

Introduced By: _____

Seconded By: _____

CITY OF HOBOKEN

RESOLUTION No. _____

Resolution to establish a 2013 Temporary Capital Budget

WHEREAS, the City of Hoboken desires to establish the 2013 Temporary Capital Budget of said municipality by inserting therein the following project.

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

Section 1. The 2013 Temporary Capital Budget of the City of Hoboken is hereby established by the adoption of the schedule to read as follows:

Temporary Capital Budget of the
City of Hoboken
County of Hudson, New Jersey
Projects Scheduled for 2013
Method of Financing

<u>Project</u>	<u>Est. Costs</u>	<u>Grants</u>	<u>Budget Appr. Fund</u>	<u>Capital Imp. Fund</u>	<u>Bonds</u>	<u>Self-Liquidating Bonds</u>
Rehabilitation and Reconstruction of Pier "A"	2,500,000			125,000	2,375,000	
Completion of Capital Improvements to Various Parks and Recreation Facilities	1,200,000			60,000	1,140,000	
Construction of 9/11 Memorial	500,000			25,000	475,000	

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services Department of Community Affairs, State of New Jersey, within three days after the adoption of this project for 2013 Temporary Capital Budget, to be included in the 2013 Permanent Capital Budget as adopted.

MEETING DATE: March 20, 2013

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla				
Theresa Castellano				
Jen Giattino				
Elizabeth Mason				
David Mello				
Tim Occhipinti				
Michael Russo				
President Peter Cunningham				

REVIEWED BY:

APPROVED AS TO FORM:

Quentin Wiest
Business Administrator

Mellissa Longo
Corporation Counsel

Introduced by: _____
Seconded by: _____

**MEETING OF THE CITY COUNCIL
OF HOBOKEN, NEW JERSEY
MISCELLANEOUS LICENSING
March 20, 2013**

RAFFLES	\$20.00	1 ITEM
<hr/>		
ST. ANN'S CHURCH		RA 1418
704 JEFFERSON STREET		
HOBOKEN, NJ 07030		

VENDOR WITH VEHICLE	\$175.00	1 ITEM
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CRR BOUTIQUE		
26 AVENUE		
PORT IMPERIAL #118		
WEST NEW YORK, NJ 07093		

SIDEWALK CAFÉS:	TOTAL: \$4,797.00	10 ITEMS
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JP Bagel Express Café & Deli	52 Newark Street	
Basiles Pizzeria	89 Washington Street	
The Brass Rail Restaurant	135 Washington Street	
McSwiggans	110 First Street	
Precious Chinese Cuisine	128 Washington Street	
Robongi Japan	520 Washington Street	
La Isla Restaurant	104 Washington Street	
Stinky Sullivans	600 Washington Street	
Hotel Victor Bar & Grill	77 Hudson Street	
Green Rock Tap & Grill	70 Hudson Street	

Office of Taxi & Limo Licensing

Miscellaneous Licenses for City Council Approval

March 20, 2013 City Council Meeting

Operator Licenses: 35 Total

Owner Licenses: 45 Total

Taxi Operator Licenses - 25 total

#	Last Name	First Name	Driver Type	License #	Fee
1	Rodriguez	Lorenzo	TAXI	T0027-13	\$75
2	Andrawis	Maged	TAXI	T0028-13	\$75
3	Youseff	Ezzat	TAXI	T0029-13	\$75
4	Iskandar	Tamer	TAXI	T0030-13	\$75
5	Flores	Abelardo	TAXI	T0031-13	\$75
6	Cabrera	Ramon	TAXI	T0032-13	\$75
7	Ibrahim	Hanna	TAXI	T0033-13	\$75
8	Elgindy	Moe	TAXI	T0034-13	\$75
9	Ellameh	Jean	TAXI	T0035-13	\$75
10	Kontogiannis	Georgios	TAXI	T0036-13	\$75
11	Maynard	Rolner	TAXI	T0037-13	\$75
12	Morgan	Welyam	TAXI	T0038-13	\$75
13	Vargas	Germanico	TAXI	T0039-13	\$75
14	Haider	Syed	TAXI	T0040-13	\$75
15	Sawers	Usama	TAXI	T0041-13	\$75
16	Rosas	Rosa	TAXI	T0042-13	\$75
17	Marcos	Nabil	TAXI	T0043-13	\$75
18	Ibrahim	Adel	TAXI	T0044-13	\$75
19	Oviedo	Rafael	TAXI	T0045-13	\$75
20	Pagan	Oscar	TAXI	T0046-13	\$75
21	Diaz	Carlos	TAXI	T0047-13	\$75
22	Ghobrial	Zakara	TAXI	T0048-13	\$75
23	Baket	Sabry	TAXI	T0049-13	\$75
24	Abdelmesih	Monir	TAXI	T0050-13	\$75
25	Malave	Felix	TAXI	T0051-13	\$75

Total Fees: \$1,875
Total Licenses: 25

Limo Operator Licenses - 10 total

#	Last Name	First Name	Driver Type	License #	Fee
1	Mendoza	Alis	LIMO	L0019-13	\$ 75
2	Rosario	Luis	LIMO	L0020-13	\$ 75
3	Quinto	Mario	LIMO	L0021-13	\$ 75
4	Chavarro	Rosa	LIMO	L0022-13	\$ 75
5	Alvarado	Jorge	LIMO	L0023-13	\$ 75
6	Rodriguez	Orlando	LIMO	L0024-13	\$ 75
7	Nieves	Thomas	LIMO	L0025-13	\$ 75
8	Russo	Francis	LIMO	L0026-13	\$ 75
9	Lugo	Pascal	LIMO	L0027-13	\$ 75
10	Cabral	Radames	LIMO	L0028-13	\$ 75

Total Fees: \$ 750
Total Licenses: 10

Taxi Owner Licenses - 11 total

#	Company Name	Vehicle Type	Vehicle #	Fee
1	GDFK Flame, Inc.	TAXI	3	\$ 500
2	Nour & Sarah, Inc.	TAXI	4	\$ 500
3	Diamond Cab Corp.	TAXI	15	\$ 500
4	Graciana Lisboa	TAXI	16	\$ 500
5	Moeja Corp.	TAXI	20	\$ 500
6	Faye Trans Inc.	TAXI	31	\$ 500
7	NJ Metro Trans LLC	TAXI	33	\$ 500
8	Nour & Sarah, Inc.	TAXI	44	\$ 500
9	Speedy Taxi LLC	TAXI	47	\$ 500
10	A&H Transportation LLC	TAXI	56	\$ 500
11	Samir Kassab	TAXI	63	\$ 500

Total Fees: \$ 5,500
Total Licenses: 11

Limo Owner Licenses - 34 total

#	Company Name	Vehicle Type	Vehicle #	Fee*
1	High Class NJ Car & Limo	LIMO	83	\$ 710
2	High Class NJ Car & Limo	LIMO	85	\$ 710
3	High Class NJ Car & Limo	LIMO	88	\$ 710
4	High Class NJ Car & Limo	LIMO	97	\$ 710
5	High Class NJ Car & Limo	LIMO	98	\$ 710
6	Hoboken A1 Limousine LLC.	LIMO	81	\$ 710
7	Hoboken A1 Limousine LLC.	LIMO	96	\$ 710
8	Hoboken A1 Limousine LLC.	LIMO	102	\$ 710
9	Hoboken First Class Corp.	LIMO	8	\$ 710
10	Criceyda Guance	LIMO	10	\$ 710
11	Hoboken First Class Corp.	LIMO	64	\$ 710
12	Hoboken First Class Corp.	LIMO	68	\$ 710
13	Hoboken First Class Corp.	LIMO	69	\$ 710
14	Hoboken First Class Corp.	LIMO	78	\$ 710

15	Hoboken First Class Corp.	LIMO	86	\$ 710
16	Hoboken First Class Corp.	LIMO	99	\$ 710
17	Travel Car Service Inc.	LIMO	7	\$ 710
18	Travel Car Service Inc.	LIMO	21	\$ 710
19	Travel Car Service Inc.	LIMO	22	\$ 710
20	Travel Car Service Inc.	LIMO	23	\$ 710
21	Travel Car Service Inc.	LIMO	26	\$ 710
22	Travel Car Service Inc.	LIMO	29	\$ 710
23	Travel Car Service Inc.	LIMO	43	\$ 710
24	Travel Car Service Inc.	LIMO	46	\$ 710
25	Travel Car Service Inc.	LIMO	48	\$ 710
26	Travel Car Service Inc.	LIMO	49	\$ 710
27	Travel Car Service Inc.	LIMO	51	\$ 710
28	Travel Car Service Inc.	LIMO	59	\$ 710
29	Travel Car Service Inc.	LIMO	74	\$ 710
30	Travel Car Service Inc.	LIMO	90	\$ 710
31	Travel Car Service Inc.	LIMO	93	\$ 710
32	Travel Car Service Inc.	LIMO	94	\$ 710
33	Travel Car Service Inc.	LIMO	95	\$ 710
34	Travel Car Service Inc.	LIMO	100	\$ 710

Total Fees: \$24,140

Total Licenses: 34

* Limo Fees include: \$10 License Fee per vehicle, and \$700 Admin fee per vehicle. The \$50 fee per Corporation is not included in this list of licenses

CITY OF HOBOKEN
 CLAIMS LISTING
 MARCH 20, 2013

DEPARTMENT	ACCOUNT/FUND	P.O.	VENDOR	DESCRIPTION	\$		
ADM BUSINESS ADMINISTRATION	IOPERATING	13-00316	GOVCONNECTION, INC.	MICROPHONE CABLES FOR CHAMBERS	\$ 156.00		
		13-00449	PREMIER TECHNOLOGY SOLUTIONS	FEB 2013 MONTHLY SERVICES	\$ 7,100.08		
		13-00530	GANN LAW BOOKS	2013 NJ TITLE 40&40A FOR B.A.	\$ 153.00		
		13-00531	BROWN & BROWN METRO INC	JAN 2013 RMC FEE JIF	\$ 10,800.00		
		13-00580	NJICLE	SMNR: RECOVERING IN AFTERMATH	\$ 120.00		
		13-00669	QUENTIN W. WIEST	FOOD FOR SHELTERS & 1ST RESP	\$ 508.90		
		13-00688	BOSWELL ENGINEERING	PROJECTS - HO477,472,478,449	\$ 10,804.50		
		13-00867	BOSWELL ENGINEERING	NWK ST PED. SAFETY THRU 2/8/13	\$ 299.25		
		13-01060	P.S.E.&G	REMOVE & INSTALL TEMP. SERVICE	\$ 630.00		
			IPARK UTILITY	13-00344	JOSEPH MCDOUGALL	TOWING REIMBURSEMENT	\$ 508.00
ADM CITY COUNCIL	IOPERATING	13-00559	ASL PRODUCTIONS LLC	DVD/LIVE STREAM COUNCIL MTGS	\$ 1,200.00		
ADM FINANCE SUPERVISORS OFF	IOPERATING	13-00340	AUTOMATIC DATA PROCESSING	ADP PAYROLL/HR SERVICES	\$ 8,026.50		
		13-00341	AUTOMATIC DATA PROCESSING	ADP PROCESSING CHARGES	\$ 3,108.89		
		13-00342	AUTOMATIC DATA PROCESSING	ADP HR/BENEFITS SOLUTION	\$ 2,245.45		
		13-00535	AUTOMATIC DATA PROCESSING	ADP PROCESSING CHARGES	\$ 2,657.52		
		13-00084	JERSEY JOURNAL	LEGAL ADS FOR 1/13	\$ 3,302.50		
ADM MUNICIPAL COURT	IOPERATING	13-00123	STAPLES PRINT SOLUTIONS	ORDINANCE FOLDERS	\$ 3,873.26		
		13-00394	MCAA OF NEW JERSEY	MEMBERSHIP FEE	\$ 45.00		
		13-00446	ALCAZAR COMMUNICATION,INC.	SVCS RENDERED INTERPRETATION	\$ 6,480.00		
		13-00451	GOVCONNECTION, INC.	TONER FOR MUN COURT DIRECTOR	\$ 120.00		
		13-00527	MCAA OF NEW JERSEY	REGISTRATION FEE	\$ 175.00		
		13-00724	GRAMCO BUSINESS COMMUNICATIONS	FLEXFONE HEADSET FOR COURTROOM	\$ 53.00		
		12-04425	STAPLES PRINT SOLUTIONS	330 ROLLS ELECTRONIC PATS TKTS	\$ 4,654.52		
		13-00298	W.B. MASON CO., INC.	OFFICE SUPPLIES	\$ 47.80		
		13-00638	UNITED DECORATING	US FLAGS	\$ 300.00		
		ADM MUNICIPAL COURT/POAA A/C	IOPERATING	13-00241	METRIC GROUP, INC.	PARKING METER EQUIPMENT	\$ 11,133.00
13-00744	Z'S IRON WORKS			REPAIRS - GARAGE D	\$ 4,775.00		
12-02872	CENTRAL PARKING SYSTEM			REIMBURSE LEASE PAYMENT	\$ 6,176.75		
13-00252	ARCOLA SALES & SERVICE CORP			HOP PARTS - HPU	\$ 176.04		
13-00254	BUY WISE AUTO PARTS			AUTO PARTS - FEBRUARY 2013	\$ 147.59		
13-00409	MOTION INDUSTRIES			EQUIPMENT-916 GARDEN STREET	\$ 384.98		
13-00429	FIVEPM TECHNOLOGY, INC.			MAPPING SERVICES - 2/13	\$ 2,500.00		
13-00480	CORNERSTONE RECORDS MGMT.			STORAGE FEES - FEBRUARY 2013	\$ 357.62		
13-00497	FCA LIGHTING			ELECT. REPAIRS/PARTS-916 GARD.	\$ 138.00		
13-00574	PREMIER TECHNOLOGY SOLUTIONS			IT SERVICES - JANUARY 2013	\$ 8,600.00		
ADM OEM	IOPERATING	13-00576	CENTRAL PARKING SYSTEM	REIMBURSE/LEASE PAYMENT 1/13	\$ 6,609.12		
		13-00578	RYDIN DECAL	VISITOR SCRATCH OFF PERMITS	\$ 3,812.65		
		13-00600	ENFO TECH & CONSULTING, INC.	PARKING PERMIT SYSTEM	\$ 8,335.00		
		13-00601	ENFO TECH & CONSULTING, INC.	CHANGE REQUEST/PERMIT RENEWAL	\$ 4,050.00		
			IPARK UTILITY	12-02872	CENTRAL PARKING SYSTEM	REIMBURSE LEASE PAYMENT	\$ 6,176.75
			IPARK UTILITY	13-00252	ARCOLA SALES & SERVICE CORP	HOP PARTS - HPU	\$ 176.04

CITY OF HOBOKEN
 CLAIMS LISTING
 MARCH 20, 2013

DEPARTMENT	ACCOUNT/FUND	P.O.	VENDOR	DESCRIPTION	\$		
ADM PARKING UTILITY	IPARK UTILITY	13-00608	FCA LIGHTING	ELEC. REPAIRS/SIGNAL & TRAFFIC	\$ 48.67		
		13-00610	CENTRAL PARKING SYSTEM	REIMBURSE LEASE PAYMENT - 2/13	\$ 6,609.12		
		13-00611	WEINER & LESNIAK, LLP	PROFESSIONAL FEES - 2/13	\$ 3,250.70		
		13-00612	HOBOKEN WATER SERVICE	WATER SERVICES-916 GARDEN ST.	\$ 84.72		
		13-00613	GRAINGER, INC	HAND TRUCK FOR GARAGE MAINT.	\$ 135.36		
		13-00623	FIVEPM TECHNOLOGY, INC.	TRACKING SERVICES - 12/12	\$ 2,500.00		
		13-00626	ENTERPRISE CONSULTANTS	PHONE MAINTENANCE - JAN. 2013	\$ 112.50		
		13-00628	BATTERIES PLUS #430	BATTERS FOR MULTI METERS	\$ 797.70		
		13-00630	HOBOKEN LOCK & SUPPLY	LOCK REPLACEMENT - GARAGE G	\$ 1,069.00		
		13-00632	NOBEL COMPUTER SYSTEMS, INC.	PER IMPOUND CHARGES - 12/12	\$ 1,296.00		
		13-00915	HOBOKEN LOCK & SUPPLY	LOCK REPAIR - GARAGE OFFICE	\$ 25.00		
		13-00918	921 WELCO CGI GAS TECH LLC	CYLINDER RENTAL-916 GARDEN ST.	\$ 30.65		
		13-00919	ROCHELLE SCHNEIDER	CONVENIENCE FEE REFUND	\$ 2.00		
		13-00927	FIVEPM TECHNOLOGY, INC.	BUS TRACKING - MARCH 2013	\$ 2,500.00		
		13-01039	PURCHASE POWER/SUPERVISOR	POSTAGE BY PHONE - FEB. 2013	\$ 177.00		
		13-01040	AT&T (LD)	LD SERVICES - FEB. 2013	\$ 30.34		
		ADM PERSONNEL & BENEFITS	IOPERATING	13-00725	OCA BENEFIT SERVICES	COBRA SERVICE FEES AUG-DEC 12	\$ 534.45
				13-00726	OCA BENEFIT SERVICES	COBRA SERVICE FEES JAN 2013	\$ 597.80
		ADM PERSONNEL/BENEFITS	IOPERATING	13-00656	GARDEN STATE MUNI.JOINT INSURA	WC DEDUCTIBLE JANUARY 2013	\$ 23,913.86
		ADM SPECIAL COUNSEL	ICAPITAL	12-04468	WEINER & LESNIAK, LLP	SP. LEGAL COUNSEL- A. HOUSING	\$ 285.00
		C2-05012	FLORIO PERUCCI STEINHARDT	SP. LEGAL COUNSEL - GEN. LIT.	\$ 861.24		
	IOPERATING	12-04084	TAG SOLUTIONS	TESTIFY IN COURT	\$ 1,750.00		
		12-04467	WEINER & LESNIAK, LLP	SPECIAL LEGAL COUNSEL - LAND	\$ 15,646.80		
		13-00125	ESTHER MILSTED ATTORNEY AT LAW	PUBLIC DEFENDER 2013	\$ 2,475.00		
		13-00130	LITE DEPALMA GREENBERG, LLC	SP. LEGAL COUNSEL - RENT CONT.	\$ 9,487.90		
		13-00132	MARAZITI, FALCON & HEALEY	SP LEGAL COUNSEL-REDEVELOPMENT	\$ 513.00		
		13-00137	THE BUZAK LAW GROUP LLC	SP LEGAL COUNSEL - LAND USE	\$ 1,183.82		
		13-00139	FLORIO & KENNY LLP	SP LEGAL COUNSEL - LITIGATION	\$ 452.35		
		13-00141	PARKER McCAY, P.A.	SP LEGAL COUNSEL -BOND COUNSEL	\$ 78.09		
		13-00212	SUSAN FERRARO, ESQ.	ALT. MUNICIPAL PROSECUTOR	\$ 2,925.00		
		13-00303	ADAM B. REISMAN, ATTY AT LAW	PUBLIC DEFENDER	\$ 275.00		
		13-00550	NEW JERSEY LAWYERS SERVICE LLC	SAME DAY DELIVERY	\$ 94.05		
		13-00553	JAMES W. MASTRIANI, ARBITRATOR	COH & IAFF LOCAL 1078	\$ 800.00		
		13-00858	THE PMA INSURANCE GROUP	INSURANCE-DEDUCTIBLE JAN 13	\$ 24,889.07		
		C2-05014	GREICO OATES & DEFILIPPO, LLC	SP. LEGAL COUNSEL - GEN. LIT.	\$ 195.00		
ADM TAX ASSESSOR	IOPERATING	12-04030	McGUIRE ASSOCIATES, LLC	PRO. SVC - REAL ESTATE APP.	\$ 15,583.32		
		13-00767	MICRO SYS. OF NORTHERN NJ.INC.	MAINTENANCE SOFTWARE FOR 2013	\$ 1,500.00		
ADM TAX COLLECTOR	IOPERATING	12-04311	JERSEY JOURNAL	LEGAL NOTICE ASSIGNMENT SALE	\$ 54.28		
		13-00887	70 ADAMS ST C/O BHARTIYA	REFUND TAX OVERPAYMENTS	\$ 2,850.00		

