total earnings, incorporated artists	\$ 5,771,000
-- Total earnings photography/media	\$14,653,000
-- Total earnings, graphic design	\$ 6,061,000
-- Total arts/cultural ⁷ nonprofit earnings, (7 reported agencies)	\$ 2,918,427
TOTAL direct earnings	\$72,422,427

Thus, according to the US Economic Census and Internal Revenue Service, the arts and creative industry is conservatively noted as at least a \$72 million annual industry in Hudson County. A great deal of this revenue is brought into the county from outside (import revenue) by artists who reside in the county but sell their work or derive their payment as performers outside the county. More is brought in by the Hudson County

⁵ Source, NJ Department of Labor, Labor Market Occupational Research, and US Economic Census, 2002, NAICS industry classification data

⁶Source: 2002 US Economic Census, NAICS Industry data for Hudson County

⁷Source: Form 990 tax returns, Hudson County arts/cultural nonprofits

nonprofits who attract tourists from outside the county, who in turn pay admissions and shop at the sites. As an industry the arts/creative cluster meets the goals of the County's economic development plan in attracting outside money into the county.

The arts and creative cluster also induce local spending within Hudson County. Many economists note that while nonprofit arts and cultural organizations themselves make up a small segment of the creative economy, they are vital local-level economic engines for two reasons. First, they are much more likely than larger businesses to spend their revenues locally, buying from local vendors. Second and most important, they induce local spending on arts and entertainment. National data sets show that Hudson County household spending on arts, entertainment, and culture – including movies – far exceeds the spending of Hudson County households on sporting events. While this is undoubtedly due to the proximity of New York City and its cultural offerings, it shows that residents do attend and spend a good deal on culture. If Hudson County had more ways to capture this spending, it would be able to reap a share of a well established economic cycle.

The chart below shows that Hudson County residents spend more than three times as much per year on arts and entertainment as they do on professional sporting events.

Data on Hudson County Households⁸

Activity	Spending Data for Hudson County
Total household annual spending on movies, theatre, opera, and ballet, Hudson County Households	\$32,680,002
Total household annual spending on sports events admissions, Hudson County Households	\$10,449,051

⁸ Source: Scan/US, Inc. 2001-2006 data for Hudson County households.

II. The Voice of the Residents: Survey Responses

In preparation of this plan, a broad surveying process invited input from Hudson County residents. Surveys were mailed to a representative population sample reflective of the population size of each community within the county. The respondent sample likewise mirrored the population size of each community. Surveys were also available on-line from the County web site, and were made available at cultural events including free public festivals and destinations County-wide. (See addendum for detailed information.)

The 863 respondents to the Hudson County Cultural Planning Survey mirror the diversity of Hudson County, and come from all its communities. Between them, respondents speak at least 15 different languages at home, from English to Tagalog and Telugu. They are from all age groups, with the largest percent of respondents in the 25-39 age group.



Students from the Visual and Performing Arts High School, Jersey City, attend a gallery talk by artists participating in the Second Hudson County Arts Annual Identity Exhibition at the Brennan Gallery. Artists participating included Ibou Ndoye, Kayl Hester-Lent, Sue Zwick and Linda Friedman Schmit. Nancy Healy, District Supervisor; Ann Marley, Visual Arts Supervisor.

Based on their input, it is clear that Hudson County residents don't just spend money on arts and entertainment. They also value it, and want it. Hudson County residents indicate that having the arts, entertainment, heritage and culture available to them in their cities is very important. Their interest isn't a passive one: it is strong. When asked "how important is

it to your family to have accessible⁹ entertainment, arts, culture, and heritage activities in your city," the overwhelming majority of respondents ranked the importance as a 10 on a scale of 1 to 10.

Response (ranking importance)	Percent of Respondents
Not important to little importance (Scale of 1-15)	3.3%
Moderately important (Scale 6-7)	10.2%
Very important (Scale 8-10)	84.6%

Residents also do much more in terms of arts, entertainment, heritage and culture in their own Hudson County communities than might be assumed in a county where there are a high number of moderate and low income households. **Based on survey responses over 95% of the Hudson population attended something cultural (entertainment, arts, cultural or heritage destinations) in their city last year.**

Frequency	Percent
Never	4.3%
1-6 times a year	57.6%
7 + times a year	36.5%

What residents attend within their communities is widely varied. Festivals and park events, however, are vitally important to residents. Well over half Hudson County's residents believe that these are important to have in their city. Live entertainment and increased access to performing arts are also important to residents, as is arts education for all ages. The choices may reflect what respondents know is available. There are more festivals, park concerts and outdoor events than galleries and theatres. However, residents' selection of these as top "wants" reinforce the importance of continuing to provide these services county-wide.

Important Events and Places	YES, IMPORTANT	
	N	Percent
Festivals	209	56.5%
Park Based Cultural Activities	206	55.7%

⁹ Access and accessibility are important themes in this plan. Access to all residents implies easy availability including ensuring there are few barriers to participation in cost, transportation/location, and language. Access to the disabled population includes barrier free access to arts and public spaces and barrier free opportunities for participation or employment in the arts.

Important Events and Places	YES, IMPORTANT	
	N	Percent
Live Entertainment	191	51.6%
Performing Arts	156	42.2%
Youth and Adult Cultural / Arts Education (out of school)	156	42.2%
Arts Museums	150	40.5%
Art Galleries	132	35.7%
Don't Know	9	2.4%
Don't Care	4	1.1%

What do they want more of? Park and outdoor events are the top interest, with over half the public asking for this within Hudson County.

Top "Want to Have" Within Hudson County

1. More park and outdoor events
2. More festivals
3. More arts education opportunities for youth and adults
4. More live entertainment
5. More live music

In the course of developing this plan, an often noted hypothesis was that the arts, cultural and entertainment resources of New York City are so vast and so accessible, that it was assumed residents visited there more often than their local cultural resources. According to the survey, they do, but not as much as they attend events and destinations in their own communities and elsewhere in Hudson County.

Frequency	% Attend locally (own city)	% Attend elsewhere in Hudson County	% Attend in New York City
Never	4%	21%	10%
1-6 times a year	58%	66%	55%
7+ times a year	37%	13%	34%

How people find out about arts, culture and heritage in Hudson County

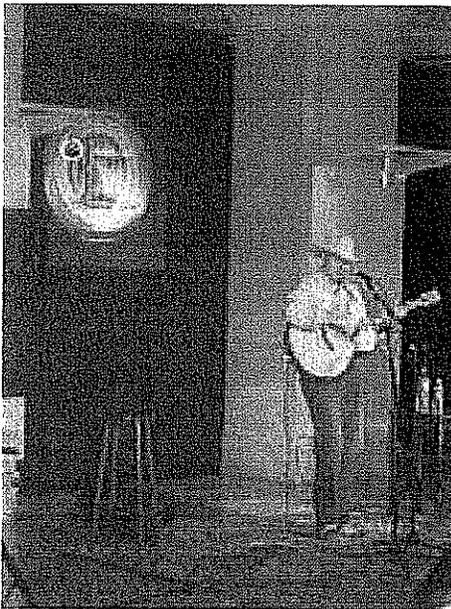
Between them, email and web sites have nearly caught up with local newspapers as a way to find out about what is happening in Hudson County. Local papers are still of top importance, but the current and

potential impact of the web is of vital importance to the municipalities that present arts, cultural and heritage events, and to the organizations themselves. It is also critical to promote the web addresses and cross reference sites within the county.

Media	Number of Respondents	Percent of Respondents
Local City Newspaper	564	64.2%
Mail	224	25.5%
Website	177	20.2%
E-mail	162	18.5%
TV	150	17.1%
Radio	130	14.8%
NYC Newspaper	94	10.7%
Non-English Newspaper	63	7.2%
Newark Paper	49	5.6%
Total	878	183%*

*(residents selected multiple responses.)

This is also important in showing the impact of direct mail in reaching households within the county, and in showing that 7% of Hudson County residents are receiving their information in a foreign language paper. This offers opportunities to organizations, for example, in using translation tools translate their web sites so that all residents can have access to cultural information.



Chuck Pyle



Chrissy Roberts

ABOVE: Performing at the Brennan Coffee House Series at the Justice William Brennan Court House.

III. Big Picture Context: New Jersey's Arts and Cultural Development Goals

The State New Jersey State Council on the Arts has recently completed a statewide process to shape a strategic plan bolstering all the arts. Based on its examination of the industry throughout the state, it set six key goals:

1. Strong and viable cultural institutions, with adequate resources to serve the citizens of the state, exemplifying diverse artistic excellence, creativity, and commitment.
2. Arts Education for all New Jerseyans throughout their lives.
3. Broad recognition and extensive engagement of New Jersey Artists, and a strong network of support for them and their work.
4. Broadened, deepened, and diversified cultural participation and improved access to the arts and culture throughout New Jersey.
5. Thriving and viable communities in New Jersey where the arts are integral to local development.
 - Public policy alignment...facilitate the development of the creative economy, encouraging innovation, providing support, and eliminating barriers
 - Promoting cultural planning, districts, cultural tourism, public art...
 - The arts as a viable and valuable business sector in the community...
 - Prepare more arts organizations to be attractive destinations points through technical assistance and capital development...
 - Compile and distribute research and information...
6. Advanced and sophisticated application of technology by all New Jersey artists and arts organizations for communication, creativity, and community building.

These goals are an important context for Hudson County's plan, and speak directly to many themes raised throughout the Hudson County cultural planning process, notably:

- The need to strengthen Hudson County nonprofit cultural institutions;
- The vital importance of quality arts education in Hudson County schools, and for life long learning;
- The need to build major recognition of Hudson County as a center for arts production;

- Local public policy supporting the arts as a community value and strong local businesses;
- The need to use technology to link Hudson County's arts and cultural institutions together, to provide greater access to them, and to build their competitive capacity.

Arts Master Plan Advisory Board

Just as the State Arts Council uses state-level advocacy to further these goals, Hudson County has formed a Steering Committee to work towards the priorities that will build Hudson County's arts, culture, and heritage as a strong economic and social force, county-wide. The Arts master Plan Advisory Board members are:

Aida Jones,	Monroe Arts Center
Arian Blanco,	Hudson Exploited Theater
Ben Goldman,	City Without Walls Gallery
Bob Foster,	Hoboken Historical Museum
Bruce Sherman,	Hudson Riverfront PAC
Christine Goodman,	Arthouse Productions
Colin Eagan,	Loews Jersey Theatre
Diane Dragone,	Kennedy Dancers
Gerald Saddel,	Monroe Art Center
Jack Quigley,	Jersey City Rotary Club
Jada Fabrizio,	Monroe Arts Center
Jeri Fallo,	Hoboken Cultural Affairs
Jim Heineman,	Applied Development Corp.
Jim Lau,	West Hudson Council for the Arts
Joan Rosen,	BBOED
John Columbus,	Black Maria Film & Video Festival
John Lewis,	Park Theater
Kathy Wood,	hipcil
Ken Wagner,	Provident Bank
Maryanne Kelleher,	Jersey City Cultural Affairs
Michael Novak,	Hoboken Rotary Club
Nancy Healy,	Jersey City Public Schools
Nancy Shannon,	Jersey City Museum
Neil Brunson,	Afro American Historical Museum
Patti Giordan,	Loews Jersey Theater
Paul Sullivan,	President Pro Arts Jersey City
Rimli Roy,	Surati, Inc.
Sawyer Smith,	Silverman Brothers Development

IV. The Cultural Development Plan and Goals Building Hudson County's Unique Cultural Capacity 2006-2016

The vision for Hudson County is to firmly establish it as a regional center for the arts and creative economy, and to make the arts, culture and heritage accessible and available for all residents.

As the data on artist/entrepreneurs reports in this plan, Hudson County is a point of production. Thousands of artist work in studios scattered throughout the county, from Hoboken to Bayonne, Union City to Kearney. The county has become a well known production center for the film industry as well, and for commercial music groups. Its affordability and proximity to New York City make it extremely attractive for artists to work and live in the county.

Efforts have been made to strengthen the visibility of this community and industry. Jersey City's Artist Studio Tours, as well as efforts by artists there to protect artist live workspace, gave considerable visibility primarily to the visual arts community there. The Monroe Center complex and Hoboken's open studio tours showcase many artists as well. There are many more artists working in the county, including many performing artists and artists working in new technology media.

Goal 1: Bring Attention to Hudson County as a center for the arts industry.

Through interviews and round tables conducted county-wide, as well as facilitated group discussion with the Steering Committee, the top priority for this plan emerged: developing Hudson County's reputation and renown as a center for the arts industry and economic cluster. This is already a \$72 million industry within the county, and has enormous capacity to grow as an economic and social force in shaping Hudson County in the decades to come.

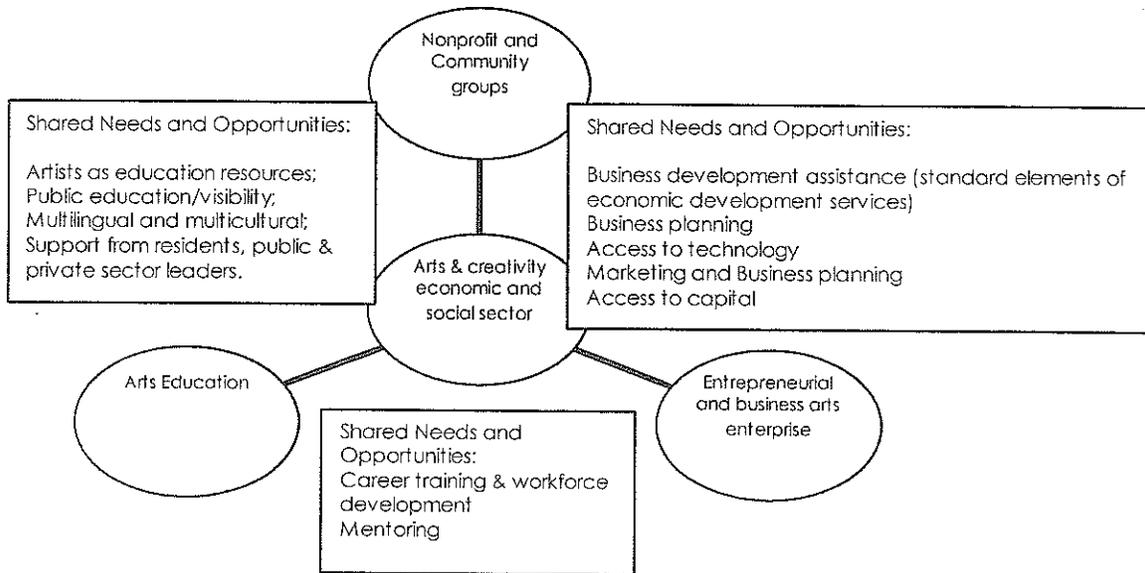
It is an industry that has much to bring to the County. Its presence can and will:

- Provide a vibrant import economy;
- Continue to help transform older and frequently empty mill and factory buildings into studio and mixed use buildings, such as modeled by the Monroe Center;
- Encourage new developments to enhance their quality with arts venues;
- Contribute to quality education through artists who are accessible to work with schools and students;
- Contribute to quality of life through artists who open studios, offer classes, and participate in community events.

