

January 4th, 2011

MEMORANDUM

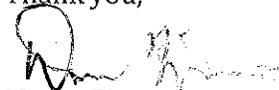
TO: City Clerk James Farina
FR: Mayor Dawn Zimmer
RE: Planning Board

Mr. Farina,

I hereby appoint the following member to the Planning Board:

Gill Mosseri – Second Alternate

Thank you,



Mayor Zimmer



January 10th, 2011

MEMORANDUM

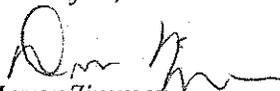
TO: City Clerk James Farina
FR: Mayor Dawn Zimmer
RE: Historic Preservation Board

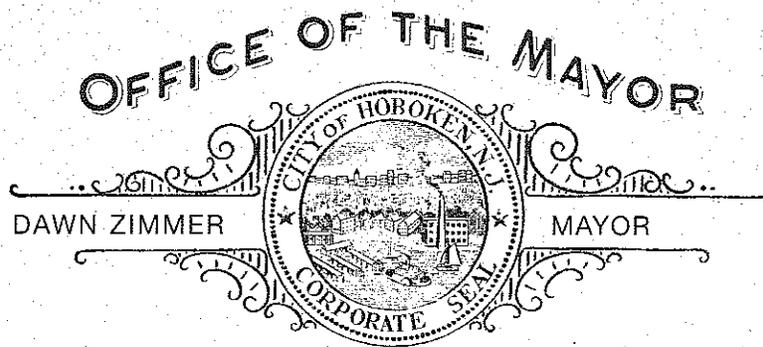
Mr. Farina,

I hereby reappoint the following members to the Historic Preservation Board:

Paul Sommerville: Class B
David Downs: Class A

Thank you,


Mayor Zimmer



CITY HALL
HOBOKEN, NEW JERSEY

January 13, 2011

Dear Council President Mason and Council Vice President Russo:

As you would expect, I am in the process of developing a 2011 budget submission for the Council to consider and ultimately introduce. While my Administration is making good progress reviewing operations and projecting most revenues and expenses, the question of how much surplus to include as revenue needs to be addressed.

Since this is a policy decision that rests squarely with the Council majority, and since our past positions have sharply differed, I am writing in the spirit of cooperation to request your input on the matter.

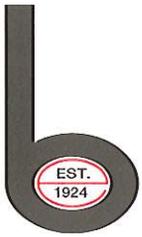
As I see the matter, the accepted wisdom of rating agencies and other financial experts is that Cash Surplus should represent 5% to 10% of the total budget. Consistent with that view, I continue to believe that Hoboken should strive to reach the high end of that range, if possible, due to our recent financial difficulties, our known but unquantifiable future costs including infrastructure needs, unsettled union contracts, litigation, and because of the financial benefits of improving our credit rating. Last year a majority of the City Council agreed, and the TY 2010 budget retained a Cash Surplus of \$10 million, a number I believed prudent at that time.

I understand full well, however, that the determination of the level of Cash Surplus is ultimately a decision made by the City Council, not the Mayor. It serves no useful purpose, therefore, for me to submit a budget proposal with a level of Cash Surplus which is not in keeping with your intentions. It would, therefore, be extremely helpful if you would advise me as soon as possible (by January 31st if at all possible) what dollar amount of Cash Surplus you would support retaining, so that we can give appropriate consideration to your views in crafting the introduced budget while striving to present the proposed budget for consideration.

Sincerely,

Mayor Dawn Zimmer

CC: City Council Members
Arch Liston, Business Administrator



January 14, 2011

Mayor Dawn Zimmer
City of Hoboken
94 Washington Street
Hoboken, New Jersey 07030

Re: Waterfront Properties Inspection Status Report
City of Hoboken
Our File No. HO-417

Dear Mayor Zimmer:

As requested, please find following a summary of the work completed to date regarding the underwater inspections/projects currently in progress with Hoboken's waterfront properties. In addition, a location map has been attached for reference.

Condition Survey of City Owned Waterfront Structure –Our Project No. BUE-1009

The following structures were included in the underwater evaluation of City Owned waterfront structures:

- A. Masonry gravity wall/sea wall/steel sheet pile bulkhead which extends from south of Sinatra Field to the NJT property (Noted as "A" on the attached location map)
- B. Approximately 1000 linear feet of existing seawall north of the Castle Point location (Noted as "B" on the attached location map)
- C. Pier A including all piles, pile caps beams utilities and under deck (Noted as "C" on the attached location map)

Our total anticipated "in-water" inspection duration was estimated to be 18 days of which 17 days of inspection have been completed. To date the remaining outstanding inspection to be completed is the 1,000 linear feet of seawall north of Castle Point, noted as Item C above, which will be completed during the week of January 17th.

Based on the preliminary assessments made by our diving crew(s) there are several areas of the sea wall specified in Item A that require repair. In this specific area of concern, there is intermittent exposure of the timber cribbing at the mud line which has evidence of deterioration and marine borer infestation. Our initial estimates are approximately 600 linear feet of intermittent repair throughout the entire reach, which is approximately 1,700 linear feet in length.

Based on our evaluation, there are two types of repair that may be utilized in rehabilitating the seawall. The first would be the installation of rip-rap fill (large stone material) in front of the exposed cribbing to isolate the in-situ timber cribbing, effectively stifling the marine borer infestation advancement and protecting the substructure from exposure to the river. This repair method is considered the more economical repair methodology. The second alternative would be the construction of a concrete closure wall in front of the intermittent repair locations which consists of excavation in front of the existing timber cribbing, installation of sheet piles to serve as the concrete formwork for the installation of cast in place concrete, which is utilized to cover and protect the area from exposure. This repair methodology is more involved and considered the more expensive option.

From our dive crews' preliminary report information, a combination of these techniques can be utilized but, for budgeting purposes, we will assume the repair will be completed utilizing the more costly and effective approach. Based on our experience with previous projects of this nature, the City should budget approximately \$700.00 per linear foot of repair for the seawall rehabilitation work at a total estimated construction cost of \$ 420,000, say \$ 450,000. The City should also budget for and anticipate additional costs for permitting, design and inspection costs of approximately 100,000.00 for a total anticipated budget of approximately \$ 550,000.00 for Item A listed above.

With respect to the 1,000 linear feet of seawall north of the Castle Point location, this area appears to be a high level reinforced concrete platform on steel pipe piles and consists of relatively new construction. Our inspection of this structure is estimated at one day of inspection, and initially it is our understanding based on the young age of the structure that very limited, if any, work would need to be completed. Our inspection will focus on the bulkhead structure to the west of the promenade which consists of a concrete bulkhead with a rip-rap berm protecting the bulkhead face. Anticipated rehabilitation would be minimal in nature, and not as involved as the work to be undertaken as noted in Item A listed above. The work would consist of surface repairs, spalling repairs, rip-rap reinstallation and the like. For budgetary consideration, the City may wish to include additional funding of say 25% of the estimated costs for Item A to ensure representation in the budget if in fact rehabilitation needs to be completed. For budgeting purposes, we would recommend an estimated budget of \$137,500 for possible rehabilitation under this task. Upon completion of the field inspections for this item, we will revise our estimates accordingly.

With respect to Pier A, the main construction on this pier was accomplished by driving piles into the river bed. Simply described, each pile consists of a steal I-beam that is driven into the ground. The portion of beam left above the mudline is then encased in concrete.

The results from the underwater inspection on this pier showed that current field conditions differ from those shown on the plans entitled "Hoboken South Waterfront Development – Pier A Rehabilitation" prepared by the Port Authority of New York and New Jersey.

These plans showed 1,354 piles having been driven for this structure. Of these, 67 piles were not inspected for the following reasons:

- 30 piles were never encased and are severely corroded
- 26 piles are completely buried beneath the mudline
- 10 piles were entirely inaccessible
- 1 pile was shown on the aforementioned repair plans but does not appear to have been installed

There are also 894 piles that have an exposed I-beam below the concrete jacket. This would have occurred because the mudline in that area has receded: said differently, any pile that originally did have a concrete encasing all the way down to the river bed is now exposed because the mudline itself has ebbed away.

These 894 piles now have an exposed I-beam, with the average length of exposed pile below the concrete jacket being 1.6 feet. The maximum exposure found, however, was 8.5 feet. Having been subjected to the elements, these exposed I-beams have now lost cross-sectional area. For example, each I-beam should have a flange thickness of 0.615 in according to the aforementioned plans. Based on micrometer readings on all four flanges of 45 representative piles, the flange thickness ranged from 0.240 inches to 0.582 inches. The result has been an average loss of cross-sectional area of 37% for all of the piles combined, with a maximum section loss being 48% for some and a minimum section loss being 25% for others.

The remaining 393 piles, which make up 29% of the piles, are encased in the mudline. These are functioning as designed and pose no immediate concern.

Given these results, we performed a structural analysis on the entire pier to determine that it was still capable of supporting the loads imposed on it (mainly that of people and small trucks in addition to items already installed). Under the current scenario (with the section losses noted above, etc.) the pier is able to support the loads. However, the deterioration on these piles is significant and requires immediate attention. Choosing to do nothing now will not only exacerbate the situation but also ensure that future repairs become even more costly, since all beam exposure and sectional loss will only worsen with time.

Our cost estimate for the construction work to repair the piles is \$3 million with an additional \$600,000 estimated for design, construction inspection, and permitting, bringing the total for all the work to \$3.6 million.

Condition Survey of Privately Owned Waterfront Structure –Our Project No. BUE-1010

The following structures were included in the underwater evaluation of Privately Owned waterfront structures:

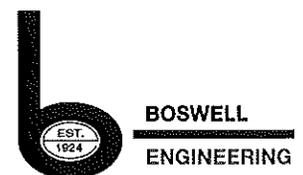
- A. Block 258, Lot 1 - Stevens Institute.
- B. Block 261.05, Lot 1 – PT Maxwell LLC c/o Toll Brothers.
- C. Block 262.1, Lot 1 – Shipyard Associates LP c/o Applied Development
- D. Block 263, Lot 1 – NY Waterway Pier
- E. Block 268.1, Lot 1 Toll Brothers (Tea Building)

Our total anticipated "in-water" inspection duration was estimated to be 53 days of which 49 days of inspection have been completed. To date we are in the process of completing Task C listed above which will be completed during the week of January 17th.

With regard to the condition survey of these specific areas, the conditions vary from fair to poor. The area in the best condition is the PT Maxwell LLC property which was fully inspected both above and below the water prior to the City's recent acquisition of the park and pier areas. The dive engineers are currently completing the "in-water" inspections and compiling the field data for the final report. Due to the nature of the properties, Boswell will reserve comment on the specific condition of the individual structures until all data is evaluated. With respect to budget impacts, given the structure are privately owned and maintained it is not anticipated that the City of Hoboken will need to budget for any possible rehabilitation projects for these structures. We have therefore not included construction estimates for budgetary consideration at this time.

Sinatra Field and Castle Point Rehabilitation – Our Project Nos. HO-420 A and B

Sinatra Field and Castle Point are currently in the design phase and permit applications are in the review process. Boswell continues to refine the construction drawings to ultimately provide the final contract drawings for the bidding and construction phases which follow the NJDEP review. All comments from NJDEP will be incorporated as required. Boswell required additional time to modify designs based on additional field data and input from the community obtained at the Community Outreach meeting in early December. Our design is based on replacement in kind utilizing upgraded materials (i.e. reinforced concrete platform, concrete filled steel pipe piles). Boswell has had the opportunity to update the initial engineer's estimates prepared by the previous City Engineer for both Castle Point and Sinatra Field, based on field investigations and actual design work. Originally, the City bonded \$ 12,000,000.00 for both projects. Based on our revised engineer's estimates the City should budget an additional 25% or 3,000,000 for both projects, primarily due to increased piles and platform costs at Sinatra Field given the more accurate shoreline/bulkhead information.



Cost Summary

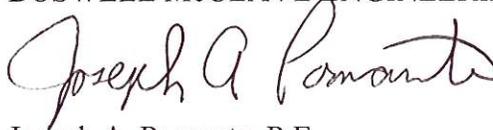
A table summarizing the costs discussed in the preceding pages has been included for reference below:

City Owned Waterfront Property		
Item	Project	Estimated Cost
	Masonry gravity wall/sea wall/steel sheet pile bulkhead from south of Sinatra Field to New Jersey	
A	Transit Property	\$550,000.00
B	Existing sea wall north of Castle Point	\$137,500.00
C	Pier A	\$3,600,000.00
	Total for Items A - C:	\$4,287,500.00
	Castle Point and Sinatra Field	\$15,000,000.00
	Previously Bonded Amount	\$12,000,000.00
	Total for Castle Point and Sinatra Field:	\$3,000,000.00
	Total for City-Owned Waterfront Improvements:	\$7,287,500.00
	Say:	\$7,300,000.00

Should you have any questions or require additional information, please do not hesitate to contact Rebecca Mejia, P.E. or me.

Very truly yours,

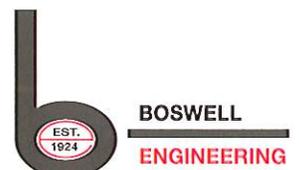
BOSWELL McCLAVE ENGINEERING

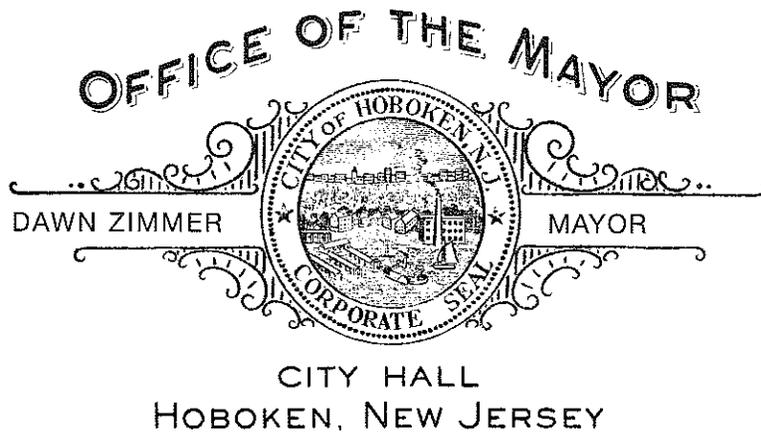


Joseph A. Pomante, P.E.
City Engineer Representative

REM

CC: Director Jennifer Wenson Maier, Environmental Services





January 18, 2011

Dear Council Members,

On Friday I received a more thorough status report from Boswell Engineering. I regret to inform you that the repairs needed for our waterfront are more extensive than expected. The current estimate is expanded by \$7.3 million to a total of \$19.3 million.

Please review my open letter to all Hoboken residents, as well as the Boswell status report for an explanation of the additional work necessary.

Unfortunately along with our shipworm problem, our City also must make millions of dollars in repairs to Pier A because numerous piles have deteriorated as a result of changes in the mud line of the Hudson River. These repairs must be done expeditiously, and I have directed Boswell Engineering to prepare bid specifications as soon as possible.

We are moving ahead as planned with the original design of Sinatra Field, but the fact that even Pier A has millions of dollars in damage gives me pause as to the wisdom of continuing to build on piers out on the water as opposed to bringing the design back on land. Not only is building on water prohibitively expensive, but it will also be very expensive for our City to maintain for the long term. As you know, the City developed preliminary plans exploring the concept of moving Frank Sinatra Park on to land. I believe in light of the information we have now received, that we should revisit this concept and give it serious consideration. After you have had a chance to digest the report, I hope that each of you will give me your thoughts directly on this matter so that we may work together to address this significant challenge. I am away this week, and will try to reach each of you when I return next Monday.

Our City engineer, Joe Pomante, can change his schedule to be available for the meeting tomorrow if you would like to ask him questions directly. Please contact Business Administrator Liston if you are interested in having Mr. Pomante at tomorrow's Council meeting or for a future meeting.

Thank you and best regards.

Mayor Dawn Zimmer



Open Letter from Mayor Zimmer Regarding Hoboken's Waterfront

January 18, 2011

Dear Hoboken Residents,

I have always been upfront with you, whether it was to share good news, such as the potential sale of Hoboken University Medical Center, or to be straightforward with the challenges our City faces.

Today I write to tell you we've got one more unexpected hill to climb. Last Friday I received a report detailing that Boswell divers found quite a few issues that we will need to resolve to ensure that our incredible waterfront is fully repaired for all of us to enjoy for years to come. The price tag for repairing our entire public waterfront, including newly discovered problems with Pier A, and the previously known problems with Sinatra Field and Castle Point are estimated by Boswell Engineering at almost \$20 million. This is almost \$8 million in addition to the \$12 million we have already bonded for Frank Sinatra Field and Castle Point repairs.

This figure does not include the Sinatra North roadway which is being repaired and largely funded by the County with cooperation from Applied. It also does not include the privately owned waterfront areas with public access that are still under review by Boswell Engineering.

The most surprising part of Boswell's findings is that we have an estimated \$3.6 million in damages that need to be addressed with Pier A that was built approximately 10 years ago. As the attached report from Boswell Engineering explains, the damage resulted not from shipworms, but from the fact that the mud line of the Hudson River under Pier A has receded by as much as 8 ½ feet in some areas, leaving the steel I-beam piles exposed to deterioration from the tides. Boswell Engineering has advised me that delaying the repairs will increase the expense since the deterioration will continue if not addressed.

I want to assure the public that Pier A is fully safe at this time, but in order to ensure that it remains safe going forward and to prevent costs from rising ignorantly, we will need to move quickly to rehabilitate Pier A. For this reason, I have asked Boswell to create bid

specifications for the repairs of Pier A so this project can be put out to bid as soon as possible.

Explanation of Funding:

Over the last year, my Administration has developed several million dollars in potential funding for Sinatra Field and Castle Point Walkway through various sources. With this new report, my Administration will redouble our efforts in asking for assistance to try and reduce the costs to Hoboken taxpayers.

I will continue to try my hardest to seek funding, but I must be upfront with you: A significant portion of the costs for repairing our waterfront will have to come from our bonding capacity and/or from our surplus.