CITY OF HOBOKEN
CLAIMS LISTING
MARCH 20, 2013

DEPARTMENT	ACCOUNT/FUND	P.O.	VENDOR	DESCRIPTION	\$	
ADM TAX COLLECTOR	IOPERATING	13-00888	CHASE HOME FINANCE	REFUND TAX OVERPAYMENTS	\$ 1,310.05	
		13-00889	ANDREA BARILLI &	REFUND TAX OVERPAYMENTS	\$ 2,073.38	
		13-00890	DEREK H CATES & C BROCKMEYER	REFUND TAX OVERPAYMENTS	\$ 1,524.93	
		13-00891	GOLDEN TITLE AGENCY	REFUND TAX OVERPAYMENTS	\$ 495.51	
		13-00892	JMB HOMES, LLC	REFUND TAX OVERPAYMENTS	\$ 2,129.38	
		13-00893	OCWEN LOAN SERVICING, LLC	REFUND TAX OVERPAYMENTS	\$ 3,195.75	
		13-00894	ATLANTIC/PACIFIC MORTGAGE	REFUND TAX OVERPAYMENTS	\$ 1,134.06	
		13-00895	TRUSTEES OF STEVENS INSTITUTE	REFUND TAX OVERPAYMENTS	\$ 31,440.26	
		ITRUST	13-00727	PAM INVESTORS	REDEMPTION	\$ 15,458.66
	13-00728		JMAM INVESTMENT	REDEMPTION	\$ 10,851.54	
	13-00730		JMAM PARTNERS	REDEMPTION	\$ 1,568.87	
	13-00733		RIDGEBACK VENTURES LLC	REDEMPTION	\$ 15,744.94	
	13-00734		JMAM PARTNERS	REDEMPTION	\$ 999.40	
	13-00735		AUGUST HOLDINGS LLC	REDEMPTION	\$ 5,629.64	
	13-00739		US BANK CUST/TOWER DBW II	REDEMPTION	\$ 18,590.49	
	13-00842		ZAK'S ENTERPRISE, INC.	REDEMPTION	\$ 795.00	
	13-00866		ACTLIEN HOLDING INC	REDEMPTION	\$ 2,825.91	
	ADM/CONSTRUCTION CODE		IOPERATING	13-00054	NFPA	MEMBERSHIP RENEWAL
		13-00524		DIVISION OF FIRE SAFETY	RENEWAL CERTIFICATION	\$ 45.00
13-00652		ADEMI ELECTRIC LLC		EMERGENCY WORK ON CITY BUILDIN	\$ 375.00	
13-00668		JERSEY PROFESSIONAL MANAGEMENT		MANAGEMENT SPECIALIST	\$ 3,187.50	
13-00694		MILLENNIUM ALARM & ELECTRIC		ELECTRICAL WORK DUE TO SANDY	\$ 838.40	
13-00741		MH CONSTRUCTION		WOOD FLOORS SAND AND SEAL	\$ 1,500.00	
ADM/LEGAL ADS		IOPERATING		13-00306	STAR LEDGER	LEGAL ADS 2/13
	13-00832		NORTH JERSEY MEDIA GROUP	LEGAL ADS FOR JANUARY 2013	\$ 135.05	
CAPITAL ACCOUNT	ICAPITAL	12-00351	BOSWELL ENGINEERING	POLICE DEPT HVAC REHAB HO453	\$ 78.25	
CAPITAL TELEPHONE SYSTEM	ICAPITAL	12-03895	JOHNSTON COMMUNICATIONS	Telephone System - Police Dept	\$ 38,454.01	
CD DIRECTOR'S OFFICE	ESCROW	13-00682	MARAZITI, FALCON & HEALEY	PROFESSIONAL SERVICES REDEV	\$ 1,009.20	
		IFEDERAL	12-00696	EIC ASSOCIATES, INC.	Waterfront Walkway Recons.	\$ 84,164.32
	12-04449		THE LANDTEK GROUP, INC.	1600 PARK & HOBOKEN COVE PH 1	\$ 33,997.50	
	IOPERATING		12-03452	WALLACE ROBERTS & TODD	PRO. PLANNER, HOB. TERMINAL	\$ 2,500.50
		13-00461	NEW JERSEY FUTURE	2013 REDEVELOPMENT FORUM	\$ 140.00	
		13-00464	PARKER McCAY, P.A.	DECEMBER 2013 NON-ESCROW WORK	\$ 6,511.05	
		13-00465	MASER CONSULTING	UTILITY INVESTIGATION	\$ 1,315.00	
		C2-02002	MARAZITI, FALCON & HEALEY	COUNSEL ON REDEVELOPMENT	\$ 380.00	
	CD MLUL PB ESCROW ACCTS	ESCROW	13-00599	JOSEPH DELL'AQUILA	RETURN DEVELOPERS ESCROW	\$ 283.46
	CD MLUL PLANNING BOARD	IOPERATING	13-00338	JERSEY JOURNAL	LEGAL ADVERTISEMENT PB	\$ 133.12
13-00667			THE GALVIN LAW FIRM	PROFESSIONAL SERVICES	\$ 1,662.00	
CD MLUL ZBA ESCROW ACCTS	ESCROW	13-00239	JERSEY JOURNAL	DEVELOPERS ESCROW	\$ 98.87	

CITY OF HOBOKEN
CLAIMS LISTING
MARCH 20, 2013

DEPARTMENT	ACCOUNT/FUND	P.O.	VENDOR	DESCRIPTION	\$
CD MLUL ZBA ESCROW ACCTS	ESCROW	13-00582	THE GALVIN LAW FIRM	DEVELOPERS ESCROW	\$ 1,785.00
		13-00588	H2M ASSOCIATES INC.	DEVELOPERS ESCROW	\$ 72.50
		13-00590	H2M ASSOCIATES INC.	DEVELOPERS ESCROW	\$ 2,833.20
		13-00595	EFB ASSOCIATES, LLC	DEVELOPERS ESCROW	\$ 471.25
		13-00598	SPRINT NEXTEL	RETURN DEVELOPERS ESCROW	\$ 342.21
		13-00640	602 WILLOW AVE LLC	RETURN DEVELOPERS ESCROW	\$ 55.00
		13-00641	942 WILLOW AVE CORP	RETURN DEVELOPERS ESCROW	\$ 218.39
		CD MLUL ZONING BD OF ADJ	IOPERATING	13-00337	JERSEY JOURNAL
13-00666	THE GALVIN LAW FIRM			PROFESSIONAL SERVICES	\$ 2,257.88
13-00680	EFB ASSOCIATES, LLC			PROFESSIONAL SERVICES	\$ 1,232.50
Community Development	ICDBG2818	13-00651	HOPES INC.	CDBG PORTION HOPES INC. - NOV	\$ 11,882.76
ES CENTRAL GARAGE	IFEDERAL	13-00579	CLEAN ALL TECH. CORP.	BLACK GARBAGE BAGS C.G.	\$ 3,982.50
	IOPERATING	12-04675	AQUA TECH HOTSYS, INC.	CLEANING/REPAIRS-CENTRAL GAR.	\$ 1,795.38
		13-00189	TRIOUS, INC.	SWEEPER PARTS - STREETS/ROADS	\$ 660.20
		13-00256	BUY WISE AUTO PARTS	AUTO PARTS/CENTRAL GARAGE-PD	\$ 314.48
		13-00258	M & G AUTO PARTS, INC.	PARTS/CENTRAL GARAGE - 2/13	\$ 366.06
		13-00259	M & G AUTO PARTS, INC.	PARTS/CENTRAL GARAGE-PD	\$ 77.76
		13-00293	T.M. FITZGERALD & ASSOCIATES	TM FITZGERALD & ASSOC 1 24 13	\$ 19,250.00
		13-00405	W.B. MASON CO., INC.	SUPPLIES - CENTRAL GARAGE	\$ 445.61
		13-00481	TRIOUS, INC.	SWEEPER PARTS	\$ 137.67
		13-00482	SALOMONE BROS., INC.	RENTAL EXPENSE-STREETS & ROADS	\$ 1,070.00
		13-00486	DAVID WEBER OIL CO.	DRUM/OIL SUPPLIES-CEN. GARAGE	\$ 1,896.00
		13-00602	BEYER BROTHERS CORP.	SERVICE-#174 DUE TO HURRICANE	\$ 6,666.23
		13-00606	QUALITY AUTOMALL	REPAIRS - PD VEHICLE	\$ 415.40
		13-00607	FOLEY INCORPORATED	REPAIRS TO CG VEHICLE	\$ 982.00
		13-00624	ROBBINS & FRANKE, INC.	ALIGNMENTS - CENTRAL GARAGE	\$ 120.00
		13-00627	KLINGER TIRE & SERVICE CO.	TIRE SERVICES - CENTRAL GARAGE	\$ 110.00
		13-00631	JOHN'S MAIN AUTO BODY	TOWING CHARGES - CENTRAL GAR.	\$ 450.00
		13-00642	CITY PAINT AND HARDWARE	SUPPLIES FOR HURRICANE SANDY	\$ 87.86
		13-00648	CITY PAINT AND HARDWARE	City Paint for City Garage	\$ 1,850.00
		13-00922	MODERN HANDLING EQUIPMENT OF	FORKLIFT REPAIRS	\$ 2,171.32
		13-00924	NORTH JERSEY AUTO TRUCK SEAT	PD VEHICLE REUPHOLSTERY	\$ 509.50
		13-00925	KLINGER TIRE & SERVICE CO.	TIRE REPLACE - CENTRAL GARAGE	\$ 180.00
ES CLEAN COMMUNITIES	IFEDERAL	12-03757	CLEAN ALL TECH. CORP.	GARBAGE BAGS	\$ 1,989.00
		13-00581	CLEAN ALL TECH. CORP.	GARBAGE BAGS	\$ 1,989.00
ES DIRECTOR'S OFFICE	IOPERATING	12-02119	CONCORDE, INC.	RANDOM DRUG/ALCOHOL TESTS	\$ 176.00
ES PUBLIC PROPERTY	IOPERATING	12-04115	QUALITY PLUMBING & HEATING	BOILER REPAIR CITY HALL	\$ 1,200.00
		12-04149	QUALITY PLUMBING & HEATING	FLUSHOMETER MULTI CENTER	\$ 350.00
		12-04296	QUALITY PLUMBING & HEATING	FLUSHOMETER MENS ROOM P.D.	\$ 525.00

CITY OF HOBOKEN
CLAIMS LISTING
MARCH 20, 2013

DEPARTMENT	ACCOUNT/FUND	P.O.	VENDOR	DESCRIPTION	\$		
ES PUBLIC PROPERTY	IOPERATING	13-00370	TRANE OF NEW JERSEY	TRANE 01.22.13 MULTI SERVICE	\$ 296.00		
		13-00414	TRANE OF NEW JERSEY	HEAT REPAIR MULTI CENTER	\$ 560.00		
		13-00415	HOBOKEN LOCK & SUPPLY	LOCKS FOR P.D. AREA AND C.G.	\$ 642.00		
		13-00508	JOHN A. EARL CO.	SUPPLIES FOR MULTI SERV CENTER	\$ 855.10		
		13-00513	CITY PAINT AND HARDWARE	SUPPLIES PUBLIC PROP. JAN.2013	\$ 1,738.96		
		13-00514	TERMINIX	PEST CONTROL 1/28/13	\$ 200.00		
		13-00643	LOMBARDY DOOR SALES	RPL. FOR DAMAGED DOOR AT C.G.	\$ 2,400.00		
		13-00659	FCA LIGHTING	FIXTURE/BULBS CENTRAL GARAGE	\$ 290.00		
		13-00664	TERMINIX	PEST CONTROL MULTI CENTER	\$ 65.00		
		13-00665	AAA ADVANCED PLUMBING & DRAIN	SEWER LINE REPAIR FIRE HOUSE	\$ 600.00		
		13-00677	ENVIRONMENTAL CLIMATE CONTROL	HEAT REPAIR 13TH ST. FIREHOUSE	\$ 1,230.90		
		13-00678	DEPENDABLE PLUMBING &	REPAIRS CITY BUILDINGS	\$ 2,655.00		
		13-00679	DEPENDABLE PLUMBING &	PLUMBING REPAIR 13TH ST.F.H.	\$ 325.00		
		13-00695	SEA SAFETY INTERNATIONAL INC.	FIRE EXT. SERVICE FIRE HOUSES	\$ 2,441.35		
		13-00732	STATE CHEMICAL MFG.	SUPPLIES CENTRAL GARAGE	\$ 1,929.85		
		13-00804	STATE CHEMICAL MFG.	CLEANING EQUIP./SUPPLIES C.H.	\$ 1,085.65		
		13-00805	SEA SAFETY INTERNATIONAL INC.	FIRE EXTINGUISHERS CITY HALL	\$ 946.55		
		ES ROADS	IOPERATING	13-00500	ONE CALL CONCEPTS, INC.	STREET MARK-OUTS	\$ 108.56
		ES SOLID WASTE	IOPERATING	13-00683	HUDSON COUNTY IMPROVEMENT AUTH	STORM RELATED WASTE 11/12	\$ 3,806.25
13-00860	FRED MORET			REIMBURSEMENT FOR VESTS COUNTY	\$ 88.51		
HS BD OF HEALTH	IOPERATING	12-04252	M.G.L. FORMS-SYSTEMS LLC	BUSINESS LICENSES	\$ 561.50		
		13-00099	NJ ENVIRONMENTAL HEALTH ASSOC.	CONFERENCE REGISTRATION	\$ 500.00		
		13-00224	SASSO, FRANK	REIMBURSEMENT - DUES	\$ 40.00		
		13-00517	FRANK SASSO	CONTINUING EDUCATION CLASS	\$ 75.00		
		13-00551	HOBOKEN ANIMAL INFIRMARY	RABIES CLINIC	\$ 800.00		
		13-00806	GARDEN STATE LABS, INC.	ANALYTICAL SERVICES	\$ 795.00		
		13-00813	SENANTA PUBLISHING LLC	SUBSCRIPTION RENEWAL	\$ 157.00		
		HS CULTURAL AFFAIRS	ITRUST	13-00521	GUITAR CENTER	EQUIPMENT FOR SPRING FESTIVAL	\$ 548.00
				13-00547	ART PRIDE NEW JERSEY	AD - SPRING FESTIVAL 5/2013	\$ 450.00
13-00675	ELIZABETH WEISS			GENERAL OFFICE ASSISTANCE	\$ 457.50		
13-00811	FALLO, GERALDINE			REIMBURSEMENT	\$ 95.59		
13-01003	CAROLYN RESTAURANT			RESFRESHMENTS FOR LUNCHEON	\$ 503.00		
HS DIRECTOR'S OFFICE	IOPERATING	13-00814	GRAB ENTERTAINMENT	PERFORMANCE - IRISH FESTIVAL	\$ 2,500.00		
		13-00647	BOSWELL ENGINEERING	GENERAL ENGINEERING - HO469	\$ 16,268.25		
HS MUNICIPAL ALLIANCE	IFEDERAL	12-04341	THOMPSON CONSULTING SERVICES	DEBRIS MONITORING SERVICES	\$ 111,990.94		
		13-00094	HOPES INC.	SUPPLIES FOR PROGRAM	\$ 7,373.29		
HS PARKS	ICAPITAL	13-00511	PARTNERS IN PREVENTION	SUBSTANCE ABUSE/PREVENTION	\$ 18,967.00		
		13-01027	BOSWELL ENGINEERING	ENGINEERING SERVICE - C.S PARK	\$ 11,516.25		
	IO M FUND	12-04259	CLEAN ALL TECH. CORP.	100 CASES BLACK GARBAGE BAGS	\$ 1,071.25		