Recommended Strategies:

1. Include the arts industry and creative economic cluster within the County Master plan as a desired growth industry;
2. Design and implement public participation processes for ongoing and widespread input to the development of cultural policies, plans, and initiatives throughout the county.
3. Advocate for the arts industry and creative economic cluster within business groups such as Chambers of Commerce and economic development agencies, as well as within the business community in Hudson County and with County institutions of higher education;
4. Create and strengthen partnerships among cultural institutions and producers within Hudson County, and between those based in the County and others in the metro region, nationally, and internationally.
5. Create advocacy materials, web sites and web site links, and PR that identify Hudson County as a center for the arts industry and creative economic cluster.
6. Work with statewide and national entities (i.e. film bureaus) to attract more professional arts businesses to Hudson County.

Goal 2: Identify and utilize communications and service strategies that build the full arts sector in Hudson County.



The three segments of the arts, cultural and heritage sector in Hudson County all support the development of each other. Traditionally, the nonprofit/civic segment and the education segment have known of each other and have worked together. The entrepreneurial/for profit segment of individual artists is somewhat involved in existing communications networks; the for profit arts businesses are not.

Each segment needs benefits offered by the others. Some share similar needs, for example in marketing, technology and business planning.

Recommended Strategies:

1. Publicize the economic and community benefits of a vibrant arts sector and strong arts education and arts/creativity career education in Hudson County.
2. Build a comprehensive communications database of the artists, businesses, nonprofit and civic/community groups and educators who together comprise the sector/economic cluster in Hudson County. Demonstrate the sector's size and breadth.
3. Establish opportunities and funding for training and partnerships to strengthen all three components of the sector within Hudson County.

4. Identify new sources of capital and financing (i.e. non traditional business development financing) through networking and partnership within Hudson County to benefit the sector, through a variety of mechanisms including additional grants, small business development loans, scholarships, and in-kind support.
5. Create incentives and eliminate road blocks to furthering development of artist live work space, districts and enterprise zones for arts and creativity businesses.

Goal 3: Make Hudson County arts, cultural and heritage offerings available and accessible to all residents.

The public opinion study conducted for this plan shows that 95% of Hudson County residents attend something cultural within Hudson County every year. At the same time, the study shows several statistics that point to the importance of broadening accessibility to arts, cultural and heritage offerings:

- The majority of Hudson County residents say that it is most important to them to have festivals and park based cultural activities within the County;
- The Hudson County residents who want more arts, culture and heritage offerings speak at least eighteen different languages as their primary languages at home;
- At least five percent of the Hudson County residents who find cultural offerings to be very important and who want more cultural activities within Hudson County have physical or other accessibility barriers that prevent them from participating in arts and entertainment events.
- Based on tours and interviews with arts and cultural leaders, there are still arts/cultural facilities within Hudson County that are not ADA accessible.

Recommended Strategies:

1. Encourage the development of parks based arts, cultural, and heritage offerings County wide, including life long education and participation opportunities;
2. Encourage the development of new/additional festivals, including at parks throughout the County, and support the expansion of existing festivals;

3. Encourage all cultural organizations to develop multi-lingual web sites or to use translation tools to make information accessible to all residents;
4. Identify funding to upgrade public cultural facilities to fully comply with ADA requirements;
5. Encourage all Hudson County municipalities to maintain and support staffed offices of cultural affairs, and to fund cultural development activities within their communities.
6. Expand central/collaborative marketing of arts, cultural and heritage events and destinations in Hudson County, including increased use and market of the County Office of Cultural Affairs web site, web and print county cultural maps and listings, and tourism brochures.

Goal 4: Strengthen cultural institutions and develop new institutions to serve the County residents and visitors.

Hudson County's nonprofit cultural institutions are nearly all small, and have all suffered numerous funding cuts over the past decade. As a result, their ability to reach and fully serve County residents is limited. A number also have capital (building) needs, and face difficulty raising capital funds: until this plan, public and private sector leadership in the County and its cities have not had access to information concerning the high level of public desire for cultural assets in Hudson County. Given that the desire for cultural destinations, programs, and facilities is strong in every Hudson County community, and among people of all income levels, it is important to build stronger levels of contributed support from all residents, small businesses, and corporations as well as the public sector.

Recommended Strategies

1. Compile a capital development needs assessment and identify a capital goal for cultural and arts facilities, county-wide, and publicize it to civic public and private sector leaders;
2. Work with private sector developers, including new planned development communities, to locate public arts, cultural, and heritage facilities.
3. Work with area universities and colleges to maximize opportunities for the public and area organizations to utilize current and planned campus cultural facilities;

4. Encourage municipalities to upgrade, expand and fund the development of cultural facilities to meet the needs of their residents and visitors.
5. Advocate for dedicated funding for the arts, culture and heritage in Hudson County, including increased State funding, County and municipal funding to increase per capita support of the arts from the public sector to levels consistent with other New Jersey counties.

Goal 5: Work to beautify Hudson County communities, streets, and neighborhoods, through a range of arts and design programs that speak to the County's diverse heritages and history.

Hudson County is beginning to benefit from a newly established percent for art program, which over time will position major works of public art throughout the county. Several County communities have or are currently encouraging development of public art, and the use of excellent design and historic preservation. With increased and continued private sector development comes the opportunity for the public and private sectors to work together to ensure that public art is accessible to all residents, and that Hudson County's communities benefit from excellent design, landscape, streetscapes and facades.

Recommended Strategies

1. Fully develop and fund the County's percent for art program, including a multiyear plan for locating works of public art throughout the county;
2. Recommend public art ordinances to all communities throughout the County;
3. Seek to establish private sector mechanisms and funding commitment to commissioning publicly accessible works of public art in new developments and buildings;
4. Recommend façade, streetscape design, and landscape design approaches and funding programs to Hudson County communities.
5. Maintain on-going commitment to historic preservation, county-wide.

Goal 6: Support on-going quality arts education in all Hudson County schools, at all grade levels, to provide county children and youth with the creativity-based learning and career training they need for 21st Century careers.

Hudson County school districts have maintained a high level of commitment to arts education, and are fortunate to have outstanding arts educators on staff that go above and beyond in providing opportunities for students to learn and grow through the arts. With increased pressure for the school day to focus more on tested subjects, combined with what is often a lack of understanding by families as to the vital role creativity jobs will play in the 21st century, it is hard for these educators and their districts to maintain the arts as a key area of learning. Students, especially those in high school, don't realize the increasing number of careers and jobs that require background and experience in the arts.

Recommended Strategies:

1. Assist all Hudson County schools in maintaining their high commitment to arts learning, through expanding and establishing such advocacy and visibility programs and/or events such as annual honorary events for arts educators and students; county-wide arts scholarship programs; and increased publicity of the Teen Arts Festival.
2. Build awareness of the careers and jobs that build upon strong arts and creativity learning, and publicize this county-wide.
3. Create and further mentorship, internship and partnership learning programs, including grants-supported programs which match Hudson County youth with area arts organizations and entrepreneurial arts businesses.
4. Identify funding mechanisms and develop increased programs that bring Hudson County arts and cultural organizations and artists into classrooms throughout the County.
5. Develop increased partnerships that involve higher education institutions in Hudson County working together with school districts in Hudson County to provide quality arts education learning.

Addendum # 1 Survey Respondents

Hudson County Respondents:

CITY	Number of Respondents	Percent of Respondents
Jersey City	284	32.35%
Hoboken	216	24.60%
North Bergen	63	7.18%
Bayonne	51	5.81%
Kearny	47	5.35%
West New York	40	4.56%
Union City	34	3.87%
Secaucus	19	2.16%
Weehawken	19	2.16%
Harrison	12	1.37%

Other Respondents:

CITY	Number of Respondents	Percent of Respondents
New York City	7	0.80%
Brooklyn	4	0.46%
Newark	4	0.46%
East Rutherford	3	0.34%
Hillside	2	0.23%
Irvington	2	0.23%
Parsonsfield	2	0.23%
Rahway	2	0.23%
Spring Valley	2	0.23%
Union	2	0.23%
Wallington	2	0.23%
Allentown	1	0.11%
Amherst	1	0.11%
Asbury	1	0.11%
Astoria	1	0.11%
Belleville	1	0.11%
Colonia	1	0.11%
Elizabeth	1	0.11%
Fort Lee	1	0.11%
Hackensack	1	0.11%
Haskell	1	0.11%
Hightstown	1	0.11%
Hillsdale	1	0.11%
Lake Hopatcong	1	0.11%

CITY	Number of Respondents	Percent of Respondents
Lincoln Park	1	0.11%
Linden	1	0.11%
Livingston	1	0.11%
Maspeth	1	0.11%
Midland Park	1	0.11%
Millburn	1	0.11%
Monroe	1	0.11%
Monroe Township	1	0.11%
Montclair	1	0.11%
Morristown	1	0.11%
Mountain Lakes	1	0.11%
Mountainside	1	0.11%
Nanuet	1	0.11%
Nutley	1	0.11%
Philadelphia	1	0.11%
Piscataway	1	0.11%
Pomona	1	0.11%
Ponce	1	0.11%
Portland	1	0.11%
Randolph	1	0.11%
Ridgewood	1	0.11%
Roselle Park	1	0.11%
Rutherford	1	0.11%
Short Hills	1	0.11%
Teaneck	1	0.11%
West Orange	1	0.11%
Westfield	1	0.11%
Wyckoff	1	0.11%
N/A	20	2.28%
Total	878	100.00%

County Respondents:

COUNTY	Number of Respondents	Percent of Respondents
Hudson	785	89.41%
Bergen	13	1.48%
Essex	13	1.48%
Union	11	1.25%
New York	7	0.80%
Morris	5	0.57%
Kings	4	0.46%
Rockland	4	0.46%
Middlesex	3	0.34%
Queens	2	0.23%

COUNTY	Number of Respondents	Percent of Respondents
York	2	0.23%
Hampshire	1	0.11%
Hunterdon	1	0.11%
Lehigh	1	0.11%
Mercer	1	0.11%
Multnomah	1	0.11%
Orange	1	0.11%
Passaic	1	0.11%
Philadelphia	1	0.11%
Ponce	1	0.11%
N/A	20	2.28%
Total	878	100.00%

Survey Details

A. How important is it to your family to have accessible entertainment, arts, culture and heritage activities in your city? (Rate from 1 to 10)

Rating	Frequency	Percent	Valid Percent
1 – Not Important	17	1.94%	2.04%
2	2	0.23%	0.24%
3	10	1.14%	1.20%
4	3	0.34%	0.36%
5	28	3.19%	3.37%
6	29	3.30%	3.49%
7	56	6.38%	6.73%
8	102	11.62%	12.26%
9	77	8.77%	9.25%
10 – Very Important	508	57.86%	61.06%
Sub-Total	832	94.76%	100.00%
No Answer	46	5.24%	
Total	878	100.00	

Average Rating = 8.84

B. How often in the last year have you and/or your family gone to entertainment, arts, cultural, heritage destinations or organizations in your city?