Implementing preventative measures going forward:

Now that we have a better understanding of the extent of our waterfront problems, I have asked Boswell engineering to develop their recommendations for maintenance going forward. Not only do we need to repair the waterfront, but I also want to make certain that we establish a clear preventative maintenance schedule and standards that will be a written blueprint and guide for the long term sustainability of our waterfront. My Administration will be working with Boswell to develop legislation that ensures proper maintenance of both our publicly and privately held waterfront.

I received the report on Friday afternoon, and wanted to share it as soon as possible because I know everyone is concerned about the future of our waterfront. This is not the news you were hoping to hear, but we must face our problems now, rather than letting them grow exponentially larger if left unchecked. While I wish the report were different, we will roll up our sleeves and confront this challenge head on.

The attached report provides a complete overview of the repairs that need to be completed in addition to Pier A. Unfortunately the projected cost for repairing Sinatra Field has also increased significantly. As Boswell completed its own due diligence, they determined that the previous quote was underestimated, and have now raised the total price of repairing Sinatra Field and Castle Point to \$15 million up from \$12 million, which the City previously bonded for.

The challenges we now face with maintaining Pier A demonstrate that maintaining parks built on piers over the water will continue to be very expensive for the City of Hoboken. While we are moving ahead with rebuilding Sinatra Field with the original design of a pier out over the water, this news about Pier A gives me pause. I told the Hoboken Reporter just last week that I thought it would be too complicated to try to change the design. However given the new cost projections, we as a community should seriously consider the alternative of rebuilding Sinatra Park on land, instead of building on piles over the water. As stated previously, it will cost \$3.6 million to make repairs to Pier A, a park that was recently built, and it will also cost \$3 million more than anticipated to rebuild Frank Sinatra Field and Castle Point. The concept of building on land was preliminarily evaluated by Boswell and discussed at the Open Space community meeting in December.

A decision to move Sinatra Park inland will require having the City Council fund a planner so that a design can be developed that fully integrates the City's Sinatra Field, Stevens garage, and Sinatra Drive. All of this is feasible, but it will require consensus and cooperation between the City Council and the Administration. When I return from holiday with my family this week, I will be reaching out to each Council member directly to try to understand their perspective on this important issue. In addition, I have asked Boswell to provide the City with cost projections for maintaining our waterfront for the long term with and without Sinatra Field built on piers versus built on land.

Frank Sinatra North and privately held property:

I have asked Boswell to provide a written update on the Frank Sinatra North roadway as well. Until that report is distributed, I can tell you that I have been advised verbally that the Frank Sinatra road repair is moving ahead as planned.

Before my Administration can release Boswell's review of the privately held property that may need repair, we intend to review our findings with the property owners directly, as they are ultimately responsible for the cost of all repairs. Since the walkways that may need repairs are accessible to the public, my Administration will be working closely with the private property owners to ensure that any necessary repairs are completed as expeditiously as possible.

Community meeting:

Once Boswell completes its full evaluation of the waterfront including privately held property that is accessible to the public, then we will hold another community meeting to provide everyone with the opportunity to discuss the challenges we face with our waterfront directly with our City engineer. Email waterfront@hobokennj.org to sign up for our email list if you want to receive notices directly.

State of the City Address:

I also want to let you know that I am planning to give a State of the City address in February to give everyone my views on where Hoboken stands and my vision for our City going forward. The date and location will be announced soon.

Again, I know this is disturbing news. I share your frustration. The decisions that led to our predicament today were made years ago by past Administrations, and must be evaluated based on the information that was available at that time. The City Council and I must take full responsibility for ensuring that we address these repairs as safely, cost-effectively, and expeditiously as possible going forward.

While this is a setback, I have no doubt that together, we will face this challenge and ensure that our waterfront is repaired and protected as the treasure of our City.

Thanks for listening.

Best regards,

Mayor Dawn Zimmer



January 14, 2011

Dear Council Members,

I want to wish you all the very best in 2011. Congratulations to the new Council President and Vice President. The following provides an update from me on several important matters:

Surplus issue:

Please review the surplus letter that I sent to Council President Mason and Vice President Russo. A written response is requested by January 31st at the latest so my Administration can incorporate the Council's views on the surplus for the budget we present for introduction.

Waterfront infrastructure:

Divers from Boswell Engineering have nearly completed their underwater inspection of our waterfront. A report and memo on the findings will be forthcoming.

Emergency Snow Routes:

At my request, Chief Falco, Chief Blohm, Hoboken OEM, and Director Sacs conducted a review and analysis of the City's snow removal routes to ensure the fullest public safety protection of our residents during snow storms. Based on this review, several changes to the routes have been recommended, and we are therefore seeking to amend the emergency snow route ordinance. I hope that you can support their recommendations. Please advise Mr. Liston if you would like them to be available to discuss their proposed changes at the public hearing.

I want the Council to know that the Police, Fire, OEM, Environmental Services, and the Parking Utility all worked closely with me to improve our snow storm response, and this led to the superb results last Tuesday. Everyone worked extremely well as a team to alert residents and clean up the City as quickly as possible. Notifications about the storm included a reverse 911 system and a robocall to parking permit holders, as well as PA announcements by the Police at the PATH train and along the snow routes. We thank residents for heeding these alerts and moving their cars as requested.

Continued Operations in the Construction Office:

To ensure adequate professional staffing and service to the community, we have retained Tom Shannon to serve as Acting Construction Official in the Construction Office on a part time basis. Mr. Shannon is highly qualified -- with 20 years of experience as a municipal manager in Westfield, Princeton Borough, and Hillsborough, and extensive experience in various other roles including as a Construction Official, Professional Engineer, Professional Planner, and Public Works Director. Mario Patrino, the Electrical Subcode Official, will serve as Acting Construction Official when Mr. Shannon is not in the office. Both are licensed construction officials, and we expect that there will be a seamless transition.

Civil Rights Training/Code of Conduct Request:

As part of our risk management prevention initiatives, all City Hall employees, including myself, recently participated in an excellent civil rights training program. Plans have been made for the Police and Fire Departments to complete the training as well. This training was conducted to ensure that all employees treat one another with the fullest respect, and also to protect the City from any costly lawsuits that could result from any inappropriate behavior.

At the suggestion of the trainer, my Administration is also going to reach out to volunteer coaches and the volunteer ambulance corps to complete a civil rights training as well. Since the City funds the recreational programs and provides some funding for the volunteer ambulance corps, the City of Hoboken is ultimately responsible for the actions of these individuals in their roles as volunteers.

As part of our risk management efforts, I ask again that the City Council codify the proposed code of conduct for all coaches, volunteers, and participants of our recreational programs. The legislation proposed by the Administration at the last meeting seeks to ensure that everyone involved with the recreational programs treats each other with respect, and it seeks to codify our honor system for the recreational fees.

Shared Services/Mama Johnson Field:

As I have noted previously, my Administration has a framework in place with the Housing Authority for shared services of Mama Johnson Field. After speaking with our City Engineer, I believe the prudent course of action is for our City Engineer to conduct a feasibility analysis for the turfing of the field. The lifespan of artificial turf will be significantly shortened if there is not proper drainage, so we must ensure that the field is built properly for the long term. Our engineer has informed me that they want to see the field when it is flooded in order to fully understand flooding mitigation issues, to properly map out the area, and consider whether we will need to raise the field to address these issues.

Working together:

As a follow up to my Administration's meeting with Council President Mason, I have asked for a written explanation of her expectations with regard to the process by which the Administration should propose legislation going forward. Once received, my

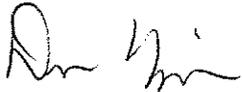
OFFICE OF THE MAYOR

Administration will promptly review this, and hopefully any necessary clarifications can be made to ensure a smooth working relationship between the Administration and the new Council leadership going forward. In addition, please advise my Administration of the committees and committee members as soon as possible.

Finally, I want to advise you that I will be away from Hoboken next week on holiday with my family from Saturday, January 15th and returning on Saturday, January 21st.

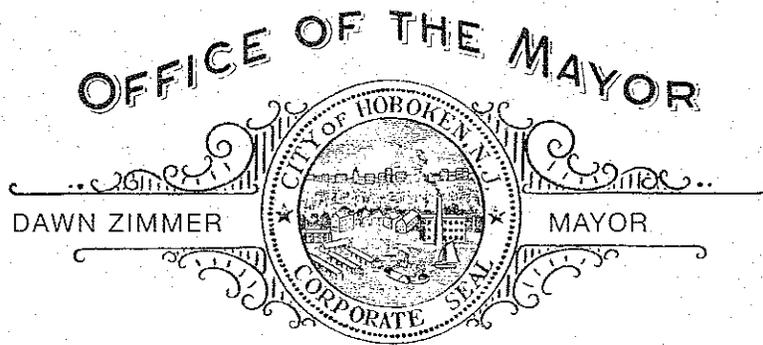
Business Administrator Liston will be Acting Mayor in my absence.

Thank you and best regards.



Mayor Dawn Zimmer

CC: Arch Liston, Business Administrator
Jennifer Maier, Director of Environmental Services
Ian Sacs, Director of Transportation and Parking
Angel Alicea, Director of Public Safety
Leo Pellegrini, Director of Health and Human Services
Brandy Forbes, Director of Community Development
Nick Trasente, Director of Finance



Proclamation

WHEREAS, Dr. Martin Luther King, Jr. was one of the greatest humanitarians and civil rights leaders in world history, and in 1963 led a march on Washington, DC that changed the course of civil rights in America; and

WHEREAS, Dr. Martin Luther King, Jr. advocated the power of education, stating "as long as the mind is enslaved, the body will never be free," and he also believed that education was more than knowledge, stating, "intelligence plus character is the true goal of education; and

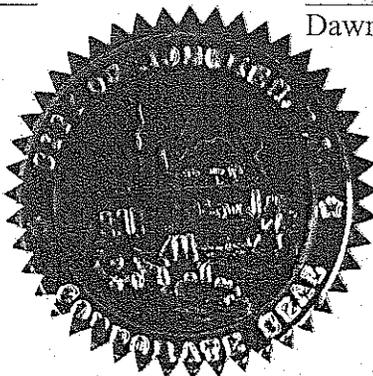
WHEREAS, the Hoboken Charter School and the City of Hoboken encourage all citizens to give of themselves in order to build a stronger Hoboken community; and

WHEREAS, on this day, the fourteenth of January in the year Two Thousand and Eleven, we gather for the 13th **Annual March on Washington Street** in honor of **Dr. Martin Luther King, Jr.** and to recognize his many contributions to American civil rights;

NOW, THEREFORE, BE IT RESOLVED, that I, **DAWN ZIMMER**, Mayor of the City of Hoboken, do hereby issue this proclamation on behalf of the City of Hoboken and its citizens to honor of **Dr. Martin Luther King, Jr.** in recognition of his contributions to our great Nation as a call for service to community, and for peaceful and harmonious coexistence with one another.


James J. Karina, City Clerk
Dated: January 14, 2011


Dawn Zimmer, Mayor



SPONSORED BY: _____

SECONDED BY: _____

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

JANUARY 19, 2011

VENDORS (\$100.00 EA.) 2 ITEMS

JOHN EARL
2 MARINEVIEW PLZ 6G
HOBOKEN, NJ

RONALD FICAROTTA
39 NOSTRAND AVE.
STATEN ISLAND, NY 10314

BINGO LICENSES (52 DATES IN 2011 @ \$20.00 EA.)

CHURCH OF (BA260)
OUR LADY OF GRACE ROSARY SOCIETY
400 WILLOW AVE
HOBOKEN, NJ

CHURCH OF
OUR LADY OF GRACE
400 WILLOW AVE
HOBOKEN, NJ

RAFFLE LICENSES (52 DRAWINGS @ \$20.00 EA.)

THE FRIENDS OF (RA1353)
HOBOKEN CHARTER SCHOOL
713 WASHINGTON ST
HOBOKEN, NJ

THE FRIENDS OF (RA1354)
HOBOKEN CHARTER SCHOOL
713 WASHIHNGTON ST
HOBOKEN, NJ

THE FRIENDS OF (RA1355)
HOBOKEN CHARTER SCHOOL
713 WASHINGTON ST
HOBOKEN, NJ

THE FRIENDS OF (RA1356)
HOBOKEN CHARTER SCHOOL
713 WASHINGTON ST
HOBOKEN, NJ

THE FRIENDS OF (RA1357)
HOBOKEN CHARTER SCHOOL
713 WASHINGTON ST
HOBOKEN, NJ

THE FRIENDS OF (RA1358)
HOBOKEN CHARTER SCHOOL
713 WASHINGTON ST
HOBOKEN, NJ

TAXI, LIVERY, AND LIMOUSINE DRIVERS (\$75 EA.)
(4 DRIVERS – SEE ATTACHED)

MISCELLANEOUS LICENSES

DRIVERS

(4 ITEMS @ \$75.00)

TOMAS MORCOS	767 AVE E, BAYONNE, NJ	TAXI
LEWIS SHULER	100 ORIENT AVE. J.C., NJ	LIMO
JORGE QUIZHPI-ALVAREZ	118 ADAMS ST, HOBOKEN, NJ	LIMO
RAAFAT S. GUIRGIS	224 UNION BLVD, TOTOWA, NJ	LIMO

4 DRIVERS

APPROVED LICENSES

OFFICE OF THE TAX COLLECTOR
MONTHLY REPORT

To: The Honorable Mayor and
Council Members of the
City of Hoboken, N.J.

Honorable Mayor and Council Members,

I herewith submit the following report of receipts in the Tax Collector's Office for the month
of DECEMBER, 2010.

Receipt on Taxes

2011 Taxes 1st & 2nd Quarter...	422,442.19	
Total 2011 Taxes Collected		422,442.19

Receipts on Taxes

2010 Taxes 3rd & 4th Quarter...	815,871.21	
N.G. Checks Minus....	35,072.24	
2010 Taxes 1st & 2nd Quarter...	0.66	
2010 Added Assessment....	35,068.31	
Total 2010 Taxes Collected		815,867.94

Miscellaneous Tax Receipts

Interest on Taxes...	15,266.81	
N.G. Checks Minus....	539.05	
Duplicate Bill Fee....	40.00	
Bounced Check Fee...	40.00	
Tax Serarch.....	12.00	
Total Miscellaneous Tax Receipts		14,819.76

Total Taxes & Miscellaneous Tax Receipts.... **1,253,129.89**

***** Abatements not included in Edmunds Cash Receipts Report*****

Abatements

Abatement Principal.....	70,978.50	
Abatement Interest.....	1,035.93	
Abatement Totals.....		72,014.43

<u>Bounced Checks</u>	Amount
126/3	35,611.29
Total	35,611.29

Respectfully yours,

Sharon Curran, Tax Collector

 Range: Block: First to Last
 Lot:
 Qual:
 Range of Codes: First to Last
 Range of Batch Ids: First to Last
 Range of Spec Tax Codes: First to Last
 Payment Type Includes: Tax: Y Sp Charges: Y Lien: Y Sp Assmnt: Y
 Misc: Y
 Cash: Y Check: Y Credit: Y
 Range of Years: First to 2012
 Range of Periods: 1 to 12
 Range of Dates: 12/01/10 to 12/31/10
 Print Ref Num: N
 Range of Installment Due Dates: First to Last
 =====

Code Description	Count	Arrears/Other	Principal			Interest	Total
			2009	2010	Future		
001 TAX-Billing	869	0.00	0.00	767,302.56	425,474.11	13,282.89	1,206,059.56
014 ADDED ASSESSMENT/OMI	10	0.00	0.00	33,585.49	1,482.82	505.95	35,574.26
SUB SUBSEQUENT TAX	8	0.00	0.00	45,537.39	0.00	1,477.97	47,015.36
Tax Payments	887	0.00	0.00	846,425.44	426,956.93	15,266.81	1,288,649.18
00L OUTSIDE REDEEM	103	122,521.43	0.00	0.00	0.00	12,952.11	135,473.54
FEE	23	1,193.00	0.00	0.00	0.00	0.00	1,193.00
Lien Payments	126	123,714.43	0.00	0.00	0.00	12,952.11	136,666.54
005 BOUNCED CHECK FEE	2	40.00	0.00	0.00	0.00	0.00	40.00
010 TAX SEARCHES	2	12.00	0.00	0.00	0.00	0.00	12.00
012 DUPLICATE BILLS	8	40.00	0.00	0.00	0.00	0.00	40.00
Misc Payments	12	92.00	0.00	0.00	0.00	0.00	92.00
NSF BOUNCED CHECK	1	0.00	0.00	35,072.24-	0.00	539.05-	35,611.29-
Tax NSF	1	0.00	0.00	35,072.24-	0.00	539.05-	35,611.29-
Payments Total:	1025	123,806.43	0.00	846,425.44	426,956.93	28,218.92	1,425,407.72
NSF Reversals Total:	1	0.00	0.00	35,072.24-	0.00	539.05-	35,611.29-
Total:	1026	123,806.43	0.00	811,353.20	426,956.93	27,679.87	1,389,796.43

Total Cash: 9,724.94

Total Check: 1,380,071.49

Total Credit: 0.00

REDEMPTIONS FOR THE MONTH OF DECEMBER 2010							
DATE REDEEMED	BLOCK	LOT	QUAL.	CERTIFICATE #	ADDRESS	REDEMPTION AMOUNT	PREMIUM AMOUNT
12/2/2010	261.04	1	CP098	09-80200	1025 Maxwell Lane	713.08	-
12/6/2010	66	14		080052	527 JACKSON ST	15,398.90	-
12/6/2010	204	28		09-80153	526 WASHINGTON ST	17,576.32	7,100.00
12/7/2010	66	14		097079	527 JACKSON ST	9,427.21	100.00
12/8/2010	89	12	CCOMB	080081	501 NINTH ST.	2,029.35	-
12/13/2010	115	9.01	COP16	09-80108	1317-27 GRAND/1326 CL	492.27	-
12/13/2010	115	9.01	C0606	09-80107	1317-27 GRAND/1326 CL	9,140.84	4,900.00
12/13/2010	42	15	C0009	09-80049	222-32 CLINTON ST	4,852.00	3,800.00
12/17/2010	158.1	1		080109	32 WILLOW COURT	681.77	-
12/17/2010	27	24		09-80038	118 MONROE ST	1,087.76	400.00
12/17/2010	87	13	C005C	09-80083	824-30 MONROE ST	249.22	-
12/17/2010	184	1		09-80139	901 PARK AVE	5,962.22	1,100.00
12/17/2010	243	19	C004B	09-80179	1122 HUDSON ST	273.11	500.00
12/20/2010	60	1		09-80059	401-405 JEFFERSON ST	7,327.72	1,000.00
12/20/2010	60	1		097075	401-405 JEFFERSON ST	2,395.39	100.00
12/20/2010	47	32		080039	302 MONROE ST	11,040.02	6,100.00
12/20/2010	47	32		09-80053	302 MONROE ST	7,831.34	
12/20/2010	47	32		097064	302 MONROE ST	15,671.43	1,100.00
12/21/2010	254	13	C001A	097249	209 FOURTEENTH ST	14,420.63	2,500.00
12/23/2010	2	5	C0059	030032	352 OBSERVER HWY	722.30	
12/28/2010	91	1.2	CP008	070160	825 ADAMS ST	1,952.50	
12/28/2010	2	5	C0046	030024	352 OBSERVER HWY	724.31	
12/28/2010	2	5	C0043	030021	352 OBSERVER HWY	722.30	
12/28/2010	268.1	2	C007P	09-80206	1500 WASHINGTON ST	5,560.00	3,000.00
12/30/2010	27	4	C0P13	09-80036	109-119 JACKSON ST	414.55	
						136,666.54	31,700.00



*Municipal Court of Hoboken
City Hall*

100 Newark Street
Hoboken, New Jersey 07030
201 - 420-2120
Fax 201 - 420-2138



HON. MICHAEL A. MONGIELLO
C.J.M.C.
HON. CATALDO F. FAZIO
J.M.C.