CITY OF HOBOKEN
CLAIMS LISTING
MARCH 20, 2013

DEPARTMENT	ACCOUNT/FUND	P.O.	VENDOR	DESCRIPTION	\$		
HS PARKS	IO M FUND	13-00096	SEA SAFETY INTERNATIONAL INC.	FIRE EXTINGUISHER INSPECTION	\$ 24.00		
		13-00518	ZUIDEMA/ROYAL THRONE PORTABLE	PORTABLE TOILET RENTAL	\$ 300.00		
		13-00519	CITY PAINT AND HARDWARE	MISC. SUPPLIES	\$ 224.85		
		13-00808	BOSWELL ENGINEERING	GENERAL ENGINEERING SVC -HO445	\$ 171.00		
		13-00809	BOSWELL ENGINEERING	GENERAL ENGINEERING SVC -HO454	\$ 684.00		
	IOPERATING	12-04259	CLEAN ALL TECH. CORP.	100 CASES BLACK GARBAGE BAGS	\$ 3,213.75		
		13-00096	SEA SAFETY INTERNATIONAL INC.	FIRE EXTINGUISHER INSPECTION	\$ 147.00		
		13-00518	ZUIDEMA/ROYAL THRONE PORTABLE	PORTABLE TOILET RENTAL	\$ 150.00		
		13-00519	CITY PAINT AND HARDWARE	MISC. SUPPLIES	\$ 412.47		
		13-00522	MATERA'S NURSERY	MAGNUM HOTSHOT SPREADER	\$ 165.00		
		13-00528	RICHARD DUNKIN	SNAKE OUT LINE - L.L. FIELD	\$ 130.00		
		13-00676	JOHN A. EARL CO.	ICE MELT FOR PARKS	\$ 4,187.50		
		13-00999	JAMIE L BOMAN	REIMBURSEMENT	\$ 249.57		
		HS RECREATION	IOPERATING	13-01030	HOBOKEN ALL-STAR YOUTH SOCCER	TRAVEL SOCCER REFEREE FEES	\$ 8,900.00
				13-00516	STAN'S SPORT CENTER	T-SHIRTS (MEN'S B.B. LEAGUE)	\$ 2,400.00
ITRUST REC FEES	13-00541		KYLE STANG	REIMBURSEMENT OF REG. FEE	\$ 125.00		
	13-00861		HOBOKEN BOARD OF EDUCATION	FACILITY RENTAL	\$ 1,440.00		
	13-00933		ANDREW IMPASTATO	REFEREE-ADULT BASKETBALL	\$ 120.00		
HS SENIOR CITIZEN PROGRAM	IOPERATING	13-00938	NORTHERN COUNTIES SOCCER ASSOC	REPRINT PASS, CARDS, RULES	\$ 135.00		
		13-01055	NORTHERN COUNTIES SOCCER ASSOC	TEAM REGISTRATION FEES	\$ 1,165.00		
		13-00080	REBEKAH ARAMINI LUPO	YOGA INSTRUCTION	\$ 400.00		
PS FIRE	IOPERATING	13-00533	METROPOLITAN COFFEE SERVICE	HOT/COLD COOLER RENTAL	\$ 160.00		
		13-00750	INSERRA SUPERMARKETS	REPLENISH SHOP RITE CARD	\$ 1,000.00		
		12-04096	LOMBARDY DOOR SALES	REPAIRS TO OVERHEAD DOORS	\$ 1,773.00		
		12-04314	ABSOLUTE FIRE PROTECTION	LADDER 1 REPAIRS DUE TO SANDY	\$ 6,872.03		
		12-04326	AAA EMERGENCY SUPPLY	E2 NEW EQUIPMENT	\$ 235.60		
		13-00266	NJ CAREER FIRE CHIEFS ASSOC.	CHIEFS DUES	\$ 250.00		
		13-00393	BRIAN GREENE	REIMBURSEMENT	\$ 25.98		
		13-00455	AAA EMERGENCY SUPPLY	REPAIRS TO SCBA	\$ 196.42		
		13-00463	JOHN A. EARL CO.	BATHROOM SUPPLIES	\$ 247.22		
		13-00529	CITY PAINT AND HARDWARE	HEADQUARTERS SUPPLIES	\$ 197.66		
PS FIRE SAFETY	IOPERATING	13-00649	CITY PAINT AND HARDWARE	VARIOUS SUPPLIES	\$ 84.85		
		13-00650	SHORE SOFTWARE	ONLINE BACKUP/WEBHOSTING	\$ 949.95		
		13-00654	COMPREHENSIVE PSYCHOLOGICAL	EMPLOYMENT EVALUATIONS-12/2012	\$ 3,600.00		
		13-00687	HOBOKEN GLASS COMPANY	REPLACE GLASS	\$ 285.00		
		13-00689	AIR & GAS TECHNOLOGIES, INC.	AIR COMPRESSOR REPAIRS	\$ 1,382.95		
PS POLICE	IOPERATING	13-00690	CAMPBELL SUPPLY CO.	REPAIRS TO RESCUE 2	\$ 12,635.46		
		12-03777	HMK MATTRESS COMPANY	MATTRESS FOR FIRE DEPT	\$ 9,600.00		
		13-00670	ENTERPRISE CONSULTANTS	MONTHLY TELEPHONE SERVICE	\$ 415.00		

CITY OF HOBOKEN
 CLAIMS LISTING
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DEPARTMENT	ACCOUNT/FUND	P.O.	VENDOR	DESCRIPTION	\$
PS POLICE	IOPERATING	13-00983	VERIZON WIRELESS SERVICES LLC	LAPTOP WIRELESS SVC PD 2/13	\$ 760.33
UNCLASSIFIED ELECTRICITY	IO M FUND	13-01008	P.S.E.&G. COMPANY	UTIL ELEC - PIER A - FEB 2013	\$ 1,113.22
	IOPERATING	13-00768	SOUTH JERSEY ENERGY	ELECTRIC UTILITY - JAN 2013	\$ 687.95
UNCLASSIFIED GASOLINE	IOPERATING	13-00593	EXXONMOBIL FLEET/GECC	GASOLINE FOR 2/13	\$ 33,472.39
UNCLASSIFIED INSURANCE	IOPERATING	13-00653	VISION SERVICE PLAN, INC.	VISION INSURANCE FEB 2013	\$ 11,027.23
		13-00658	THE PMA INSURANCE GROUP	WORKERS COMP INSURANCE 1/2013	\$ 72,541.69
		13-00701	JANET AIELLO	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00702	DOLORES A ANGELO	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00703	ROSEANNE C. ANICICH	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00704	FRED M. BADO	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00707	HAYWOOD BLAKELY	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00708	GENEVIEVE C. BYRNES	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00709	JOHN CASSESA	MEDICARE PART B REIMBURSEMENT	\$ 3,116.40
		13-00712	PHYLLIS CAPELLI	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00713	ROBERT F CAPELLI	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00714	JERRY C. CAPUTO	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00718	PATRICIA A. CAPUTO	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00719	EMMA CATALANO	MEDICARE PART B REIMBURSEMENT	\$ 1,030.80
		13-00720	ELIZABETH L. CURCIO	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00721	JOY D. CHRISTIANS	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00722	ANTONIA CASSIRER	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00723	TOMMY BURGOS	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00755	MARIA T. CLARK	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00757	MARION R. CICALA	MEDICARE PART B REIMBURSEMENT	\$ 2,037.60
		13-00758	WILLIAM E. DENO	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00759	JOSEPH PETRILLO	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00760	DIANE D DENO	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00762	ANGELINA M DEFALO	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00763	GRACE PECK	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00765	WILLIAM L PITTMAN	MEDICARE PART B REIMBURSEMENT	\$ 1,429.60
		13-00766	DONALD S. PESCIOTTA	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00769	ELAINE DE PINTO	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00772	RAY M. FALCO	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00773	HELEN V FALCO	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00774	ELIZABETH FALCO	MEDICARE PART B REIMBURSEMENT	\$ 2,397.60
		13-00775	PETER J FALCO	MEDICARE PART B REIMBURSEMENT	\$ 1,678.80
		13-00776	JOSEPHINE FITZGIBBONS	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00777	JOHN J. FERRANTE	MEDICARE PART B REIMBURSEMENT	\$ 1,240.80
		13-00781	JOHN J. FORBES	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80

CITY OF HOBOKEN
CLAIMS LISTING
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DEPARTMENT	ACCOUNT/FUND	P.O.	VENDOR	DESCRIPTION	\$
UNCLASSIFIED INSURANCE	IOPERATING	13-00786	DANIEL GILYARD	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00787	MICHAEL J. GREENE	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00789	CAROL M. EDGAR	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00790	FRANCES A PRESTON	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00792	ERNEST PRUDENTE	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00793	GEORGE H. PRESTON	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00794	MARY RINALDI	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00795	MARIE REPETTI	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00796	DANIEL REPETTI	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00797	PATRICIA ROMANO	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00801	THOMASINE GIANI	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00820	EDWARD HUELBIG	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00821	JOHN HUELBIG	MEDICARE PART B REIMBURSEMENT	\$ 1,558.80
		13-00822	EDWARD G. HODGE	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00823	SHARON V. HODGE	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00824	MARION HOCHSTADTER	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00825	ESTATE OF DOMENICA M. KOWALSKI	MEDICARE PART B REIMBURSEMENT	\$ 1,798.80
		13-00826	JOSEPH T. KENNEDY	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00827	HARRY W. KORTMAN	MEDICARE PART B REIMBURSEMENT	\$ 2,397.60
		13-00828	EILEEN KIRSCHNER	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00829	ARTHUR R KIRSCHNER	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00830	THOMAS M. KENNEDY	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00831	MARYANN KENNEDY	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00833	WILLIAM J. LEMP	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00835	PAUL LANZO	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00836	ANTHONY LISA	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00837	WAYNE B. MADSEN	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00838	IRENE MADSEN	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00839	MEYER, FREDERICK	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00840	JOAN L. MURPHY	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00841	THOMAS P. MEEHAN	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00843	ANGELO A. MIGLIACCIO	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00844	RICHARD C MURGITTROYD	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00845	ANNA R MURGITTROYD	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00846	ELAINE L. MCKENNA	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00847	EUGENE K. MC KENNA	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00848	JOSEPH F. MONTECALVO	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00849	MICHELINA MONACELLI	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80
		13-00851	JUDITH METCALFE	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80

CITY OF HOBOKEN
CLAIMS LISTING
MARCH 20, 2013

DEPARTMENT	ACCOUNT/FUND	P.O.	VENDOR	DESCRIPTION	\$		
UNCLASSIFIED INSURANCE	IOPERATING	13-00852	ANN MEYER	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80		
		13-00853	THOMAS P MORRISROE	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80		
		13-00854	ANNAMAE M MORRISROE	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80		
		13-00855	MARIE MURTHA	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80		
		13-00856	EUGENE O'REILLY	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80		
		13-00857	JANE B. O'REILLY	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80		
		13-00903	JOANNE TURSO	MEDICARE PART B REIMBURSEMENT	\$ 1,198.80		
		13-00981	JUDE M. FITZGIBBONS	MEDICARE PART B REIMBURSEMENT	\$ 299.70		
		13-01046	JOANN BARRON-EXECUTOR	REIMBURSEMENT MEDICARE PART B	\$ 1,198.80		
		13-00657	CONCORDE, INC.	RANDOM DRUG/ALCOHOL TESTS	\$ 333.05		
		13-00753	CONCORDE, INC.	RANDOM DRUG/ALCOHOL TESTS	\$ 81.80		
		UNCLASSIFIED POSTAGE	IOPERATING	12-04600	PITNEY BOWES, INC.	MAIL EQUIPMENT LEASE	\$ 2,394.00
		UNCLASSIFIED TELEPHONE	IOPERATING	13-00356	COOPERATIVE COMMUNICATIONS,INC	LD/TOLL SERVICE 2/13	\$ 775.47
13-00534	ENTERPRISE CONSULTANTS			TELEPHONE SERVICE CH 2/13	\$ 1,000.00		
13-00592	VERIZON			TELEPHONE SVS 1/13	\$ 11,811.93		
13-00984	COOPERATIVE COMMUNICATIONS,INC			LD/TOLL SERVICE 3/13	\$ 734.24		
13-01062	VERIZON WIRELESS			CY2013 CELL SERVICES	\$ 9,190.72		
13-01010	HOBOKEN WATER SERVICE			UTIL. - WATER - SINATRA PIER C	\$ 962.66		
UNCLASSIFIED WATER & SEWERAGE	IOPERATING	13-01010	HOBOKEN WATER SERVICE	UTIL. - WATER - SINATRA PIER C	\$ 962.66		
UNCLASSIFIED/COPIERS	IOPERATING	12-00023	RICOH AMERICAS CORPORATION	CY12 COPIER/LEASE/MAINT/SPLY	\$ 913.18		
Grand Total					\$ 1,126,550.10		

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:

14-Feb-13	TO	27-Feb-13	Paydate	3/6/2013	
<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	3-01-20-105	6,574.87	0.00	0.00	6,574.87
MAYOR'S OFFICE	3-01-20-110	9,959.63	0.00	0.00	9,959.63
CITY COUNCIL	3-01-20-111	7,517.37	0.00	0.00	7,517.37
BUS ADMINISTRATOR	3-01-20-112	16,003.20	0.00	0.00	16,003.20
ABC BOARD	3-01-20-113	0.00	0.00	156.92	156.92
PURCHASING	3-01-20-114	6,091.98	0.00	0.00	6,091.98
GRANTS MANAGEMENT	3-01-20-116	0.00	0.00	0.00	0.00
CITY CLERK'S OFFICE	3-01-20-120	15,258.52	0.00	0.00	15,258.52
ELECTIONS	3-01-20-122	0.00	0.00	0.00	0.00
FINANCE OFFICE	3-01-20-130	22,305.19	0.00	0.00	22,305.19
ACCOUNTS/CONTROL	3-01-20-131	0.00	0.00	0.00	0.00
PAYROLL DIVISION	3-01-20-132	0.00	0.00	0.00	0.00
TAX COLLECTION	3-01-20-145	8,640.68	0.00	0.00	8,640.68
ASSESSOR'S OFFICE	3-01-20-150	11,767.77	0.00	0.00	11,767.77
CORPORATE COUNSEL	3-01-20-155	11,873.08	0.00	0.00	11,873.08
COMMUNITY DEVELOPMENT	3-01-20-160	6,519.24	0.00	0.00	6,519.24
PLANNING BOARD	3-01-21-180	5,849.83	0.00	0.00	5,849.83
ZONING OFFICER	3-01-21-186	4,835.33	0.00	0.00	4,835.33
HOUSING INSPECTION	3-01-21-187	5,923.33	515.76	0.00	6,439.09
CONSTRUCTION CODE	3-01-22-195	22,363.07	0.00	0.00	22,363.07
POLICE DIVISION	3-01-25-241-011	524,763.34	25,208.07		549,971.41
POLICE CIVILIAN	3-01-25-241-016	31573.97	1,851.36	0.00	33,425.33
POLICE DIVISION CLAS CLASS II	3-01-25-241-015	1,200.00	0.00	0.00	1,200.00
WORKERS COMP		0.00	0.00	16,040.37	16,040.37
SICK INCENTIVE				3,828.70	3,828.70
CROSSING GUARDS	3-01-25-241-012	14,234.10	0.00	0.00	14,234.10
EMERGENCY MANAGEMENT	3-01-25-252	13,738.99	0.00	96.15	13,835.14

<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	3-01-25-266	463,793.51	7,987.32	0.00	471,780.83
FIRE DIF (STRAIGHT TIME)		0.00	0.00	15,895.11	15,895.11
FIRE CIVILIAN	3-01-25-266-016	18,735.13	147.00	0.00	18,882.13
STREETS AND ROADS	3-01-26-291-011	25,089.27	915.38	0.00	26,004.65
SNOW REMOVAL	3-01-26-291-014	0.00	0.00	0.00	0.00
ENV SRVCS DIR OFFICE	3-01-26-290	6,178.29	0.00	0.00	6,178.29
RECREATION SEASONAL EMP	3-0128370016	3,480.50	0.00	0.00	3,480.50
STRAIGHT TIME PD TO REC EMPLOYEES		0.00	0.00	315.00	315.00
CENTRAL GARAGE	3-01-26-301	5,687.74	2,969.46	0.00	8,657.20
SANITATION	3-01-26-305	17,418.39	5,548.83	0.00	22,967.22
LICENSING DIVISION	3-31-55-501-101	0.00	0.00	0.00	0.00
WORKERS COMP		0.00	0.00	943.30	943.30
HUMAN SRVCS DIR OFFICE	3-01-27-330	6,992.71	0.00	0.00	6,992.71
BOARD OF HEALTH	3-01-27-332	20,237.52	0.00	0.00	20,237.52
CONSTITUENT SRCS	3-01-27-333	0.00	0.00	0.00	0.00
SENIOR CITIZENS	3-01-27-336	10,758.74	169.74	0.00	10,928.48
RENT STABILIZATION	3-01-27-347	9,678.53	0.00	0.00	9,678.53
TRANSPORTATION	3-01-27-348	0.00	0.00	0.00	0.00
RECREATION	3-01-28-370	11,850.55	471.65	0.00	12,322.20
STRAIGHT TIME PD TO REC EMPLOYEES		0.00	0.00	0.00	0.00
PARKS	3-01-28-375	17,428.96	651.85	0.00	18,080.81
PUBLIC PROPERTY	3-01-28-377	28,431.85	(586.17)	0.00	27,845.68
STIPEND		0.00	0.00	212.45	212.45
PUBLIC LIBRARY	3-0129-390-021	0.00	0.00	0.00	0.00
O & M TRUST	T-24-20-700-020	0.00	0.00	0.00	0.00
MUNICIPAL COURT	3-01-43-490	33,961.51	0.00	0.00	33,961.51
PARKING UTILITY	3-31-55-501-101	102,703.31	12,671.19	0.00	115,374.50
WORKERS COMP		0.00	0.00	2,162.32	2,162.32
MUN COURT OVERTIME	T-0340000-037	0.00	2,385.63	0.00	2,385.63
TRUST - RECREATION ADULT PROG	T-03-40-000-108	180.00	0.00	0.00	180.00
STRAIGHT TIME PD TO REC EMPLOYEES		0.00	0.00	360.00	360.00
FIRE EDUCATION	T-13-10-000-000	0.00	895.97	0.00	895.97
HOBOKEN ATHL LEAGUE	G-02-41-200-PA2	0.00	0.00	0.00	0.00
STRAIGHT TIME PD TO SR CIT EMPLOYEE		0.00	0.00	0.00	0.00