	Frequency	Percent	Valid Percent
Never	114	12.98%	13.27%
1 - 3	316	35.99%	36.79%
4 - 6	196	22.32%	22.82%
7 - 9	95	10.82%	11.06%
10 +	138	15.72%	16.07%
Sub-Total	859	97.84%	100.00%
No Answer	19	2.16%	
Total	878	100.00%	

C. What kinds of events and places are most important to you to have in your city?

<i>Important Events and Places</i>	<i>YES, IMPORTANT</i>	
	<i>N</i>	<i>Percent</i>
Live Entertainment	512	58.3%
Park Based Cultural Activities	508	57.9%
Festivals	496	56.5%
Performing Arts	414	47.2%
Youth and Adult Cultural / Arts Education (out of school)	399	45.4%
History Sites	376	42.8%
Arts Museums	363	41.3%
Art Galleries	337	38.4%
Artists Studios	296	33.7%
School Arts Events	279	31.8%
Culturally Specific Clubs	195	22.2%
Church Based Activities	189	21.5%
Don't Know	22	2.5%
Don't Care	13	1.5%

D. What do you want more of in Hudson County?

Want More of in Hudson County	Yes	
	N	Percent
Park / Outdoor Events	499	56.83%
Festivals	423	48.18%
Live Entertainment	409	46.58%
Music	363	41.34%
Arts Education	361	41.12%
Live Theatre	352	40.09%
Art Galleries / Museums	332	37.81%
Historic Preservation	327	37.24%
Film	298	33.94%
Dance	225	25.63%
Ethnic Cultural Centers	201	22.89%
Artists Studios	199	22.67%

Other	N	Percent
N/A	857	97.61%
Affordable housing	1	0.11%
ALL	1	0.11%
Art	1	0.11%
Arts and Crafts shops	1	0.11%
Athletics	1	0.11%
Bi-Lingual Events	1	0.11%
Church Activities	1	0.11%
Classical Music	2	0.23%
Folk Music Amer.	1	0.11%
Free Jazz Concerts	1	0.11%
Hands on	1	0.11%
Less Traffic	1	0.11%
Public library	1	0.11%
Religious Activities	1	0.11%
Social Dancing	1	0.11%
Sport Activities	1	0.11%
Sporting events	1	0.11%
Yoga Studio	1	0.11%
Total	878	100.00%

E. Age range:

Age Group	Frequency	Percent	Valid Percent
Under 18	25	2.85%	2.91%
18 - 24	43	4.90%	5.01%
25 - 39	229	26.08%	26.66%
40 - 54	260	29.61%	30.27%
55+	302	34.40%	35.16%
Sub-Total	859	97.84%	100.00%
No Answer	19	2.16%	
Total	878	100.00%	

F. Are you a professional artist or arts worker?

	Frequency	Percent	Valid Percent
No	720	82.00%	83.24%
Yes	145	16.51%	16.76%
Sub-Total	865	98.52%	100.00%
No Answer	13	1.48%	
Total	878	100.00%	

G. How often in the last year have you and/or your family gone to similar events elsewhere in Hudson County?

	Frequency	Percent	Valid Percent
Never	201	22.89%	23.26%
1 - 3	390	44.42%	45.14%
4 - 6	151	17.20%	17.48%
7 - 9	67	7.63%	7.75%
10 +	55	6.26%	6.37%
Sub-Total	864	98.41%	100.00%
No Answer	14	1.59%	
Total	878	100.00%	

H. Primary language spoken at home:

Language	Frequency	Percent	Valid Percent
English	757	86.22%	89.06%
Spanish	65	7.40%	7.65%
Arabic	1	0.11%	0.12%
Other	27	3.08%	3.18%
Sub-Total	850	96.81%	100.00%
No Answer	28	3.19%	
Total	878	100.00%	

Other Language	Frequency	Percent
N/A	856	97.49%
French	3	0.34%
Hindi	3	0.34%
Polish	2	0.23%
Portuguese	4	0.46%
Belgian	1	0.11%
Bengali	1	0.11%
India	1	0.11%
Indian	1	0.11%
Marathi	1	0.11%
Native American	1	0.11%
Tagalong	1	0.11%
Telugu	1	0.11%
Thai	1	0.11%
Urdu	1	0.11%
Total	878	100.00%

I. How often in the last year have you and/or your family gone to events in New York City?

Events in NYC	Frequency	Percent	Valid Percent
Never	138	15.72%	16.25%
1 - 3	281	32.00%	33.10%
4 - 6	151	17.20%	17.79%
7 - 9	99	11.28%	11.66%
10 +	180	20.50%	21.20%
Sub-Total	849	96.70%	100.00%
No Answer	29	3.30%	
Total	878	100.00%	

J. How do you find out about arts, culture and heritage in Hudson County?

Media	Number of Respondents
Local City Newspaper	564
Mail	224
Website	177
E-mail	162
TV	150
Radio	130
NYC Newspaper	94
Non-English Newspaper	63
Newark Paper	49

Media	Number of Respondents
Total	878

Other Media	Frequency	Percent
N/A	819	93.28%
AAA Newsletter	1	0.11%
Banner	1	0.11%
Banners	1	0.11%
Daughter in JC	1	0.11%
Don't know of any other events	1	0.11%
Family	3	0.34%
Festival	1	0.11%
Flyers	5	0.57%
Friends	11	1.11%
HFA	1	0.11%
Hudson County Arts Publication	1	0.11%
NJCU art department	1	0.11%
Other people	1	0.11%
Poster	1	0.11%
Posters on shop windows	1	0.11%
Public meeting	1	0.11%
School Flyers	1	0.11%
Hoboken Posters	1	0.11%
Street Posters	1	0.11%
The Record (Fri.)	1	0.11%
Too much information on Hudson County	1	0.11%
Train Station	1	0.11%
Walking Around	1	0.11%
Walking by museum	1	0.11%
Word of Mouth, flyers	1	0.11%
Word of Mouth	17	1.87%
Total	878	100.00%

K. Are there any physical or accessibility barriers that prevent you from participating in arts and entertainment events?

	Frequency	Percent	Valid Percent
No	835	95.10%	95.76%
Yes	37	4.21%	4.24%
Sub-Total	872	99.32%	100.00%
No Answer	6	0.68%	
Total	878	100.00%	

Addendum #2. Comparative Practices

As a part of the plan, the practices of the various county arts and cultural agencies in counties throughout New Jersey were reviewed to identify practices that would be useful for Hudson County.

Findings

Web Site

Web sites are extremely valuable in fostering accessibility to the arts and in connecting a community of the arts, countywide. Understandably, agencies that are a part of county government face greater challenges in shaping web sites than freestanding agencies. The Atlantic County Office of Cultural and Heritage Affairs is a good model.

www.aclink.org/culturalaffairs. It offers an excellent left column listing of links, as well as bottom of the page links. The top search option is "Open up to the Arts" (front page of the site) that opens to a listing of all the arts organizations, by discipline, in the county. It also offers links that open to historic preservation information, historical societies in the county, the county's artist directory, the teen arts festival, information on its cultural planning process, and more.

Web Site Newsletter

Bergen County's web site is a good model for its newsletter from the director and as a chatting, informative, community-building forum.

www.co.bergen.nj.us/parks/Cultural%20and%20Historic/ArtsNewsletter.html

A recent newsletter there recognized local high school students' national winnings, highlighted the music program of a local human services organization, showcased the county's 2006 Teen Arts Festival.

Languages

Cumberland County's web site has a feature that would be very useful for the Hudson County Office of Cultural Affairs – the inclusion of Babble Fish instant translator (Alta Vista software.) Babble Fish offers the web site visitor the chance to translate and receive all text in any of nine languages.

Marketing

The Mercer County Cultural and Heritage Commission has an excellent web calendar of cultural events, per month. However, in the context of the cultural plan – major steps forward – the Office of Cultural Affairs should seek corporate or foundation underwriting and partnership to go beyond this, to launch an Artsopolis site for the County. Artsopolis is a web site template developed by the Arts Council of the Silicon Valley that has gone on to be licensed throughout the US. Houston, Phoenix, and Denver have it up and running; several east coast communities and regions are working on it. (Hampton Roads, Virginia, which like Hudson County encompasses a number of major cities, is working on an Artsopolis site. Artsopolis allows cultural groups to enter their own data; the site is a calendar, a link to discount tickets and more. It offers opportunities for classified and banner ads, and it lists all artist opportunities such as auditions. www.artsopolis.net. In the mean time, a calendar such as offered by Mercer would be a great service.

Accessibility Services

Hudson County Office of Cultural Affairs & Tourism has taken a great leadership position in working with cultural venues and organizations throughout the county to ensure accessibility. A natural next step would be to assist organizations in ensuring accessibility and to make its own materials accessible. Here, Middlesex County offers some excellent practices (www.cultureheritage.org) that are applicable. The Commission's print materials are all available in Braille, and its educational guides and program materials are available in large print. The Commission also has a TTY line. The Commission also makes sign language interpretation available on a request basis, and it promotes sites in the County that are wheelchair accessible.

Education Grants & Honoring Arts Education

Arts education is a great strength in Hudson County. In looking around the state at what others are doing to acknowledge and support arts education, Bergen County's Division of Cultural and Historic Affairs administers an art scholarship program. Small local groups provide the funds for the scholarships: the Division administers the program. Four scholarships are given each year with awards based on excellence "as shown by the quality of art works submitted to the Division office." Art teachers in schools throughout the County receive scholarship application forms to distribute to their students.

The Monmouth County Arts Council offers a different "best practice," in its annual ceremony honoring arts educators. Each year it honors an Administrator of the Year, an Arts Teacher of the Year, and an Arts Champion of the Year award, in a special awards ceremony held at the Two Rivers Theatre. The annual events features performances by students in honor of the educators, and draws attention to excellent arts education programs countywide.

Grants Programs

Several New Jersey counties offer "one stop shopping" for grants programs that span arts, history, heritage, and historic preservation. Bergen County, for example, has a simple overview of all its cultural, history, and preservation grants programs on one page. (www.co.bergen.nj.us/parks).

Public Art Information: Web Site

Hudson County's art collection, beginning with the County Court House murals, is an amazing asset. Mercer County has a basic information web page about the County art collection, but doesn't go as far in identifying individual works, their locations, and the artists, as could be done.

Folk Arts

The cultural diversity of Hudson County is one of its great assets. Among New Jersey's county arts agencies, only Middlesex now has a Folk Arts program. (Mercer County has a large Asian Arts program that is a separate 501(c)3.) Middlesex County sponsors performances, exhibitions, and storytelling at various sites throughout the county, and each quarter it focuses on a different art tradition and culture with a special page on its web site. Hudson County's Office of Cultural Affairs could build on this excellent practice, perhaps using the Court House venue for performances or exhibitions, and incorporating a folk arts page into its web site.

Community Arts Development

With its cultural planning process, the Hudson County Office of Cultural Affairs has in effect reinforced its support for local arts development within the County's municipalities. Monmouth County's Arts Council offers a best practice in its formalization of a staff position as a Community Arts Director, to provide technical assistance counsel and facilitate networking

and planning with local arts groups, including many small grassroots organizations. Its first great success story was in assisting a grassroots group in Asbury Park (ArtsCap), in developing its own cultural plan. A similar approach in Hudson County could help draw attention to the excellent local arts programs in its communities. By developing local plans, communities may be eligible for additional NJSCA funding, drawing more of the state's funding into Hudson County.

Addendum #3 Planning Project Participants

Commissioner Lucio Fernandez, Union City
Hudson County Executive, The Honorable Thomas A. DeGise
The Honorable Albert G. Santos, Mayor of Kearny
The Honorable Brian P. Stack, Mayor of Union City
The Honorable David Roberts, Mayor of Hoboken
The Honorable Freeholder, Maurice Fitzgibbons
The Honorable Jarramiah T. Healy, Mayor of Jersey City

Aida Jones, Monroe Center for the Arts
Aliza Augustine, Artist
Ann Marley, Supervisor, Visual Arts for the Jersey City Public Schools
Arian Blanco, Hudson Exploited Theatre
Ben Goldman, Artist, Director City Without Walls Gallery
Beverly Allan, Director/Owner Cooke Contemporary Gallery
Bruce Sherman, Hudson Riverfront Performing Arts Center
Carmine Tabone, Educational Arts Team
Christine Goodman, President, Art House Productions
Colin Egan, Loews Jersey Theatre
Diane Dragone, Director, The Kennedy Dancers
Dil Hoda, Co-Developer, Monroe Center for the Arts
Garth Kobal, Arts Administrator, Grace Church
Gary Greenberg, Boys and Girls Clubs of Hudson County
Gerard Sattel, Monroe Center for the Arts
Geri Fallo, Hoboken Office of Cultural Affairs
Jack Quigley, Jersey City Rotary Club
Jada Fabrizio, Monroe Center for the Arts
Jim and Dawn Lau, West Hudson Council for the Arts
Jim Heineman, Applied Development Company
Joan H. Rosen, Bayonne Board of Education
Joan Rosen, Teen Arts Coordinator and Superintendent of Schools, Bayonne Board of Education
Joanne Van Dorn, Hudson County Chamber of Commerce
John Lewis, Park Theatre
Kathleen Wood, Director, Heightened Independence & Progress Hudson County (hipcil)
Kathryn Klanderman, Artist
Ken Wagner, Senior Vice President, Provident Bank
Ken Woo, Artist
Lisa Orinn, Music Together
Marion Grzesiak, Director, The Jersey City Museum

Michael Novak, Hoboken Rotary
Nancy Healy, Supervisor, Visual and Performing Arts for the Jersey City Public Schools
Nancy Shannon, The Jersey City Museum
Neal E. Brunson, Director, Afro-American Historical & Cultural Society Museum
Patricia Giordan, Friends of the Loews Theatre
Paul Sullivan, President, Pro Arts Jersey City
Rimli Roy, President, Surati, Inc.
Robert Foster, Director, Hoboken Historical Museum
Sandy Martiny, The Jersey City Museum, Curator of Education
Sawyer Smith, Sales Director, Silverman Brothers Development
Sonia Araujo, Jersey City Library
Van Vorst, Artist
Zhang-qj Cheng, Artist

Sponsored by: _____
Seconded by: _____

Resolution No.

**RESOLUTION AUTHORIZING EMERGENCY TEMPORARY
APPROPRIATIONS FOR THE
CALENDAR YEAR (CY) 2011 BUDGET**

WHEREAS, the City of Hoboken is expected to enter into contracts, commitments or payments prior to the adoption of the CY 2011 budget and no adequate provision has been made in the CY 2011 temporary budget for the aforesaid purposes, and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose, and

WHEREAS, the total emergency appropriation resolutions adopted in CY 2011 pursuant to the provisions of N.J.S.A. 40A:4-20 including this resolution total \$50,861,203.54 for Current Expenses and \$5,246,108.24 for the Parking Utility.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, County of Hudson, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20 :

- 1) Emergency temporary appropriations be and the same are hereby made in the amount of \$3,226,000.00 for Current Expenses and**
- 2) \$250,000.00 for the Parking Utility as follows:**

SEE ATTACHED

MEETING: April 20, 2011

APPROVED FOR CONTENT:

APPROVED AS TO FORM:

**Arch Liston
Business Administrator**

**Mark Tabakin
Corporation Counsel**

City of Hoboken		
Temporary Appropriations		
CY 2011		
		Temp Emerg Appr
		20-Apr-11
Operations Within CAPS		
Special Counsel	O/E	116,000.00
Revenue & Finance Director	O/E	10,000.00
Central Garage	O/E	20,000.00
Engineering		20,000.00
Salary Adjustments		2,350,000.00
Salary Settlements		650,000.00
Total Appropriations Included in 26.25% limit		3,166,000.00
Prior Year Bills		
Public Employee Retirement		60,000.00
		60,000.00
Total Temporary Municipal Budget		3,226,000.00
Parking Utility		
Settlement of Claims		250,000.00
Total Temporary Parking Utility Budget		250,000.00

Introduced by: Occhipinti
Seconded by: _____

CITY OF HOBOKEN
RESOLUTION NO. _____

Resolution for establishing added bus stops for NJ Transit bus line 87

BE IT RESOLVED by the Mayor and Council of the City of Hoboken, County of Hudson, State of New Jersey.