ROSEANN GOHDE
Court Director

JANUARY 4, 2011

MR. JAMES FARINA
CITY CLERK
CITY OF HOBOKEN
CITY HALL
HOBOKEN N.J. 07030

DEAR MR. FARINA:

THE HOBOKEN MUNICIPAL COURT HAS ISSUED CHECK # 4957 IN THE TOTAL AMOUNT OF \$375,722.88 TO THE TREASURER OF THE CITY OF HOBOKEN. THIS CHECK REPRESENTS THE COLLECTIONS OF THE HOBOKEN MUNICIPAL COURT FOR THE MONTH OF DECEMBER 2010 (ATS/ACS SYSTEM)

VERY TRULY YOURS,

ROSE ANN GOHDE C.M.C.A.
MUNICIPAL COURT DIRECTOR

C: HON. DAWN ZIMMER, MAYOR
ARCH LISTON, BUSINESS ADMINISTRATOR
MICHAEL MONGIELLO, C.J.M.C.

Rcvd Batch Id Range: First to Last		Rcvd Date Start: 01/12/11		End: 01/14/11		Report Format: Condensed	
Rcvd Date	Batch Id	PO #	Description	Vendor	Amount	Contract	
01/13/11	CHRIS	11-02053	REIMBURSEMENT-LICENSE RENEWAL	00067	SASSO, FRANK	100.00	
01/13/11	CHRIS	11-01913	SUBSCRIPTION RENEWAL	00119	GANN LAW BOOKS	211.50	
01/13/11	CHRIS	11-01898	REIMBURSEMENT LEAGUE	00243	BRANDY FORBES	38.60	
01/13/11	CHRIS	11-01799	PROFESSIONAL SERVICES	00262	JERSEY JOURNAL	222.22	
01/13/11	CHRIS	11-02020		00267	ROBERT FRASCA	180.00	
01/13/11	CHRIS	11-02009	CATERING 11/2/10	00277	LISA'S ITALIAN DELI, INC	112.16	
01/13/11	CHRIS	11-02033	1099'S MISC LAZER JET 2010	00293	M. G. L. FORMS-SYSTEMS LLC	421.00	
01/13/11	CHRIS	11-01806	REQUEST FOR PROPOSALS	00331	N. J. STATE MUNICIPALITIES	65.00	
01/13/11	CHRIS	11-02007	PERIODIC SERVICES	00522	SUPREME SECURITY SYSTEMS INC	246.06	
01/13/11	CHRIS	11-01376	BASKETBALL UNIFORMS	00690	STAN'S SPORT CENTER	2,685.00	
01/13/11	CHRIS	11-01811	WRESTLING EQUIPMENT	00690	STAN'S SPORT CENTER	3,732.00	
01/13/11	CHRIS	11-01887	T-SHIRTS WITH LOGO/NUMBERS	00690	STAN'S SPORT CENTER	3,060.00	
01/13/11	CHRIS	11-02032		00693	NORTH JERSEY MEDIA GROUP	1,639.02	
01/13/11	CHRIS	11-01895	4TH QUARTER H. R. H. C. PAYMENT	00777	HUDSON REGIONAL HEALTH COMM.	4,327.25	
01/13/11	CHRIS	11-01976	REDEMPTION	00795	US BANK CUST FOR CCTS CAPITAL	17,140.02	
01/13/11	CHRIS	11-01788	RESCUE REPAIRS	00811	CUMMINS POWER SYSTEMS	536.97	
01/13/11	CHRIS	11-01715	SERVICES RENDERED	01192	REBEKAH ARAMINI LUPO	80.00	
01/13/11	CHRIS	11-01919	SANDWICHES	01206	LOSURDO BROTHERS	1,000.00	
01/13/11	CHRIS	11-00757	MAINTENANCE	01239	WESTON SOLUTION, INC.	6,998.85	
01/13/11	CHRIS	11-01905	REDEMPTION	01287	TOWER LIEN LLC	14,040.84	
01/13/11	CHRIS	11-01953	REDEMPTION	01287	TOWER LIEN LLC	7,062.22	
01/13/11	CHRIS	11-01956	REDEMPTION	01287	TOWER LIEN LLC	8,327.72	
01/13/11	CHRIS	11-01951	REDEMPTION	01293	DIANE CLEMENTE	1,487.76	
01/13/11	CHRIS	11-02078	REDEMPTION	01299	US BANK CUST PRO CAPITAL LLC	414.55	
01/13/11	CHRIS	11-00303	fit testing equipment	01301	TSI, INC.	663.28	
01/13/11	CHRIS	11-01735	PROFESSIONAL SERVICES	01302	F. CLIFFORD GIBBONS, ESQ. LLC	1,800.00	
01/13/11	CHRIS	11-02068	REDEMPTION	01311	YOSIF KOROGODSKY	8,560.00	
01/13/11	CHRIS	11-01774		01318	VICTOR A. AFANADOR, ESQ.	9,231.05	
01/13/11	CHRIS	11-00618	SEWERAGE BILL FOR NEW GARAGE	01353	FRANK SAVINO	77.72	
01/13/11	CHRIS	11-01175	REIMBURSEMENT OF SOCCER FEE	01405	NANCY TRUMPNER	25.00	
01/13/11	CHRIS	11-02044	PROF SERVICES TAX APPEALS	01418	VINCENT J. LAPAGLIA	3,107.62	
01/13/11	CHRIS	11-02050	LEGAL SERVICES TAX APPEALS	01418	VINCENT J. LAPAGLIA	1,758.14	
01/13/11	CHRIS	11-01760	CHAPTER 75 CARDS YEAR 2011	01507	COMMERCIAL BUSINESS FORMS	11,850.00	
01/13/11	CHRIS	11-01703	APPARATUS MAINTENANCE	01597	M & G AUTO PARTS, INC.	253.32	
01/13/11	CHRIS	11-02065	REFUND MUNICIPAL COURT BAIL	01615	JAWWAD MUHAMAMD	265.00	
01/13/11	CHRIS	11-02016	GENERAL ELECTION 11/2/10	01991	RICHARD SCHUBRING	100.00	
01/13/11	CHRIS	11-01960	DATA CARD INSERTS	02174	WHITBOARDSETC	45.93	
01/13/11	CHRIS	11-01801	2011 MEMBERSHIP APPLICATIONS	02416	NEW JERSEY HEALTH OFF. ASSOC.	400.00	
01/13/11	CHRIS	11-01593	PARTS FOR REPAIRS	02423	FIRE FIGHTERS EQUIPMENT CO.	605.95	
01/13/11	CHRIS	11-02052	REIMBURSEMENT-LICENSE RENEWAL	02682	TARANTINO, NANCY	100.00	
01/13/11	CHRIS	11-01787	COLOR COPY	02702	THE OFFICE	54.00	
01/13/11	CHRIS	11-01963	REIMBURSEMENT TO KEVIN TOOMEY	02774	TOOMEY, KEVIN	50.00	
01/13/11	CHRIS	11-01909	PROJECTOR AND CAMCORDER EQUIP	02813	C. D. W. GOVERNMENT INC.	708.08	
01/13/11	CHRIS	11-01762	FORMS FOR COURT/VIOLATIONS	03611	MIAMI SYSTEMS CORPORATION	547.24	
01/13/11	CHRIS	11-01637	GAS LEAK DETECTOR	03961	HANSEN FIRE & SAFETY	390.24	
01/13/11	CHRIS	11-01947	ZONING BOARD ESCROW ACCOUNTS	03972	ANTHONY VANDERMARK	730.50	
01/13/11	CHRIS	11-02008	PROFESSIONAL SERVICES	04660	KAUFMAN, BERN & DEUTSCH, LLP	1,541.00	
01/13/11	CHRIS	11-01352	PRINTER CARTRIDGE	05307	W. B. MASON CO., INC.	67.36	
01/13/11	CHRIS	11-02006	PROFESSIONAL SERVICES	05788	THE GALVIN LAW FIRM	940.00	
01/13/11	CHRIS	11-01745	LEGAL SERVICES	061	ADAM B REISMAN, ATTY AT LAW	150.00	
01/13/11	CHRIS	11-02018	GENERAL ELECTION 11/2/10	06685	MICHAEL TAGLIERI	100.00	
01/13/11	CHRIS	11-01739	PROFESSIONAL LEGAL SERVICES	07162	MCELROY, DEUTSCH, MULVANEY	1,092.00	

Rcvd Date	Batch Id	PO #	Description	Vendor	Amount	Contract
01/13/11	CHRIS	11-02010	code books for office	07298	INTERNATIONAL CODE COUNCIL INC	913.50
01/13/11	CHRIS	11-02049	PROFESSIONAL LEGAL SERVICES	07426	DAVID F. CORRIGAN, ESQ.	2,443.50
01/13/11	CHRIS	11-01978	REIMBURSEMENT	07510	ROBERT GOHDE	524.45
01/13/11	CHRIS	11-02069	2011 MEMBERSHIP	07751	N. J. ENV. HEALTH ASSOCIATION	450.00
01/13/11	CHRIS	11-02035	REDEMPTION	08370	PAM INVESTORS	722.30
01/13/11	CHRIS	11-02057	REDEMPTION	08370	PAM INVESTORS	722.30
01/13/11	CHRIS	11-02058	REDEMPTION	08370	PAM INVESTORS	724.31
01/13/11	CHRIS	11-02015	GENERAL ELECTION 11/2/10	08539	RICHARD J. SCHUBRING	100.00
01/13/11	CHRIS	11-02047		08777	CAMMARATA, NULTY & GARRIGAN, LLC	770.00
01/13/11	CHRIS	11-01957	REDEMPTION	09669	PLYMOUTH PARK TAX SERVICE LLC	2,495.39
01/13/11	CHRIS	11-01974	REDEMPTION	09669	PLYMOUTH PARK TAX SERVICE LLC	16,771.43
01/13/11	CHRIS	11-02027	REDEMPTION	09701	ROBERT DEL VECCHIO PENSION	16,920.63
01/13/11	CHRIS	11-02024	REIMBURSEMENT	09708	SHARON CURRAN	209.06
01/13/11	CHRIS	11-01979	ACTING JUDGE	09972	KELLY AUSTIN, JMC	300.00
01/13/11	CHRIS	11-02019	GENERAL ELECTION 11/2/10	3954	CHARLES KOLMER	180.00
Total for Batch: CHRIS						163,589.04
01/13/11	MEM	11-01921	CONSULTANCY SERVICES	00031	BOSWELL ENGINEERING	18,080.50
01/13/11	MEM	11-01999	PROFESSIONAL SERVICES	00031	BOSWELL ENGINEERING	1,195.50
01/13/11	MEM	11-01879	SERVICES 3RD&CLINTON GAR DOORS	00142	HOBOKEN LOCK & SUPPLY	160.00
01/13/11	MEM	11-01984	WATER BOTTLES	00287	METROPOLITAN COFFEE SERVICE	25.00
01/13/11	MEM	11-02074	ELECTRIC CARS	00682	MONMOUTH VANS	13,610.00
01/13/11	MEM	11-02075	ELECTRIC CAR	00682	MONMOUTH VANS	17,690.00
01/13/11	MEM	11-01996	REIMBURSEMENT OF EXPENSES	00696	IAN SACS	1,983.70
01/13/11	MEM	11-01819	BUSMAPPER SERVICES 12/10	01134	PARKINGMAPPER GROUP, INC.	2,250.00
01/13/11	MEM	11-01883	REPAIRS/GARAGE B	01424	Z'S IRON WORKS	390.00
01/13/11	MEM	11-02077	EMER. SHUTTLE BUS PURCHASE	02323	ARCOLA BUS SALES	25,000.00
01/13/11	MEM	11-02039	FLORAL ARRANGEMENTS/BENITO	02756	JOHN THE FLORIST	600.00
01/13/11	MEM	11-01696	SIGNAL/TRAFFIC SUPPLIES	02966	GRIMCO	217.19
01/13/11	MEM	11-01959	STORAGE 12/10	08989	NOVA RECORDS MANAGEMENT, LLC	236.53
01/13/11	MEM	11-01997	BATTERIES-MAINTENANCE	09804	METER PRODUCTS COMPANY INC.	760.00
Total for Batch: MEM						82,198.42
01/13/11	MPG	11-01761	PRO. SERVICES BOYS/CLUB11/5/10	00031	BOSWELL ENGINEERING	362.92
01/13/11	MPG	11-01794	GENERAL ENG. SERVICES 11/10	00031	BOSWELL ENGINEERING	7,039.25
01/13/11	MPG	11-01795	ENGR. SERVICES BOYS/GIRLS CLUB	00031	BOSWELL ENGINEERING	4,822.46
01/13/11	MPG	11-01796	PRO. SERVICES THROUGH 11/5/10	00031	BOSWELL ENGINEERING	166.00
01/13/11	MPG	11-01797	PRO. SERVICES MUNICIPAL GAGAGE	00031	BOSWELL ENGINEERING	249.00
01/13/11	MPG	11-01861	ON CALL ENGR. THROUGH 11/19/10	00031	BOSWELL ENGINEERING	539.50
01/13/11	MPG	11-01445	SUPPLIES 9, 10, 11/10 CG	00077	CITY PAINT AND HARDWARE	714.01
01/13/11	MPG	11-01676	REPLACEMENT PLEXIGLASS	00141	HOBOKEN GLASS COMPANY	1,152.00
01/13/11	MPG	11-01699	BARISO MAINT 11/10-11/11	00180	TOSHIBA BUSINESS SOLUTIONS	1,815.00
01/13/11	MPG	11-01728	REPAIR SWEEPER #104	00230	BEYER BROTHERS CORP.	5,306.89
01/13/11	MPG	11-01695	REPAIR TRUCK #178 CENTRAL GAR.	00679	SANITATION EQUIP. CORP.	555.62
01/13/11	MPG	11-00852	FALL FESTIVAL ADVERTISEMENT	00693	NORTH JERSEY MEDIA GROUP	1,404.96
01/13/11	MPG	11-01411	ADVERTISEMENT STUDIO TOUR	00693	NORTH JERSEY MEDIA GROUP	581.12
01/13/11	MPG	11-00327	clear strobe tubeFD/PLOW CHAIN	00733	CLIFFSIDE BODY CORP.	556.99
01/13/11	MPG	11-01790	CITY XMAS DECOS	01199	CHRISTMAS SPECTACULAR	11,830.00
01/13/11	MPG	11-01838	SOUND SETUP TREE LIGHTING	01322	MICHAEL FORBES	125.00
01/13/11	MPG	11-01485	REPAIR LAWN MOWER PARKS	01424	Z'S IRON WORKS	120.00
01/13/11	MPG	11-01697	POSTAGE FEES-NOTICES MAILED	01463	PART D ADVISORS, INC.	89.76
01/13/11	MPG	11-01855	PLOW REPAIR PARTS	01597	M & G AUTO PARTS, INC.	2,013.10