<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>
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OTHER:

TRUST REC	TENNIS CLINIC T-03-40-000-110	0.00	0.00	0.00	0.00
TRUST CULTURAL AFF.	T-03-40-000-004	202.72	0.00	0.00	202.72
TRUST	T-03-40-000-105	0.00	0.00	0.00	0.00
CULTURAL AFFAIRS	3-01-271-760-11	2,988.46	0.00	0.00	2,988.46
SALARY ADJUSTMENT	3-01-36-478-000	0.00	0.00	0.00	0.00
SALARY SETTLEMENT	3-01-36-479-000	0.00	988.60	12,209.85	13,198.45
POLICE OUTSIDE EMPL.	T-03-40-000-006	0.00	0.00	24,072.00	24,072.00
HLTH INS EMP WAIV COMP	3-01-30-400-WVR	0.00	0.00	0.00	0.00
SALARY AND WAGES	3-01-55-901-014	2,500.00	0.00	0.00	2,500.00
POLICE HOUSING AUTHORITY OEP	3-01-25-241-017	0.00	0.00	0.00	0.00
GRAND TOTAL		1,535,291.18	62,791.64	76,292.17	1,674,374.99
					1,674,374.99

Introduced By: _____

Seconded By: _____

**CITY OF HOBOKEN
RESOLUTION NO:**

**RESOLUTION OF THE CITY OF HOBOKEN AUTHORIZING THE EXECUTION OF
A CONDITIONAL DESIGNATION AND INTERIM COST AGREEMENT WITH BIJOU
PROPERTIES LLC INCLUDING PROVISIONS FOR AN ESCROW DEPOSIT TO
DEFRAY THE COSTS OF THE CITY IN THE NEGOTIATION OF A
REDEVELOPMENT AGREEMENT**

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

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

WHEREAS, the properties designated as Block 81, Lot 3.01 on the Tax Map of the City and commonly known as 700 Monroe Street, Hoboken, NJ 07030 (“Project Site”) are included in the Redevelopment Area; and

WHEREAS, Bijou is the Contract Purchaser not only of the Project Site, but is also the Contract Purchaser of contiguous property known as Block 74, Lots 3- 20 on the Tax map of the City of Hoboken, located at 601 Jackson Street, which is not located in the Redevelopment Area; and

WHEREAS, Bijou has submitted a Pre-Submission Form received by the City of Hoboken on March 13, 2013, which seeks designation as the Redeveloper of the Project Site and contains a proposal for the continuation of the redevelopment of the Project Site, which provides for the development of 156 residential units, 3,300 square feet of street retail, 90 automated parking spaces, and the donation of 45,000 square feet of (contiguous) property located at 601 Jackson Street to the City of Hoboken for public open space (“Proposal”); and

WHEREAS, the City requires that prospective redevelopers, Bijou Properties LLC, pay the reasonable costs incurred by the City in reviewing and evaluating the prospective redeveloper’s proposal, negotiating and drafting a Redevelopment Agreement (should a

Redevelopment Agreement ultimately be executed), and all other costs and expenses related to this matter, prior to either the execution of a Redevelopment Agreement or a determination by the City that a Redevelopment Agreement cannot be executed, as the case may be; and

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

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

1. The Mayor is hereby authorized to execute a Conditional Designation and Interim Cost Agreement between the City of Hoboken and Bijou Properties LLC, in the form attached hereto as Schedule A or in a form substantially similar thereto.
2. Staff and consultants to the City are hereby authorized and directed to take all other administrative actions to implement this Resolution as are necessary and appropriate to accomplish its goals and intent.
3. This Resolution shall be effective immediately.

REVIEWED BY:

APPROVED AS TO FORM:

Quenton Wiest,
Business Administrator

Mellissa L. Longo, Esq.
Corporation Counsel

CONDITIONAL DESIGNATION AND INTERIM COST AGREEMENT

BY AND BETWEEN

THE CITY OF HOBOKEN AND BIJOU PROPERTIES, L.L.C.

This Agreement dated as of March 20, 2013, by and between the CITY OF HOBOKEN, (“City” or “Hoboken”), having offices at 94 Washington Street, Hoboken, New Jersey 07030, acting pursuant to the provisions of the Local Redevelopment and Housing Law, and BIJOU PROPERTIES, L.L.C., a Delaware Limited Liability Company authorized to do business in New Jersey, with offices at 1422 Grand Street, Unit 5, Hoboken, NJ 07030 (“Bijou”).

WITNESSETH

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

WHEREAS, the City desires that a portion of the land located in the Northwest Redevelopment Area, also known as Block 81, Lots 3.01 on the Tax Map of the City of Hoboken, located at 700 Monroe Street (hereinafter “Project Site”) be redeveloped in accordance with the Northwest Redevelopment Plan (the “Redevelopment Plan”); and

WHEREAS, the City has previously designated a redeveloper (“Prior Redeveloper”) for the Project Site and entered into a redevelopment agreement with the Prior Redeveloper, but has terminated the Redevelopment Agreement for a variety of reasons relating to the non-performance of the Prior Redeveloper; and

WHEREAS, Bijou is the Contract Purchaser not only of the Project Site, but is also the Contract Purchaser of contiguous property known as Block 74, Lots 3- 20 on the Tax map of the City of Hoboken, located at 601 Jackson Street, which is not located in the Redevelopment Area; and

WHEREAS, Bijou has submitted a Pre-Submission Form received by the City of Hoboken on March 13, 2013, which seeks designation as the Redeveloper of the Project Site and contains a proposal for the continuation of the redevelopment of the Project Site, which provides for the development of 156 residential units, 3,300 square feet of street retail, 90 automated parking spaces, and the donation of 45,000 square feet of (contiguous) property located at 601 Jackson Street to the City of Hoboken for public open space (“Proposal”); and

WHEREAS, the City and Bijou desire to negotiate a Redevelopment Agreement to redevelop the Project Site, generally along the lines of the proposal submitted by Bijou and in accordance with the provisions of the Redevelopment Plan; and

WHEREAS, the City shall during the Interim Period (defined below) negotiate exclusively with Bijou with regard to the proposal for the redevelopment of the Project Site; and

WHEREAS, the City requires that Bijou pay the reasonable costs incurred by the City associated with the review of Bijou’s proposal, and the drafting and negotiation of a Redevelopment Agreement, and all other costs and expenses related to this matter prior to the execution of a Redevelopment Agreement (should such an Agreement be executed), or the determination by the City that such an Agreement cannot be executed (should that result occur); and

WHEREAS, the parties shall in good faith undertake the negotiation of a Redevelopment Agreement including but not limited to the terms of the donation of 45,000 square feet of public open space, density, affordable housing, unit mix, parking coordination with the other phases of the Monroe Center project, and environmental issues;

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

1. Conditional Designation. Upon the complete execution of this Agreement, Bijou shall be the conditional designated redeveloper for the Project Site, on the express and absolute condition that the parties shall successfully negotiate and execute a Redevelopment Agreement within the time frame set forth herein. The parties acknowledge that the redevelopment of the Project Site will be pursuant to the terms of the Redevelopment Agreement. In the event that the parties are unable to reach agreement on the terms of a Redevelopment Agreement, this Conditional Designation and Interim Cost Agreement shall be terminated and the designation in this paragraph shall immediately end.

2. The “Interim Period.” The Interim Period shall be the 90-day period that commences on the date of this Agreement, during which the City agrees to negotiate exclusively with Bijou toward the execution of a Redevelopment Agreement, which shall include all the terms and conditions, schedules, and financial arrangements between the City and Bijou. Such 90-day period may be extended by the City in its sole discretion. At the conclusion of the Interim Period, or any time during an extension of such Period, either party may, at its sole discretion, cease negotiations and cancel this Conditional Designation and Interim Cost Agreement. In the event that this Agreement is cancelled, then neither party hereto shall be bound by any further obligations hereunder to the other, except as may exist under Paragraph 3(B) hereof.

3. Payment of Interim Costs.

A. “Interim Costs” shall include, but not be limited to, all expenses and costs incurred by the City during the Interim Period in connection with the review of the redevelopment Proposal of Bijou, the review of additional information provided by Bijou, and the preparation and negotiation of the Redevelopment Agreement and all staff time and fees and

costs of any professional consultant, contractor or vendor retained by the City during the Interim Period in connection with same.

B. Bijou shall pay all reasonable Interim Costs incurred by Hoboken from the date on which this Agreement is executed to the time the City and Bijou enter into a Redevelopment Agreement or to the time either party determines that a Redevelopment Agreement cannot be executed for any reason (hereinafter referred to as the “Interim Period”). Bijou shall pay all Interim Costs incurred during the Interim Period, even if the Redevelopment Agreement is not executed for any reason. Bijou agrees that in the event the parties continue negotiations following the expiration of the 90-day Interim Period, all costs incurred by the City related to such additional negotiations shall be included in the definition of Interim Costs and shall be paid by Bijou in the same manner as Interim Costs.

C. Within ten (10) days from the execution of this Agreement, Bijou shall pay Fifteen Thousand Dollars (\$15,000.00) (“Project Funds”) to the City to be maintained in a separate account by the City and to be drawn down by the City to cover Interim Costs. The City shall provide Bijou with invoice(s) setting forth the costs incurred by the City which have been drawn down. Within fifteen (15) days of the receipt by Bijou of written notice from the City that the amount of Project Funds has decreased to One Thousand Dollars (\$1,000.00), Bijou shall replenish the Project Funds to the amount of \$15,000.00. If the costs incurred by the City exceed the amount of the Project Funds, Bijou agrees to pay such costs upon fifteen (15) days written notice from the City stating that such costs are due.

D. In the Event that a Redevelopment Agreement is not executed and this Conditional Designation and Interim Cost Agreement is terminated, the City shall draw down the Project Funds to pay all invoices for Interim Costs incurred up to the date of termination. Within thirty (30) days from the date of termination the City shall return all

remaining Project Funds to Bijou. In the event that a Redevelopment Agreement is executed, the Project Funds shall remain with the City to cover any additional Interim Costs incurred by the City and to cover costs incurred by the City pursuant to the Redevelopment Agreement, which Redevelopment Agreement shall contain a provision providing for the payment of such costs.

4. Scope. The parties have had preliminary discussions regarding the scope of the Project to be covered by the Redevelopment Agreement which is contained in the Pre-Submission Form prepared by Bijou and attached to this Agreement as Tab "A." The parties agree that the description set forth in the Pre-Submission Form shall provide the basis for negotiation of the Redevelopment Agreement. The parties further agree that the parties are not bound by the terms set forth in the Pre-Submission Form nor does the Pre-Submission Form contain an exhaustive list of all terms, conditions and obligations to be included in the Redevelopment Agreement.

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

BIJOU PROPERTIES, LLC

Attest:

By:

Lawrence Bijou, Managing Partner

CITY OF HOBOKEN

Attest:

By:

Dawn Zimmer
Mayor, City of Hoboken

STATE OF NEW JERSEY)
) ss:
COUNTY OF HUDSON)

I CERTIFY that on _____, 2013, **Lawrence Bijou** personally came before me, and this person acknowledged under oath, to my satisfaction, that this person, is the Managing Partner of Bijou Properties, L.L.C., a Delaware Limited Liability Company, which is the company named in this document; and signed and delivered this document as his/her act and deed on behalf of the said Delaware Limited Liability Company.

, Secretary

Signed and sworn to before me

on _____, 2013.

Notary Public

STATE OF NEW JERSEY)
) ss:
COUNTY OF HUDSON)

I CERTIFY that on _____, 2013, James J. Farina, RMC, personally came before me, and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Clerk of the City of Hoboken, named in this document;
- (b) this person is the attesting witness to the signing of this document by the proper City of Hoboken official who is Dawn Zimmer, Mayor;
- (c) this document was signed and delivered by the City of Hoboken as its voluntary act duly authorized by a proper resolution of the City of Hoboken; and
- (d) this person signed this proof to attest to the truth of these facts.

_____,

Signed and sworn to before me

on _____, 2013.

Notary Public

Introduced By:_____

Seconded By:_____

CITY OF HOBOKEN

RESOLUTION No._____

**THIS RESOLUTION AUTHORIZES TEMPORARY
APPROPRIATIONS FOR THE CALENDAR YEAR 2013**

WHEREAS, temporary appropriations for calendar year 2013 were previously made pursuant to N.J.S.A. 40A:4-19; and

WHEREAS, N.J.S.A. 40A:4-19.1 provides for additional temporary appropriations when budget dates have been extended; and

WHEREAS, the New Jersey Division of Local Government Services has extended the deadline for the adoption of the calendar year 2013 budget;

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the City of Hoboken that additional temporary appropriations totaling \$21,662,443.83 for the current fund and \$1,969,658.50 for the parking utility be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

SEE DETAIL ATTACHED

MEETING DATE: March 20, 2013

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla				
Theresa Castellano				
Jen Giattino				
Elizabeth Mason				
David Mello				
Tim Occhipinti				
Michael Russo				
President Peter Cunningham				

REVIEWED BY:

Quentin Wiest
Business Administrator

APPROVED AS TO FORM:

Melissa Longo
Corporation Counsel

3/20/2013

Account Id	Description	Temporary Appropriation
3-01-20-105-010	PERSONNEL & HEALTH BEN. S/W	32,900.00
3-01-20-105-020	PERSONNEL & HEALTH BEN. O/E	750.00
3-01-20-110-010	MAYOR'S OFFICE S/W	49,800.00
3-01-20-110-020	MAYOR'S OFFICE O/E	4,360.00
3-01-20-111-010	CITY COUNCIL S/W	37,600.00
3-01-20-111-020	CITY COUNCIL O/E	3,833.33
3-01-20-112-010	BUSINESS ADMINISTRATOR'S OFF.	80,025.00
3-01-20-112-020	BUSINESS ADMINISTRATOR'S OFF.	17,916.67
3-01-20-113-010	ALCOHOLIC BEV CONTROL BD S/W	800.00
3-01-20-113-020	ALCOHOLIC BEV CONTROL BD O/E	416.67
3-01-20-114-010	PURCHASING DIVISION S/W	30,475.00
3-01-20-114-020	PURCHASING DIVISION O/E	775.00
3-01-20-116-020	GRANTS MANAGEMENT O/E	4,166.67
3-01-20-120-010	CITY CLERK S/W	76,300.00
3-01-20-120-020	CITY CLERK O/E	1,700.00
3-01-20-121-020	LEGAL ADVERTISING O/E	10,000.00
3-01-20-123-020	CODIFICA OF ORDINANCE O/E	5,000.00
3-01-20-130-010	REV & FIN DIRECTOR S/W	111,550.00
3-01-20-130-020	REV & FIN SUPERVISOR OE	29,583.33
3-01-20-135-020	ANNUAL AUDIT O/E	-
3-01-20-145-010	COLLECTION OF TAXES S/W	43,225.00
3-01-20-145-020	COLLECTION OF TAXES O/E	10,323.33
3-01-20-147-020	INFORMATION TECHNOLOGY OE	19,000.00
3-01-20-150-010	ASSESSOR'S OFFICE S/W	58,850.00
3-01-20-150-020	ASSESSOR'S OFFICE O/E	39,790.83
3-01-20-155-010	CORPORATION COUNSEL S/W	78,625.00
3-01-20-155-020	CORPORATION COUNSEL O/E	27,716.67
3-01-20-156-020	SPECIAL COUNSEL O/E	166,166.67
3-01-20-157-020	LABOR COUNSEL O/E	7,500.00
3-01-20-158-020	EXPERT WITNESS & APPRAISAL O/E	5,833.33
3-01-20-160-010	OFFICE OF COMM DEVELOPE S/W	32,600.00
3-01-20-160-020	OFFICE OF COMMUNITY DEVELOPE	666.67
3-01-20-175-020	HISTORIC PRESVTN COMMITTEE O/E	2,400.00
3-01-21-180-010	PLANNING BOARD S&W	31,000.00
3-01-21-180-020	PLANNING BOARD O/E	16,095.83
3-01-21-181-000	REDEVELOPMENT EXPENSE	52,500.00
3-01-21-185-020	ZONING BOARD OF ADJUSTMENT O/E	25,687.50
3-01-21-186-010	ZONING ADMINISTRATION S/W	24,200.00
3-01-21-186-020	ZONING OFFICER O/E	633.33
3-01-21-187-010	HOUSING INSPECTION S/W	49,320.00
3-01-21-187-020	HOUSING INSPECTION O/E	208.33
3-01-22-195-010	UNIFORM CONSTRUCTION CODE S&W	120,000.00
3-01-22-195-020	UNIFORM CONSTRUCTION CODE O/E	36,500.00
3-01-23-211-020	Postage O/E	21,666.67
3-01-23-212-020	Municipal Dues & Membrshp O/E	583.33
3-01-23-213-020	Copiers/Printers/Computers O/E	9,166.67
3-01-23-216-020	Celbratn Of Public Events O/E	2,500.00
3-01-23-218-020	Central Office Suppl O/E	10,166.67
3-01-23-219-020	Set of Claims Against City O/E	1,666.67