That pursuant to N.J.S.A. 39:4-8(e) the following described locations are added as bus stops:

MUNICIPAL ROADWAY

ADDED BUS STOP:

1. **Along Jackson Street, northbound, on the easterly side thereof at:**
 - a. Between Observer Highway and Newark Avenue– Mid-block (218' south)
Beginning 83 feet south of the southerly curblineline of Jackson Avenue and extending 135 feet southerly therefrom.

COUNTY ROADWAY

ADDED BUS STOPS:

1. **Along Observer Highway, eastbound, on the southerly side thereof at:**
 - a. Madison Street – near side
Beginning at the prolongation at the westerly curblineline of Madison Street and extending 105 feet westerly therefrom.
2. **Along Newark Avenue, eastbound, on the southerly side thereof at:**
 - a. Grand Street – near side
Beginning at the prolongation of the westerly curblineline of Grand Street and extending 105 feet westerly therefrom.

That the Mayor and Council of the City of Hoboken will enforce the needed traffic regulations governing the aforementioned bus stop location and provide the necessary police security to ensure the safety of the traveling public.

DATED: _____
(Mayor Dawn Zimmer)

(Municipal Clerk James Farina)

(Chairman, Hudson County Board of Freeholders)

(County Clerk, Barbara Netchert Hudson County)

Please Notarize

Introduced by: Cunningham
Seconded by: _____

CITY OF HOBOKEN
RESOLUTION NO. _____

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

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

WHEREAS, a sponsor, manager, vendors and their liability coverage will be determined and submitted prior to the Market's opening day, the Uptown Farmers' Market will take place every Thursday, beginning June 2, 2011 and every Thursday thereafter ending no earlier than Thursday October 27, 2011; and

WHEREAS, the City of Hoboken request that the Council of the City of Hoboken suspend parking rules on that section of the east side of Hudson Street between 13th and 14th Streets so that the farmers can park their trucks to unload and sell their goods.

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

1. The above recitals are incorporated herein as though fully set forth at length.
2. The Council hereby authorizes the Mayor or his designee to execute any and all documents and take any and all actions necessary to complete and receive the intent and purpose of this resolution.
3. The Police Division shall enforce this regulation.
4. A certified copy of this resolution is provided to Mayor Dawn Zimmer, Director Jennifer Maier, Police Chief Anthony Falco, Fire Chief Richard Bloom, Superintendent Joseph Bucino, Central Garage Supervisor William DeAngelo, and Ian Sacs, P.E., Director, Parking Utility.

This Resolution is effective immediately.

Department of Environmental Services

Approved as to form:

Jennifer W. Maier
Director of Environmental Services

Mark A. Tabakin, Esq.
Corporation Counsel

Meeting Date: April 20, 2011

2011 UPTOWN HOBOKEN FARMERS' MARKET REGULATIONS

PURPOSE: The Uptown Hoboken Farmers' Market has been established as a community service to the City of Hoboken and as support for regional farmers, allowing them the opportunity to market quality products grown on their farms in a designated area. To remain competitive, farmers need to be able to develop new markets for agricultural products grown on their farms. Success in agricultural marketing helps significantly in economically preserving farmland and open space which in turn contributes to maintaining the quality of life in the region. Communities benefit from the fresh, nutritious, high quality produce it provides consumers access to and attracts business activity to downtown areas. The Uptown Hoboken Farmers' Market also serves as a community gathering place to exchange recipes and ideas in a non-political setting.

REGISTRATION: Participation is open to established farming operations engaged in the production of agricultural products and vendors whose products promote nutrition and/or produce.

FEES: Registration -\$50 Due with completed application
Market Fees -\$35/day

LOCATION/TIME: The market will operate on Hudson St. between 13th and 14th Sts. Arrive at least one-half hour before to set up. No sales will occur before 3:00 PM and breakdowns should be completed no later than 8:00 PM

INSURANCE: A certificate of liability insurance is required with a minimum coverage of \$1,000,000 naming the City of Hoboken as an additional insured. Certificates of insurance must be received and approved by the market manager before a grower is permitted to sell at the market.

SALES AUTHORIZATION: Authorization to sell agricultural products is available to growers who have an established farming operation under their direct management. Only one authorization per market will be issued for each farming operation. The authorization entitles the farmer, family members and employees of the farming operation to sell agricultural products grown by that farming operation. The authorization is not transferable and may be limited to a specific number per market. Each market reserves the right to select the growers that will participate. Selection will be based on size of market location, composition of products offered, and prior adherence to the market regulations. Authorization to sell at the market can be withdrawn by the sponsor if a grower violates market regulations or if the market must close due to lack of support by the community or participating growers.

SPACES: Spaces (of a specified size and location) will be assigned by the market manager. Spaces assigned to vendors are to be used only by that vendor. No leasing or lending of market stalls will be allowed. **When unable to attend, vendors must notify the Market Manager in advance (24 hours, if possible). Each vendor will be allowed parking for one vehicle on Hudson St. between 13th and 14th Sts. The Uptown Hoboken Farmers' Market will not be held responsible for parking violations of a second vehicle.**

ORDERLY MARKET OPERATION: The market manager is responsible for the orderly operation of the market. All questions and issues are to be directed to the market manager. **Disputes between vendors and/or market managers will not be tolerated at the market site.** The market manager has the right to evict any vendor from the market site. The vendor's recourse is a formal complaint in writing forwarded to both the Market Manager and the NJCFC. The Market Manager and the NJCFC are only responsible for acting upon written complaints.

DISPLAY: Tables displaying produce and related products will be set up, so that no seller blocks or limits the view or access of consumers to a neighboring seller. Vendors must supply their own scales, bags, tables, electrical power etc. Producers must maintain scales acceptable to the County Department of Weights and Measures. Produce may be sold by the count, weight, bunch, or in legally acceptable containers. All other containers must identify the net weight of the contents. Produce that is not of fresh or good quality will not be displayed nor sold at the market. The market manager has the right to require any produce that does not comply with the market regulations to be removed from any stand. All prices must be posted before and during sale time. **In addition, each seller must display a sign in a prominent place giving his or her farm name and address.** Producers and their employees must wear shirts, trousers/shorts/skirts and shoes. Hawking or shouting to attract customers will

not be permitted. Each producer is responsible for cleaning the area around his or her stall and providing at least one trash receptacle. Grower generated waste should be disposed back at the farm.

Producers will comply with all federal, state, and county regulations including, but not limited to, chapter 12 of the New Jersey Sanitary Code. Vendors must also comply with other terms and conditions that may be added for the public health, safety, and welfare.

VENDORS: The Uptown Hoboken Farmers' Market reserves the right to invite, or not invite, vendors as it sees fit. Products sold by vendors at the Uptown Hoboken Farmers' Market must either be grown/produced by New Jersey farmers directly or promote good nutrition and/or produce.

FARMERS' PRODUCTS: Only agricultural products produced from the farm of the grower can be sold* at the Farmers' Market, except as specified below:

Leased land - Growers may utilize leased land only if all aspects of production and maintenance are conducted under their direct management. The Market Manager and NJCFC may ask for a copy of the lease agreement *and proof that the farmer performs or supervises all work associated with the production of the crop. Proof may include but is not limited to seed receipts, pay roll records, spray records, orchard equipment, etc.*

Leasing of orchard land is permitted only if it is done on a long-term (+3 years). NJCFC will ask for a copy of the lease agreement which must be received by April 15, 2009. Legitimacy of all lease agreements will be judged by the NJCFC to determine if products can be brought to market.

Cider and fruit juice - Sold only by the producers of those fruits. Cider can be pressed off farm, if not pressed on the farm, provide name and address of mill at the market. At least 60% of fruit in the juice will come from grower's orchard. No cider or juices can come from anywhere other than New Jersey. No concentrates are permitted.

The sale of baked and other processed items is decided on a market by market basis by the municipality in which a market is located. Growers wishing to sell items freshly grown on their farm baked or processed on their premises must submit a copy of their County Health Department's annual Sanitary Inspection Report to the NJCFC and the Market Manager before the market season begins.

Products sold as organic must comply with the National Organic Program rules.

*All agricultural products to be sold must first be registered, as appropriate, on the **Crop Plan Form** or the **Purchased Product Request Form**.

PURCHASED ITEMS: A grower may petition the Market Manager to sell a purchased agricultural product at the farm market, not grown on his or her farm, for a specified period of time. The grower petitioning the Market Manager to sell a purchased product will submit a **Purchased Product Request Form** at least one week in advance of the starting date of sale of that product.

Based on the following criteria, the Market Manager will either approve, partially approve, or reject the grower's petition:

1. The product is purchased directly from another New Jersey farm operation where it was grown.
2. It has been determined by reviewing crop plans and surveying other growers in the market that there will not be a sufficient quantity *and quality* of that product in the market to satisfy demand during the specified time period. *Sales of purchased items will be allowed only after growers of the crop has been sold out.*
3. A maximum of 1-5 crops (based on number of farmers as follows: 1-2 farmers=0-5 crops, 3-4 farmers=0-4 crops, 4 or more farmers=0-3 crops) (all varieties/cultivars of a crop are counted as one crop) may be purchased and will account for no more than 25% of all products offered for sale by the farmer, both in number and sales space, at the beginning of each sales day.
4. The offering for sale of purchased items will not deter from the purpose of the Farmers Market, nor negatively impact its viability. Approval may be withdrawn with one-week prior notice.

A listing of all purchased product approvals will be made available to all authorized farmers upon request. **Purchased items must be identified as such at the market by indicating the farm name and location where they were bought.**

Full partnerships of two individual farmers sharing in the production of crops can participate in the Farmers Markets only with **written preapproval from the Market Manager** and supported with a partnership agreement filed in the county the farm is located. A full partnership is defined as two individual farmers actually sharing in the production (planting, cultivation, pest control, and harvest) of crops. This cannot be a brokerage arrangement. It is the grower participants responsibility to submit a legal partnership agreement to the Market Manager and the NJCFC before bringing the partnership's products to market.

INSPECTIONS: The NJCFC, or its agent, will inspect each registered farm during the marketing season to verify agricultural products being grown, acreage, and scheduled time of harvest. An approved farm inspection is required annually for each grower to be authorized to sell any product at the Farmers' Market. Advance notice will be provided before any farm inspection. *Growers must schedule an inspection within one week of being contacted by the inspector.* The NJCFC reserves the right to reinspect farms to clarify or resolve questions or complaints *with 48 hour advance notice.* *Farmer will be billed \$125 for reinspection if a violation is found.* Farmers will receive copies of their farm inspection report as well as the Manager of the market(s) the farmer is attending. The NJCFC will make at least one market inspection per year at each of the community sites to ensure produce being sold by the participating growers is on their **Crop Plan form** and /or **Purchased Product Request form(s)**. The results of this market inspection will be forwarded to the Market Managers.

VIOLATIONS: If a Market Manager in consultation with the NJCFC determines a grower is in violation of the regulations, the grower will be notified by phone or in person, and a written notice will follow. If the violation continues, the following penalties may be assessed:

PENALTIES: One violation - a warning letter issued and/or suspension from the market(s) *where the violation was found for one day.*

Two violations - suspension from the market(s) for up to one month and a mandatory meeting with NJCFC Executive Committee and Market Manager.

Additional violations - suspension from the market(s) for up to the remainder of the season. Re-application to the market(s) will be at the market manager's and community sponsor's discretion.

Major violations in which suspension from a market was necessary are cumulative and stay on a growers record for two years from the date of the violation. Minor violations in which only a warning letter was issued cumulate only during the year they were issued.

APPEALS: Upon receiving a violation notice, you may request an appearance before the NJCFC Executive Committee and the Market Manager to contest the findings. A meeting will be called within two weeks of your request. Items in violation may be suspended from sale until the hearing. To assure speedy resolution of violations, an enforcement subcommittee may hear your case in lieu of a full committee.

Market Contact:

Uptown Hoboken Farmers' Market
Julie Harari
202 11th Street
Hoboken, NJ 07030

Introduced by: _____

Seconded by: _____

**CITY OF HOBOKEN
RESOLUTION NO. _____**

RESOLUTION SUPPORTING THE ANNUAL “MEMORIAL DAY PARADE”

WHEREAS, the Hoboken Memorial Day Parade is the oldest in the State of New Jersey; and

WHEREAS, this year marks the 113th continuance year of marching to honor those men and woman who made the ultimate sacrifice for their Country; and

WHEREAS, the Hoboken Joint Memorial Committee who organize the Memorial Day Parade have indicated on the attached correspondence its requirements to successfully conduct the parade as follows:

1. The Parade Committee proposes the date May 25, 2011 at 6:45 p.m.
2. The Parade Committee proposes no parking on both sides of Washington Street from Observer Highway to First Street.
3. The Parade Committee would also propose no parking on both sides of Washington Street from Tenth Street to Eleventh Street.
4. The parade route will proceed north on Washington Street to Eleventh Street.
5. A reviewing stand will be located at 1005 Washington Street (“Elks Club”)

RESOLVED, that the Council for the City of Hoboken agrees to allow the Hoboken Joint Memorial Committee permission to conduct its annual “Memorial Day Parade along Washington Street.