Rcvd Date	Batch Id	PO #	Description	Vendor	Amount	Contract
01/13/11	MPG	11-01894	REIMBURSEMENT	01697 FALLO, GERALDINE	281.67	
01/13/11	MPG	11-02054	REIMBURSEMENT	01697 FALLO, GERALDINE	35.16	
01/13/11	MPG	11-01730	LEAF DISPOSAL SERV	01858 NATURE' S CHOICE	107.70	
01/13/11	MPG	11-01833	LEAF DISPOSAL CITY WIDE	01858 NATURE' S CHOICE	233.54	
01/13/11	MPG	11-01867	REPAIRS LLF	02280 RICHARD DUNKIN	130.00	
01/13/11	MPG	11-00027	7-12/10 CELL SERV-MAYOR	03973 VERIZON WIRELESS	86.77	
01/13/11	MPG	11-00025	7-12/10 CELL ACCT #141015027	04794 NEXTEL COMMUNICATIONS	7,279.99	
01/13/11	MPG	11-00021	7-12/10 INTERNET SERV #45278	04947 CABLEVISION LIGHTPATH, INC.	1,154.05	
01/13/11	MPG	11-00022	7-12/10 REVERSE 911 SYST SERV	04947 CABLEVISION LIGHTPATH, INC.	2,791.75	
01/13/11	MPG	11-00663	VEHICLE LIFT CENTRAL GARAGE	05225 SPECIALTY AUTOMOTIVE EQUIPMENT	1,000.00	
01/13/11	MPG	11-01690	MOHAWK LIFT INST/CERT AT CG	05225 SPECIALTY AUTOMOTIVE EQUIPMENT	750.00	
01/13/11	MPG	11-00011	7-12/10 #2 FUEL OIL MSC	05282 METRO FUEL OIL	9,726.44	
01/13/11	MPG	11-00020	7-12/10 COPY/PRINTER SUPPLY	05307 W. B. MASON CO., INC.	29.54	
01/13/11	MPG	11-01677	TIRES MISC. VEHICLES	05558 CUSTOM BANDAG, INC.	1,102.14	
01/13/11	MPG	11-00016	7-12/10 ACCT #1238468	07031 THE PMA INSURANCE GROUP	1,144.00	
01/13/11	MPG	11-01689	WINTERIZING/REPAIR 15TH ST	08100 MAIK INC	1,305.00	
01/13/11	MPG	11-00019	7-12/10	08511 RICOH BUSINESS SOLUTIONS	370.00	
01/13/11	MPG	11-00038	7-12/10 TESTING SERV REND	08849 CONCORDE, INC.	352.00	
01/13/11	MPG	11-01512	REPAIR P. D. VEH. #101	09181 QUALITY AUTOMALL	81.91	
Total for Batch: MPG					67,405.24	
Total for Date: 01/13/11					Total for All Batches: 313,192.70	

	Batch Id	Batch Total
Total for Batch:	CHRIS	163,589.04
Total for Batch:	MEM	82,198.42
Total for Batch:	MPG	67,405.24
Total Of All Batches:		=====
		313,192.70

Fund Description	Fund	Budget Total	Revenue Total
CURRENT FUND	0-01	124,559.89	0.00
PARKING UTILITY FUND	0-31	81,726.48	0.00
Year Total:		206,286.37	0.00
GRANT FUND	G-02	6,417.00	0.00
TRUST FUND & OTHER	T-03	98,606.83	0.00
	T-24	1,152.00	0.00
Year Total:		99,758.83	0.00
Total Of All Funds:		312,462.20	0.00

Project Description	Project No.	Project Total
33 WILLOW AVENUE	292793	730.50
		=====
Total Of All Projects:		730.50

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:

23-Dec-10	TO	05-Jan-11	Paydate	1/12/2011	
<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	10,324.61	0.00	0.00	10,324.61
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	8,265.99	0.00	0.00	8,265.99
GRANTS MANAGEMENT	1-01-20-116	0.00	0.00	0.00	0.00
CITY CLERK'S OFFICE	1-01-20-120	14,870.08	0.00	0.00	14,870.08
ELECTIONS	1-01-20-122	0.00	0.00	0.00	0.00
FINANCE OFFICE	1-01-20-130	25,731.78	0.00	0.00	25,731.78
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	13,437.79	0.00	0.00	13,437.79
CORPORATE COUNSEL	1-01-20-155	11,906.73	37.92	0.00	11,944.65
COMMUNITY DEVELOPMENT	1-01-20-160	6,290.08	0.00	0.00	6,290.08
TREASURER	1-01-20-146	0.00	0.00	0.00	0.00
PLANNING BOARD	1-01-21-180	5,824.62	223.43	0.00	6,048.05
INFORMATION TECHNOLOGY	1-01-20-147	4,305.46	869.40	0.00	5,174.86
ZONING OFFICER	1-01-21-186	4,746.88	0.00	0.00	4,746.88
HOUSING INSPECTION	1-01-21-187	5,489.84	243.06	0.00	5,732.90
CONSTRUCTION CODE	1-01-22-195	27,406.38	0.00	0.00	27,406.38
POLICE DIVISION	1-01-25-241	509,966.56	25,499.73	75,360.40	610,826.69
CROSSING GUARDS	1-01-25-241	5,315.23	0.00	0.00	5,315.23
EMERGENCY MANAGEMENT	1-01-25-252	4,437.50	7,571.58	500.00	12,509.08

<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	399,687.32	82,076.91	21,204.10	502,968.33
STREETS AND ROADS	1-01-26-291-011	23,975.08	14,514.02	0.00	38,489.10
ENV SRVCS DIR OFFICE	1-01-26-290	9,937.15	0.00	0.00	9,937.15
RECREATION SEASONAL EMP	1-0128370016	182.50	0.00	0.00	182.50
CENTRAL GARAGE	1-01-26-301	3,145.92	3,993.44	0.00	7,139.36
SANITATION	1-01-26-305	20,901.94	3,007.16	0.00	23,909.10
LICENSING DIVISION	1-31-55-501-101	3,732.34	0.00	1,500.00	5,232.34
HUMAN SRVCS DIR OFFICE	1-01-27-330	6,668.07	0.00	0.00	6,668.07
BOARD OF HEALTH	1-01-27-332	15,719.13	0.00	0.00	15,719.13
CONSTITUENT SRCS	1-01-27-333	0.00	0.00	0.00	0.00
SENIOR CITIZENS	1-01-27-336	15,974.71	0.00	0.00	15,974.71
RENT STABILIZATION	1-01-27-347	7,285.92	0.00	0.00	7,285.92
TRANSPORTATION	1-01-27-348	0.00	0.00	0.00	0.00
RECREATION	1-01-28-370	12,426.88	0.00	0.00	12,426.88
PARKS	1-01-28-375	18,227.11	4,831.17	0.00	23,058.28
PUBLIC PROPERTY	1-01-28-377	28,618.52	1,660.62	424.00	30,703.14
PUBLIC LIBRARY	1-0129-390-021	0.00	0.00	0.00	0.00
PUBLIC DEFENDER	1-01-43-495	2,600.38	0.00	0.00	2,600.38
MUNICIPAL COURT	1-01-43-490	35,147.93	0.00	0.00	35,147.93
PARKING UTILITY	1-31-55-501-101	72,608.37	14,982.41	0.00	87,590.78
MUN COURT OVERTIME	T-0340000-037	0.00	1,585.31	0.00	1,585.31
GRANT#	T0340000004	0.00	0.00	0.00	0.00
GRANT#	G-02-44-701-380	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	3,071.88	0.00	0.00	3,071.88

<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	3,444.91	0.00	277,164.13	280,609.04
POLICE OUTSIDE EMPL.	T-03-40-000-006	0.00	0.00	19,715.00	19,715.00
RESERVE FOR POAA	T-03-40-000-032	0.00	0.00	0.00	0.00
GRANT	G-02-44-701-310	0.00	0.00	0.00	0.00
POLICE HOUSING AUTHORITY OEP	1-01-25-241-017	0.00	0.00	0.00	0.00
		=====	=====	=====	=====
GRAND TOTAL		1,376,763.44	161,096.16	396,175.33	1,934,034.93
					1,934,034.93

Introduced by: _____

Seconded by: _____

CITY OF HOBOKEN
RESOLUTION NO. _____

APPOINTING _____ TO THE HOBOKEN ZONING BOARD OF ADJUSTMENT FOR THE TERM DECEMBER 31, 2014

WHEREAS, pursuant to the Code of the City of Hoboken, §44-11, the City of Hoboken has established a Zoning Board of Adjustment; and,

WHEREAS, pursuant to §44-11, members of the Zoning Board of Adjustment are appointed by the City Council, and,

WHEREAS, the term of Zoning Board of Adjustment member Anthony Soares expired on December 31, 2010 and the City Council wishes to name a replacement so as to ensure continuity of membership on the Board; and,

WHEREAS, the City Council has followed the process contemplated by the "Citizens Service Act," in applications for the position were publicly sought and reviewed, and _____ has timely submitted his/her application to the Clerk of the City of Hoboken;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby appoints _____, residing at _____, to serve as a regular member of the Hoboken Zoning Board of Adjustment to fill the seat recently expired for Anthony Soares which appointment shall be effective on January 19, 2011 and expire on December 31, 2014.

MEETING DATE: January 19, 2011

APPROVED:

APPROVED AS TO FORM:

Arch Liston, Business Administrator

Mark Tabakin, Corporation Counsel

Introduced by: _____

Seconded by: _____

**CITY OF HOBOKEN
RESOLUTION NO. _____**

**APPOINTING _____ TO THE HOBOKEN ZONING BOARD
OF ADJUSTMENT FOR THE TERM DECEMBER 31, 2014**

WHEREAS, pursuant to the Code of the City of Hoboken, §44-11, the City of Hoboken has established a Zoning Board of Adjustment; and,

WHEREAS, pursuant to §44-11, members of the Zoning Board of Adjustment are appointed by the City Council, and,

WHEREAS, the term of Zoning Board of Adjustment member George Crimmins expired on December 31, 2010 and the City Council wishes to name a replacement so as to ensure continuity of membership on the Board; and,

WHEREAS, the City Council has followed the process contemplated by the "Citizens Service Act," in applications for the position were publicly sought and reviewed, and _____ has timely submitted his/her application to the Clerk of the City of Hoboken;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby appoints _____, residing at _____, to serve as a regular member of the Hoboken Zoning Board of Adjustment to fill the seat recently expired for George Crimmins which appointment shall be effective on January 19, 2011 and expire on December 31, 2014.

MEETING DATE: January 19, 2011

APPROVED:

APPROVED AS TO FORM:

Arch Liston, Business Administrator

Mark Tabakin, Corporation Counsel

Introduced by: _____

Secoded by: _____

CITY OF HOBOKEN
RESOLUTION NO. _____

**APPOINTING _____ AS ALTERNATE #2 TO THE
HOBOKEN ZONING BOARD OF ADJUSTMENT TO FILL A VACANCY IN A
TERM TO EXPIRE ON DECEMBER 31, 2012**

WHEREAS, pursuant to the Code of the City of Hoboken, §44-11, the City of Hoboken has established a Zoning Board of Adjustment; and,

WHEREAS, pursuant to §44-11, members of the Zoning Board of Adjustment are now appointed by the City Council; and,

WHEREAS, §44-11(D) provides for the appointment of up to two (2) alternate members to the Zoning Board of Adjustment who serve for a term of two (2) years; and,

WHEREAS, there is a current vacancy for the position of Alternate #2 to the Zoning Board of Adjustment since the term of Michael Evers expired on December 31, 2010; and,

WHEREAS, this term is set to expire on December 13, 2012; and,

WHEREAS, the City Council has followed the process contemplated by the “Citizens Service Act,” in that applications for the position were publicly sought and reviewed, and _____ timely submitted his/her application to the Clerk of the City of Hoboken;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby appoints _____, residing at _____, to fill the vacant position of Alternate #2 of the Hoboken Zoning Board of Adjustment for a term to expire on December 13, 2012.

MEETING DATE: January 19, 2011

APPROVED:

APPROVED AS TO FORM:

Arch Liston, Business Administrator

Mark Tabakin, Corporation Counsel

Sponsored by _____

Sponsored by _____

RESOLUTION NO. _____

**RESOLUTION APPOINTING _____ AS A COMMISSIONER OF THE
NORTH HUDSON SEWERAGE AUTHORITY BEGINNING ON FEBRUARY 1,
2011 AND EXPIRING ON FEBRUARY 1, 2016**

WHEREAS, pursuant to Section 64-2 of the Administrative Code of the City of Hoboken, the governing body of the City of Hoboken shall appoint three (3) members to the North Hudson Sewerage Authority (“the Authority”); and

WHEREAS, the term of Commissioner David Lopez is set to expire on February 1, 2011, and said position must be filled in order to retain consistent membership on the Authority on behalf of the City of Hoboken; and,

WHEREAS, the City Council has determined that _____ who resides at _____ within the City of Hoboken should take the position of Commissioner on behalf of the City of Hoboken at the expiration of Commissioner David Lopez’s current term.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that _____, who resides at _____ within the City of Hoboken, be and is hereby appointed as a commissioner of the North Hudson Sewage Authority, to fill the expiring seat held by Commissioner David Lopez, for a term of five (5) years to commence February 1, 2011 and expire January 31, 2016.

MEETING DATE: January 19, 2011

Reviewed:

APPROVED AS TO FORM:

Arch Liston, Business Administrator

Mark Tabakin, Corporation Counsel

Introduced by: _____

Seconded by: _____

CITY OF HOBOKEN

RESOLUTION NO. _____

**APPOINTMENT OF _____ TO THE HOBOKEN HOUSING AUTHORITY
COMMISSION FOR A TERM EXPIRING MAY 3, 2015**

WHEREAS, the Hoboken Housing Authority currently has a vacancy on their Board of Commissioners; and

WHEREAS, the Hoboken City Council is hereby appointing _____ residing at _____ in Hoboken, to fill this vacancy in the Hoboken Housing Authority pursuant to the Code of the City of Hoboken, §38-2.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken hereby appoints _____ to the Hoboken Housing Authority, pursuant the Code of the City of Hoboken, §38-2, effective immediately; and

BE IT FUTHER RESOLVED,

1. The above recitals are incorporated herein as if fully set forth at length.
2. _____ is appointed to the Hoboken Housing Authority's Board of Commissioners for the remainder of a vacant **five-year term, expiring May 3, 2015.**
3. This resolution shall be effective immediately.

MEETING DATE: January 19, 2011

REVIEWED:

APPROVED AS TO FORM:

Arch Liston, Business Administrator

Mark Tabakin, Corporation Counsel

Sponsored by: _____

Seconded by: _____

RESOLUTION

Requesting approval of the Director of the Division of Local Government Services to Establish a Dedicated Trust by Rider for Recreation Trust Fund Pursuant to N.J.S.A. 40A:4-39.

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

WHEREAS, N.J.S.A. 40A:4-39 allows municipalities to receive amounts for costs incurred for Recreation Trust Fund, and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider,

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

1. The Mayor and Council hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Recreation Trust Fund as per N.J.S.A. 40A:4-39; and,
2. The municipal clerk of the City of Hoboken is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

James Farina, City Clerk

I certify this to be a true copy of
Resolution
Adopted by Mayor and Council on

Sponsored By: _____

Co-Sponsored By: _____

Resolution No. _____

1600 Park Avenue – Project No. 0905-06-062

**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES ENABLING RESOLUTION**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the City of Hoboken (*name of applicant*) desires to further the public interest by obtaining a loan of \$700,000.00 and a grant of \$1,000,000.00 from the State to fund the following project(s): (*describe the project*) Development of 1600 Park Avenue as parkland

NOW, THEREFORE, the governing body/board resolves that Dawn Zimmer (*name of authorized official*) or the successor to the office of Mayor (*title of authorized official*) is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE Council of the City of Hoboken (*name of legal body or board*)

1. That the Mayor (*title of authorized official*) of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as (*project name*) Development of 1600 Park Avenue Park; and
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$300,000 (Hudson County Open Space Trust Fund);
3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

Meeting Date: January 19, 2011

Department of Community Development

Approved as to Form:

Brandy A. Forbes, Director

Mark A. Tabakin, Corporation Counsel

CERTIFICATION

I, James J. Farina, City Clerk (*name and title of Secretary or equivalent*) do hereby certify that the foregoing is a true copy of a resolution adopted by The Hoboken City Council (*name of legal body or board*) at a meeting held on the 19th day of January, 2011.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 19th day of January, 2011.

James J. Farina, City Clerk

Introduced by: Timothy Occhipinti

Seconded by: Terry Castellano

CITY OF HOBOKEN

Resolution No. _____

RESOLUTION TO AMEND THE MOST RECENT "HOBOKEN CORNER CARS" RESOLUTION, DATED DECEMBER 1, 2010, TO ALTER THE LOCATIONS OF THE SPECIFIC PARKING SPACES

WHEREAS, three previous resolutions to establish temporary parking spaces for the Corner Cars program have been passed by this Council, on May 19, 2010, September 1, 2010, and December 1, 2010, and an amendment is necessary to one of the locations of the current Corner Car parking spaces in order to better effectuate the intent of the Corner Cars program;

WHEREAS, pursuant to N.J.S.A. 39:4-8c and N.J.S.A. 39:4-197 the City Council is authorized to set rules and regulations related to parking on municipal streets.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken, the December 1, 2010 Resolution is hereby amended as follows (deletions are noted in strikethrough and additions are noted in underline):

Name of Street	Side	Location
Second Street	South	Beginning at a point 35 feet east of the easterly curbline of Adams Street and extending for 32 feet easterly therefrom
Eleventh Street	South	Beginning at a point 35 feet west of the westerly curbline of Hudson Street and extending for 32 feet westerly therefrom
<u>Jefferson Street</u>	<u>East</u>	<u>Beginning at a point 35 feet north of the southerly curbline of Third Street and extending 32 feet southerly therefrom</u>
<u>Sinatra Drive</u>	<u>North</u>	<u>Beginning at a point 115 feet east of the easterly curbline of Hudson Street and extending 32 feet easterly therefrom</u>

BE IT FURTHER RESOLVED that the remainder of the Resolution dated December 1, 2010 shall remain unchanged and in full force and effect.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided to Mayor Dawn Zimmer, the Department of Parking and Transportation and the Hoboken

Introduced by: Timothy Occhipinti

Seconded by: Terry Castellano

Police Department to take any actions necessary to complete and realize the intent and purpose of this resolution, including but not limited to installation of temporary signage;

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

Meeting Date: January 19, 2011

Reviewed by:

Approved as to form:

Arch Liston
Business Administrator

Mark A. Tabakin, Esq.
Corporation Counsel

Introduced by: _____
Seconded by: _____

CITY OF HOBOKEN
RESOLUTION NO. _____

THIS RESOLUTION AWARDS A CONTRACT TO CALI CARTING, INC. FOR THE PROVISIONS OF SOLID WASTE REMOVAL SERVICES FOR THE CITY IN ACCORDANCE WITH THE SPECIFICATIONS IN BID NUMBER 10-30.