3/20/2013

Account Id	Description	Temporary Appropriation
3-01-23-222-020	No Hudson Reg Coun of Mayors	-
3-01-23-223-020	Towing & Storage O/E	1,250.00
3-01-23-225-020	Unemployment Comp Insur O/E	26,666.67
3-01-25-241-010	POLICE DIVISION S/W	3,150,000.00
3-01-25-241-020	POLICE DIVISION O/E	106,083.33
3-01-25-252-010	EMERGENCY MANAGEMENT S/W	75,000.00
3-01-25-252-020	EMERGENCY MANAGEMENT O/E	1,791.67
3-01-25-260-020	VOLUNTEER AMBULANCE O/E	
3-01-25-266-010	FIRE DEPARTMENT S&W	2,575,000.00
3-01-25-266-020	FIRE DEPARTMENT O/E	49,528.33
3-01-26-290-010	ENVIR SVC DIR'S OFF S/W	18,540.00
3-01-26-290-020	ENVIR SVC DIR'S OFF O/E	3,800.00
3-01-26-291-010	STREET & ROADS S/W	130,500.00
3-01-26-291-020	STREET & ROADS O/E	38,833.33
3-01-26-293-020	SHADE TREE O/E	8,333.33
3-01-26-301-010	CENTRAL GARAGE S/W	62,500.00
3-01-26-301-020	CENTRAL GARAGE O/E	40,666.67
3-01-26-305-010	SANITATION S/W	120,000.00
3-01-26-305-020	SANITATION O/E	697,500.00
3-01-27-176-010	DIV OF CULTURAL AFFAIRS S/W	14,950.00
3-01-27-330-010	HUMAN SVC DIR OFF'S S/W	34,975.00
3-01-27-330-020	HUMAN SVC DIR'S OFF O/E	333.33
3-01-27-332-010	HEALTH S/W	101,500.00
3-01-27-332-020	HEALTH O/E	22,917.50
3-01-27-336-010	SENIOR CITIZEN DIV S/W	85,500.00
3-01-27-336-020	SENIOR CITIZEN DIV O/E	2,166.67
3-01-27-347-010	RENT LEVELING S/W	48,400.00
3-01-27-347-020	RENT LEVELING O/E	1,383.33
3-01-28-370-010	RECREATION & CULTURAL AFF S/W	80,000.00
3-01-28-370-020	RECREATION & CULTURAL AFF O/E	24,766.67
3-01-28-375-010	DIVISION OF PARKS S/W	90,000.00
3-01-28-375-020	DIVISION OF PARKS O/E	17,651.67
3-01-28-377-010	DIVISION OF PUBLIC PROPERTY	142,500.00
3-01-28-377-020	DIVISION OF PUBLIC PROPERTY OE	49,500.00
3-01-29-390-020	PUBLIC LIBRARY O/E	533,248.83
3-01-30-400-000	OTHER INSURANCE	200,000.00
3-01-30-400-020	Insurance Workers Compensation	150,000.00
3-01-30-400-029	GROUP HEALTH BENEFITS	3,030,000.00
3-01-31-430-000	Electricity O.E.	87,500.00
3-01-31-435-000	Street Lighting	122,500.00
3-01-31-440-000	COMMUNICATIONS O/E	53,333.33
3-01-31-445-000	Water & Sewer	10,000.00
3-01-31-460-000	Gasoline	66,666.67
3-01-31-461-000	Engineering	45,000.00
3-01-31-463-000	Hoboken Master Plan	11,666.67
3-01-36-471-000	Public Employees Retirement	1,273,815.00
3-01-36-472-000	Social Security/Medicare	270,000.00
3-01-36-474-000	Cons Police & Fire Pen Fund	
3-01-36-475-000	Police and Fire Retirement	6,219,414.00

		3/20/2013
Account Id	Description	Temporary Appropriation
3-01-36-478-000	Salary Adjustments	-
3-01-36-479-000	SALARY SETTLEMENTS	-
3-01-37-480-000	Judgements	-
3-01-43-490-010	MUNICIPAL COURT S/W	169,825.00
3-01-43-490-020	MUNICIPAL COURT O/E	26,900.00
3-01-43-495-020	PUBLIC DEFENDER O/E	583.33
3-01-44-101-011	HOBOKEN HOUSING AUTHORITY SW	63,800.00
3-01-44-900-002	COMPUTER TECHNOLOGY UPGRADES	8,333.33
3-01-45-900-001	DEBT SERVICE BOND PRINCIPAL	-
3-01-45-925-000	NOTE PRINCIPAL	-
3-01-45-930-000	BOND INTEREST	104,776.00
3-01-45-935-000	INTEREST ON NOTES	-
3-01-45-940-000	GREEN ACRES LOAN PAYMENTS	-
3-01-46-892-001	MATCHING FUNDS FOR GRANTS	-
	Total Temporary Current Fund	21,662,443.83
	Parking Utility	
31-55-501-101	Salary Wages	625,000.00
31-55-502-101	Other Expenses	511,233.33
31-55-530-102	Group Health	192,728.50
31-55-540-100	Capital Outlay	74,000.00
31-55-541-100	Public Employee Retirement System	250,000.00
31-55-541-200	Social Security System	46,666.67
31-55-541-300	Unemployment Compensation Insurance	15,000.00
31-55-545-002	Interest on Bonds	62,785.00
31-55-545-004	Payment of Note Interest	86,245.00
31-55-545-003	Payment of Note Principal	106,000.00
	Total Temporary Parking Utility	1,969,658.50

Sponsored By: _____
Seconded By: _____

CITY OF HOBOKEN
RESOLUTION NO. _____

**RESOLUTION AUTHORIZING THE HOBOKEN ITALIAN FESTIVAL, INC.
TO CONDUCT ITS 87th ANNUAL FEAST IN HONOR OF MADONNA DEI
MARTIRI**

WHEREAS, The Hoboken Italian Festival, Inc., with offices at 332 Adams Street, Hoboken has requested permission to conduct their annual Feast in honor of their patron saint, Madonna Dei Martiri for four consecutive days starting on Thursday, September 5, 2013 through and inclusive to Sunday, September 8, 2013 on Sinatra Drive and Sinatra Park, and

WHEREAS, Hoboken Italian Festival, Inc. has indicated its agenda and requirement to successfully conduct the feast;

- (1) To solicit contributions from the general public, to be used solely to pay part of the expenses and religious contributions.
- (2) To have a procession with the statue of “Madonna Dei Martiri” – “Mother of Martyrs” through the streets of Hoboken.
- (3) To install electric lights on Sinatra Drive from the corner of Fourth Street and River Street up to the Union Dry Dock Property.
- (4) To erect a bandstand in Sinatra Park to hold nightly concerts between Thursday, September 5, 2013 through Sunday, September 8, 2013. The hours of live music will be limited to the following schedule: Thursday, September 5th from 5:00 pm to 10:00 pm, Friday, September 6th from 5:00 pm to 11:00 pm, Saturday, September 7th from 12:00 noon to 11:00 pm and Sunday, September 8th from 12:00 noon to 10:00 pm. Recorded music will be permitted at moderate levels and speakers positioned not to disturb area residents and will be discontinued at 11:00 pm. The bandstand will be directed in a northern direction in an effort to minimize the noise levels in the southern waterfront residential areas.
- (5) To erect concession stands and trucks on Sinatra Drive, for vendors of food, novelties, games and rides.
- (6) To hold a raffle to be drawn on Sunday, September 8th, 2013, as well as a nightly 50/50 raffle.
- (7) To have a procession through sections of Hoboken which is led by the feast committee, the guest of honor, the band, the statue of the saint and the members of the society and devotees on Saturday, September 7th, 2013 to begin at 10:00 am. The rain date is Sunday, September 8th, 2013.
- (8) On Saturday, September 7th, 2013 at about 9:00 pm to shoot a special pyrotechnic fireworks show on the riverfront at Pier A Park, subject to the approval of the U.S. Coast Guard and local Fire Permits.
- (9) To maintain two lanes of traffic with a minimum of 12 feet for each lane of travel when streets are to be open to traffic.

- (10) Beginning on Wednesday, September 4, 2013 9:00 AM through and inclusive of Sunday, September 8, 2013 12:00 Midnight parking will be prohibited on the following streets to set up and break down of bandstand and concession stands, as well as clean up of the area:
 - a. Sinatra Drive (both sides) from 3rd Street to 9th Street,
 - b. 5th Street (both sides) from River Street to Sinatra Drive.
- (11) Parking will be prohibited on Saturday, September 7, 2013 on 3rd Street (both sides) between Madison Street and Jefferson Street.
- (12) Parking will be prohibited from Thursday September 5, 2013 8:00 AM through Monday September 9, 2013 5:00 PM in front (Adams Street) and along side (4th Street – south side only) the property of the Hoboken Italian Festival Inc. (332 Adams Street).
- (13) Vehicular traffic shall be denied travel in and upon the herein locations on the following days and hours by means of physical barriers to be provided by the Signal & Traffic Division:
Thursday, September 5, 2013 from 10 AM to 12:00 Midnight
Friday September 6, 2013 from 3:00 PM to 12:00 Midnight
Saturday September 7, 2013 from 10:00 AM to 12:00 Midnight
Sunday September 8, 2013 from 10:00 AM to 12:00 Midnight

The Signal & Traffic Division shall notify motorists of this regulation by the posting of temporary/emergency no parking signs.

The Police Department shall enforce this regulation.

WHEREAS, The City Council of the City of Hoboken endorses this program provided the Hoboken Italian Festival, Inc. secure all the necessary permits, licenses and insurance in a form to be approved by Corporation Counsel;

NOW THEREFORE, BE IT RESOLVED, The City Council hereby grants permission to the Hoboken Italian Festival, Inc. to conduct its feast and fireworks display on the above dates and wishes them success for a happy event subject to the applicant's compliance with all requirements regarding permits, licenses and insurance (which shall at all time include the City of Hoboken and its officers and employees as additional assured), and further subject to all applicable approvals of the U.S. Coast Guard.

Meeting date: March 20, 2013

APPROVED:

APPROVED AS TO FORM:

Quentin Wiest
Business Administrator

Melissa L. Longo, Esq.
Corporation Counsel

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla				
Theresa Castellano				
Jen Giattino				
Elizabeth Mason				
David Mello				
Tim Occhipinti				
Michael Russo				
President Peter Cunningham				

INTRODUCED BY: _____

SECONDED BY: _____

**CITY OF HOBOKEN
RESOLUTION NO. _____**

**THIS RESOLUTION AWARDS A CONTRACT TO KOMPAN,
THROUGH ITS STATE OF NEW JERSEY CONTRACT
NUMBER 12-X-22409 AND US COMMUNITIES CONTRACT
NUMBER 110171, FOR THE CHURCH SQUARE PARK
INSTALLATION OF THE CUSTOM POUR IN PLACE
DESCRIBED IN KOMPAN'S PROPOSAL IN AN AMOUNT
NOT TO EXCEED TWENTY NINE THOUSAND TWENTY
SEVEN DOLLARS AND TWO CENTS (\$29,027.02)**

WHEREAS, N.J.S.A. 40A:11-5 allows municipalities to award public contracts without public bidding when the vendor is an approved state contractor, and Kompan has been approved as a State Contractor pursuant to Contract Number 12-X-22409 as well as the federal purchasing contract under US Communities Contract Number 110171; and,

WHEREAS, the City of Hoboken's Parks Department is in need of installation for the custom pour in place surfacing at Church Square Park, as described in Kompan's proposal, attached hereto; and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that (\$29,027.02) is available twenty (20) days after final adoption of the Parks Bond, commonly referred to as Ordinance Z-234, which is being considered for final adoption at the March 20, 2013 Council Meeting; and if Ordinance Z-234 is not adopted, then I cannot certify the availability of said funds; and I further certify that this commitment together with all previously made commitments and payments does not exceed the funds available in said appropriation for the CY2013, so long as Ordinance Z-234 is formally adopted and the twenty (20) day grace period passes without contest; and I further certify that the funds available in the said appropriation are intended for the purpose herein committed.

Signed: _____, George DeStefano, CFO

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that the below listed vendor is authorized to provide the installation of the custom pour in place surfacing as described in its January 30, 2013 proposal, attached hereto, for an amount not to exceed those listed in its contract with the State of New Jersey and its proposal, and for a total not to exceed amount of Twenty Nine Thousand Twenty Seven Dollars and Two Cents (\$29,027.02), subject to the following conditions:

1. The above recitals are incorporated herein as thought fully set forth at length.
2. The Council hereby authorizes the Mayor, or her designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution upon termination of the twenty (20) day waiting period following adoption of Ordinance Z-234; in the event Ordinance Z-234 is not formally adopted by this Council, the within contract award shall lapse and be of no force or effect.

3. Upon compliance with Paragraph 2, herein, the Mayor, or her designee is hereby authorized to execute an agreement, in accordance with the terms and conditions of the state contract and the proposal attached hereto, for the above references goods and/or services based upon the following information:

Kompan
930 Broadway
Tacoma WA 98402
(State of New Jersey Contract 12-X-22409)

Reviewed:

Approved as to form:

Quentin Wiest
Business Administrator

Mellissa Longo, Esq.
Corporation Counsel

Date of Meeting: March 20, 2013

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla				
Theresa Castellano				
Jen Giattino				
Elizabeth Mason				
David Mello				
Tim Occhipinti				
Michael Russo				
President Peter Cunningham				



SALES PROPOSAL

KOMPAN, INC. * 930 Broadway, Tacoma, WA 98402 * Tel 1-888-579-8223 * Fax 1-888-579-8224 * www.kompan.com

KOMPAN is a proud supplier partner of



Date 01/30/13
Expiration Date
Proposal No. SP23725
Project Church Square Park
Ship to State/Zip NJ 7030
Customer Service Representative Michelle Griffith
Sales Representative Ken Dobyns
Payment Terms NET 30

Site Location: 25681
 Church Square Park
 Corner of 14th St & Park Ave
 Washington Street, NJ 7030
 United States
 City of Hoboken

Invoice-to: 48297
 City of Hoboken
 City Hall Parks Dept
 94 Washington Street
 Hoboken, NJ 07030
 United States
 Marie Yorio

Ship-to:
 Church Square Park
 Corner of 14th St & Park Ave
 Washington Street, NJ 7030
 United States
 City of Hoboken

Qty.	Item No.	Description	Unit Price	Retail Price	Disc. %	Net Price
		U.S. Communities Contract #110171				
1	ELE-CUSTOM	Elements Custom Config. ELET25785	17,590.00	17,590.00	30.00	12,313.00
1	INSTALLATION	Installation - KOMPAN	4,397.50	4,397.50	5.00	4,177.62
1	INSTALLATION	Installation - Remove & Reinstall Vega/Spica	1,082.50	1,082.50	5.00	1,028.37
695	VITRITURF-CUSTOM	Vitriturf Pour In Place 2" 100% 695SF	16.67	11,585.65	10.00	10,427.08
18	VITRITURF-CUSTOM	Vitriturf Pour In Place 4" 100% 18 SF	23.33	419.94	10.00	377.95
1	FRT-PA	Freight Middletown PA	703.00	703.00		703.00
Total						29,027.02

Summary:

	Retail Price	Discount	Net Price
Subtotal - KOMPAN Products	17,590.00	5,277.00	12,313.00
Subtotal - Other Products	0.00	0.00	0.00
Subtotal - Surfacing	12,005.59	1,200.56	10,805.03
Subtotal - Installation & Other Services	5,480.00	274.01	5,205.99
Subtotal - Freight	703.00	0.00	703.00
Subtotal	35,778.59	6,751.57	29,027.02

(Applicable sales tax will be added unless a valid tax exemption certificate is provided. This amount is only an estimate of your tax liability.)

Estimated Tax Rate	0.00
Total	29,027.02

<p>Your acceptance of this proposal constitutes a valid order request and includes acceptance of terms and conditions contained within the Master Agreement, which is hereby acknowledged. Acceptance of this proposal by KOMPAN is acknowledged by issuance of an order confirmation by an authorized KOMPAN representative. Prices in this quotation are good for 60 days.</p> <p>This proposal may be withdrawn if not accepted by 03/31/13.</p> <p>KOMPAN Products are "Buy American" qualified, and compliant with the Buy American Act of 1933 and the "Buy American" provision of the ARRA of 2009.</p>	<p>KOMPAN Authorized Signature:</p> <p>Accepted By (signature): _____</p> <p>Accepted By (please print): _____</p> <p>Date: _____</p>
--	---

Long Beach JCC

Project:
Model: As Noted
Rep: KOMPAN - Jeff LaRue



Date: 12/28/12
PSC: Michelle Griffith
Designer: LeaFre

SCALE: 1/8" = 1'-0"



**FOR QUOTING ONLY
NOT FOR CONSTRUCTION**

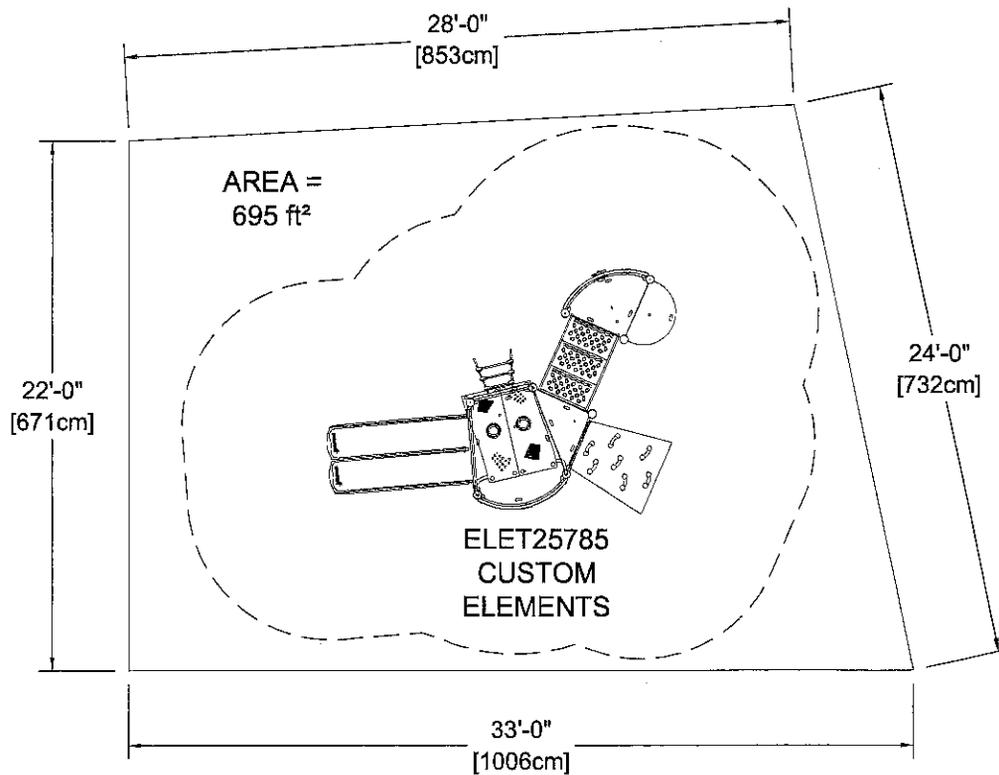
Printed in USA by KOMPAN. © 2012 KOMPAN, Inc., Tacoma, WA, USA. 800-426-9788