Meeting: April 20, 2011

Approved:

Approved to form:

**Arch Liston
Business Administrator**

**Mark A. Tabakin
Corporation Counsel**

Introduced by: _____Cunningham_____

Seconded by: _____Mello_____

**CITY OF HOBOKEN
RESOLUTION NO. _____**

**RESOLUTION OF THE CITY OF HOBOKEN, COUNTY OF HUDSON
REQUESTING PLANNING BOARD REVIEW OF A RESOLUTION
DESIGNATING CERTAIN PROPERTY IN THE CITY AS AN AREA IN
NEED OF REHABILITATION**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”) authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation; and

WHEREAS, in accordance with the Redevelopment Law the Municipal Council of the City of Hoboken (the “**City Council**”) believes that the property commonly known as Block 2 Lots 12-26 and Block 2.1 Lots 1, 4, 9, and 10 on the tax map of the City of Hoboken, in the County of Hudson (the “**Property**”) should be designated as an area in need of rehabilitation pursuant to Section 14 of the Redevelopment Law, *N.J.S.A. 40:12A-14* (the “**Rehabilitation Area**”); and

WHEREAS, the City has confirmed that within the Property more than half of the housing stock is at least 50 years old and the water and sewer lines are at least 50 years old and are in need of substantial maintenance; and that a program of rehabilitation is expected to prevent further deterioration and to promote the overall development of the City in accordance with the requirements of Section 14 of the Redevelopment Law, *N.J.S.A. 40:12A-14(a)*; and

WHEREAS, Section 14 of the Redevelopment Law, *N.J.S.A. 40:12A-14(a)*, also provides that prior to the adoption of a resolution designating the Rehabilitation Area as an area in need of rehabilitation, the City Council must first submit a copy of the proposed resolution designating the Rehabilitation Area to the City Planning Board for review; and

WHEREAS, the City intends to designate the Rehabilitation Area by the adoption of the resolution substantially in the form attached hereto as Exhibit A; and

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

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

Section 2. The City Council hereby directs that the City Clerk transmit a copy of this Resolution, inclusive of Exhibit A, to the City Planning Board for review pursuant to Section 14 of the Redevelopment Law, *N.J.S.A.* 40A:12A-14(a).

Section 3. A copy of this resolution shall be available for public inspection at the offices of the City.

Section 4. This resolution shall take effect immediately.

Meeting Date: April 20, 2011

Department of Environmental Services

Approved as to form:

Arch Liston, Business Administrator

Mark A Tabakin, Corporation Counsel

EXHIBIT A

Introduced by: _____

Seconded by: _____

**CITY OF HOBOKEN
RESOLUTION NO. _____**

**RESOLUTION OF THE CITY OF HOBOKEN, COUNTY OF HUDSON
DESIGNATING CERTAIN PROPERTY IN THE CITY AS AN AREA IN
NEED OF REHABILITATION**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”) authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation; and

WHEREAS, in accordance with the Redevelopment Law the Municipal Council of the City of Hoboken (the “**City Council**”) believes that the property commonly known as Block 2 Lots 12-26 and Block 2.1 Lots 1, 4, 9, and 10 on the tax map of the City of Hoboken, in the County of Hudson (the “**Property**”) should be designated as an area in need of rehabilitation pursuant to Section 14 of the Redevelopment Law, *N.J.S.A. 40:12A-14* (the “**Rehabilitation Area**”); and

WHEREAS, Section 14 of the Redevelopment Law, *N.J.S.A. 40:12A-14(a)*, provides that prior to the adoption of a resolution designating the Rehabilitation Area as an area in need of rehabilitation, the City Council must first submit a copy of the proposed resolution designating the Rehabilitation Area as an area in need of rehabilitation to the City Planning Board for review; and

WHEREAS, on _____, the City Council, acting by resolution, referred a copy of this resolution to the City Planning Board for review and comment pursuant to Section 14 of the Redevelopment Law, *N.J.S.A. 40A:12A-14(a)*; and

WHEREAS, the City Planning Board received a report from the City Engineer and the City Planner that within the Property more than half of the housing stock is at least 50 years old and the water and sewer lines are at least 50 years old and are in need of substantial maintenance; and that a program of rehabilitation is expected to prevent further deterioration and to promote the overall development of the City (the “**Report**”); and

WHEREAS, based on the Report, the Planning Board found that the Rehabilitation Area satisfied the statutory criteria to be designated as an area in need of rehabilitation under Section 14 of the Redevelopment Law, *N.J.S.A. 40:12A-14(a)*; and

WHEREAS, the Planning Board reviewed this resolution and recommends its adoption and the designation of the Rehabilitation Area as an area in need of rehabilitation in accordance with Section 14 of the Redevelopment Law, *N.J.S.A. 40:12A-14(a)*.

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

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

Section 2. The City Council hereby designates the Rehabilitation Area as an area in need of rehabilitation pursuant to Section 14 of the Redevelopment Law, *N.J.S.A. 40:12A-14(a)*.

Section 3. The City Council hereby directs that the City Clerk transmit a copy of this Resolution to the Commissioner of the Department of Community of Affairs for review in accordance with the Redevelopment Law.

Section 4. A copy of this resolution shall be available for public inspection at the offices of the City.

Section 5. This resolution shall take effect immediately.

CITY OF HOBOKEN

Department of Community Development

DAWN ZIMMER
Mayor



BRANDY FORBES
Director

MEMORANDUM

DATE: March 29, 2011

TO: Hoboken City Council

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

FROM: Brandy Forbes, Community Development Director *BF*

RE: Neumann Leathers Area in Need of Rehabilitation Consideration

Throughout the Master Plan Re-examination process, there was feedback for both the desire to revise the zoning for the Neumann Leathers site, as well as an interest to protect the historical character of the buildings and to maintain the artist and industrial arts uses that presently exist at the site. After careful consideration of how to maintain the balance between the unique businesses and buildings with the interests of the property owner, the Administration recommended and the Economic Development and Open Space Acquisition subcommittee agreed to move forward with the concept of an area in need of rehabilitation.

The Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "Redevelopment Law") permits municipalities to consider designating certain areas within their borders as areas in need of rehabilitation. The rehabilitation designation permits municipalities the opportunity to prepare a redevelopment plan for a designated area and provides the municipality with some financial tools. To be clear, unlike redevelopment, a rehabilitation designation does not permit condemnation. Thus, there are assurances provided to the property owner that they will retain ownership and control over their land. What a rehabilitation designation does provide is the ability to prepare a comprehensive redevelopment plan for the area that allows uses and densities not necessarily otherwise provided in the underlying zone. This plan looks at the development as a full area, rather than on a lot by lot basis. This provides for appropriate scale, flow, traffic patterns, etc. for the entire area in order to address best practices in urban design principles.

The process for designating an area in need of rehabilitation requires the adoption of a resolution by the governing body identifying the conditions on the land that warrant rehabilitation, after receiving the input and recommendations of the planning board. Thus, to initialize the input and recommendations of the planning board, the City Council needs to adopt a resolution to refer the issue to the planning board. The approval or agreement of the owner of the affected property(ies) is not a requirement for the designation.

Introduced By: _____

Seconded By: _____

CITY OF HOBOKEN

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE CITY COUNCIL OF THE CITY OF HOBOKEN TO CANCEL OUTSTANDING DATED CHECKS AND OTHER ACTIVITY FROM THE CITY OF HOBOKEN OLD CURRENT FUND ACCOUNT # 3982549660 IN THE AMOUNT OF \$415,002.24

WHEREAS, the Division of Revenue of the City of Hoboken has yielded the computation that as of October 2010, account number account #3982549660 contains numerous outstanding, dated checks and other activity: and

WHEREAS, these outstanding dated checks date from October 2010 & prior, and have amassed a grand total of \$415,002.24; and

WHEREAS, the Division of Revenue and Finance of the City of Hoboken has recommended that The City Council take the necessary and proper action to cancel these outstanding dated checks and other activity from the City of Hoboken Old Current Fund Account and

WHEREAS, cancellation of these outstanding dated checks and other activity will best serve and protect the interests of the residents of this City. NOW, THEREFORE, BE IT

RESOLVED, that the Department of Administration, Division of Revenue and Finance, is hereby authorized to cancel said outstanding checks and other activity from the Old Current Fund Account # 3982549660 In the amount of \$415,002.24.

MEETING DATE: April 20, 2011

APPROVED AS TO FORM:

Arch Liston
Business Administrator

Mark Tabakin
Corporation Counsel

Sponsor: Marsh

Second: Mello

HOBOKEN CITY COUNCIL
RESOLUTION NO.: _____

**RESOLUTION AUTHORIZING SPECIFIC ACTIONS RELATING TO A FOR
CAUSE REMOVAL OF COUNCILMAN MICHAEL RUSSO FROM HIS
COUNCIL APPOINTED POSITION OF COMMISSIONER OF THE HOBOKEN
HOUSING AUTHORITY**

WHEREAS, the Council of the City of Hoboken is entitled to remove a City Council appointed commissioner of the Hoboken Housing Authority for inefficiency, neglect of duty, or misconduct in office, pursuant to N.J.S.A. 40A:12A-17(e); and,

WHEREAS, prerequisites to removal include allowing the Commissioner an opportunity to be heard in person or through counsel prior to removal, and providing the Commissioner with a copy of the charges ten (10) days prior to the hearing; and,

WHEREAS, the City Council has appointing authority for the Hoboken Housing Authority, and Councilman Michael Russo was appointed as a Commissioner by the City Council; and,

WHEREAS, Commissioner Michael Russo stated in his conversations with Dwek that he had facilitated the appointment of an HHA commissioner and provided assistance with said commissioner's personal rent, and as a result, he felt entitled to and explicitly demanded that commissioner's political support, describing this relationship as "I do for you, you do for me": and,

WHEREAS, Councilman Michael Russo also discussed expediting zoning applications in return for illegal political donations; and,

WHEREAS, Commissioner Michael Russo further admitted that his actions during his meeting with Dwek "constitute conduct unbecoming of a member of the City Council" by voting in favor of the City Council's Resolution 1A at the April 6, 2011 Hoboken City Council meeting; and,

WHEREAS, the City Council hereby seeks to remove Michael Russo from the position of Commissioner of the Hoboken Housing Authority; and,

WHEREAS, the City Council hereby orders Michael Russo be served with charges for (1) conduct unbecoming a commissioner of the Hoboken Housing Authority, (2) misconduct in office relating to the position of commissioner of the

Hoboken Housing Authority, and (3) inefficiency and neglect of duty relating to the position of commissioner of the Hoboken Housing Authority; and,

WHEREAS, the City Council directs a hearing be scheduled for Monday, May 2, 2011 at 7:00pm in Council Chambers; and,

WHEREAS, the City Council directs Corporation Counsel to (1) obtain the services of a former New Jersey Judge or Justice (in good standing), to preside as hearing officer over the removal hearing and provide the City Council with a recommendation on removal, including findings of fact and conclusions of law, within forty-eight (48) hours of the hearing, and (2) obtain the services of a New Jersey licensed attorney to prosecute the herein referenced charges on behalf of the City Council, and (3) obtain the services of a certified court reporter to transcribe the hearing contemporaneous to the hearing.

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

1. The City Council hereby authorizes the filing of the above described charges against Councilman Michael Russo relating to his Council appointed position as Commissioner of the Hoboken Housing Authority; and,
2. The City Council hereby directs a hearing be set for Monday, May 2, 2011 at 7:00 p.m. in Council chambers; and,
3. The City Council hereby directs a hearing officer be appointed to act on behalf of the City Council and provide the City Council with a factually and legally detailed recommendation concerning removal of Councilman Michael Russo as commissioner of the Hoboken Housing Authority; and,
4. The City Council hereby directs a prosecutor be appointed to prosecute the charges, herein authorized, at the hearing referenced hereto; and,
5. The City Council hereby directs the hearing be transcribed by a certified transcriptionist contemporaneous to the hearing.

BE IT FURTHER RESOLVED, that the City Clerk transmits a certified copy of this Resolution to the Office of Corporation Counsel for action in conformity herewith; and,

BE IT FURTHER RESOLVED, that this resolution shall become effective immediately.

Meeting Date: April 20, 2011

APPROVED AS TO FORM:

Corporation Counsel

Sponsored By: _____

Co-sponsored By: _____

RESOLUTION NO. _____

RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION TO DEPARTMENT OF AGRICULTURE FOR 2011 SUMMER FOOD SERVICE PROGRAM FUNDS

WHEREAS, the City of Hoboken has, each summer, been the sponsor of a summer food service program for the youth of the City; and

WHEREAS, the State of New Jersey, Department of Agriculture has once again invited the City of Hoboken to submit an application for funding for the 2011 Summer Food Service Program; **now therefore, be it –**

RESOLVED, that the City of Hoboken will submit an application for such funds; and **be it --**

FURTHER RESOLVED, that the Mayor, or her designee, is hereby authorized on behalf of the City of Hoboken to:

1. Execute and submit such application to the Department of Agriculture;
2. Furnish such documents as may be required;
3. Act as authorized correspondent of the City of Hoboken;
4. Execute necessary contracts, if funding is awarded.

Meeting Date: April 20, 2011

Department of Environmental Services

Approved as to form:

Jennifer Maier, Director

Mark A 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 **\$30,155.49**

<u>NAME</u>	<u>BL/LT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
Guven, Sinan 100 Park Ave #3 Hoboken, NJ 07030	34/35/C0003	100 Park Ave	4/10	\$ 1,498.76
Corelogic ATT: Recoveries Dept P O Box 961230 Ft. Worth, Tx 76161-0230	171/19/C004L	253 Tenth St	3/09	\$ 1,701.69
Sarafian, Ryan 508 Garden St #1 Hoboken, NJ 07030	180/34/C0001	508 Garden St	1/10	\$ 2,345.56
Corelogic P O Box 961230 Ft. Worth, Tx 76161-0230	184/17/C0005	931 Park Ave	05/06/07/08	\$ 10,859.26 Excel I
Johnston, Andrew R 210 Tenth St Hoboken, NJ 07030	185/4/	210 Tenth St	4/10	\$ 4,154.65
Smith, Kevin F & Constance 158 Eighth St Hoboken, NJ 07030	195/3/	158 Eighth St	4/10	\$ 3,383.07
Yoo, Christina 507 Bloomfield St #3 Hoboken, NJ 07030	204/4/C0003	507 Bloomfield St	1/11	\$ 549.33

<u>NAME</u>	<u>BL/LT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
Park, Mimi 108 Seventh St Hoboken, NJ 07030	206/4/	108 Seventh St	1/11	\$ 2,819.72
Fidelity National Title Insurance Company University Plaza II 3705 Quakerbridge Rd Ste 205 Mercerville, NJ 08619	261.03/1/C0216	1125 Maxwell Lane	1/11	\$ 2,724.82
Fidelity National Title Insurance Company University Plaza II 3705 Quakerbridge Rd Ste 205 Mercerville, NJ 08619	261.03/1/CP279	1125 Maxwell Lane	1/11	\$ 118.63

Meeting April 20, 2011

Approved as to Form:

CORPORATION COUNSEL

Sharon Curran

Sponsored by:_____

Seconded by:_____

City of Hoboken

Resolution No. _____

RESOLVED, that filed minutes for the Hoboken City Council regular meetings of March 2, 2011 and March 16, 2011 have been reviewed and approved as to legal form and content.