WHEREAS, proposals were received on Friday, January 7, 2011 for the provisions for solid waste removal for the City of Hoboken, as specified in Bid Number 10-30; and,

WHEREAS, two (2) proposals were received, these being:

VENDOR	PROPOSAL		
	Year 1	Year 2	Year 3
Waste Management 107 Sylvia Street Ewing, New Jersey 08628	\$2,097,720.00	\$2,139,672.00	\$2,182,464.00
Cali Carting, Inc. 450 Bergen Avenue Kearny, New Jersey 07032	\$1,540,000.00	\$1,540,000.00	\$1,540,000.00

WHEREAS, the lowest bid was received from Cali Carting, Inc., which submission was a responsible responsive bid of \$1,540,000.00 per year for three (3) years; and,

WHEREAS, as a result, the Purchasing Agent recommends that a contract be awarded to Cali Carting, Inc for provisions of solid waste removal for a period of three (3) years, in an amount not to exceed \$1,540,000.00 per year, pursuant to Bid No. 10-30.

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

- A. This resolution awards a contract to Cali Carting, Inc., in an amount not to exceed \$ 1,540,000.00 per year for a period of three (3) years, for the provision of solid waste removal in accordance with the specifications set forth in Bid No. 10-30.
- B. The Mayor or her designee is hereby authorized to take the necessary steps to enter into a contract, pursuant to Bid No. 10-30, and any other steps necessary to effectuate this resolution.
- C. This resolution shall take effect immediately upon passage.

Meeting of: January 19, 2011

APPROVED:

Jennifer Maier
Director, Environmental Services

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 \$1,540,000 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:

Provision of Solid Waste – Bid No. 10-30

As awarded to the following vendor:

Cali Carting, Inc.
450 Bergen Avenue
Kearny, New Jersey 07032

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:_____

Sponsored: Tim Occhipinti
Seconded: Councilwoman Castellano

CITY OF HOBOKEN
RESOLUTION NO. _____

RESOLUTION SUPPORTING A MOTION TO INTERVENE ON BEHALF OF THE CITY OF HOBOKEN IN OPPOSITION TO THE PROPOSED NEW JERSEY-NEW YORK NATURAL GAS PIPELINE

WHEREAS, the Citizens of the City of Hoboken deserve the preservation of their City and this State's exceptionally valuable and endangered natural resources; and,

WHEREAS, the magnitude of the proposed project could work to permanently spoil the natural landscape and interfere with those activities that citizens of the City enjoy both within the City limits and within the City's neighboring municipalities; and,

WHEREAS, it is the City Council's duty to preserve and protect environmentally sensitive areas and promote sound land-use principles within the boundaries of the City as well as those areas outside of the City which will, if damaged, affect Hoboken's citizens; and,

WHEREAS, the continued harm to endangered aspects of our environment requires a greater involvement from all levels of government; and,

WHEREAS, local government is in the best position to make the primary decisions affecting the preservation of our land.

NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby request that the Administration of the City of Hoboken move to intervene in the Texas Eastern Transmission, LP / Algonquin Gas Transmission, LLC Application (Docket CP11-56-000/PF-10-17-000) in an effort to further ensure that the environmental review of the proposed New Jersey/New York line project fully complies with the requirements of the National Environmental Policy Act and the Endangered Species Act, and any other law or regulations which was enacted with the general welfare of the citizens in mind; and,

BE IT FURTHER RESOLVED, that the City Council hereby authorizes the Mayor and/or her agent to take any action necessary to effectuate this Resolution.

Reviewed:

Approved as to Legal Form:

Arch Liston,
Business Administrator

Mark A. Tabakin, Esq.,
Corporation Counsel

Date of Meeting: January 19, 2011

Introduced by: _____
Seconded by: _____

CITY OF HOBOKEN
RESOLUTION NO. _____

THIS RESOLUTION REJECTS ALL BID PROPOSALS FOR THE PROVISIONS OF VEHICLE TOWING SERVICES FOR THE CITY IN UNDER THE SPECIFICATIONS IN BID NUMBER 10-32.

WHEREAS, proposals were received on Tuesday, January 4, 2011 for the provisions vehicle towing services for the City of Hoboken, as specified in Bid Number 10-32; and,

WHEREAS, two (2) proposals were received from the following bidders:

MILE SQUARE TOWING, LLC
1520 JEFFERSON STREET
HOBOKEN, NEW JERSEY 07030

AND

JOHNS MAIN AUTO BODY
1445 UNION TURNPIKE
NORTH BERGEN, NEW JERSEY 07047

WHEREAS, since the date of publication of Bid No. 10-32, the City has become aware of certain towing needs which will not be adequately met by entering into a contract pursuant to the terms and specification of Bid No. 10-32; and,

WHEREAS, as a result, the Office of Corporation Counsel recommends that the City Council of the City of Hoboken reject all bid submissions for the provision of vehicle towing services under Bid No. 10-32, pursuant to N.J.S.A. 40A:11-13.2 to allow the City to revise the bid specifications.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Hoboken hereby rejects all bid proposals submitted for the provision of vehicle towing services under Bid No. 10-32, pursuant to N.J.S.A. 40A:11-13.2; and,

BE IT FURTHER RESOLVED that the City Council requests the Administration determine what towing services are necessary to maintain the public safety, health and welfare on a day-to-day basis and on an emergency basis, based on recently developed information; and,

BE IT FURTHER RESOLVED, the City Council requests the Administration revise and publish bid specification for the provision of towing services accordingly.

Meeting of: January 19, 2011

REVIEWED:

Arch Liston
Business Administrator

APPROVED AS TO FORM:

Mark A. Tabakin, Esq.
Corporation Counsel

Introduced by: _____

Seconded by: _____

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

**RESOLUTION AUTHORIZING A CONTRACT WITH
MCGUIRE ASSOCIATES, LLC FOR THE SERVICES OF
HUGH A. MCGUIRE, III., ESQ. AS LICENSED TAX
APPRAISER FOR A ONE (1) YEAR TERM TO COMMENCE
ON JANUARY 1, 2011 AND TERMINATE ON DECEMBER
31, 2011**

WHEREAS, the City of Hoboken defends against property tax appeals on a regular basis in both Tax Court and before the Hudson County Tax Board; and,

WHEREAS, proper defense of the tax appeals requires the City to obtain the services of a licensed Tax Appraiser; and,

WHEREAS, McGuire Associates, LLC was the sole proposer under an RFP published by the City with a return date of November 30, 2010; and,

WHEREAS, McGuire Associates, LLC has offered its services as licensed tax appraiser to the City for many years, and therefore, offers the City special expertise relating to the tax assessments and appraisals of the City of Hoboken; and

WHEREAS, McGuire Associates, LLC has provided all documentation to comply with the financial disclosure and pay to play policies of the City, and is hereby required to continue to abide by the "pay-to-play" requirements of the Hoboken Public Contracting Reform Ordinance, #DR-154 (codified as §20A-11 et seq. of the Code of the City of Hoboken) throughout the term of this agreement; and,

WHEREAS, said service is a professional service as defined by N.J.S.A. 40A:11-1 et seq. and as such, is exempt from public bidding requirements pursuant to N.J.S.A. 40A:11-5; and,

WHEREAS, the contract shall be award for an amount not to exceed Twenty thousand (\$20,000.00) dollars for CY 2011-Q1, and a total annual amount not to exceed One Hundred Thousand (\$100,000.00) dollars, where the contract shall state that the total annual amount shall be subject to a non-appropriation clause.

NOW THEREFORE, BE IT RESOLVED that a professional services contract be authorized with McGuire Associates, LLC for the services of Hugh McGuire to serve the City as licensed tax appraiser; and,

BE IT FURTHER RESOLVED the contract shall be so that McGuire shall be paid in accordance with **Proposal # 1** of its Proposal documents titled "Re: RFP New Jersey Licensed Tax Appraiser" which is dated November 22, 2010, with a not to exceed amount of One Hundred Thousand Dollars (\$100,000.00), which includes (1) an annual fee of Thirty Eight Thousand Five Hundred Dollars (\$38,500.00) for appraisal services relating to Hudson County Tax Board appeals to be paid in monthly installments, (2) an annual fee of Fifty Five Thousand Dollars (\$55,000.00) for appraisal services relating to New Jersey Tax Court appeals to be paid in monthly installments, and (3) a maximum of Six Thousand Five Hundred Dollars (\$6,500.00) for inspections of building permits and inspections as identified by the tax assessor, which shall be paid as services are

rendered at a rate of One Hundred Fifty (\$150.00) per hour; and,

BE IT FURTHER RESOLVED that this contract be for a one (1) year term to commence on January 1, 2011 and expire on December 31, 2011; and,

BE IT FURTHER RESOLVED that funds are available in an amount not to exceed Twenty Thousand (\$20,000.00) Dollars for CY 2011-Q1 for this contract, and the total annual amount shall not exceed One Hundred Thousand (\$100,000.00) Dollars; however, the contract shall incorporate a non-appropriations clause with regards to the total annual amount; and,

BE IT FURTHER RESOLVED the City Clerk shall publish this resolution as required by law and keep a copy of the resulting contract on file in accordance with N.J.S.A. 40A:11-1 et seq.; and,

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided to Mayor Dawn Zimmer for action in accordance therewith and to take any other actions necessary to complete and realize the intent and purpose of this resolution; and,

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

Meeting Date: January 19, 2011

Approved:

Approved as to Form:

**Arch Liston
Business Administrator**

**Mark A. Tabakin
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 \$20,000.00 is available in the following appropriations:

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

**LICENSED TAX APPRAISER FOR A ONE (1) YEAR TERM
TO COMMENCE ON JANUARY 1, 2011 AND TERMINATE
ON DECEMBER 31, 2011**

For payment to be submitted to the following contractor:

**McGuire Associates, LLC
547 Summit Avenue
Jersey City, New Jersey 07306**

I further certify that, within the temporary 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 AUTHORIZES A FINANCIAL GUARANTEE TO PRESERVE THE “MEAL ON WHEELS” PROGRAM OF THE NORTH HUDSON REGIONAL COUNCIL OF MAYORS.

WHEREAS, Hoboken participates in the “Meals on Wheels” and other community service programs administered through the North Hudson Regional Council of Mayors (NHRCM); and

WHEREAS, funding for these programs has not kept pace with the costs thereof, as a result of which the member municipalities must make up the deficit in some manner if these programs are to continue; and

WHEREAS, Hoboken wishes to try and keep these programs alive.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Council that, subject to the adoption of like resolutions by all other municipalities in the NHRCM, the City of Hoboken shall agree to contribute its proportionate share of the cost of the “Meal on Wheels” program; and

BE IT FURTHER RESOLVED that the City of Hoboken shall fund the program in the amount of \$14,000.00 for Q1 of the CY 2011, which amount is available within the CY 2011 temporary budget; and,

BE IT FURTHER RESOLVED that the amount to be provided, by the City of Hoboken, for the 2011 Calendar budget period of 1 January 2011 through 31 December 2011 shall be in an amount not to exceed \$ 56,700.00, subject to available appropriations upon approval of the CY 2011 budget.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute, attest, seal and deliver such documents as are necessary and appropriate to carry out the purposes and intent of this Resolution, in form satisfactory to the Corporation Counsel.

This resolution shall take effect immediately upon passage.

Meeting of: January 19, 2011

APPROVED:

APPROVED AS TO FORM:

Arch Liston, Business Administrator

Mark Tabakin, 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 \$14,000.00 is available in the following appropriations:

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

A FINANCIAL GUARANTEE TO PRESERVE THE “MEALS ON
WHEELS” PROGRAM

For payment to be submitted to the following contractor:

North Hudson Regional Council of Mayors

I further certify that, within the temporary 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 CONFIRMS THE CITY OF HOBOKEN'S SUPPORT OF THE HOBOKEN VOLUNTEER AMBULANCE CORPS BY VIRTUE OF A TWELVE (12) MONTH TOTAL CONTRIBUTION OF ONE HUNDRED SIXTY-SIX THOUSAND THREE HUNDRED SIXTY-FIVE DOLLARS (\$166,365.00)

WHEREAS, the City Council desires to support the Hoboken Volunteer Ambulance Corps. (HVAC); and,

WHEREAS, the City of Hoboken will appropriate the sum \$166,365.00 in their Calendar Year budget ending 31 December 2011 for the HVAC, as a municipal contribution toward the support of the HVAC; and,

WHEREAS, \$126,365.00 of this total appropriation to the HVAC will be allocated towards payment of the annual general liability insurance coverage for the HVAC; and

WHEREAS, this payment being payable and due during the City's transition budget period from the General Liability line item (11-01-30-400-010); and,

NOW, THEREFORE, BE IT RESOLVED, that the remaining \$40,000, as contribution for operating expenses of the HVAC, will be disbursed as follows: the City Chief Financial Officer shall upon adoption of this Resolution pay to the order of the HVAC the sum of \$20,000.00 as its contribution due in the MQ 2011 and the balance of \$20,000.00 being disbursed in the SQ 2011.

BE IT FURTHER RESOLVED, that the \$20,000.00 for this payment is available in the approved Temporary Calendar Year Budget line item appropriation titled, Unclassified, Hoboken Volunteer Ambulance Corps, Account # 11-01-25-260-020.

This resolution shall take effect immediately upon passage.

Meeting of: 5 January 2011

APPROVED:

APPROVED AS TO FORM:

Arch Liston, Business Administrator

Mark Tabakin, Corporation Counsel

Introduced By: _____

Second By: _____

**CITY OF HOBOKEN
RESOLUTION NO. _____**

**RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY
TAX COURT JUDGEMENTS 2010 TAX APPEALS**

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the refunds be made;
now, therefore, be it-

RESOLVED, that a warrant be drawn on the City Treasurer made payable to the
appearing on the attached list totaling **\$ 949.00**

REFUNDS ON THE FOLLOWING TAX APPEALS ARE TO BE MADE PAYABLE TO:

**GESS GESS & SCANLON
89 HUDSON ST 3RD FL
HOBOKEN, NJ 07030**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>AMOUNT</u>
CASTLEN, MICHAEL & LUMINITA TATU	42/15/C0016	222-32 CLINTON ST	\$ 949.00

Meeting: JANUARY 19, 2011

Approved as to Form:

CORPORATION COUNSEL

SHARON CURRAN

Introduced By: _____

Second By: _____

**CITY OF HOBOKEN
RESOLUTION NO. _____**

**RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY
TAX COURT JUDGEMENTS 2010 TAX APPEALS**

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the refunds be made; now, therefore, be it-

RESOLVED, that a warrant be drawn on the City Treasurer made payable to the appearing on the attached list totaling **\$ 5,119.84**

REFUNDS ON THE FOLLOWING TAX APPEALS ARE TO BE MADE PAYABLE TO:

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>AMOUNT</u>
LEONG, TODD & GRACE 94 CLINTON ST #5A Hoboken, NJ 07030	20/19/C05-A	94 CLINTON ST	\$33.54
MC GEE, BRENDAN 121 WILLOW AVE #3A Hoboken, NJ 07030	34/12/C003A	121 WILLOW AVE	\$10.63
MC DONALD, SCOTT 201 GARDEN ST #4 HOBOKEN, NJ 07030	189/1/C0004	201 GARDEN ST	\$ 190.04
BRANCO, JOSEPH E & JENNIFER ROCK 635 BLOOMFIELD ST HOBOKEN, NJ 07030	205/19/	635 BLOOMFIELD ST	\$ 2,372.50
GARCIA, CARMELO G & MARGARITA 711 BLOOMFIELD ST HOBOKEN, NJ 07030	206/9/	711 BLOOMFIELD ST	\$ 415.19 A/A
DEIESO, MARCO & JACQUELINE GIRARD 1315 WASHINGTON ST #PHN HOBOKEN, NJ 07030	245/3.1/C00PN	1315-1317 WASHINGTON ST	\$ 2,097.94

Meeting: JANUARY 19, 2011

Approved as to Form:

CORPORATION COUNSEL

SHARON CURRAN

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 **\$10,243.16**

<u>NAME</u>	<u>BL/LT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
MUKHERJEE, SANKAR & SWAPNA 105 PATTAS WAY NORTH WALES, PA 19454	16/44/C004L	554 OBSERVER HWY	1/10 & 2/10	\$ 2,179.90
BAC TAX SERVICES CORP CAO-911-01-03 P O BOX 10211 VAN NUYS, CA 91499	26/7/	109-115 HARRISON ST	4/10	\$ 3,561.13
CHASE ATT: REFUND DEPT 1 CORELOGIC WAY WESTLAKE, TX 76262	41/6/C0001	211 ADAMS ST	4/10	\$ 587.19
CHRISTOPHER HERKERT C/O LAW OFFICE OF DAVID W CROOK 98 ORIENT WAY RUTHERFORD, NJ 07070	60/12.1/C0004	423 JEFFERSON ST	2/10	\$ 1,412.66
WELLS FARGO HOME MORTGAGE MAC X2302-04D, TAX DEPT 1 HOME CAMPUS DES MOINES, IA 50328	261.03/1/C1026	1125 MAXWELL LANE	4/10	\$ 2,383.58
WELLS FARGO HOME MORTGAGE MAC X2302-04D, TAX DEPT 1 HOME CAMPUS DES MOINES, IA 50328	261.03/1/CP260	1125 MAXWELL LANE	4/10	\$ 118.70

Meeting: JANUARY 19, 2011

Approved as to Form:

CORPORATION COUNSEL

Sharon Curran

Introduced By: _____

Second By: _____

**CITY OF HOBOKEN
RESOLUTION NO. _____**

**RESOLUTION AUTHORIZING THE REFUND OF TAX APPEALS
STATE TAX COURT**

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

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

NOW THEREFORE BE IT RESOLVED, that a warrant be drawn on the City Treasurer made payable to the following totaling **\$15,886.58**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>YEAR</u>	<u>AMOUNT</u>
DAVENPORT & SPIOTTI 219 CHANGEBRIDGE ROAD MONTVILLE, NJ 07045	25/1/C007D	700 FIRST ST	2009	\$ 1,409.55
J. BURKE & ASSOCIATES 70 ADAMS STREET HOBOKEN, NJ 07030	47/13/	327 JACKSON ST	2009	\$ 3,923.39
J. BURKE & ASSOCIATES 235 HUDSON STREET HOBOKEN, NJ 07030	174/12/	1225 WILLOW AVE/ 257 13 TH ST	2009	\$3,815.65
LUM, DRASCO & POSITAN LLC ATTORNEY ESCROW ACCT 103 EISENHOWER PARKWAY ROSELAND, NJ 07068	238/8/	925 HUDSON ST	2009	\$3,613.65
DAVENPORT & SPIOTTI 219 CHANGEBRIDGE ROAD MONTVILLE, NJ 07045	262.3/1/C0615	2 CONSTITUTION CT	2009	\$1,880.89
DAVENPORT & SPIOTTI 219 CHANGEBRIDGE ROAD MONTVILLE, NJ 07045	268.1/1/C004C	1501 GARDEN/1500 BLOOMFIELD	2009	\$1,243.45

Meeting: JANUARY 19, 2011

Approved as to Form:

CORPORATION COUNSEL

SHARON CURRAN

Introduced By: _____

Second By: _____

**CITY OF HOBOKEN
RESOLUTION NO. _____**

**CANCELLATION OF CERTIFICATE OF SALE
CERTIFICATE #030063**

RESOLVED, by the Council of the City of Hoboken;

WHEREAS, as of August 2001 a Master Deed was filed including Block 2 Lot 5 Qualification # C0104, address 352 Observer Highway. As per the Assessor, at a later date the developer changed all the qualifiers on the parking spaces eliminating this parking space. A lien was erroneously sold on this parcel, certificate #030063 on 6/18/03 to Pam Investors;

THEREFORE, be it resolved that this lien be cancelled and a refund issued to the lien holder and the original billing for the 3rd & 4th quarter, 2002 be cancelled from the Tax Duplicate. See attached memo from Assessor.