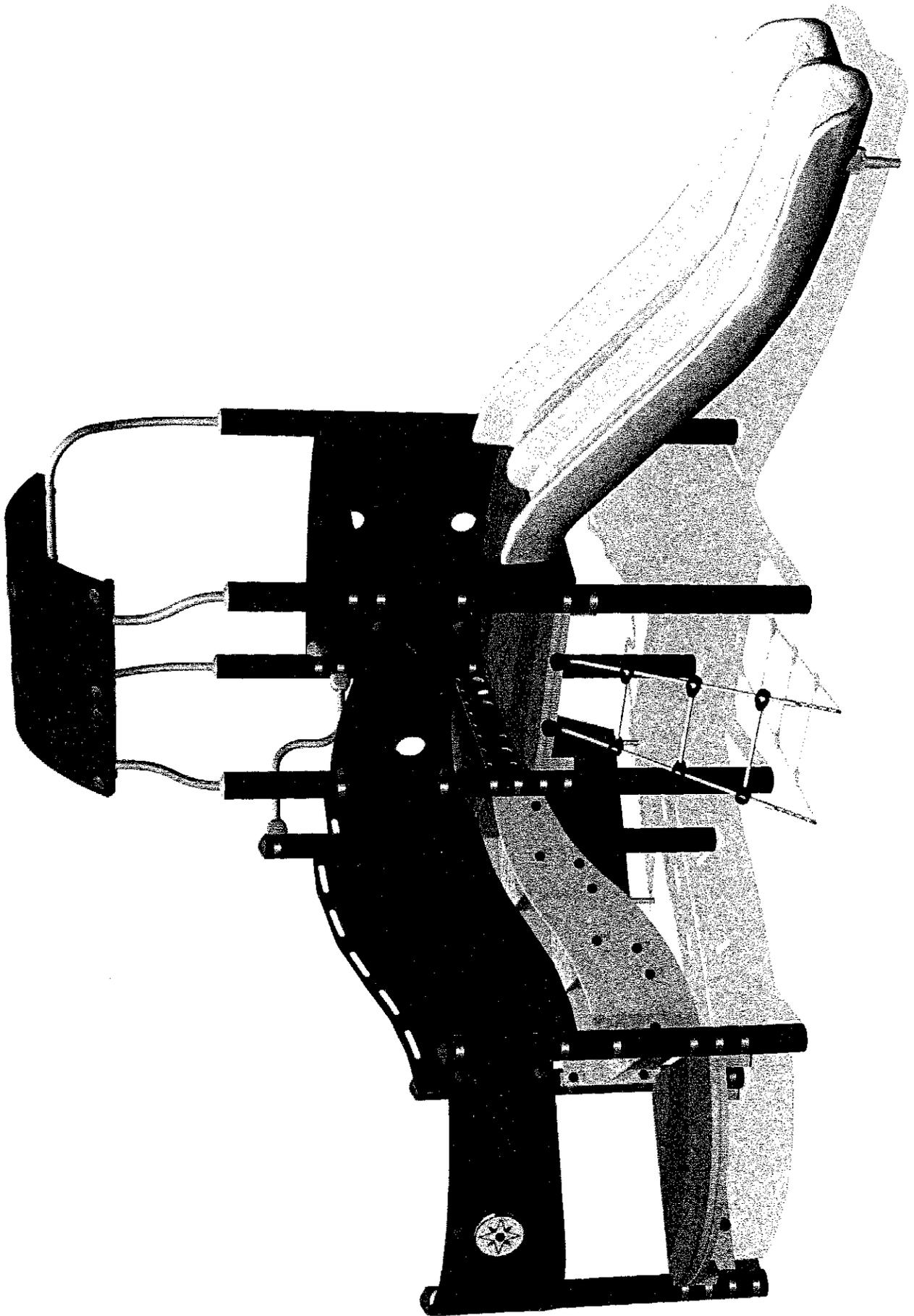
All composite structures shown require a site grade of 1% maximum.

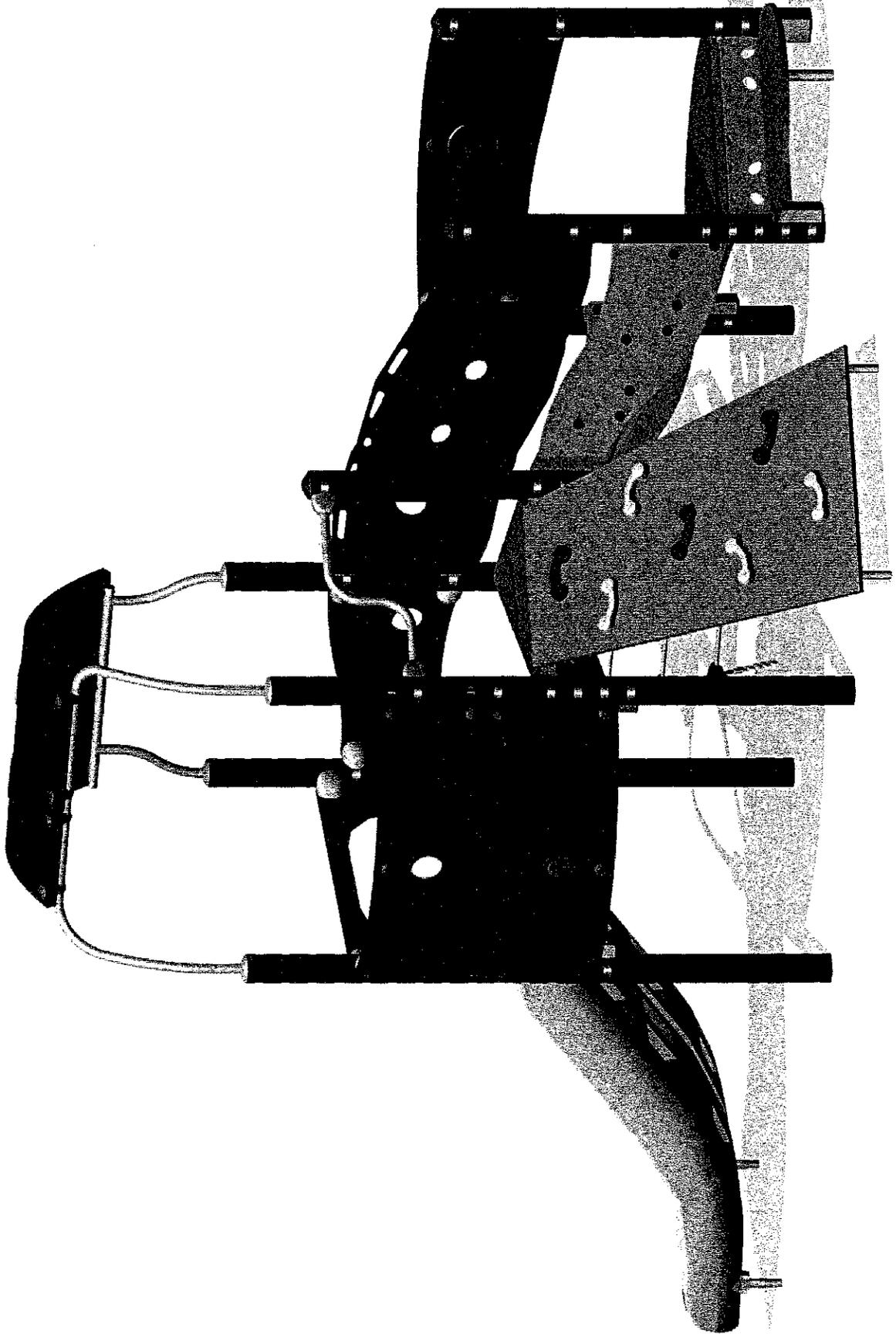
For surface mount options, the concrete requirements may be up to 5½" of 3,500 psi minimum compressive strength. Contact KOMPAN for specific product requirements.

Site representation is based upon estimated site dimensions and cannot be used as an accurate way of determining site area.

Layout is in accordance with ASTM F1487-11







SPONSORED: _____
SECONDED: _____

**CITY OF HOBOKEN
RESOLUTION NO. __**

RESOLUTION TO APPROVE THE SETTLEMENT AGREEMENT BETWEEN EIC ASSOCIATES AND THE CITY OF HOBOKEN, AND TAKING ALL ACTION IN ACCORDANCE THEREWITH INCLUDING, WITHOUT LIMITATION, MAKING FINAL PAYMENT IN THE AMOUNT OF \$84,164.32 AND UNAPPROPRIATING THE REMAINING BALANCE OF THE CONTRACT IN THE AMOUNT OF \$5,655,081.00

WHEREAS, the City of Hoboken is currently involved in negotiations regarding the termination of the EIC Associates contract for Sinatra Park; and,

WHEREAS, the Parties have agreed to settle the outstanding contract matters by way of a Settlement Agreement, which the Council is hereby asked to consent to the terms of; and,

WHEREAS, the terms of the proposed settlement agreement include a final payment to EIC Associates for services rendered in the amount of Eighty Four Thousand One Hundred and Sixty Four Dollars and Thirty Two Cents (\$84,164.32) and return of the remaining balance of Five Million Six Hundred Fifty Five Thousand Eighty One Dollars (\$5,655,081.00) to the City's funds without contest.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Hoboken, that the Council consents to the execution of the Settlement Agreement by the Administration, and consents to all action taken by the Administration in accordance with the terms of said Agreement, including without limitation final payment to EIC Associates in the amount of Eighty Four Thousand One Hundred Sixty Four Dollars and Thirty Two Cents (\$84,164.32) and return of the remaining appropriated balance of Five Million Six Hundred Fifty Five Thousand Eighty One Dollars (\$5,655,081.00) to the City's funds without contest.

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

Reviewed:

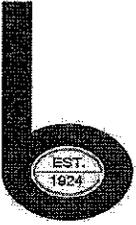
Approved as to Form:

Quentin Wiest
Business Administrator

Mellissa Longo, Esq.
Corporation Counsel

Meeting Date: March 20, 2013

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla				
Theresa Castellano				
Jen Giattino				
Elizabeth Mason				
David Mello				
Tim Occhipinti				
Michael Russo				
President Peter Cunningham				



BOSWELL McCLAVE ENGINEERING

ENGINEERS ■ SURVEYORS ■ PLANNERS ■ SCIENTISTS

330 Phillips Avenue • P.O. Box 3152 • South Hackensack, N.J. 07606-1722 • (201) 641-0770 • Fax (201) 641-1831

March 13, 2013

Mr. Quentin Wiest, Business Administrator
City of Hoboken
94 Washington Street
Hoboken, New Jersey 07030

Re: Bid No. 11-17 Castle Point and Sinatra
Park Waterfront Walkway Reconstruction
City of Hoboken
Hudson County, New Jersey
Our File No. HO-420A

Dear Administrator Wiest:

Enclosed please find Engineer's Estimate Certificate No. 6 and Final which incorporates Change Order No. 1 and Final in the amount of \$84,164.32, along with an executed City of Hoboken, Vendor Payment Voucher for materials furnished to date by the contractor, EIC Associates, Inc.

Boswell McClave Engineering takes no exception to the payment of \$84,164.32 for materials furnished to date as outlined in Estimate No. 6 and Final.

Thank you for your kind attention to this matter. Should you have any questions or require anything further, please do not hesitate to contact me.

Very truly yours,

BOSWELL McCLAVE ENGINEERING

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

JAP/jp

Enclosures

cc: City of Hoboken Purchasing Department
EIC Associates, Inc.

BOSWELL McCLAVE ENGINEERING
330 PHILLIPS AVENUE
SOUTH HACKENSACK, NEW JERSEY 07606

ESTIMATE CERTIFICATE

FOR WORK PERFORMED AND MATERIAL FURNISHED IN THE CONSTRUCTION OF:

BID NO. 11-17 CASTLE POINT AND SINATRA PARK

WATERFRONT WALKWAY RECONSTRUCTION

City of Hoboken
Hudson County, New Jersey

Our File No. HO-420A

Estimate Number: 6 and Final

Period Ending: 03/13/13

Contractor: EIC Associates, Inc.
140 Mountain Avenue
Springfield, New Jersey 07081

Original Contract Amount:	\$7,751,876.00	Total Amount Estimated:	\$2,175,010.00
Less Reductions:	\$5,655,081.00	Less 0% Retainage:	\$0.00
Plus Increases:	\$78,215.00	Total Net Amount Estimated:	\$2,175,010.00
Amended Contract Amount:	\$2,175,010.00	Less Amount Previously Paid:	\$2,090,845.88
Contract Starting Date:		Amount Due This Estimate:	\$84,164.32
Actual Starting Date:			
Contract Completion Date:			
Extensions:			

Amended Completion Date:

Time Used:

Percent Complete: 100%

Estimated By: PAUL DOMBROWSKI
Approved By: MIKE NANJINS

FOR USE BY CITY OF HOBOKEN

Verified by:

(City Administrator)

Joseph A. Peronito
(Project Engineer)

Audited by:

(Chief Financial Officer)

ESTIMATE CERTIFICATE

FOR WORK PERFORMED AND MATERIAL FURNISHED IN THE CONSTRUCTION OF:

BID NO. 11-17 CASTLE POINT AND SINATRA PARK

WATERFRONT WALKWAY RECONSTRUCTION

City of Hoboken
Hudson County, New Jersey

Our File No. HO-420A

Estimate Number: 6 and Final

ITEM	DESCRIPTION	UNIT	UNIT PRICE	ORIGINAL CONTRACT QUANTITY	AMENDED CONTRACT QUANTITY	QUANTITY PREV. ALLOWED	QUANTITY ALLOWED THIS ESTIMATE	QUANTITY ALLOWED TO DATE	TOTAL AMT. ALLOWED TO DATE	AMOUNT DUE THIS ESTIMATE
BASE BID										
1	Soil Erosion and Sediment Control Measures	L.S.	\$ 90,000.00	1		0.80	0.00	0.80	\$72,000.00	\$0.00
2	Clearing Site	L.S.	\$ 110,000.00	1		0.80	0.00	0.80	\$88,000.00	\$0.00
3	Excavation, Unclassified	C.Y.	\$ 100.00	4,400		240.50	0.00	240.50	\$24,050.00	\$0.00
4	Furnishing Equipment for Driving Piles	L.S.	\$ 150,000.00	1		0.00	0.00	0.00	\$0.00	\$0.00
5	Test Piles, Furnished, 10" Diameter	L.F.	\$ 145.00	126		126.00	0.00	126.00	\$18,270.00	\$0.00
6	Test Piles, Driven, 10" Diameter	L.F.	\$ 165.00	114		0.00	0.00	0.00	\$0.00	\$0.00
7	Test Piles, Furnished, 18" Diameter	L.F.	\$ 120.00	174		174.00	0.00	174.00	\$20,880.00	\$0.00
7A	Test Piles, Furnished, 18" Diameter	L.F.	\$ 55.00	174		174.00	0.00	174.00	\$9,570.00	\$0.00
8	Test Piles, Driven, 18" Diameter	L.F.	\$ 120.00	158		0.00	0.00	0.00	\$0.00	\$0.00
9	Dynamic Pile Load Test	UNIT	\$ 6,500.00	4		0.00	0.00	0.00	\$0.00	\$0.00
10	Cast-In-Place Concrete Pile, Furnished, 10" Diameter	L.F.	\$ 55.00	4,235		4,494.00	0.00	4,494.00	\$247,170.00	\$0.00
10A	Cast-In-Place Concrete Pile, Furnished, 10" Diameter	L.F.	\$ 30.00	4,235		4,494.00	0.00	4,494.00	\$134,820.00	\$0.00
11	Cast-In-Place Concrete Pile, Driven, 10" Diameter	L.F.	\$ 70.00	4,235		0.00	0.00	0.00	\$0.00	\$0.00
12	Cast-In-Place Concrete Pile, Furnished, 18" Diameter	L.F.	\$ 120.00	5,605		5,886.00	0.00	5,886.00	\$706,320.00	\$0.00
12A	Cast-In-Place Concrete Pile, Furnished, 18" Diameter	L.F.	\$ 80.00	5,605		5,886.00	0.00	5,886.00	\$470,880.00	\$0.00
13	Cast-In-Place Concrete Pile, Driven, 18" Diameter	L.F.	\$ 135.00	5,605		0.00	0.00	0.00	\$0.00	\$0.00
14	Reinforcement Steel, Epoxy Coated	LBS	\$ 3.30	82,500		0.00	0.00	0.00	\$0.00	\$0.00
15	Concrete Pile Cap	C.Y.	\$ 1,300.00	366		0.00	0.00	0.00	\$0.00	\$0.00
16	Concrete Sheet Pile Cap	C.Y.	\$ 1,300.00	30		0.00	0.00	0.00	\$0.00	\$0.00
17	Concrete Deck	C.Y.	\$ 1,600.00	65		0.00	0.00	0.00	\$0.00	\$0.00
18	Concrete Sea Wall	C.Y.	\$ 2,400.00	166		0.00	0.00	0.00	\$0.00	\$0.00
19	Concrete Sports Light Footing	UNIT	\$ 10,000.00	2		0.00	0.00	0.00	\$0.00	\$0.00
20	Precast Concrete Slab Beam	L.F.	\$ 65.00	5,520		0.00	0.00	0.00	\$0.00	\$0.00
21	Architectural Railing	L.F.	\$ 260.00	250		0.00	0.00	0.00	\$0.00	\$0.00
22	Steel Sheet Piling	S.F.	\$ 15.00	9,500		0.00	0.00	0.00	\$0.00	\$0.00
23	Flowable Fill	C.Y.	\$ 600.00	180		0.00	0.00	0.00	\$0.00	\$0.00
24	Concrete Repairs, Type 1	S.F.	\$ 55.00	160		0.00	0.00	0.00	\$0.00	\$0.00
25	Concrete Repairs, Type 2	S.F.	\$ 70.00	130		0.00	0.00	0.00	\$0.00	\$0.00
26	Pressure Injection, Concrete Cracks	L.F.	\$ 60.00	150		0.00	0.00	0.00	\$0.00	\$0.00
27	Drill and Grout Reinforcing Steel	UNIT	\$ 40.00	140		0.00	0.00	0.00	\$0.00	\$0.00
28	Pile Restoration System	L.F.	\$ 375.00	3,000		774.00	110.6506670	884.65	\$331,744.00	\$41,494.00
28A	Pile Cap Restoration System	L.F.	\$ 250.00	800		0.00	0.00	0.00	\$0.00	\$0.00
28B	Timber Posting	L.F.	\$ 300.00	100		0.00	0.00	0.00	\$0.00	\$0.00
29	Retaining Wall, Cast-in-Place, Location No. 1	S.F.	\$ 30.00	2,200		0.00	0.00	0.00	\$0.00	\$0.00
30	Lightweight Aggregate Fill	C.Y.	\$ 130.00	2,800		0.00	0.00	0.00	\$0.00	\$0.00
31	Hand/Power Tool Cleaning and Painting	L.S.	\$ 25,000.00	1		0.00	0.00	0.00	\$0.00	\$0.00
32	Synthetic Turf Footing	L.F.	\$ 30.00	475		0.00	0.00	0.00	\$0.00	\$0.00
33	Finishing Stone	C.Y.	\$ 285.00	35		0.00	0.00	0.00	\$0.00	\$0.00
34	3/4" Clean Stone	C.Y.	\$ 75.00	465		0.00	0.00	0.00	\$0.00	\$0.00
35	4" High Density Polyethylene Pipe	L.F.	\$ 1.00	1,100		0.00	0.00	0.00	\$0.00	\$0.00
36	6" High Density Polyethylene Pipe	L.F.	\$ 2.00	500		0.00	0.00	0.00	\$0.00	\$0.00