Approved as to form:

Meeting Date: April 20, 2011

Sponsored by: Cunningham
Seconded by: Bhalla

City of Hoboken
Ordinance No.: _____

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 20B OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN ENTITLED “CONTRIBUTION DISCLOSURE STATEMENTS”

WHEREAS, Pay-to-Play reform was initiated by the State Legislature in 2005; and,

WHEREAS, the City of Hoboken followed suit and created local legislation dealing with Pay-to-Play issues; and,

WHEREAS, to make the electoral process more transparent, more about the will of the people, and less about special interests and government contractors, election contribution rules were put into effect at the state level many years ago, and the restrictions incorporated new election contribution limits in 2005, in an attempt to control exorbitant spending by special interests and business entities seeking special advantage in government contracts during; and,

WHEREAS, in recent municipal elections in the City of Hoboken there has been suggestions that campaign contributors and candidates have utilized loopholes in the state election campaign limits to wheel large sums of money to particular candidates through self-funded PACs and other committees; and

WHEREAS, in a municipality which seeks to increase transparency of government and of elected officials, codifying legislation to level the playing field and create an open process of campaign financing is an important indicia that the elected officials of the municipality truly seek to improve the City’s government and govern for the will of the people rather than big business and special interests; and,

WHEREAS, the City of Hoboken seeks to emphasize the importance of eliminating wheeling at the local election level by creating restrictions that compliment the state laws by reducing the ability of local campaign contributors for municipal elective office to give excessive campaign contributions that exceed the campaign contribution limits through the use of loopholes in the current laws.

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

SECTION ONE: AMENDMENT TO CHAPTER 20B

Chapter 20B of the Hoboken City Code is hereby amended as follows (additions noted in underline and deletions noted in ~~strike through~~):

CHAPTER 20B ~~CONTRIBUTION DISCLOSURE STATEMENTS~~ POLITICAL CONTRIBUTIONS

ARTICLE I LAND USE APPLICANT CONTRIBUTION DISCLOSURE STATEMENTS

§ 20B-1. Short title.

Contribution Disclosures Ordinance.

§ 20B-2. Purpose.

Municipal Master Plans include well thought out, long-term decisions about the development capacity of the community.

Municipal Master Plans are implemented through the enactment of local land use ordinances.

Deviations from these local ordinances by way of variances pursuant to N.J.S.A. 40:55D-70d and N.J.S.A. 40:55D-70c, as well as exceptions and waivers pursuant to N.J.S.A. 40:55D-51, provide opportunities for significant private gain.

The redevelopment process currently underway within the City of Hoboken also provides opportunities for significant private gain.

Openness in government and a fair and impartial variance, waiver and exception application process is crucial to assuring the continuing integrity of the municipal Master Plan, its implementing ordinances and the integrity of the application process.

Disclosure of political contributions by property owners, developers, redevelopers and professionals will enhance the City's existing commitment to openness in government and provide further guarantees for a fair and impartial application and approval process.

Disclosure of political contributions by property owners, developers, redevelopers and professionals will effectuate the purposes of the Municipal Land Use Law to promote morals and the general welfare.

The Mayor and City Council of the City of Hoboken, having considered the foregoing, believe that it is in the best interests of the residents of the City of Hoboken to enact the within chapter.

It is accordingly found and determined that the paramount public interest in enhancing the City's commitment to openness in government, and in providing further guarantees for a fair and impartial variance, waiver and exception application process, and in promoting morals and the general welfare, requires the disclosure of political contributions by property owners, developers, redevelopers and professionals within the City as a component of making application to the City for certain approvals, and requires the supplementation of the municipal application checklists to mandate the listing of specified political contributions made by property owners, developers, redevelopers and the professionals whose services they use.

§ 20B-3. Definitions.

APPLICATION CHECKLIST — The list of submission requirements adopted by ordinance and provided by municipal agencies to a developer pursuant to N.J.S.A. 40:55D-10.3.

CONTRIBUTION — Every loan, gift, subscription, advance or transfer of money or other thing of value, including any item of real property or personal property, tangible or intangible (but not including services provided without compensation by individuals volunteering a part or all of their time on behalf of a candidate, committee or organization), made to or on behalf of any candidate, candidate committee, joint candidates committee, political committee, continuing political committee or political party committee and any pledge, promise or other commitment or assumption of liability to make such transfer. For purposes of reports required under the provisions of the chapter,

any such commitment or assumption shall be deemed to have been a contribution upon the date when such commitment is made or liability assumed.

CONTRIBUTION DISCLOSURE STATEMENT — A list specifying the amount, date, and the recipient of any and all contributions made to or on behalf of any candidate, candidate committee, joint candidates committee, political committee, continuing political committee or political party committee of, or pertaining to, the City of Hoboken, made prior to filing the application with or seeking approval from the City, and required to be reported pursuant to N.J.S.A. 19:44A-1, et seq. The disclosure shall include all such contributions made during the time period measuring from one (1) year prior to the last municipal election through the time of filing the application with or seeking approval from the City. There shall be a continuing disclosure responsibility to require continuing disclosure of any such contributions made following the filing of the "Contribution Disclosure Statement" and during the pendency of the application and/or approval process.

DEVELOPER — A developer as defined by N.J.S.A. 40:55D-4, i.e. the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land. The term "developer" includes any applicant or entity that wishes to undertake redevelopment activity within the City of Hoboken pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

MUNICIPAL AGENCIES — The Municipal Planning Board, the Municipal Zoning Board of Adjustment, and the Municipal governing body acting as the Redevelopment Agency pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

PROFESSIONAL — Any person or entity whose principals are required to be licensed by New Jersey Law and who supplies legal representation, expert testimony or written reports in support of an application. Professionals shall include both any individuals supplying the representation, testimonies or reports and the firms or entities in which said individuals practice.

§ 20B-4. General provisions.

A. Disclosure requirements.

- (1) Any applicant for a variance pursuant to N.J.S.A. 40:55D-70d or a variance pursuant to N.J.S.A. 40:55D-70c in conjunction with any application for any subdivision pursuant to local ordinance or a site plan not considered a minor site plan pursuant to local ordinance, as well as any application for a subdivision pursuant to local ordinance or site plan not considered a minor site plan pursuant to local ordinance requiring waivers or exceptions pursuant to N.J.S.A. 40:55D-51, as well as any applicant who wishes to undertake redevelopment activity within the City of Hoboken pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., shall include in its application with and/or submit to the relevant municipal agency a Contribution Disclosure Statement for all developers involved in the said application; all associates of said developers who would be subject to disclosure pursuant to N.J.S.A. 40:55D-48.1 or 40:55D-48.2 shall also be subject to this requirement; and all professionals who apply for or provide testimony, plans, or reports in support of said application or who have an enforceable proprietary interest in the property or development which is the subject of the

application or whose fee in whole or part is contingent upon the outcome of the application shall also be subject to this requirement. Regardless of whether the owner of the property, which is the subject of the application falls in any of the categories established in the preceding sentence, the applicant shall include in its application to the relevant municipal agency a Contribution Disclosure Statement for said owner.

- (2) During the pendency of the application process until the final approval associated with the application is granted, any applicant required to comply with this chapter shall amend its Contribution Disclosure Statement to include continuing disclosure of all contributions within the scope of disclosure requirement of the above paragraph.
- B. Inclusion of Contribution Disclosure Statements as an element of the Application Checklist.
- (1) An Application Checklist ordinance is hereby adopted pursuant to N.J.S.A. 40:55D-10.3 to require that the Contribution Disclosure Statements specified in subsection A. of this section be submitted by the applicant for all applications for variance relief pursuant to N.J.S.A. 40:55D-70d, as well as for relief pursuant to N.J.S.A. 40:55D-70c, or for relief pursuant to N.J.S.A. 40:55D-51 in applications for site plan and not considered to be minor site plans pursuant to local ordinance, or for approval to undertake redevelopment activity within the City of Hoboken pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.
 - (2) The City's municipal agencies shall amend their Application Checklists to include the Contribution Disclosure Statements specified in subsection A. of this section.
 - (3) An application shall not be deemed complete by the administrative official or accepted for public hearing by the municipal agency until the required Contribution Disclosure Statements are submitted.
- C. Availability of Contribution Disclosure Statements. All Contribution Disclosure Statements shall be available in the office of the administrative officer for review by any member of the public.
- D. Intent of Contribution Disclosure Statements. It is the intent of this chapter that Contribution Disclosure Statements shall serve solely as a means to inform the public and shall not serve in any manner as evidence relevant to the decision-making criteria for granting or denying requested variances or other approvals. Such decisions shall continue to be governed strictly under the relevant criteria set forth in the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., or other relevant law.

ARTICLE II POLITICAL CONTRIBUTION LIMITS

§ 20B-5 Short Title

Election Contribution Restrictions

§ 20B-6 Purpose

The City of Hoboken seeks to compliment the goals of the New Jersey Campaign Contributions and Expenditures Reporting Act, P.L. 1973, c. 83, as amended, N.J.S.A. 19:44A-1 et seq. through local legislation to control the use of wheeling to usurp the goals of the New Jersey Campaign Contribution and Expenditures Reporting Act for elected officials of the City of Hoboken.

As a result, the City hereby enacts this legislation to enforce contribution limits on a local level in an attempt to stifle wheeling which can occur during the City's local municipal elections.

§ 20B-7 Definitions

Committee: shall include any Political Action Committee, Continuing Political Committee, Political Committee, or Candidate Committee, as the terms are defined in N.J.S.A. 19:44A-1 et seq. or any PAC organized under § 527 of the Internal Revenue Code.

§ 20B-8 Political Contribution Regulations

- A. Contributions made to candidates for Hoboken municipal elective office shall be governed by the limits set forth in N.J.A.C. 19:25-11.2, with the following additional regulations:
- i. Whenever any individual shall provide seventy-five percent (75%) or more of the annual funding of any Committee, said Committee shall have a reduced campaign contribution limit of five hundred dollars (\$500.00) per candidate, per election, to any candidate for Hoboken municipal elected office. For purposes of determining whether an individual provides seventy-five percent (75%) or more of the annual funding for a Committee, contributions made to the Committee by the individual and the individual's spouse and dependent child or children shall be considered.
 - ii. Section 20B-6A(i) shall not alter the contribution limits set for individuals.
 - iii. Whenever any Committee shall be funded fifty percent (50%) or more by sources outside of Hoboken, in the aggregate, said Committee shall have a reduced campaign contribution limit of five hundred dollars (\$500.00) per candidate, per election, to any candidate for Hoboken municipal elected office. For purposes of determining whether a source, as described herein, is outside of Hoboken, individual sources shall be considered outside of Hoboken if they are domiciled in any municipality other than Hoboken and entities shall be considered outside of Hoboken if their principal place of business is outside of Hoboken.
- B. No candidate or candidate committee for any Hoboken elective municipal office shall accept any monetary or in-kind contribution, in excess of \$500 per election, directly or indirectly, from a political party committee. This Section 20B-8B shall not limit contributions from other committees, as defined herein.
- C. No candidate or candidate committee for any candidate for Hoboken elective municipal office shall accept a contribution from a committee located outside the City of Hoboken in excess of \$500 per election.

§ 20B-9 Citizens private right of action.

Notwithstanding any other common right of law, any Hoboken citizen or citizen's group shall have the right to sue any or all entities in violation of this Article, including the candidate or committee as specified in Section 20B-6 above, and/or the City of Hoboken, in order to compel those entities to comply with this Article.

§ 20B-10 Enforcement

This Article II shall be enforced by the City Clerk of the City of Hoboken.

§20B-11 Violations and Penalties

- A. Any violation of this Article II shall be non-curable.

- B. Any candidate for Hoboken municipal elective office who receives a contribution which violates the provisions of this Article II shall refund the contribution within thirty (30) days of receiving notice of the violation.
- C. Any Committee who willfully and intentionally makes or receives any contribution in violation of this Article II shall be liable to a penalty equal to not more than four times the amount of the contribution made.

SECTION TWO: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

This Ordinance shall also supersede any inconsistent provisions contained in any resolution previously adopted by the Hoboken City Council.

SECTION THREE: SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION FOUR: EFFECTIVE DATE

This Ordinance shall take effect 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.