RESOLVED, that a warrant be issued to the order of the following:

**Pam Investors
127 S. Washington Avenue
Bergenfield, NJ 07621
(Send check to the Tax Collector's Office)
Cancellation of Certificate of Sale #030063
Amount to be refunded \$70.49**

Meeting: January 19, 2011

Approved as to Form:

CORPORATION COUNSEL

Sharon Curran

Introduced by: _____

Second by: _____

**CITY OF HOBOKEN
RESOLUTION NO. _____**

**RESOLUTION AUTHORIZING A VETERAN DEDUCTION
FOR 2010-2011**

WHEREAS, Matthew Pareti had applied and was approved for a Verteran’s Deduction in the amount of \$250.00. By error this deduction was not entered into the Assessor’s Book; therefore he did not receive his deduction for 2010 & 2011.

THEREFORE, BE IT RESOLVED; that a warrant be issued to the order of the following:

Block 168 Lot 4 Qualification # C0004 – 2010 & 2011 Veteran Deduction of \$250.00 for each year be refunded to;

**Matthew Pareti
611 Willow Avenue #4
Hoboken, NJ 07030**

Total Refund \$500.00

AND, ALSO BE IT RESEOLVED: THAT THE ASSESSOR’S 2011 BOOKS ARE CLOSED.

Meeting: January 19, 2011

Approved as to Form:

Corporation Counsel

Sharon Curran

Introduced By: _____

Second By: _____

**CITY OF HOBOKEN
RESOLUTION NO. _____**

**RESOLUTION AUTHORIZING THE REFUND OF HUDSON COUNTY
TAX COURT JUDGEMENTS 2010 TAX APPEALS**

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that the refunds be made;
now, therefore, be it-

RESOLVED, that a warrant be drawn on the City Treasurer made payable to the
appearing on the attached list totaling **\$ 16,466.47**

REFUNDS ON THE FOLLOWING TAX APPEALS ARE TO BE MADE PAYABLE TO:

**DAVENPORT & SPIOTTI
219 CHANGEBRIDGE ROAD
MONTVILLE, NJ 07045**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>AMOUNT</u>
NAYAR, DEVJIT S & MONICA GIROTRA	2/5/CLL42	415 NEWARK ST	\$ 20.05
NAYAR, DEVJIT S & MONICA GIROTRA	2/5/CUL16	415 NEWARK ST	\$ 20.05
NAYAR, DEVJIT S & MONICA GIROTRA	2/5/CUL18	415 NEWARK ST	\$ 20.05
SCHNEIDER, KAYKO	2/5/CUL43	415 NEWARK ST	\$ 20.05
KOUDELKA, TODD & CAROLYN CHEN	2/5/C009B	415 NEWARK ST	\$1,181.49
CHANG, JAMES, YOLANDA & VAN YAO	7/4/C009C	610 NEWARK ST	\$ 507.49
ONGSENG, FUKIAT & HIDEMI	7/4/C010B	610 NEWARK ST	\$ 169.39
ALLEN, CAROL A	7/4/C011A	610 NEWARK ST	\$ 514.29
KAPLE, GREGORY & STEPHANIE	7/11/C0205	601 OBSERVER HWY	\$1,574.92
BRINDISI, BRIAN & KATHERINE	13/4/C0509	85-89 HARRISON ST	\$ 264.94
GOTIMER, KEVIN P & DARIA VOGEL	18/4/C0P32	70 ADAMS ST	\$ 37.84
SIMKINS, JOEL & JOANNE	18/4/C0P61	70 ADAMS ST	\$ 37.84
PINCETIC, CAROLINA	20/28/C005A	82 CLINTON ST	\$ 12.17
STEPHENS, DON PAUL	20/28/C005C	82 CLINTON ST	\$ 279.83
WINGERON, NICKOLAS & XIAOQUIN W	20/28/C006B	82 CLINTON ST	\$ 536.77

HEGEMAN, STEPHEN J & CARMEL R	20/28/C006C	82 CLINTON ST	\$ 1,144.42
SPIRO, MICHELLE	20/28/C006G	82 CLINTON ST	\$ 113.08
HEMMER, PETER	25/1/C007C	700 FIRST ST	\$1,603.81
GRAHAM, JUAN J	25/1/C008F	700 FIRST ST	\$ 509.47
HAZAGA, ROBERT & RON KANFI	25/1/C009H	700 FIRST ST	\$ 99.17
CHANG, DINGMIN DAVID	25/1/C009J	700 FIRST ST	\$ 99.17
CHIN, JENNIE & JASON	25/1/C009P	700 FIRST ST	\$ 508.14
CHUANG, BORYAN	25/1/C16PA	700 FIRST ST	\$ 536.98
AFFRONTI, DANIEL	25/1/C16PV	700 FIRST ST	\$ 102.50
KOLENDA, KATARZYNA	25/1/C17PN	700 FIRST ST	\$ 128.13
SAUL, JONATHAN & JODIE DRATCH	70/1/C002D	501-515 ADAMS ST	\$ 104.12
PEARSON, CARL THOMAS	70/1/C004I	501-515 ADAMS ST	\$ 51.88
THIEDE, TODD & AMANDA	77/15/C0002	629-33 JEFFERSON ST	\$ 115.85
SCHNEIDER, BRIAN & ANDREA CARUSO	84/3/C0P-9	713-725 JEFFERSON ST	\$ 37.84
ADAMS, MICHAEL B	84/3/C0P36	713-725 JEFFERSON ST	\$ 37.84
FLICK, VICKI E	84/3/C0P40	713-725 JEFFERSON ST	\$ 98.33
FLICK, VICKI E	84/3/C0041	713-725 JEFFERSON ST	\$ 2,927.67
FRANKLIN, SEAN P	87/13/C003F	824-830 MONROE ST	\$ 339.97
BALDARI, BRIAN	87/13/C003G	824-830 MONROE ST	\$ 273.98
MANNA, MASSIMO & SARA MONEA	89/12/C0607	501 NINTH ST	\$ 111.26
MANNA, MASSIMO & SARA	89/12/C0P19	501 NINTH ST	\$ 20.05
CIRILLO, JENNIFER	91/1.2/C0317	812 GRAND ST	\$ 887.00
HODYL, DANIEL S	91/1.2/C0419	812 GRAND ST	\$ 947.47
GUIDONE, JAMES & JUDY	91/1.2/C0423	812 GRAND ST	\$ 433.33
HARRIS, JONATHAN H	115/9.01/C0P18	1317-27 GRAND/ 1326 CLINTON	\$ 37.84

Meeting: JANUARY 19, 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 December 5 2010, December 15, 2010, January 5, 2011 and Special meeting of January 10, 2011 have been reviewed and approved as to legal form and content.

Approved as to form:

Meeting Date: January 19, 2011

Introduced by: _____

Seconded by: _____

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

**RESOLUTION TO ADOPT THE MINUTES FROM CLOSED
EXECUTIVE SESSIONS OF THE CITY COUNCIL OF THE CITY
OF HOBOKEN DATED: JANUARY 20, 2010; FEBRUARY 3, 2010;
MARCH 17, 2010; APRIL 7, 2010; AND, APRIL 21, 2010**

WHEREAS, the Council of the City of Hoboken went into closed executive sessions for the reasons set forth in the Open Public Meetings Act, pursuant to N.J.S.A. 10:4-12 on the following dates: January 20, 2010; February 3, 2010; March 17, 2010; April 7, 2010; and, April 21, 2010; and

WHEREAS, minutes from each of these closed executive sessions were created, and those minutes are now complete and ready for adoption; and

WHEREAS, the Council must vote to adopt said minutes as true and accurate minutes of the discussions held during each closed session.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Hoboken hereby adopts the minutes of the following closed executive sessions as true and accurate minutes of the discussion held: January 20, 2010; February 3, 2010; March 17, 2010; April 7, 2010; and, April 21, 2010; and

BE IT FURTHER RESOLVED that when the need for confidentiality no longer exists, the minutes for each of the above mentioned meetings shall be made available to the public according to OPRA.

MEETING: January 19, 2011

APPROVED AS TO FORM:

Mark A. Tabakin, Esq.
Corporation Counsel

Sponsored by: _____

Seconded by: _____

CITY OF HOBOKEN
ORDINANCE NO. _____

**AN ORDINANCE TO AMEND ORDINANCE Z-41 WHICH
ESTABLISHED REGISTRATION FEES FOR RECREATION
PROGRAMS UNDER CHAPTER 39 OF THE
ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN**

WHEREAS, on June 16, 2010 an Ordinance (Z-41) establishing registration fees for recreation programs passed final reading of the City Council; and,

WHEREAS, the Administration would like to codify its honor system that has been in effect since the Recreation fees were first implemented; and,

WHEREAS, the City's honor system for recreation fees ensures that the fee is waived without question for those Hoboken residents that state verbally to the recreation superintendent, the Director of Health and Human Services, or a recreation supervisor that they need to have the fee waived; and

WHEREAS, the code of conduct of the City's Recreation Department should be codified in an attempt to provide the department and the recreation participants clear notice of the rights and responsibilities of all parties during recreation events.

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

SECTION ONE: AMENDMENTS TO CHAPTER 39

The language added to Chapter 39 by Ordinance Z-41, shall be supplemented to include the following (additions noted in underline and deletions noted in strikethrough):

Section 39-20.1 Recreation Fees

- A. Recreation fees may be charged, in the amounts listed within this Chapter 39, to each participant in a City of Hoboken recreational activity.
 1. Any child registering to participate in a City of Hoboken recreational activity shall be exempt from the recreation fee listed herein if that child's guardian, shall certify to the Superintendant of Recreation, any Supervisor of Recreation, or the Director of Human Services that the child qualifies for the National School Lunch Program under the federal Richard B.

Russell National School Lunch Act.

2. Any child who is not a resident of the City of Hoboken when registering to participate in a City of Hoboken recreational activity shall have no right to exemption to the within fee regardless of their ability to qualify for the National School Lunch Program.
3. The Director of Human Services, or Recreation Supervisor, will schedule dates, times and locations for the Recreation Department's programs/events.

Section 39-20.2 Code of Conduct

- A. Purpose: The legislature of the State of New Jersey adopted N.J.S.A. 5:17-1 et seq., finding that interscholastic and youth athletic programs play an important role in promoting the physical, social and emotional development of children; that is essential for parents, coaches and officials to encourage youth athletes to embrace the values of good sportsmanship; and that adults involved in youth sports events should be models of good sportsmanship and should lead by example by demonstrating fairness, respect, and self-control;

The Governing Body of the City of Hoboken agrees that is essential that all coaches, officials, volunteers, participants, and attendees who are participating or watching athletic programs, events or activities of the Recreation Department of the City of Hoboken, or who are playing or watching any athletic program, event or activity upon any public property owned by the City of Hoboken, shall conduct themselves with fairness, respect, and self control at all times; and,

The Governing Body of the City of Hoboken has resolved that such coach, official, parent, volunteer, and participant shall govern themselves in accordance with the following Code of Conduct.

- B. Code: All coaches, umpires, parents, participants, players, spectators, and attendees who participate in or watch athletic programs, events or activities of the Recreation Department of the City of Hoboken, or who are playing or watching any athletic program, event or activity upon any public property owned by the City of Hoboken, shall be responsible for his or her own words and actions, and each such person shall conform his or her behavior to the following Athletic Code of Conduct:
1. Each person shall demonstrate fairness, respect, and self-control at all times;
 2. Each person shall encourage his or her child or children to demonstrate fairness, respect, and self-control at all times;
 3. Each person shall treat any coach, official, parent, player, participant, official or any other attendee with respect, regardless of race, creed, color, national origin, sex, sexual orientation or ability.

4. Each person shall encourage his or her child or children to treat any coach, official, parent, player, participant, official or any other attendee with respect, regardless of race, creed, color, national origin, sex, sexual orientation or ability.
5. Each person shall not engage in unsportsmanlike conduct with any coach, official, parent, player, participant, designated official or any other attendee.
6. Each person shall not encourage his or her child or children, or any other person, to engage in unsportsmanlike conduct with any coach, official, parent, player, participant, designated official or any other attendee.
7. Each person shall not engage in any behavior which would endanger the health, safety or well being of any coach, official, parent, player, participant, designated official or any other attendee.
8. Each person shall not encourage his or her child or children, or any other person, to engage in any behavior which would endanger the health, safety or well being of any coach, official, parent, player, participant, designated official or any other attendee.
9. Each person shall not use or be under the influence of drugs, alcohol or smoking while at a youth sports event or at City property, and shall not attend, coach, officiate or participate in an athletic event or activity while under the influence of drugs or alcohol.
10. Each person shall not permit his or her child or children, or encourage any other person, to use or be under the influence of drugs or alcohol at a youth sports event or upon any City property, and shall not permit his or her child, or encourage any other person, to attend, coach, officiate or participate in any athletic event or activity while under the influence of drugs or alcohol.
11. Each person shall not engage in the use of profanity.
12. Each person shall not encourage his or her child or children, or any other person, to engage in the use of profanity.
13. Each person shall not engage in verbal or physical threats or abuse aimed at any coach, official, parent, player, participant, designated official or any other attendee.
14. Each person shall not encourage his or her child or children, or any other person, to engage in verbal or physical threats or abuse aimed at any coach, official, parent, player, participant, designated official or any other attendee.
15. Each person shall not initiate a fight or scuffle with any coach, official, parent, player, participant, designated official or any other attendee.
16. Each person shall not encourage his or her child or children, or any other person, to initiate a fight or scuffle with any coach, official, parent, player, participant, designated official or any other attendee.

C. The City of Hoboken Recreation Department shall distribute and disseminate this Resolution and the Athletic Code of Conduct to its coaches, umpires, parents, and participants. The Recreation Department shall require that each coach, official,

parent, and parent on behalf of his or her child or children, agree in writing to abide by and obey the Athletic Code of Conduct. The City of Hoboken and its Director of Human Services Recreation Superintendent, and Recreation Supervisors using fairness and acting in a non-arbitrary or capricious manner, may impose penalties in any order or in any combination, suitable to the matter at hand and in consideration of past relevant conduct of the coach, official, parent, participant, or attendee being disciplined. The City of Hoboken Recreation Department shall include the following acknowledgement of penalties with each such written agreement:

I hereby agree that if I fail to conform to the City of Hoboken Recreation Department's Athletic Code of Conduct, I will be subject to disciplinary action, including but not limited to the following. I understand that penalties may be imposed in any order or in any combination.

1. Verbal warning issued by the Recreation Department, or by a properly-authorized league, organization.
2. Written warning issued by the Recreation Department, or by a properly authorized league, organization.
3. Suspension or immediate ejection from an athletic event or activity issued by the Recreation Department, or by a properly-authorized league, organization.
4. Suspension from multiple athletic events or activities events issued by the Recreation Department, or by a properly-authorized league, organization.
5. Season suspension or multiple season suspension issued by the Recreation Department, or by a properly-authorized league, organization.

- D. The City of Hoboken shall post this Athletic Code of Conduct on the City website, on the online registration portal and at its athletic facilities.
- E. Nothing herein is intended to supersede any ordinance or statute imposing criminal or civil penalties. This section of the code shall be read in para materia with other City Ordinances.

The remainder of Chapter 39 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 to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION THREE: SEVERABILITY

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

SECTION FOUR: EFFECTIVE DATE

This Ordinance shall take effect upon passage and publication as provided by law, whichever occurs second.

SECTION FIVE: CODIFICATION

This ordinance shall be a part of the Code of the City of Hoboken as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Code.

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

Date of Introduction: January 19, 2011

ADOPTED:

APPROVED:

James J. Farina, City Clerk

Dawn Zimmer, Mayor

APPROVED AS TO FORM:

Mark A. Tabakin, Esq.
Corporation Counsel

Sponsored by: _____

Seconded by: _____

City of Hoboken
Ordinance No.: _____

**AN ORDINANCE AMENDING THE PREVIOUSLY ADOPTED
CHAPTER 133 “NOISE CONTROL” ADDRESSING REVISIONS
REQUIRED BY THE STATE OF NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

WHEREAS excessive sound is a serious hazard to the public health, welfare, safety, and the quality of life; and

WHEREAS a substantial body of science and technology exists by which excessive sound may be substantially abated; and

WHEREAS the people have a right to, and should be ensured of, an environment free from excessive sound; and

WHEREAS, the current Chapter 133 of the Hoboken City Code has been deemed invalid by the Department of Environmental Protection, thus rendering enforcement of it futile.