ESTIMATE CERTIFICATE

FOR WORK PERFORMED AND MATERIAL FURNISHED IN THE CONSTRUCTION OF:

BID NO. 11-17 CASTLE POINT AND SINATRA PARK

WATERFRONT WALKWAY RECONSTRUCTION

City of Hoboken
Hudson County, New Jersey

Our File No. HO-420A

Estimate Number: 6 and Final

ITEM	DESCRIPTION	UNIT	UNIT PRICE	ORIGINAL CONTRACT QUANTITY	AMENDED CONTRACT QUANTITY	QUANTITY PREV. ALLOWED	QUANTITY ALLOWED THIS ESTIMATE	QUANTITY ALLOWED TO DATE	TOTAL AMT. ALLOWED TO DATE	AMOUNT DUE THIS ESTIMATE
37	12" High Density Polyethylene	L.F.	\$ 5.50	500		0.00	0.00	0.00	\$0.00	\$0.00
38	Synthetic Turf Restoration	S.F.	\$ 6.60	9,810		3,910.00	0.00	3,910.00	\$25,806.00	\$0.00
39	Chain-Link Fence, PVC-Coated Steel, 4' High	L.F.	\$ 35.80	475		0.00	0.00	0.00	\$0.00	\$0.00
40	Decorative Light	UNIT	\$ 3,400.00	3		0.00	0.00	0.00	\$0.00	\$0.00
41	Reset Existing Decorative Light	UNIT	\$ 1,350.00	13		0.00	0.00	0.00	\$0.00	\$0.00
42	Decorative Light Foundation	UNIT	\$ 1,350.00	16		0.00	0.00	0.00	\$0.00	\$0.00
43	2" PVC Conduit	L.F.	\$ 9.00	965		0.00	0.00	0.00	\$0.00	\$0.00
44	#4 AWG Wire	L.F.	\$ 3.00	2,340		0.00	0.00	0.00	\$0.00	\$0.00
45	Junction Box	UNIT	\$ 1,000.00	5		0.00	0.00	0.00	\$0.00	\$0.00
46	#2 AWG Wire	L.F.	\$ 4.00	1,780		0.00	0.00	0.00	\$0.00	\$0.00
47	Osprey Nest Platform	L.S.	\$ 3,100.00	1		0.00	0.00	0.00	\$0.00	\$0.00
48	Trash Receptacle	UNIT	\$ 1,700.00	1		0.00	0.00	0.00	\$0.00	\$0.00
49	Reset Existing Trash Receptacle	UNIT	\$ 240.00	8		0.00	0.00	0.00	\$0.00	\$0.00
50	Reset Existing Concrete Paver Sidewalk	S.F.	\$ 6.00	14,100		0.00	0.00	0.00	\$0.00	\$0.00
51	Concrete Paver Sidewalk	S.F.	\$ 10.00	1,650		0.00	0.00	0.00	\$0.00	\$0.00
52	Reset Existing Bench	UNIT	\$ 240.00	26		0.00	0.00	0.00	\$0.00	\$0.00
53	Site Bench	UNIT	\$ 5,000.00	6		0.00	0.00	0.00	\$0.00	\$0.00
54	Reset Existing Sports Netting	L.F.	\$ 10.00	475		0.00	0.00	0.00	\$0.00	\$0.00
55	Reset Existing Bollard Light	UNIT	\$ 1,250.00	3		0.00	0.00	0.00	\$0.00	\$0.00
56	Reset Existing Sports Light	UNIT	\$ 12,900.00	2		0.00	0.00	0.00	\$0.00	\$0.00
57	American Sycamore	UNIT	\$ 2,100.00	17		0.00	0.00	0.00	\$0.00	\$0.00
58	Endless Summer Hydrangea	UNIT	\$ 100.00	35		0.00	0.00	0.00	\$0.00	\$0.00
59	Autumn Gold Ginkgo	UNIT	\$ 100.00	3		0.00	0.00	0.00	\$0.00	\$0.00
60	Field Identity (see Landscape Plan for Location)	UNIT	\$ 2,000.00	1		0.00	0.00	0.00	\$0.00	\$0.00
61	Allowance for Police Traffic Directors	Allow	\$ 10,000.00	1		0.00	0.00	0.00	\$0.00	\$0.00
62	Field Office Type C Setup	UNIT	\$25,000.00	1.00		1.00	0.00	1.00	\$25,000.00	\$0.00
63	Field Office Type C Maintenance	Month	\$500.00	10.00		1.00	0.00	1.00	\$500.00	\$0.00
64	Walkway Installation	L.S.	\$10,000.00	1.00		0.00	0.00	0.00	\$0.00	\$0.00
Total									\$2,175,010.00	\$41,494.00

CHANGE ORDER NUMBER - 1 and Final

Project	Castle Point and Sinatra Park Waterfront Walkway Improvements
Municipality	City of Hoboken
County	Hudson
Contractor	EIC Associates

In accordance with the project Supplementary Specification, the following are changes in the contract.
Location and Reason for Change (Attach additional sheets if required).

Items 1 through Item 64 adjusted to as built.

Item No.	Description	Quantity (+/-)	Unit Price	Amount
1	Soil Erosion and Sediment Control Measures	0	\$90,000.00	-\$18,000.00
2	Clearing Site	0	\$110,000.00	-\$22,000.00
3	Excavation, Unclassified	-4159.5	\$100.00	-\$415,950.00
4	Furnish Equipment for Driving Piles	-1	\$150,000.00	-\$150,000.00
6	Test Piles, Driven, 10" Diameter	-114	\$165.00	-\$18,810.00
8	Test Piles, Driven, 18" Diameter	-158	\$120.00	-\$18,960.00
9	Dynamic Pile Load Test	-4	\$6,500.00	-\$26,000.00
10	Cast in Place Concrete Pile, Furnished, 10" Diameter	259	\$85.00	\$22,015.00
11	Cast in Place Concrete Pile, Driven, 10" Diameter	-4235	\$70.00	-\$296,450.00
12	Cast in Place Concrete Pile, Furnished, 18" Diameter	281	\$200.00	\$56,200.00
13	Cast in Place Concrete Pile, Driven, 18" Diameter	-5605	\$135.00	-\$756,675.00
14	Reinforcement Steel, Epoxy Coated	-82500	\$3.30	-\$272,250.00
15	Concrete Pile Cap	-365	\$1,300.00	-\$474,500.00
16	Concrete Sheet Pile Cap	-30	\$1,300.00	-\$39,000.00
17	Concrete Deck	-65	\$1,600.00	-\$104,000.00
18	Concrete Seawall	-165	\$2,400.00	-\$396,000.00
19	Concrete Sports Light Footing	-2	\$10,000.00	-\$20,000.00
20	Precast Concrete Slab Beam	-5520	\$65.00	-\$358,800.00
21	Architectural Railing	-250	\$260.00	-\$65,000.00
22	Steel Sheet Piling	-9500	\$15.00	-\$142,500.00
23	Flowable Fill	-180	\$600.00	-\$108,000.00
24	Concrete Repairs, Type 1	-160	\$55.00	-\$8,800.00
25	Concrete Repairs, Type 2	-130	\$70.00	-\$9,100.00
26	Pressure Injection, Concrete Cracks	-150	\$60.00	-\$9,000.00
27	Drill and Grout Reinforcing Steel	-140	\$40.00	-\$5,600.00
28	Pile Restoration System	-2115.3493	\$375.00	-\$793,256.00
28A	Pile Cap Restoration System	-800	\$250.00	-\$200,000.00
28B	Timber Posting	-100	\$300.00	-\$30,000.00

(Submit two (2) copies to the Division of Local Aid and
Economic Development District Office)

CHANGE ORDER NUMBER - 1 and Final

Project	Castle Point and Sinatra Park Waterfront Walkway Improvements
Municipality	City of Hoboken
County	Hudson
Contractor	EIC Associates

In accordance with the project Supplementary Specification, the following are changes in the contract.

Item No.	Description	Quantity (+/-)	Unit Price	Amount
29	Retaining Wall,Cast In Place,Location No.1	-2200	\$30.00	-\$66,000.00
30	Lightweight Aggregate Fill	-2800	\$130.00	-\$364,000.00
31	Hand/Power Tool Cleaning and Painting	-1	\$25,000.00	-\$25,000.00
32	Synthetic Turf Footing	-475	\$30.00	-\$14,250.00
33	Finishing Stone	-35	\$285.00	-\$9,975.00
34	3/4" Clean Stone	-465	\$75.00	-\$34,875.00
35	4" High Density Polyethylene Pipe	-1100	\$1.00	-\$1,100.00
36	6" High Density Polyethylene Pipe	-500	\$2.00	-\$1,000.00
37	12" High Density Polyethylene Pipe	-500	\$5.50	-\$2,750.00
38	Synthetic Turf Restoration	-5900	\$6.60	-\$38,940.00
39	Chain Link Fence,PVC Coated Steel,4' High	-475	\$35.80	-\$17,005.00
40	Decorative Light	-3	\$3,400.00	-\$10,200.00
41	Reset Existing Decorative Light	-13	\$1,350.00	-\$17,550.00
42	Decorative Light Foundation	-16	\$1,350.00	-\$21,600.00
43	2" PVC Conduit	-965	\$9.00	-\$8,685.00
44	#4 AWG Wire	-2340	\$3.00	-\$7,020.00
45	Junction Box	-5	\$1,000.00	-\$5,000.00
46	#2 AWG Wire	-1780	\$4.00	-\$7,120.00
47	Osprey Nest Platform	-1	\$3,100.00	-\$3,100.00
48	Trash Receptacle	-1	\$1,700.00	-\$1,700.00
49	Reset Existing Trash Receptacle	-8	\$240.00	-\$1,920.00
50	Reset Existing Concrete Paver Sidewalk	-14100	\$6.00	-\$84,600.00
51	Concrete Paver Sidewalk	-1650	\$10.00	-\$16,500.00
52	Reset Existing Bench	-26.00	\$240.00	-\$6,240.00
53	Site Bench	-6	\$5,000.00	-\$30,000.00
54	Reset Existing Sports Netting	-475	\$10.00	-\$4,750.00
55	Reset Existing Bollard Light	-3	\$1,250.00	-\$3,750.00
56	Reset Existing Sports Light	-2	\$12,900.00	-\$25,800.00
57	American Sycamore	-17	\$2,100.00	-\$35,700.00
58	Endless Summer Hydrangea	-35	\$100.00	-\$3,500.00
59	Autumn Gold Ginkgo	-3	\$100.00	-\$300.00
60	Field Identity (see Landscape Plan for Location)	-1	\$2,000.00	-\$2,000.00

(Submit two (2) copies to the Division of Local Aid and
Economic Development District Office)

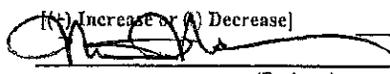
CHANGE ORDER NUMBER - 1 and Final

Project	Castle Point and Sinatra Park Waterfront Walkway Improvements
Municipality	City of Hoboken
County	Hudson
Contractor	EIC Associates

In accordance with the project Supplementary Specification, the following are changes in the contract.

Item No.	Description	Quantity (+/-)	Unit Price	Amount
61	Allowance for Police Traffic Directors	-1	\$10,000.00	-\$10,000.00
63	Field Office Type C Maintenance	-9	\$500.00	-\$4,500.00
64	Walkway Installation	-1	\$10,000.00	-\$10,000.00

Amount of Original Contract	\$7,751,876.00	Extra	\$78,215.00
Adjusted Amount Based on		Supplemental	\$0.00
Change Order No. 1	\$2,175,010.00	Reduction	-\$5,655,081.00
% Change in Contract		Total Change	-\$5,576,866.00

[(+) Increase or (-) Decrease] -72%
 3/13/13
 (Engineer) (Date)
 _____ (Presiding Officer) (Date)
 X _____ X (Contractor) (Date)

INTRODUCED BY: _____
SECONDED BY: _____

**CITY COUNCIL OF THE CITY OF HOBOKEN
RESOLUTION NO.: ___**

**CONSENTING TO THE MAYOR'S APPOINTMENT OF ROSEMARY OROZCO FOR THE
REMAINDER OF THE CURRENT TERM OF THE PRESENTLY VACANT FIRST
ALTERNATE POSITION TO THE HOBOKEN RENT LEVELING AND STABLIZATION
BOARD WHICH TERM SHALL BE FOR THE TERM OF THE MAYOR**

WHEREAS, Chapter 155, Article III of the Code of the City of Hoboken establishes the City's Rent Leveling and Stabilization Board; and

WHEREAS, Section 155-18 provides for appointment of Hoboken representatives by the Mayor with the consent of Council; and

WHEREAS, the position of First Alternate to the Rent Leveling and Stabilization Board is currently vacant for the remainder of the current term, which term is for the term of the Mayor; and

WHEREAS, the Mayor has appointed Rosemary Orozco, 911 Garden Street, Hoboken, and the Council is called upon to provide its consent to the appointment in accordance with the City Code.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken hereby consents to the appointment of Rosemary Orozco, 911 Garden Street, Hoboken, to the remainder of the currently vacant First Alternate position of the Rent Leveling and Stabilization Board for the remainder of the current term, set to expire upon the expiration of the Mayor's term; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Rent Leveling and Stabilization Board expeditiously, and published, noticed and posted in accordance with the City's Citizens' Service Act.

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

Meeting date: March 20, 2013

APPROVED:

APPROVED AS TO FORM:

Quentin Wiest
Business Administrator

Mellissa L. Longo, Esq.
Corporation Counsel

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla				
Theresa Castellano				
Jen Giattino				
Elizabeth Mason				
David Mello				
Tim Occhipinti				
Michael Russo				
President Peter Cunningham				

Introduced by: _____
Seconded by: _____

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

**RESOLUTION TO AUTHORIZE AN AMENDMENT TO THE PROFESSIONAL SERVICE
CONTRACT WITH VOGEL CHAIT COLLINS AS SPECIAL LEGAL COUNSEL- OUTSTANDING
LITIGATION TO THE CITY OF HOBOKEN TO COMMENCE JANUARY 1, 2013 AND EXPIRE
JUNE 30, 2013 FOR AN INCREASE IN THE NOT TO EXCEED AMOUNT BY \$25,000.00,
WHICH RESULTS IN A TOTAL NOT TO EXCEED AMOUNT OF \$40,000.00**

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

WHEREAS, the City of Hoboken published a Request for Quotations/Qualifications for the Professional Service of Special Legal Counsel in accordance with the Fair and Open Process and Hoboken Ordinance #DR-154, which Vogel Chait Collins responded to in 2012, and having performed the function of special counsel on outstanding litigation matters over the past year, Vogel Chait Collins has specialized knowledge and special skills which are necessary for the proper and effective continuation of representation in those outstanding matters; and,

WHEREAS, Vogel Chait Collins is hereby required to continue to abide by the “pay-to-play” requirements of the Hoboken Public Contracting Reform Ordinance, codified as §20A-11 et seq. of the Administrative Code of the City of Hoboken as well as the Affirmative Action laws and policies under which the City operates; and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$25,000.00 is available in the following appropriation 30120156020 in the temporary CY2013 budget; and I further certify that this commitment together with all previously made commitments and payments does not exceed the funds available in said appropriation for the CY2013; and I further certify that the funds available in the said appropriation are intended for the purpose herein committed.