ADOPTED:

APPROVED:

James J Farina, City Clerk

Dawn Zimmer, Mayor

APPROVED AS TO FORM:

Mark A. Tabakin, Corporation Counsel

Date of Introduction: April 20, 2011

Sponsored By: Mello
Seconded By: Bhalla

City of Hoboken
Ordinance No _____

**AN ORDINANCE TO DELETE CERTAIN PRESENTLY DESIGNATED
HANDICAPPED PARKING SPACES FROM CHAPTER 192 OF THE GENERAL
CODE OF THE CITY OF HOBOKEN ENTITLED “PARKING FOR
HANDICAPPED”**

NOW THEREFORE, the City Council of the City of Hoboken does hereby **ORDAIN** as follows:

SECTION 1: City Code Section 192-4 (A) is hereby amended to delete the following restricted handicapped parking spaces (additions noted in underline, ~~deletions~~ noted in strikethrough):

~~Frank Bertotti, 104 Park Avenue (west side of Park Avenue, beginning at a point of 55 feet from the northwest curbline of First Street and extending 22 feet north therefrom)~~

~~Michael T. Cerbo, 1215 Willow Avenue (east side of Willow Avenue, beginning at a point of 260 feet north of the northerly curbline of Twelfth Street and extending 12 feet northerly therefrom)~~

~~Giovanni Forte, 1210 Hudson Street, #419 (west side of Hudson Street, beginning at a point 190 feet from the northwest curbline of Twelfth Street and extending 22 feet northerly therefrom)~~

~~Gail Hunt, 604 Park Avenue (west side of Park Avenue, beginning at a point of 63 feet from the northerly curbline of Sixth Street and extending 22 feet northerly therefrom)~~

~~Patricia Mitten, 1032 Hudson Street (south side of Eleventh Street, beginning at a point of 205 feet from the easterly curbline of Washington Street and extending 22 feet easterly therefrom)~~

~~Grace Quagliana, 304 Bloomfield Street (west side of Bloomfield Street, beginning at a point 57 feet north of the northerly curbline of Third Street and extending 22 feet northerly therefrom)~~

~~Pantaleo Sasso, 503 Bloomfield Street (east side of Bloomfield Street, beginning at a point of 35 feet north of the northerly curbline of Fifth Street and extending 22 feet northerly therefrom)~~

~~Ruben Savaglia, 59 13th Street (south side of Thirteenth Street, beginning at a point 130 feet from the westerly curbline of Hudson Street and extending 22 feet westerly therefrom)~~

~~Jennifer Zielke, 700 Park Avenue (west side of Park Avenue, beginning at a point 35 feet from the northerly curbline of Seventh Street and extending 22 feet northerly therefrom)~~

~~Salvatore Costagliola, 112 Willow Avenue (west side of Willow Avenue, beginning at a point 164 feet from the northerly curbline of First Street and extending 22 feet northerly therefrom)~~

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

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

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

Date of Introduction: April 20, 2011

ADOPTED:

James J. Farina, City Clerk

APPROVED AS TO FORM:

Mark A. Tabakin, Corporation Counsel

APPROVED:

Dawn Zimmer, Mayor

Introduced By: _____Marsh_____

Seconded By: _____Mello_____

**CITY OF HOBOKEN
ORDINANCE NO. _____**

**ORDINANCE OF THE CITY OF HOBOKEN, IN THE COUNTY
OF HUDSON, NEW JERSEY ADOPTING CERTAIN
AMENDMENTS TO THE FINANCIAL AGREEMENT WITH MBS
HOUSING URBAN RENEWAL, LLC RELATING TO A
HOBOKEN-NORTH HUDSON YMCA-SPONSORED HOUSING
PROJECT**

WHEREAS, the New Jersey Housing Mortgage Finance Agency Law of 1983, as amended, *N.J.S.A. 55:14K-1 et seq.*, the rules promulgated thereunder at *N.J.A.C. 5:80-1 et seq.*, and all other applicable guidelines (collectively, the “**HMFA Requirements**”) govern the financing, development, construction and management of certain publicly-financed multi-family housing projects; and

WHEREAS, the Hoboken-North Hudson YMCA (the “**Sponsor**”) proposes to renovate and expand a 96-unit single room occupancy special needs housing project for low-income single males (collectively, the “**Project**”), into two (2) condominiums which separate the residential space from the community space; said Project shall include a fifth floor addition and renovation of the third and fourth floors to include 96 single room occupancy units in addition to renovation of the building entrance to comply with accessibility laws, installation of an elevator, two stairwells, a community room for the residents, installation of a fire suppression system, upgrade of utilities and heating, installation of air conditioning, renovation of existing bathrooms and the addition of handicap accessible bathrooms, all in accordance with the HMFA Requirements and all applicable state and municipal building codes; and

WHEREAS, in furtherance of the Project and in accordance with the HMFA Requirements, on April 4, 2007 the City of Hoboken (the “**City**”) adopted a resolution granting the Project a tax exemption from the date of execution of a mortgage between the New Jersey Housing Mortgage Finance Agency (the “**Agency**”) and the Sponsor; and

WHEREAS, on _____ in accordance with the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1, et seq.* (the “**LTTE Law**”), the City and MBS Housing Urban Renewal, LLC (“**MBS Housing**”) entered into a financial agreement (the “**Financial Agreement**”), granting MBS Housing an exemption from taxes on all improvements relating to the Project commencing “[f]rom and after the date of issuance of the Permanent Certificate of Occupancy [by] the City of Hoboken Building Department or the City of Hoboken Construction Code Official;” and

WHEREAS, despite the best efforts of the Sponsor and MBS Housing, the financing for the Project could not be consummated in 2007 or thereafter, as a result of the economic downturn affecting the credit market; and

WHEREAS, the Sponsor and MBS Housing currently seek to secure financing for the construction of the Project and in conjunction therewith, seek to clarify the commencement date for the tax exemption under the Financial Agreement; and

WHEREAS, the Parties agree that the Project will remain subject to the HMFA Requirements, the LTTE Law, the New Jersey Department of Community Affairs (the “DCA”) Neighborhood Preservation Balanced Housing Program in accordance with *N.J.A.C. 5:43-1.1 et seq.*, the mortgage and such other documents executed between the Sponsor, the Agency and the commissioner of the DCA; and

WHEREAS, the City has determined that an exemption of the project is warranted under the HMFA Requirements and makes the following findings:

- (a) The relative benefits of the Project to the area greatly outweigh the cost of the tax exemption, as the Project will permit the Sponsor to update and renovate an existing affordable housing project for the male population at need within the community. Further, the Project will expand the existing units, bringing them into code compliance, creating a community room and generally enhancing the protection of and services to the residents; and
- (b) In assessing the importance of the tax exemption in influencing the locational decisions of the occupants, it is evident that the tax exemption is a critical component of the financing package for the rehabilitation of the Project. Without the financing, the existing units would continue to deteriorate and remain inaccessible to certain residents. The Sponsor, as a tax-exempt entity, would normally be exempt from land and property taxation; however, the tax credit financing requires the Project to be owned by a for-profit entity and, therefore, MBS Housing is the current owner of the Project. Thus, while the Project would normally be tax-exempt, the financing structure requires the Project to be taxable which could adversely affect the ability to maintain the rents at affordable levels. In order to maintain the affordability of the rental units for the residents, the Sponsor and MBS Housing seek an exemption from taxation to maintain low cost overhead and preserve the financial accessibility of the Project to the targeted residents; and

WHEREAS, in light of the continued importance of the tax exemption to the Project, the City has determined to amend the Financial Agreement to clarify the commencement of the tax exemption period to reflect that such exemption shall commence upon the execution of the amended Financial Agreement.

NOW THEREFORE, BE IT ORDAINED, that an amendment to the Financial Agreement, in the form attached hereto as Exhibit A, is hereby approved and the Mayor,

in consultation with counsel to the City, is hereby authorized to execute and/or amend, modify or make such changes to the Financial Agreement necessary to effectuate the provisions of this Ordinance; provided that, such amendments, modifications or changes do not materially change the rights of the City to the payment of the Annual Service Charge (as defined in the Financial Agreement) for use by the City for any lawful purpose in the exercise of the City's sole discretion.

FURTHER ORDAINED, that the Mayor, in consultation with counsel to the City, is hereby authorized to prepare, execute, amend, modify or make such changes to any other documents necessary to effectuate the provisions of the Financial Agreement, as amended, and this Ordinance.

FURTHER ORDAINED, that an executed copy of the Financial Agreement shall be certified by the City Clerk to the Office of the City Tax Assessor, in accordance with Section 12 of the LTTE Law.

FURTHER ORDAINED, that the City Clerk is directed to transmit a certified copy of this Ordinance and the Financial Agreement, as amended, to the Director of the Division of Local Government Services, in accordance with Section 12 of the LTTE Law.

FURTHER ORDAINED, that this ordinance shall take effect immediately upon final adoption and publication thereof according to law.

Meeting: _____, 2011

Reviewed:

Approved as to Form:

Arthur Liston
Business Administrator

Mark A. Tabakin
Corporation Counsel

**AMENDMENT TO FINANCIAL AGREEMENT
(PAYMENT IN LIEU OF TAXES)**

between

CITY OF HOBOKEN, NEW JERSEY

and

MBS HOUSING URBAN RENEWAL, LLC,

**PURSUANT TO
LONG TERM TAX EXEMPTION LAW
*N.J.S.A. 40A:20-1 et seq.***

THIS AMENDMENT TO FINANCIAL AGREEMENT (PAYMENT IN LIEU OF TAXES) BETWEEN CITY OF HOBOKEN, NEW JERSEY AND MBS HOUSING URBAN RENEWAL, LLC, PURSUANT TO LONG TERM TAX EXEMPTION LAW, *N.J.S.A. 40A:20-1 et seq.* (this “Amendment”), is dated as of _____, 2011 and is by and between:

CITY OF HOBOKEN, a municipal corporation of the State of New Jersey, having its principal office at City Hall, 94 Washington Street, Hoboken, New Jersey 07030 (the “**City**”)

AND

MBS HOUSING URBAN RENEWAL, LLC, an urban renewal entity formed and qualified to do business under the provisions of the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.*, as amended and supplemented (the “**Law**”), having its principal office at 1301 Washington Street, Hoboken, New Jersey 07030 (the “**MBS Housing**”).

W I T N E S S E T H

WHEREAS, the New Jersey Housing Mortgage Finance Agency Law of 1983, as amended, *N.J.S.A. 55:14K-1 et seq.*, the rules promulgated thereunder at *N.J.A.C. 5:80-1 et seq.*, and all other applicable guidelines (collectively, the “**HMFA Requirements**”) govern the financing, development, construction and management of certain publicly-financed multi-family housing projects; and

WHEREAS, the Hoboken-North Hudson YMCA (the “**Sponsor**”) proposed to renovate and expand a 96-unit single room occupancy special needs housing project for low-income single males (collectively, the “**Project**”) into two (2) condominiums which separate the residential space from the community space; said Project shall include a fifth floor addition and renovation of the third and fourth floors to include 96 single room occupancy units in addition to renovation of the building entrance to comply with accessibility laws, installation of an elevator, two stairwells, a community room for the residents, installation of a fire suppression system, upgrade of utilities and heating, installation of air conditioning, renovation of existing bathrooms and the addition of handicap accessible bathrooms, all in accordance with the HMFA Requirements and all applicable state and municipal building codes; and

WHEREAS, in furtherance of the Project and in accordance with the HMFA Requirements, on April 4, 2007 the City of Hoboken (the “**City**”) adopted a resolution granting the Project a tax exemption from the date of execution of a mortgage between the New Jersey Housing Mortgage Finance Agency (the “**Agency**”) and the Sponsor; and

WHEREAS, on _____ in accordance with the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1, et seq.* (the “**Law**”), the City and MBS Housing entered into a financial agreement (the “**Financial Agreement**”), granting MBS Housing an exemption from taxes on all improvements relating to the Project commencing “[f]rom and after the date of issuance of the Permanent Certificate of Occupancy [by] the City of Hoboken Building Department or the City of Hoboken Construction Code Official;” and

WHEREAS, the Parties agree that the Project will remain subject to the HMFA Requirements, the Law, the New Jersey Department of Community Affairs (the “**DCA**”) Neighborhood Preservation Balanced Housing Program in accordance with *N.J.A.C. 5:43-1.1 et seq.*, the mortgage and such other documents executed between the Sponsor, the Agency and the commissioner of the DCA; and

WHEREAS, despite the best efforts of the Sponsor and MBS Housing, the financing for the Project could not be consummated in 2007 or thereafter, as a result of the economic downturn affecting the credit market; and

WHEREAS, the Sponsor and MBS Housing currently seek to secure financing for the construction of the Project and in conjunction therewith, seek to clarify the commencement date for the tax exemption under the Financial Agreement; and

WHEREAS, pursuant to an Ordinance adopted on _____, 2011, the City determined that an exemption of the project is warranted under the HMFA Requirements and made the following findings:

- (a) The relative benefits of the Project to the area greatly outweigh the cost of the tax exemption, as the Project will permit the Sponsor to update and renovate an existing affordable housing project for the male population at need in the community. Further, the Project will expand the existing units, bringing them into code compliance, creating a community room and generally enhancing the protection of and services to the residents; and
- (b) In assessing the importance of the tax exemption in influencing the locational decisions of the occupants, it is evident that the tax exemption is a critical component of the financing package for the rehabilitation of the Project. Without the financing, the existing units would continue to deteriorate and remain inaccessible to certain residents. The Sponsor, as a tax-exempt entity, would normally be exempt from land and property taxation; however, the tax credit financing requires the Project to be owned by a for-profit entity and, therefore, MBS Housing is the current owner of the

Project. Thus, while the Project would normally be tax-exempt, the financing structure requires the Project to be taxable which could adversely affect the ability to maintain the rents at affordable levels. In order to maintain the affordability of the rental units for the residents, the Sponsor and MBS Housing seek an exemption from taxation to maintain low cost overhead and preserve the financial accessibility of the Project to the targeted residents; and

WHEREAS, the City and MBS Housing have determined to amend the Financial Agreement to clarify the commencement date for the exemption period.

NOW, THEREFORE, in consideration of the premises, the City and MBS Housing hereby agree as follows:

1. Paragraph 4 of the Financial Agreement is hereby deleted and replaced with the following:

Tax Abatement: Commencing upon the execution of this Amendment and until the thirty-fifth (35th) anniversary of the execution of this Amendment, the MBS Housing Apartments shall be exempt from taxation on all land and improvements that existed prior to the construction of any new improvements thereon, in accordance with Section 12 of the Law, unless sooner terminated as provided in Paragraph 10, and MBS Housing shall make payment to the City of the Minimum Annual Service Charge calculated in accordance with Paragraph 6.