Now THEREFORE, it is the policy of the **City of Hoboken** to prevent excessive sound that may jeopardize the health, welfare, or safety of the citizens or degrade the quality of life. This ordinance shall apply to the control of sound originating from sources within the **City of Hoboken**.

SECTION ONE: DELETION

The current Chapter 133 entitled “Noise Control” is hereby deleted in its entirety from the City Code of the City of Hoboken.

SECTION TWO: ADDITION

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

Chapter 133 – Noise Control

§ 133-1. Declaration of Findings and Policy

WHEREAS excessive sound is a serious hazard to the public health, welfare, safety, and the quality of life; and,

WHEREAS a substantial body of science and technology exists by which excessive sound may be substantially abated; and,

WHEREAS the people have a right to, and should be ensured of, an environment free from excessive sound;

Now THEREFORE, it is the policy of the **City of Hoboken** to prevent excessive sound that may jeopardize the health, welfare, or safety of the citizens or degrade the quality of life. This ordinance shall apply to the control of sound originating from sources within the **City of Hoboken**.

§ 133-2. Definitions

The following words and terms, when used in this ordinance, shall have the following meanings, unless the context clearly indicates otherwise. Terms not defined in this ordinance have the same meaning as those defined in N.J.A.C. 7:29.

CONSTRUCTION - means any site preparation, assembly, erection, repair, alteration or similar action of buildings or structures.

dB(C) - means the sound level as measured using the "C" weighting network with a sound level meter meeting the standards set forth in ANSI S1.4-1983 or its successors. The unit of reporting is dB(C). The "C" weighting network is more sensitive to low frequencies than is the "A" weighting network.

DEMOLITION - means any dismantling, destruction or removal of buildings, structures, or roadways.

DEPARTMENT - means the New Jersey Department of Environmental Protection.

EMERGENCY WORK - means any work or action necessary at the site of an emergency to restore or deliver essential services including, but not limited to, repairing water, gas, electricity, telephone, sewer facilities, or public transportation facilities, removing fallen trees on public rights-of-way, dredging navigational waterways, or abating life-threatening conditions or a state of emergency declared by a governing agency.

IMPULSIVE SOUND - means either a single pressure peak or a single burst (multiple pressure peaks) that has a duration of less than one second.

MINOR VIOLATION - means a violation that is not the result of the purposeful, reckless or criminally negligent conduct of the alleged violator; and/or the activity or condition constituting the violation has not been the subject of an enforcement action by any authorized local, county or state enforcement agency against the violator within the immediately preceding 12 months for the same or substantially similar violation.

MOTOR VEHICLE - means any vehicle that is propelled other than by human or animal power on land.

MUFFLER - means a properly functioning sound dissipative device or system for abating the sound on engines or equipment where such device is part of the normal configuration of the equipment.

MULTI-DWELLING UNIT BUILDING - means any building comprising two or more dwelling units, including, but not limited to, apartments, condominiums, co-ops, multiple family houses, townhouses, and attached residences.

MULTI-USE PROPERTY - means any distinct parcel of land that is used for more than one category of activity. Examples include, but are not limited to:

- (1) A commercial, residential, industrial or public service property having boilers, incinerators, elevators, automatic garage doors, air conditioners, laundry rooms, utility provisions, or health and recreational facilities, or other similar devices or areas, either in the interior or on the exterior of the building, which may be a source of elevated sound levels at another category on the same distinct parcel of land; or
- (2) A building, which is both commercial (usually on the ground floor) and residential property, located above, below or otherwise adjacent to.

NOISE CONTROL OFFICER (NCO) - means an employee of a local, county or regional health agency which is certified pursuant to the County Environmental Health Act (N.J.S.A. 26:3A2-21 et seq.) to perform noise enforcement activities or an employee of a municipality with a Department-approved model noise control ordinance. All NCOs must receive noise enforcement training as specified by the Department in N.J.A.C. 7:29 and is currently certified in noise enforcement. The employee must be acting within his or her designated jurisdiction and must be authorized to issue a summons.

NOISE CONTROL INVESTIGATOR (NCI) - means an employee of a municipality, county or regional health commission that has a Department-approved model noise control ordinance and the employee has not received noise enforcement training as specified by the Department in N.J.A.C. 7:29. However, they are knowledgeable about their model noise ordinance and enforcement procedures. A Noise Control Investigator may only enforce sections of the ordinance that do not require the use of a sound level meter. The employee must be acting within his or her designated jurisdiction and must be authorized to issue a summons. For purposes of City of Hoboken municipal enforcement, the following officers and agents of the city shall have the power and authority to enforce this chapter; Building Code Official(s), Zoning Officer, Health Officer(s), Environmental Health Specialist(s), Public Health Nuisance Investigator(s), the Hoboken Police Department and the Office of Emergency Management.

PLAINLY AUDIBLE - means any sound that can be detected by a NCO or an NCI using his or her unaided hearing faculties of normal acuity. As an example, if the sound source under investigation is a portable or vehicular sound amplification or reproduction device, the detection of the rhythmic bass component of the music is sufficient to verify plainly audible sound. The NCO or NCI need not determine the title, specific words, or the artist performing the song.

PRIVATE RIGHT-OF-WAY - means any street, avenue, boulevard, road, highway, sidewalk, alley or easement that is owned, leased, or controlled by a non-governmental entity.

PUBLIC RIGHT-OF-WAY - means any street, avenue, boulevard, road, highway, sidewalk, alley or easement that is owned, leased, or controlled by a governmental entity.

PUBLIC SPACE - means any real property or structures thereon that are owned, leased, or controlled by a governmental entity.

REAL PROPERTY LINE - means either (a) the vertical boundary that separates one parcel of property (i.e., lot and block) from another residential or commercial property; (b) the vertical and horizontal boundaries of a dwelling unit that is part of a multi-dwelling unit building; or (c) on a multi-use property as defined herein, the vertical or horizontal boundaries between the two portions of the property on which different categories of activity are being performed (e.g., if the multi-use property is a building which is residential upstairs and commercial downstairs, then the real property line would be the interface between the residential area and the commercial area, or if there is an outdoor sound source such as an HVAC unit on the same parcel of property, the boundary line is the exterior wall of the receiving unit). Note- this definition shall not apply to a commercial source and a commercial receptor which are both located on the same parcel of property (e.g., a strip mall).

SOUND PRODUCTION DEVICE - means any device whose primary function is the production of sound, including, but not limited to any, musical instrument, loudspeaker, radio, television, digital or analog music player, public address system or sound-amplifying equipment.

SOUND REDUCTION DEVICE - means any device, such as a muffler, baffle, shroud, jacket, enclosure, isolator, or dampener provided by the manufacturer with the equipment, or that is otherwise required that mitigates the sound emissions of the equipment.

WEEKDAY - means any day that is not a federal holiday, and beginning on Monday at 7:00 a.m. and ending on the following Friday at 6:00 p.m.

WEEKENDS - means beginning on Friday at 6:00 p.m. and ending on the following Monday at 7:00 a.m.

§ 133-3. Applicability

A. This noise ordinance applies to sound from the following property categories:

1. Industrial facilities;
2. Commercial facilities;
3. Public service facilities;
4. Community service facilities;
5. Residential properties;
6. Multi-use properties;
7. Public and private right-of-ways;
8. Public spaces; and
9. Multi-dwelling unit buildings.

B. This noise ordinance applies to sound received at the following property categories:

1. Commercial facilities;
2. Public service facilities;
3. Community service facilities (i.e. non-profits and/or religious facilities)
4. Residential properties;
5. Multi-use properties; and

6. Multi-dwelling unit buildings.

- C. Sound from stationary emergency signaling devices shall be regulated in accordance with N.J.A.C. 7:29-1.4, except that the testing of the electromechanical functioning of a stationary emergency signaling device shall not meet or exceed 10 seconds.

§ 133-4. Exemptions

- A. Except as provided in 133-9 and 133-10 below, the provisions of this ordinance shall not apply to the exceptions listed at N.J.A.C. 7:29-1.5.
- B. Sound production devices required or sanctioned under the Americans with Disabilities Act (ADA), FEMA or other government agencies to the extent that they comply with the noise requirement of the enabling legislation or regulation. Devices which are exempted under N.J.A.C. 7:29-1.5 shall continue to be exempted.
- C. Construction and demolition activities are exempt from the sound level limits set forth in Tables I and II and III except as provided for in 133-9 below.

§133-5. Enforcement Officers

- A. Noise Control Officers shall have the authority within their designated jurisdiction to investigate suspected violations of any section of this ordinance and pursue enforcement activities.
- B. Noise Control Investigators shall have the authority within their designated jurisdiction to investigate suspected violations of any section of this ordinance that do not require the use of a sound level meter (i.e., plainly audible, times of day and/or distance determinations) and pursue enforcement activities.
- C. Noise Control Officers and Investigators may cooperate with NCOs and NCIs of an adjacent municipality in enforcing one another's municipal noise ordinances.

§ 133-6. Measurement Protocols

- A. Sound measurements made by a Noise Control Officer shall conform to the procedures set forth at N.J.A.C. 7:29-2, except that interior sound level measurements shall also conform to the procedures set forth in 133-6.B of this ordinance and with the definition of "real property line" as contained herein.
- B. When conducting indoor sound level measurements across a real property line the measurements shall be taken at least three feet from any wall, floor or ceiling and all exterior doors and windows may, at the discretion of the investigator, be closed. The neighborhood residual sound level shall be measured in accordance with N.J.A.C. 7:29-2.9(b)2. When measuring total sound level, the configuration of the windows and doors shall be the same and all sound sources within the dwelling unit must be shut off (e.g., television, stereo). Measurements shall not

be taken in areas which receive only casual use such as hallways, closets and bathrooms.

§ 133-7 . Maximum Permissible Sound Levels

A. No person shall cause, suffer, allow, or permit the operation of any source of sound on any source property listed in 133-3.A above in such a manner as to create a sound level that equals or exceeds the sound level limits set forth in Tables I, II or III when measured at or within the real property line of any of the receiving properties listed in Tables I, II or III except as specified in 133-6.B.

B. Impulsive Sound

Between 7:00 a.m. and 10:00 p.m., impulsive sound shall not equal or exceed 80 decibels. Between 10:00 p.m. and 7:00 a.m., impulsive sound which occurs less than four times in any hour shall not equal or exceed 80 decibels. Impulsive sound which repeats four or more times in any hour shall be measured as continuous sound and shall meet the requirements as shown in Tables I and II.

**TABLE I
MAXIMUM PERMISSIBLE A-WEIGHTED SOUND LEVELS
WHEN MEASURED OUTDOORS**

RECEIVING PROPERTY CATEGORY	Residential property, or residential portion of a multi-use property		Commercial facility, public service facility, non-residential portion of a multi-use property, or community service facility
TIME	7 a.m.-10 p.m.	10 p.m.-7 a.m.	24 hours
Maximum A-Weighted sound level standard, dB	65	50	65

**TABLE II
MAXIMUM PERMISSIBLE A-WEIGHTED SOUND LEVELS
WHEN MEASURED INDOORS**

RECEIVING PROPERTY CATEGORY	Residential property, or residential portion of a multi-use property		Commercial facility, or non-residential portion of a multi-use property.
TIME	7 a.m.-10 p.m.	10 p.m.-7 a.m.	24 hours

Maximum A-Weighted sound level standard, dB	55	40	55
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Note: Table II shall only apply when the source and the receptor are separated by a real property line and they also share a common or abutting wall, floor or ceiling, or are on the same parcel of property.

**TABLE III
MAXIMUM PERMISSIBLE OCTAVE BAND
SOUND PRESSURE LEVELS IN DECIBELS**

Receiving Property Category	Residential property, or residential portion of a multi-use property		Residential property, or residential portion of a multi-use property		Commercial facility, public service facility, non-residential portion of a multi-use property, or community service facility	Commercial facility of non-residential portion of a multi-use property
	OUTDOORS		INDOORS		OUTDOORS	INDOORS
Octave Band Center Frequency, Hz.	Octave Band Sound Pressure Level, dB		Octave Band Sound Pressure Level, dB		Octave Band Sound Pressure Level, dB	Octave Band Sound Pressure Level, dB
Time	7 a.m.-10 p.m.	10 p.m.-7 a.m.	7 a.m.-10 p.m.	10 p.m.-7 a.m.	24 Hours	24 Hours
31.5	96	86	86	76	96	86
63	82	71	72	61	82	72
125	74	61	64	51	74	64
250	67	53	57	43	67	57
500	63	48	53	38	63	53
1,000	60	45	50	35	60	50
2,000	57	42	47	32	57	47
4,000	55	40	45	30	55	45
8,000	53	38	42	28	53	43

Note: When octave measurements are made, the sound from the source must be constant in level and character. If octave band sound pressure level variations exceed plus or minus 2 dB in the bands containing the principal source frequencies, discontinue the measurement.

§ 133-8. Sound Production Devices

No person shall cause, suffer, allow, or permit the operation of any sound production device in such a manner that the sound crosses a property line and raises the total sound levels above the neighborhood residual sound level by more than the permissible sound

level limits set forth in Table IV when measured within the residence of a complainant according to the measurement protocol in 133-6.B of this ordinance. These sound level measurements shall be conducted with the sound level meter set for "C" weighting, "fast" response.

**TABLE IV
MAXIMUM PERMISSIBLE INCREASE IN TOTAL SOUND LEVELS
WITHIN A RESIDENTIAL PROPERTY**

Week nights 10:00 p.m. - 7:00 a.m. Weekend nights 11:00 p.m. and 9:00 a.m.	All other times
3 dB(C)	6 dB(C)

§ 133-9. Restricted Uses and Activities

The following standards shall apply to the activities or sources of sound set forth below:

- A. Power tools, home maintenance tools, landscaping and/or yard maintenance equipment used by a residential property owner or tenant shall not be operated between the hours of 8:00 p.m. and 8:00 a.m., unless such activities can meet the applicable limits set forth in Tables I, II or III. At all other times the limits set forth in Tables I, II or III do not apply. All motorized equipment used in these activities shall be operated with a muffler and/or sound reduction device.
- B. Power tools, landscaping and/or yard maintenance equipment used by nonresidential operators (e.g. commercial operators, public employees) shall not be operated on a residential, commercial, industrial or public (e.g. golf course, parks, athletic fields) property between the hours of 6:00 p.m. and 8:00 a.m. on weekdays, or between the hours of 6:00 p.m. and 9:00 a.m. on weekends or federal holidays, unless such activities can meet the limits set forth in Tables I, II or III. At all other times the limits set forth in Tables I, II or III do not apply. All motorized equipment used in these activities shall be operated with a muffler and/or sound reduction device. Emergency work, as defined in this section, is excluded from the above restrictions.
- C. All construction and demolition activity, excluding emergency work, shall not be performed between the hours of 6:00 p.m. and 8:00 a.m. on weekdays, or at any time during weekends and federal holidays. . Work crews may be on site between 7:00 a.m. and 8:00 a.m. to do preparatory work, but no motorized equipment including but not limited to; pile drivers, jackhammers, riveters, stone breakers, cranes, earth moving equipment, compressors, saws and cutting equipment, and any other such equipment that is plainly audible beyond the real property line, shall be operated before 8:00 a.m. Work may take place after hours and on weekends only with express authorization from the approving

Board and only after a noise mitigation plan has been submitted to that Board. At all other times the limits set forth in Tables I, II or III do not apply. All motorized equipment used in construction and demolition activity shall be operated with a muffler and/or sound reduction device.

- D. Alterations or repairs to existing owner-occupied or rental dwellings, community service facilities, or schools may be performed on Saturdays and Sundays between the hours of 10:00 a.m. and 4:00 p.m. subject to compliance with Tables I, II and III as applicable.
- E. Motorized snow removal equipment shall be operated with a muffler and/or a sound reduction device when being used for snow removal. At all other times the limits set forth in Tables I, II or III do not apply.
- F. All interior and exterior burglar alarms of a building or motor vehicle must be activated in such a manner that the burglar alarm terminates its operation within five (5) minutes for continuous airborne sound and fifteen (15) minutes for intermittent sound after it has been activated. At all other times the limits set forth in Tables I, II or III do not apply.
- G. Self-contained, portable, non-vehicular music or sound production devices shall not be operated on a public space or public right-of-way in such a manner as to be plainly audible at a distance of 50 feet in any direction from the operator between the hours of 8:00 a.m. and 10:00 p.m. Between the hours of 10:00 p.m. and 8:00 a.m., sound, operated on a public space or public right-of-way, from such equipment shall not be plainly audible at a distance of 25 feet in any direction from the operator.
- H. All music or other unreasonable noise originating from a sound production device in connection with the operation of any commercial establishment or enterprise when the level of sound attributable to such music or noise, as measured inside any receiving property dwelling unit is in excess of measures established in Table IV, shall be prohibited.
- I. It shall be unlawful for any property owner or tenant to allow any domesticated or caged animal to create a sound across a real property line which unreasonably disturbs or interferes with the peace, comfort, and repose of any resident, or to refuse or intentionally fail to cease the unreasonable noise when ordered to do so by a Noise Control Officer or Noise Control Investigator. Prima facie evidence of a violation of this section shall include but not be limited to:
 - 1. Vocalizing (howling, yelping, barking, squawking etc.) for five (5) minutes without interruption, defined as an average of four or more vocalizations per minute in that period; or,
 - 2. Vocalizing for twenty (20) minutes intermittently, defined as an average of two vocalizations or more per minute in that period.

It is an affirmative defense under this subsection that the dog or other animal was intentionally provoked to bark or make any other noise.