Tax Exemption: From and after the date of issuance of a Permanent Certificate of Occupancy by the City of Hoboken Building Department or the City of Hoboken Construction Code Official, with respect to MBS Housing Apartments (hereinafter, the “Substantial Completion Date”) and until the thirty-fifth (35th) anniversary of the execution of this Amendment, the MBS Housing Apartments shall be exempt from taxation on all land and improvements constructed thereon in accordance with the Law, unless sooner terminated as provided in Paragraph 10, and MBS Housing shall make a payment in lieu of taxes as specified in Paragraph 5. MBS Housing warrants and represents that it shall use, manage and operate MBS Housing Apartments as residential real estate for low income households through the term of this agreement in accordance with the Law and the HMFA Requirements.

2. All other terms and conditions of the Financial Agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be duly executed and delivered by their respective officers thereunto duly authorized, all as of the date first written above.

WITNESS:

MBS HOUSING URBAN RENEWAL, LLC

By: MBS Housing, Inc.,
General Partner

By: _____
Name: _____
Title: _____

CITY OF HOBOKEN

James J. Farina, RMC
City Clerk

By: _____
Dawn Zimmer
Mayor

McMANIMON & SCOTLAND, L.L.C.

ATTORNEYS AT LAW

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MEMORANDUM

TO: City of Hoboken
Municipal Council

FROM: Jong Sook Nee, Esq.

RE: **Hoboken/YMCA Affordable Housing Project
Amendments to the Financial Agreement**

DATE: April 11, 2011

The purpose of this memorandum is to provide background information relating to the renovation of a project consisting of 96 single-room occupancy units available to persons of low and moderate income located at the property commonly known as Block 245, Lot 1 on the tax map of the City of Hoboken, also known as 1301-1311 Washington Street (the “**Project**”). The Project was formerly owned and operated by the Hoboken-North Hudson YMCA (the “**YMCA**”). In order to finance the residential portion of the YMCA’s facilities with tax credits, in 2008 the YMCA transferred ownership of the Project to MBS Housing Urban Renewal, LLC (“**MBS**”), a for-profit entity formed under the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the “**LTTE**”).

While the YMCA is a tax-exempt entity not subject to local taxation, upon the transfer of the Project to MBS the Project became taxable. In order to address the taxable nature of the Project, on April 4, 2007, the City adopted a resolution granting the Project a tax exemption under the LTTE “from the date of execution of the applicable mortgage,” which exemption applied to both the land and the improvements, as permitted by the LTTE (the “**Resolution**”). Notwithstanding the language of the Resolution, in 2007 the City and MBS entered into a Financial Agreement providing for a tax exemption “[f]rom and after the issuance of a Permanent Certificate of Occupancy” relating only to the improvements (the “**Financial Agreement**”).

Based on recent discussions with the YMCA and MBS representatives, the Project is poised to close on its tax credit financing within the following months, resulting in the imposition of a mortgage on the Project in furtherance of the terms of the Resolution. It has been brought to the attention of the City, however, that the Resolution and the Financial Agreement conflict as far as the commencement of the tax exemption and the application of the exemption to the land, as well as, the improvements.

In order to assist the Project and clarify the terms of the tax exemption, we have prepared a draft Ordinance for the City Council's consideration which amends the Financial Agreement to permit the tax exemption to commence upon the execution of the amendment to the Financial Agreement. The exemption shall apply to both the land and the improvements, as required under Section 12 of the LTTE. We have also prepared a draft amendment to the Financial Agreement to implement these terms. With this amendment, the YMCA and MBS will be able to proceed with the closing of their financing for the Project with the certainty that the tax exemption will commence immediately upon execution of the amendment to the Financial Agreement and apply to both the land and the improvements as required by law.

Please do not hesitate to contact me if you have any questions regarding the above.

Thank you.

Sponsored by: _____ Bhalla _____

Seconded by: _____ Cunningham _____

CITY OF HOBOKEN
ORDINANCE NO. _____

**AN ORDINANCE TO AMEND AND SUPPLEMENT SECTION 59A-47
ET SEQ. ENTITLED “SPECIAL LAW ENFORCEMENT OFFICER” TO
ADD A SECOND CLASS OF SPECIAL OFFICERS AND UPDATE THE
RESIDENCY AND WAGE REQUIREMENTS**

WHEREAS, pursuant to N.J.S.A. 40A:14-146.8 et seq., the City of Hoboken is entitled to create, and amend the City Code’s section on Special Law Enforcement Officers;

WHEREAS, the General Code of the City of Hoboken, at Section 59A-47 et seq. currently regulates Special Law Enforcement Officers;

WHEREAS, the City has determined that amendments must be made to 59A-7 et seq. in order to best effectuate the Police Department’s action plan within the budgetary constrains currently in place; and,

WHEREAS, the City Council seeks to amend and supplement General Code Section 59A-7 et seq. to effectuate the needs of the Police Department for the benefit of the general welfare and the safety of the City’s residents and guests.

NOW, THEREFORE, BE IT ORDAINED by the Hoboken City Council, County of Hudson, in the State of New Jersey as follows (deletions noted by ~~strike through~~, additions noted by underline):

Section One: Amendments

ARTICLE VII Special Law Enforcement Officer

§ 59A-47. Position established; duties.

- A. There is hereby established the following positions of Special Law Enforcement Officers ~~Class II~~ in the Department of Public Safety Administration, Division of Police, pursuant to N.J.S.A. 40A:14-146.8 et seq.:
1. Class I Special Law Enforcement Officers
 2. Class II Special Law Enforcement Officers
- B. The Special Law Enforcement Officer Class II shall have the same power and authority of a full-time, permanent Hoboken police officer only when on duty and in full uniform actually performing their public safety function as designated by the Chief of Police and when receiving compensation from the City of Hoboken. A special law enforcement officer shall not be deemed to be on duty for purposes of this Article while performing private security duties for private employers, which duties are not assigned by the Chief of Police.

§ 59A-48. Term of appointment; firearms; supervision.

- A. Special law enforcement officers shall be appointed for a term not to exceed four (4) months and can be separated from appointment at any time, without cause or hearing. Nothing herein shall be construed to require reappointment at the end of the term. The special law enforcement officers so appointed shall not be members of the police force, and their powers and duties shall cease at the expiration of the term for which appointed.
- B. Class II special law enforcement officers shall carry, only after satisfactory completion of an approved firearms course as set forth by the Police Training Commission and when specifically authorized by the Chief of Police, a firearm issued and approved by the Police Division while on duty, in uniform and while actually engaged in their assigned public safety duties. Class II special law enforcement officers shall be issued the approved firearm at the start of their tour and shall return said firearm to the Police Desk Officer upon the completion of their tour. Class I special law enforcement officers shall have no right to carry a firearm when engaged in the actual performance of the officer's duties. No special law enforcement officer may carry a firearm except while engaged in the actual performance of the officer's official duties.

- C. The special law enforcement officer shall work under the direct supervision of the Chief of Police or, in his absence, the Police Chiefs designee.

§ 59A-49. Compensation; hours of duty; uniform.

- A. Class I special law enforcement officers shall be compensated at ~~the~~ a minimum rate of twelve dollars and fifty cents (\$12.50) an hour and a maximum rate of fifteen dollars (\$15.00) an hour, and shall not receive any benefits.
- ~~B.~~ Class II special law enforcement officers shall be compensated at a minimum rate of fifteen dollars (\$15.00) an hour and a maximum rate of eighteen dollars (\$18.00) an hour, and shall not receive any benefits.
- ~~B~~C. Special law enforcement officers shall work part-time and shall not exceed twenty (20) hours per week except during periods of emergency and will be assigned at the direction of the Chief of Police.
- ~~C~~D. The special law enforcement officer shall wear the appropriate uniform of the day as directed by the Chief of Police, which shall include: hat, badge, name tag, Hoboken Police Division uniform patch and insignia issued by the Police Training Commission which clearly indicates the officer's status as a Class I or Class II Special Law Enforcement Officer.

§ 59A-50. Qualifications.

- A. Qualifications for a special law enforcement officer shall be as follows:
- (1) The person meets the residency requirements as described in N.J.S.A. 40A:14-146.10. is a resident of the City of Hoboken. Persons appointed as special law enforcement officers shall not be required to maintain residency in the City of Hoboken.
 - (2) The person is able to read, write and speak the English language well and has a high school diploma or its equivalent.

- (3) The person is sound in body, mind and in good health.
 - (4) The person is of good moral character.
 - (5) The person has not been convicted of any offense involving dishonesty which would make him or her unfit to perform the duties of his or her office.
 - (6) The person has successfully completed a background investigation by the Hoboken Police Division and has successfully undergone the same physical and psychological testing as full-time, permanent Hoboken police officers.
- B. All applicants for special law enforcement officer shall be fingerprinted and shall have the same filed with the Hoboken Police Division, Division of State Police and the Federal Bureau of Investigation.
- C. No person shall be appointed to serve in more than one (1) local unit at the same time, and no full-time permanent police officer in any local unit may be appointed. However, any full-time permanent police officer who was separated from service in good standing may be appointed a special law enforcement officer, and any training for said position may be waived at the discretion of the Police Training Commission.
- D. No public official with the responsibility of setting law enforcement policy or exercising authority over the budget of the Department of Public Safety shall be appointed a special law enforcement officer.

§ 59A-51. Training.

- A. No person may commence his or her duties as a special law enforcement officer unless he or she has completed a training course approved by the Police Training Commission, at which time a certificate of training will be issued to the officer.
- B. No special law enforcement officer shall carry or be issued any firearm unless he or she has completed the basic firearms course approved by the Police Training Commission.

All special law enforcement officers shall qualify semiannually with their issued firearms.

§ 59A-52. Limitation on employment.

- A. Special law enforcement officers may be employed only to assist the local law enforcement unit but may not be employed to replace or substitute for full-time regular police officers or in any way diminish the number of full-time officers.
- B. The number of Class II Special Law Enforcement Officers shall not exceed twenty-five percent (25%) of the total number of regular police officers. There is no restriction on the number of Class I Special Law Enforcement Officers.

Section Two: Repeal of Inconsistent Provisions

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

Section Three: Severability

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section Four: Effective Date

This Ordinance shall take effect 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.

ADOPTED:

APPROVED:

James J Farina, City Clerk

Dawn Zimmer, Mayor

APPROVED AS TO FORM:

Mark A. Tabakin, Esq.
Corporation Counsel

Date of Introduction: April 20, 2011

Sponsored by: _____ Mello _____

Seconded by: _____ Bhalla _____

CITY OF HOBOKEN
ORDINANCE NO. _____

**AN ORDINANCE TO AMEND AND SUPPLEMENT SECTION 141A-4
ENTITLED "VISITOR PERMITS" TO BETTER ACCOMMODATE THE
CITY'S DISABLED RESIDENTS**

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

WHEREAS, the General Code of the City of Hoboken, at Section 141A-4 currently regulates visitor parking permits within the City of Hoboken;

WHEREAS, the City's current parking permits system has unintentionally created difficulties for the disabled residents of the municipality who do not utilize their own vehicles; and,

WHEREAS, the City Council seeks to supplement Section 141A-4 to better accommodate the reoccurring needs of the disabled residents of the City.

NOW, THEREFORE, BE IT ORDAINED by the Hoboken City Council, County of Hudson, in the State of New Jersey as follows (deletions noted by ~~strike through~~, additions noted by underline):

Section One: Section 141A-4 Amendments

§ 141A-4. Visitor permits.

- A. Visitor permits are issued only to Hoboken residents and are to be used only so long as the visitors are actually visiting the household of a resident to which the permit is issued.
- B. There shall be a visitor permit issued to any resident who applies in person to the Hoboken Parking Utility for a period of one to seven (1-7) days and may not extend for more than seven (7) consecutive business days.
- C. Visitor permits are not required on Sundays or announced holidays. As used in this Chapter 141A, "day", "Sunday" and "Holiday" shall commence at 12:00 a.m. and terminate at 11:59 p.m. on the designated day.
- D. The documentation required of the resident to establish residency for the purposes of obtaining a visitor permit is the same as provided in Section 141A-3C.
- E. A visitor permit will not be issued to anyone residing in any building exclusively used by students of a college.

- F. Use of a visitor permit is confined to permit parking only areas as designated by the Parking Utility.
- G. All visitor permits are to be displayed prominently in the front windshield where they are easily visible and fully readable from the exterior of the vehicle.
- H. Visitor permits shall be discarded once the resident no longer needs the permit or the permit expires, whichever occurs first.
- I. The Parking Utility shall have the power to extend the duration of visitor permits up to two (2) weeks upon application in person to the Parking Utility and upon a showing of special circumstances.
- J. All Hoboken residents sixty-two (62) years of age or older shall receive up to two (2) year-long "Senior" visitor permits free of charge if they request. Proof of age shall be required and may be shown by birth certificate, social security check, and Medicare card or by other official documents acceptable to the Parking Utility.
- K. All Hoboken residents who are disabled, to the extent that they are not able to personally drive a motor vehicle, and elect to forfeit eligibility for a residential parking permit shall receive one (1) annual "Disabled" visitor permit free of charge upon request. Proof of residency is same as described in 141A-3C. Proof of disability shall be required and may be shown by providing at least two of the following documents showing the same name as the resident seeking the Disabled visitor permit.

(1) A valid New Jersey Motor Vehicle Commission "Disabled Person" identification card;

(2) A valid New Jersey Transit "Disabled" identification card;

(3) A valid New York City Metropolitan Transportation Authority "Disability" identification card;

(4) Other appropriate documentation sufficient for establishing disability of an individual upon approval of the Director of the Parking Utility.

The remainder of Section 141A remains unchanged.

Section Two: Repeal of Inconsistent Provisions

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

Section Three: Severability

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in

effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section Four: Effective Date

This Ordinance shall take effect 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.

ADOPTED:

APPROVED:

James J Farina, City Clerk

Dawn Zimmer, Mayor

APPROVED AS TO FORM:

Mark A. Tabakin, Esq.
Corporation Counsel

Date of Introduction: April 20, 2011