§ 133-10. Motor Vehicles

- A. No person shall remove or render inoperative, or cause to be removed or rendered inoperative or less effective than originally equipped, other than for the purposes of maintenance, repair, or replacement, of any device or element of design incorporated in any motor vehicle for the purpose of noise control. No person shall operate a motor vehicle or motorcycle which has been so modified. A vehicle not meeting these requirements shall be deemed in violation of this provision if it is operated stationary or in motion in any public space or public right-of-way.
- B. No motorcycle shall be operated stationary or in motion unless it has a muffler that complies with and is labeled in accordance with the Federal Noise Regulations under 40 CFR Part 205.
- C. Personal or commercial vehicular music amplification or reproduction equipment shall not be operated in such a manner that it is plainly audible at distance of 25 feet in any direction from the operator between the hours of 10:00 p.m. and 8:00 a.m.
- D. Personal or commercial vehicular music amplification or reproduction equipment shall not be operated in such a manner that is plainly audible at a distance of 50 feet in any direction from the operator between the hours of 8:00 a.m. and 10:00 p.m. Ice cream and other food vending trucks, while in residential neighborhoods, are prohibited from the playing of jingles while stationary. Jingles may only be played when the vehicle is in motion.
- E. Commercial vehicles shall not be permitted to idle for more than three (3) minutes in any residential district.
- F. The use of vehicle horns shall not be permitted except as a warning in situations of imminent danger.

§ 133-11. Enforcement

- A. Violation of any provision of this ordinance shall be cause for a Notice of Violation (NOV) or a Notice of Penalty Assessment (NOPA) document to be issued to the violator by the Noise Control Officer or Noise Control Investigator.
- B. Any person who violates any provision of this ordinance shall be subject to a civil penalty for each offense of not more than \$3,000. If the violation is of a continuing nature, each day during which it occurs shall constitute an additional, separate, and distinct offense.
- C. Upon identification of a violation of this Ordinance the Noise Control Officer or Noise Control Investigator shall issue an enforcement document to the violator. The enforcement document shall identify the condition or activity that constitutes the violation and the specific provision of this Ordinance that has been violated. It shall also indicate whether the violator has a period of time to correct the violation before a penalty is sought.

- D. If the violation is deemed by the Noise Control Officer or Noise Control Investigator to be a minor violation (as defined in Section II of this ordinance) a NOV shall be issued to the violator.
1. The document shall indicate that the purpose of the NOV is intended to serve as a notice to warn the responsible party/violator of the violation conditions in order to provide them with an opportunity to voluntarily investigate the matter and voluntarily take corrective action to address the identified violation.
 2. The NOV shall identify the time period (up to 90 days), pursuant to the Grace Period Law, N.J.S.A. 13:1D-125 et seq. where the responsible party's/violator's voluntary action can prevent a formal enforcement action with penalties issued by the City of Hoboken, or the Hudson Regional Health Commission. It shall be noted that the NOV does not constitute a formal enforcement action, a final agency action or a final legal determination that a violation has occurred. Therefore, the NOV may not be appealed or contested.
- E. If the violation is deemed by the Noise Control Officer or Noise Control Investigator to be a non-minor violation the violator shall be notified that if the violation is not immediately corrected a NOPA with a civil penalty of no more than \$3,000 will be issued. If a non-minor violation is immediately corrected a NOV without a civil penalty shall still be issued to document the violation. If the violation occurs again (within 12 months of the initial violation) a NOPA shall be issued regardless of whether the violation is immediately corrected or not.
- F. The violator may request from the Noise Control Officer or Noise Control Investigator, an extension of the compliance deadline in the enforcement action. The Noise Control Officer or Noise Control Investigator shall have the option to approve any reasonable request for an extension (not to exceed 180 days) if the violator can demonstrate that a good faith effort has been made to achieve compliance. If an extension is not granted and the violation continues to exist after the grace period ends, a NOPA shall be issued.
- G. The recipient of a NOPA shall be entitled to a hearing in a municipal court having jurisdiction to contest such action.
- H. The Noise Control Officer or Noise Control Investigator may seek injunctive relief if the responsible party does not remediate the violation within the period of time specified in the NOPA issued.
- I. Any claim for a civil penalty may be compromised and settled based on the following factors:
1. Mitigating or any other extenuating circumstances;
 2. The timely implementation by the violator of measures which lead to compliance;
 3. The conduct of the violator; and
 4. The compliance history of the violator.

- J. No provision of this ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this ordinance or from other law.

§ 133-12. Consistency, Severability and Repealer

- A. If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.
- B. All ordinances or parts of ordinances, which are inconsistent with any provisions of this ordinance, are hereby repealed as to the extent of such inconsistencies.

SECTION THREE: AMENDMENTS

The following section of Chapter 145, entitled “Peace and Good Order” of the municipal code of the City of Hoboken shall be deleted in their entirety.

§ 145-1.1. Construction noise restrictions. [Added 3-1-2000 by Ord. No. R-426]

§ 145-1.2. Radios and other such similar machines and/or devices noise restrictions. [Added 3-1-2000 by Ord. No. R-426]

§ 145-1.3. Bicycles, Gas powered go-peds, mopeds, and skateboards noise restrictions. [Added 9-5-2001 by Ord. No. DR-8]

Section 145-1 shall be amended as follows for purposes of consistency with Chapter 133; addition is noted by underline.

§ 145-1. Disturbing the peace.

No person shall make or assist in making any improper noise, riot, disturbance or breach of the peace in the streets or elsewhere within the City and no persons shall collect in bodies or crowds for idle or unlawful purposes to the annoyance or disturbance of citizens or travelers.

[See also Chapter 133 – NOISE CONTROL](#)

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SECTION FOUR: REPEAL OF INCONSISTENT PROVISIONS

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

unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION FIVE: SEVERABILITY

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

SECTION SIX: EFFECTIVE DATE

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

SECTION SEVEN: CODIFICATION

This ordinance shall be a part of the Code of the City of Hoboken as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Code.

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

Date of Second Introduction: January 19, 2011

ADOPTED:

APPROVED:

James J. Farina, City Clerk

Dawn Zimmer , Mayor

APPROVED AS TO FORM:

Mark A. Tabakin
Corporation Counsel



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Compliance and Enforcement
Office of Local Environmental Management
Mail Code 09-01A
P.O. Box 420
Trenton, New Jersey 08625-0420

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

January 4, 2011

James Farina, City Clerk
City of Hoboken
Hoboken City Hall
94 Washington St.
Hoboken, New Jersey 07030

RECEIVED
2011 JAN -6 AM 10:24
CITY CLERK
HOBOKEN, NJ 07030

Re: Proposed Noise Ordinance

Dear Mr. Farina:

Thank you for submitting to the New Jersey Department of Environmental Protection the City of Hoboken's Noise Ordinance for our review. The ordinance follows the State's Model Noise Control Ordinance with some minor corrections needed which are as follows:

- Section 133-9 D. includes community service facilities and schools, both of which are source categories under the State Noise Control Regulations (N.J.A.C. 7:29) and would therefore have to comply with the 65 decibel daytime and 50 decibel nighttime limits. This paragraph should therefore be removed.
- Section 133-10 E. states that "vehicles shall not be permitted to idle for more than 5 minutes." The State Air Pollution Control Regulations under N.J.A.C. 7:27 limits the idling time for vehicles to three minutes. This paragraph should therefore reflect that.

Please make the necessary changes and resubmit the corrected ordinance to my attention. If you have any questions feel free to contact me at (609) 984-0272.

Sincerely,

David E. Triggs, Noise Coordinator
NJDEP, Compliance and Enforcement

c: Robert Ferraiuolo, Director Hudson Regional Health Commission
CEHA Noise Ordinance File

Sponsored by: _____

Seconded by: _____

CITY OF HOBOKEN
ORDINANCE NO. _____

**AN ORDINANCE TO AMEND AND SUPPLEMENT ARTICLE XXIII
ENTITLED “PARKING FOR SNOWPLOWING, SNOW REMOVAL”
WITHIN CHAPTER 190 OF THE GENERAL CODE OF THE CITY OF
HOBOKEN ENTITLED “VEHICLES AND TRAFFIC”**

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

WHEREAS, the recent snow storms have demonstrated the City’s current parking regulations during snow are inadequate to effectuate proper and efficient clean-up efforts;

WHEREAS, the General Code of the City of Hoboken, at Article XXIII of Chapter 190 deals specifically with snow emergencies and specific parking regulations during snow emergencies; and,

WHEREAS, the City Council seeks to amend the Snow Emergency Routes to better regulate vehicle parking during snow emergencies to increase efficiency in snow clean-up efforts.

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: Article XXIII of Chapter 190 – Amendments

ARTICLE XXIII Parking for Snowplowing, Snow Removal

§ 190-36. Snow emergencies.

A. Whenever snow has fallen and the accumulation is such that it covers the street or highway, or whenever a snow emergency has been declared by the municipality, an emergency shall exist and no vehicle shall be parked on the following street or highways or portion thereof.

Name of Street	Side	Location
Fifth Street	South	Clinton Street to Hudson Street <u>River Street</u>
Fourth Street	South	River Street to Jackson Street
Third Street	North	Jackson Street to River Street

Thirteenth Street	North	Washington Street to Willow Avenue
Washington Street	Both	Observer Highway to northern boundary
Willow Avenue	West	Observer Highway to Eleventh Street
<u>Ninth Street</u>	<u>North</u>	<u>Jackson Street to River Street</u>
<u>Seventeenth Street</u>	<u>Both</u>	<u>Willow Avenue to Jefferson Street</u>

B. The above parking prohibitions shall remain in effect after the snow has ceased, until the streets have been plowed sufficiently and to the extent that parking will not interfere with the normal flow of traffic.

§ 190-37. Removal.

Any unoccupied vehicle parked or standing in violation of this Article shall be deemed a nuisance and a menace to the safe and proper regulation of traffic and any police officer, and or parking enforcement officer may provide for the removal of such vehicles. The owner shall pay the reasonable costs of the removal and storage which may result from such removal before regaining possession of the vehicle.

§ 190-38. Erection of signs.

The effectiveness of this Article is contingent upon signs being erected as required by law.

§ 190-39. Violations and penalties.

In addition to any vehicle owner's responsibility for the payment of costs related to the removal and storage of the vehicle, ~~U~~unless another penalty is expressly provided by New Jersey Statute, every person convicted of a violation or provision of this Article or any supplement thereto shall be liable to a penalty of not more than fifty-one dollars (\$51.).

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.

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

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

ADOPTED:

APPROVED:

James J Farina, City Clerk

Dawn Zimmer, Mayor

APPROVED AS TO FORM:

Mark A. Tabakin, Esq.
Corporation Counsel

Date of Introduction: January 19, 2011

Introduced by: Councilman Mello
Seconded by: Peter Cunningham

CITY OF HOBOKEN
Ordinance No. _____

**AN ORDINANCE TO ESTABLISH SPECIFIC PARKING SPACES AND RELATED RULES
FOR “HOBOKEN CORNER CARS”**

WHEREAS, at the May 19, 2010 meeting of the Hoboken City Council a resolution was passed granting “Hoboken Corner Cars” a ninety (90) day pilot period, which was extended for an additional ninety (90) days by a second Resolution of the Hoboken City Council on September 1, 2010, which was thereby extended for an additional two hundred (200) days by a third Resolution of the Hoboken City Council on December 1, 2010;

WHEREAS, the initial success of the “Hoboken Corner Car” program has necessitated creating established specific parking spaces and related rules for said cars on a permanent basis along the public rights of way;

WHEREAS, the City Council has the authority to change the spaces herein designated, by ordinance, should the need arise; and,

WHEREAS, pursuant to N.J.S.A. 39:4-8c and N.J.S.A. 39:4-197 the City Council is authorized to set rules and regulations related to parking on municipal streets.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hoboken, that Chapter 190 of the Administrative Code of the City of Hoboken shall be amended as following:

SECTION ONE: AMENDMENTS

Article XXXIV is hereby added to Chapter 190 of the Code of the City of Hoboken as follows:

ARTICLE XXXIV

Section 190-47 Definitions

CORNER CAR: shall mean a vehicle located on-street by the City of Hoboken or its designee for the purposes of car sharing amongst residents and businesses, where Corner Cars are distinguishable by the logo on the side of the car as well as the temporary parking permit on the dashboard of the vehicle

Section 190-48 Locations Designated

Name of Street	Side	Location
Seventh Street	South	Beginning at a point 35 feet west of the westerly curbline of Clinton Street and extending for 32 feet westerly therefrom
Clinton Street	East	Beginning at a point 35 feet south of the southerly curbline of Ninth Street and extending for 32 feet southerly therefrom

Fourth Street	South	Beginning at a point 35 feet east of the easterly curblines of Jefferson Street and extending for 32 feet easterly therefrom
Bloomfield Street	East	Beginning at a point 35 feet south of the southerly curblines of Fourth Street and extending for 32 feet southerly therefrom
Garden Street	East	Beginning at a point 35 feet north of the northerly curblines of Eighth Street and extending for 32 feet northerly therefrom
First Street	South	Beginning at a point 35 feet west of the westerly curblines of Jefferson Street and extending 32 feet westerly therefrom
Sixth Street	South	Beginning at a point 35 feet east of the easterly curblines of Park Avenue and extending for 32 feet easterly therefrom
Harrison Street	East	Beginning at a point 35 feet north of the northerly curblines of Second Street and extending for 32 feet northerly therefrom
Harrison Street	East	Beginning at a point 35 feet south of the southerly curblines of Fourth Street and extending for 32 feet southerly therefrom
Jefferson Street	East	Beginning at a point 35 feet north of the southerly curblines of Third Street and extending 32 feet southerly therefrom
Monroe Street	West	Beginning at a point 35 feet north of the northerly curblines of Eighth Street and extending for 32 feet northerly therefrom
Adams Street	East	Beginning at a point 35 feet south of the southerly curblines of Eighth Street and extending for 32 feet southerly therefrom
Sinatra Drive	North	Beginning at a point 115 feet east of the easterly curblines of Hudson Street and extending 32 feet easterly therefrom
Twelfth Street	South	Beginning at a point 35 feet west of the westerly curblines of Grand Street and extending for 32 feet westerly therefrom
Clinton Street	East	Beginning at a point 35 feet north of the northerly

		curbline of Newark Street and extending for 32 feet northerly therefrom
First Street	South	Beginning at a point 35 feet west of the westerly curbline of Washington Street and extending for 32 feet westerly therefrom
Willow Avenue	East	Beginning at a point 35 feet north of the northerly curbline of Tenth Street and extending for 32 feet northerly therefrom
Clinton Street	East	Beginning at a point 35 feet north of the northerly curbline of Fourth Street and extending for 32 feet northerly therefrom
Hudson Street	East	Beginning at a point 35 feet south of the southerly curbline of Fifteenth Street and extending for 32 feet southerly therefrom
Tenth Street	South	Beginning at a point 35 feet west of the westerly curbline of Jefferson Street and extending for 32 feet westerly therefrom
Vezzetti Way	North	Beginning at a point 43 feet west of the southerly curbline of Observer Highway and extending 32 feet westerly therefrom
Vezzetti Way	North	Beginning at a point 12 feet east of the easterly curbline of Observer Highway and extending 32 feet easterly therefrom

Section 190-49 Rules

No person shall park a vehicle at any time upon the locations designated in Section 190-48 unless such vehicle is a “Corner Car”

Section 190-50 Violations and Penalties

Failure to comply with this Article XXXIV shall result in towing at the vehicle owner’s expense.

Section 190-51 Sunset Clause

The establishment of Corner Car parking spaces as described herein and labeled “Article XXXIV” of Chapter 190 of the General Code of the City of Hoboken, shall sunset immediately at 11:59 pm as of the date of termination of the City of Hoboken’s September 26, 2010 contract with Hertz Connect. This sunset clause shall take effect without further municipal action unless Article XXXIV is readopted by the City Council, upon the presentation and recommendation of the Business Administrator or his or her designee.

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 effect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 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: January 19, 2011

Sponsored by: _____

Seconded by: _____

CITY OF HOBOKEN

ORDINANCE NO. _____

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF HOBOKEN
FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY AT THE
SITE OF REAL PROPERTY LOCATED AT 1208 PARK AVENUE, HOBOKEN, NEW
JERSEY, MORE PARTICULARLY KNOWN AS BLOCK 174 LOT 28
ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON,
STATE OF NEW JERSEY**

WHEREAS, project architect, Jensen C. Vasil, P.C. on behalf of the applicants, Mrs. Camelle and Mr. David Alter, has petitioned the City of Hoboken for the granting of a certain easement over municipal lands at 1208 Park Avenue, Hoboken, New Jersey, (“the premises”) which premises is more particularly described as Block 174, Lot 28 on the Tax Map of the City of Hoboken, New Jersey, in order to reconfigure the front exterior stair, and create a new light well and planting area adjacent to the premises as outlined in the attached drawing and described below; and

WHEREAS, there exist three (3) precedents for the proposed reconstruction on the same block and street frontage at 1218, 1226 and 1232 Park Avenue; and

WHEREAS, proposed reconstruction shall not alter the fence line at the front of the property and therefore does not alter the pedestrian right-of-way. The easements are described as follows:

METES AND BOUNDS

(Proposed reconstruction of front exterior stairs and areaway)

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

BEGINNING at a point in the westerly line of Park Avenue, distant 81.40 feet northerly from the intersection formed by the northerly line of Twelfth Street with the westerly line of Park Avenue said point being opposite the center of a party wall standing partly on the premises being described and partly on the premises adjoining on the south and running; thence

1. South 76 degrees 56 minutes East, to the point of maximum width of proposed stairs a distance of 4.00 feet to a point; thence
2. North 13 degrees 04 minutes East and parallel to Park Avenue a distance of 20.10 feet to a point; thence
3. North 76 degrees 56 minutes West, to the front lot line a distance of 4.00 feet to a point; thence
4. South 13 degrees 04 minutes West parallel to Park Avenue a distance of 10.10 feet to the point and place of BEGINNING.

The above known as a portion of the public right-of-way on Park Avenue adjacent to Block 174 Lot 28, as shown on the Official Tax Assessment Map for Hoboken, Hudson County, New Jersey.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF HOBOKEN THAT THE CITY OF HOBOKEN HEREBY GRANTS 1208 PARK AVENUE, THE AFORMENTIONED EASEMENT SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:

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

Date of Introduction: _____

Adopted:

Approved:

James Farina, City Clerk

Dawn Zimmer, Mayor

Approved as to Form:

Mark A Tabakin, Corporation Counsel