Signed: _____, George DeStefano, CFO

NOW THEREFORE, BE IT RESOLVED, that a contract with Vogel Chait Collins to represent the City as Special Legal Counsel- Outstanding Litigation be amended, for a term to commence January 1, 2013 and expire June 30, 2013, for an increase in the not to exceed amount by Twenty Five Thousand Dollars (\$25,000.00), for a total not to exceed amount of Forty Thousand Dollars (\$40,000.00); and

BE IT FURTHER RESOLVED, the contract shall include the following term: Vogel Chait Collins shall be paid maximum hourly rates of \$150.00/hour for attorneys, \$50.00/hour for paralegals, and \$20/hour for support staff for services rendered, these are the only charges for services allowable under this agreement, and charges for filing fees and costs shall be allowable, but must be clearly identified and described in full in the appropriate monthly invoice; and

BE IT FURTHER RESOLVED, the remainder of the contract terms shall remain unchanged; and,

BE IT FURTHER RESOLVED that the City Council of the City of Hoboken specifically finds that compliance with Hoboken Ordinance #DR-154 (codified as §20A-4 of the Code of the City of Hoboken), and any and all state Pay to Play laws, is a continuing obligation of Vogel Chait Collins; and

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

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

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

Meeting date: March 20, 2013

APPROVED:

APPROVED AS TO FORM:

Quentin Wiest
Business Administrator

Melissa L. Longo, Esq.
Corporation Counsel

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla				
Theresa Castellano				
Jen Giattino				
Elizabeth Mason				
David Mello				
Tim Occhipinti				
Michael Russo				
President Peter Cunningham				

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

**RESOLUTION APPOINTING RONALD ARONDS, ESQ. AS
ALTERNATE MUNICIPAL PUBLIC DEFENDER FOR THE CITY OF
HOBOKEN FOR THE 2013 CALENDAR YEAR, AND AUTHORIZING
A PROFESSIONAL SERVICE CONTRACT WITH RONALD ARONDS,
ESQ. FOR SERVICES AS ALTERNATE MUNICIPAL PUBLIC
DEFENDER FOR A ONE (1) YEAR TERM TO COMMENCE ON
JANUARY 1, 2013 AND TERMINATE ON DECEMBER 31, 2013 WITH
A NOT TO EXCEED AMOUNT OF \$1,650.00**

WHEREAS, the City of Hoboken requires the services of a municipal public defenders and alternate municipal public defenders, and N.J.S.A. 2B:24-1 et seq. defines the procedure for appointment of municipal public defenders; and,

WHEREAS, the Mayor has presented to the Council Ronald Aronds, Esq. for consideration to the position of alternate municipal public defender for the 2013 calendar year; and,

WHEREAS, Ronald Aronds, Esq. responded to the City of Hoboken's Request for Qualifications for the position of Municipal Public Defender/Alternate Municipal Public Defender, and his appointment shall be subject to the Request for Qualifications and his accompanying proposal to the extent same are not inconsistent with the terms in the within Resolution; and,

WHEREAS, Ronald Aronds, Esq.'s proposal was submitted and reviewed in compliance with Hoboken Ordinance #DR-154 (codified as §20A-1 et seq. of the Code of the City of Hoboken), which requires competitive negotiation for Professional Service contracts; and,

WHEREAS, Ronald Aronds, Esq. shall be required to comply with all local, state and federal laws regarding pay-to-play and public contracting, as well as any local, state or federal laws regarding contributions and reporting; and,

WHEREAS, the appointment is approved as a professional service contract, the appointee shall be considered a per-diem non-employee, the appointee shall be entitled to \$275.00 per court session in lieu of any and all other fees and benefits; accordingly, the appointee is not an employee of the City of Hoboken and therefore is not entitled to any vacation, sick or personal days, longevity, pension credits, or the like;

WHEREAS, the City Council hereby assents to the Mayor's suggestion that Ronald Aronds, Esq. be appointed to the position of alternate municipal public defender for the 2013 calendar year with an appropriation in the amount not to exceed One Thousand Six Hundred Fifty Dollars (\$1,650.00);

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$1650.00 is available in the following appropriation 30120155031 in the temporary CY2013 appropriation; and I further certify that this commitment together with all previously made commitments and payments does not exceed the funds available in said appropriation for the CY2013; and I further certify that the funds available in the said appropriation are intended for the purpose herein committed.

Signed: _____, George DeStefano, CFO

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Hoboken, County of Hudson, hereby appoints Ronald Aronds, Esq. as the City of Hoboken alternate municipal public defender for the 2013 calendar year in an amount not to exceed One Thousand Six Hundred Fifty Dollars (\$1,650.00); and,

BE IF FURTHER RESOLVED that a professional services contract be authorized with Ronald Aronds, Esq. for the services of alternate municipal public defender from January 1, 2013 through December 31, 2013, which shall include the following terms:

1. The Municipal Public Defender and all alternates shall appear at least thirty minutes prior to every Municipal Court session.
2. The Municipal Court Sessions are generally scheduled for every Tuesday at 9:00 a.m., and 6:00 p.m., every Wednesday at 9:00 a.m. and every Thursday at 9:00 a.m. unless the Court is closed.
3. The Municipal Public Defender and assigned alternates may also be required to appear for a special session on a Monday or Friday if one of the two Municipal Court Judges calls a special session.
4. The Municipal Public Defender shall contact and arrange for the appointed alternate municipal court public defender(s) for services upon the sickness, vacation or other absence of the City's Municipal Public Defender. The alternate public defenders may also be contacted by the Municipal Court Public Defender to provide services when conflicts arise which prevent the regular public defender from performing their duties to the City on a case specific basis.

BE IT FURTHER RESOLVED Ronald Aronds, Esq. shall be considered a per-diem non-employee, shall be entitled to \$275.00 per court session in lieu of any and all other fees and benefits; and, accordingly, is not an employee of the City of Hoboken and therefore is not entitled to any vacation, sick or personal days, longevity, pension credits, or the like; and,

BE IT FURTHER RESOLVED that this appointment and accompanying contract be for a one (1) year term to commence on January 1, 2013 and expire on December 31, 2013; and,

BE IT FURTHER RESOLVED Ronald Aronds, Esq. shall be required to comply with all local, state and federal laws regarding pay-to-play and public contracting, as well as any local, state or federal laws regarding contributions and reporting; 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: March 20, 2013

APPROVED:

APPROVED AS TO FORM:

 Quentin Wiest
 Business Administrator

 Mellissa L. Longo, Esq.
 Corporation Counsel

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla				
Theresa Castellano				
Jen Giattino				
Elizabeth Mason				
David Mello				
Tim Occhipinti				
Michael Russo				
President Peter Cunningham				

Introduced by: _____
Seconded by: _____

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

**RESOLUTION APPOINTING NINA REMSON, ESQ. AS ALTERNATE
MUNICIPAL PUBLIC DEFENDER FOR THE CITY OF HOBOKEN
FOR THE 2013 CALENDAR YEAR, AND AUTHORIZING A
PROFESSIONAL SERVICE CONTRACT WITH NINA REMSON, ESQ.
FOR SERVICES AS ALTERNATE MUNICIPAL PUBLIC DEFENDER
FOR A ONE (1) YEAR TERM TO COMMENCE ON JANUARY 1, 2013
AND TERMINATE ON DECEMBER 31, 2013 WITH A NOT TO
EXCEED AMOUNT OF \$1,650.00**

WHEREAS, the City of Hoboken requires the services of a municipal public defenders and alternate municipal public defenders, and N.J.S.A. 2B:24-1 et seq. defines the procedure for appointment of municipal public defenders; and,

WHEREAS, the Mayor has presented to the Council Nina Remson, Esq. for consideration to the position of alternate municipal public defender for the 2013 calendar year; and,

WHEREAS, Nina Remson, Esq. responded to the City of Hoboken's Request for Qualifications for the position of Municipal Public Defender/Alternate Municipal Public Defender, and her appointment shall be subject to the Request for Qualifications and her accompanying proposal to the extent same are not inconsistent with the terms in the within Resolution; and,

WHEREAS, Nina Remson, Esq.'s proposal was submitted and reviewed in compliance with Hoboken Ordinance #DR-154 (codified as §20A-1 et seq. of the Code of the City of Hoboken), which requires competitive negotiation for Professional Service contracts; and,

WHEREAS, Nina Remson, Esq. shall be required to comply with all local, state and federal laws regarding pay-to-play and public contracting, as well as any local, state or federal laws regarding contributions and reporting; and,

WHEREAS, the appointment is approved as a professional service contract, the appointee shall be considered a per-diem non-employee, the appointee shall be entitled to \$275.00 per court session in lieu of any and all other fees and benefits; accordingly, the appointee is not an employee of the City of Hoboken and therefore is not entitled to any vacation, sick or personal days, longevity, pension credits, or the like;

WHEREAS, the City Council hereby assents to the Mayor's suggestion that Nina Remson, Esq. be appointed to the position of alternate municipal public defender for the 2013 calendar year with an appropriation in the amount not to exceed One Thousand Six Hundred Fifty Dollars (\$1,650.00);

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$1650.00 is available in the following appropriation 30120155031 in the temporary CY2013 appropriation; and I further certify that this commitment together with all previously made commitments and payments does not exceed the funds available in said appropriation for the CY2013; and I further certify that the funds available in the said appropriation are intended for the purpose herein committed.

Signed: _____, George DeStefano, CFO

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Hoboken, County of Hudson, hereby appoints Nina Remson, Esq. as the City of Hoboken alternate municipal public defender for the 2013 calendar year in an amount not to exceed One Thousand Six Hundred Fifty Dollars (\$1,650.00); and,

BE IF FURTHER RESOLVED that a professional services contract be authorized with Nina Remson, Esq. for the services of alternate municipal public defender from January 1, 2013 through December 31, 2013, which shall include the following terms:

1. The Municipal Public Defender and all alternates shall appear at least thirty minutes prior to every Municipal Court session.
2. The Municipal Court Sessions are generally scheduled for every Tuesday at 9:00 a.m., and 6:00 p.m., every Wednesday at 9:00 a.m. and every Thursday at 9:00 a.m. unless the Court is closed.
3. The Municipal Public Defender and assigned alternates may also be required to appear for a special session on a Monday or Friday if one of the two Municipal Court Judges calls a special session.
4. The Municipal Public Defender shall contact and arrange for the appointed alternate municipal court public defender(s) for services upon the sickness, vacation or other absence of the City's Municipal Public Defender. The alternate public defenders may also be contacted by the Municipal Court Public Defender to provide services when conflicts arise which prevent the regular public defender from performing their duties to the City on a case specific basis.

BE IT FURTHER RESOLVED Nina Remson, Esq. shall be considered a per-diem non-employee, shall be entitled to \$275.00 per court session in lieu of any and all other fees and benefits; and, accordingly, is not an employee of the City of Hoboken and therefore is not entitled to any vacation, sick or personal days, longevity, pension credits, or the like; and,

BE IT FURTHER RESOLVED that this appointment and accompanying contract be for a one (1) year term to commence on January 1, 2013 and expire on December 31, 2013; and,

BE IT FURTHER RESOLVED Nina Remson, Esq. shall be required to comply with all local, state and federal laws regarding pay-to-play and public contracting, as well as any local, state or federal laws regarding contributions and reporting; 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: March 20, 2013

APPROVED:

APPROVED AS TO FORM:

 Quentin Wiest
 Business Administrator

 Mellissa L. Longo, Esq.
 Corporation Counsel

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla				
Theresa Castellano				
Jen Giattino				
Elizabeth Mason				
David Mello				
Tim Occhipinti				
Michael Russo				
President Peter Cunningham				

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

**RESOLUTION APPOINTING ADAM REISMAN, ESQ. AS
ALTERNATE MUNICIPAL PUBLIC DEFENDER FOR THE CITY OF
HOBOKEN FOR THE 2013 CALENDAR YEAR, AND AUTHORIZING
A PROFESSIONAL SERVICE CONTRACT WITH ADAM REISMAN,
ESQ. FOR SERVICES AS ALTERNATE MUNICIPAL PUBLIC
DEFENDER FOR A ONE (1) YEAR TERM TO COMMENCE ON
JANUARY 1, 2013 AND TERMINATE ON DECEMBER 31, 2013 WITH
A NOT TO EXCEED AMOUNT OF \$1,650.00**

WHEREAS, the City of Hoboken requires the services of a municipal public defenders and alternate municipal public defenders, and N.J.S.A. 2B:24-1 et seq. defines the procedure for appointment of municipal public defenders; and,

WHEREAS, the Mayor has presented to the Council Adam Reisman, Esq. for consideration to the position of alternate municipal public defender for the 2013 calendar year; and,

WHEREAS, Adam Reisman, Esq. responded to the City of Hoboken's Request for Qualifications for the position of Municipal Public Defender/Alternate Municipal Public Defender, and his appointment shall be subject to the Request for Qualifications and his accompanying proposal to the extent same are not inconsistent with the terms in the within Resolution; and,

WHEREAS, Adam Reisman, Esq.'s proposal was submitted and reviewed in compliance with Hoboken Ordinance #DR-154 (codified as §20A-1 et seq. of the Code of the City of Hoboken), which requires competitive negotiation for Professional Service contracts; and,

WHEREAS, Adam Reisman, Esq. shall be required to comply with all local, state and federal laws regarding pay-to-play and public contracting, as well as any local, state or federal laws regarding contributions and reporting; and,

WHEREAS, the appointment is approved as a professional service contract, the appointee shall be considered a per-diem non-employee, the appointee shall be entitled to \$275.00 per court session in lieu of any and all other fees and benefits; accordingly, the appointee is not an employee of the City of Hoboken and therefore is not entitled to any vacation, sick or personal days, longevity, pension credits, or the like;

WHEREAS, the City Council hereby assents to the Mayor's suggestion that Adam Reisman, Esq. be appointed to the position of alternate municipal public defender for the 2013 calendar year with an appropriation in the amount not to exceed One Thousand Six Hundred Fifty Dollars (\$1,650.00);

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$1650.00 is available in the following appropriation 30120155031 in the temporary CY2013 appropriation; and I further certify that this commitment together with all previously made commitments and payments does not exceed the funds available in said appropriation for the CY2013; and I further certify that the funds available in the said appropriation are intended for the purpose herein committed.

Signed: _____, George DeStefano, CFO

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Hoboken, County of Hudson, hereby appoints Adam Reisman, Esq. as the City of Hoboken alternate municipal public defender for the 2013 calendar year in an amount not to exceed One Thousand Six Hundred Fifty Dollars (\$1,650.00); and,

BE IF FURTHER RESOLVED that a professional services contract be authorized with Adam Reisman, Esq. for the services of alternate municipal public defender from January 1, 2013 through December 31, 2013, which shall include the following terms:

1. The Municipal Public Defender and all alternates shall appear at least thirty minutes prior to every Municipal Court session.
2. The Municipal Court Sessions are generally scheduled for every Tuesday at 9:00 a.m., and 6:00 p.m., every Wednesday at 9:00 a.m. and every Thursday at 9:00 a.m. unless the Court is closed.
3. The Municipal Public Defender and assigned alternates may also be required to appear for a special session on a Monday or Friday if one of the two Municipal Court Judges calls a special session.
4. The Municipal Public Defender shall contact and arrange for the appointed alternate municipal court public defender(s) for services upon the sickness, vacation or other absence of the City's Municipal Public Defender. The alternate public defenders may also be contacted by the Municipal Court Public Defender to provide services when conflicts arise which prevent the regular public defender from performing their duties to the City on a case specific basis.

BE IT FURTHER RESOLVED Adam Reisman, Esq. shall be considered a per-diem non-employee, shall be entitled to \$275.00 per court session in lieu of any and all other fees and benefits; and, accordingly, is not an employee of the City of Hoboken and therefore is not entitled to any vacation, sick or personal days, longevity, pension credits, or the like; and,

BE IT FURTHER RESOLVED that this appointment and accompanying contract be for a one (1) year term to commence on January 1, 2013 and expire on December 31, 2013; and,

BE IT FURTHER RESOLVED Adam Reisman, Esq. shall be required to comply with all local, state and federal laws regarding pay-to-play and public contracting, as well as any local, state or federal laws regarding contributions and reporting; 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: March 20, 2013

APPROVED:

APPROVED AS TO FORM:

 Quentin Wiest
 Business Administrator

 Mellissa L. Longo, Esq.
 Corporation Counsel

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla				
Theresa Castellano				
Jen Giattino				
Elizabeth Mason				
David Mello				
Tim Occhipinti				
Michael Russo				
President Peter Cunningham				

Introduced by: _____
Seconded by: _____

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

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE
PROFESSIONAL SERVICE CONTRACT WITH SUSAN FERRARO,
ESQ. FOR SERVICES AS ALTERNATE MUNICIPAL PROSECUTOR
FOR A ONE (1) YEAR TERM TO COMMENCE ON JANUARY 1, 2013
AND TERMINATE ON DECEMBER 31, 2013 FOR IN INCREASE IN
THE NOT TO EXCEED AMOUNT BY \$5,000.00, FOR A TOTAL NOT
TO EXCEED AMOUNT OF \$10,000.00**

WHEREAS, the City of Hoboken requires the services of a municipal prosecutors and alternate municipal prosecutors, and N.J.S.A. 2B:25-1 et seq. defines the procedure for appointment of municipal prosecutors; and,

WHEREAS, the Mayor previously presented to the Council Susan Ferraro, Esq. for consideration to the position of alternate municipal prosecutor for the 2013 calendar year, which the Council approved; and,

WHEREAS, the City Council hereby assents to the Administration's suggestion that Susan Ferraro, Esq. be provided with an increase in the not to exceed amount of her professional service contract by Five Thousand Dollars (\$5,000.00), for a total amount not to exceed Ten Thousand Dollars (\$10,000.00);

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$5,000.00 is available in the following appropriation 30120155031 in the temporary CY2013 budget; and I further certify that this commitment together with all previously made commitments and payments does not exceed the funds available in said appropriation for the CY2013; and I further certify that the funds available in the said appropriation are intended for the purpose herein committed.

Signed: _____, George DeStefano, CFO

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Hoboken, County of Hudson, hereby amend the professional service contract with Susan Ferraro, Esq. in an increased amount not to exceed Five Thousand Dollars (\$5,000.00), for a total not to exceed amount of Ten Thousand Dollars (\$10,000.00); and,

BE IF FURTHER RESOLVED that the remainder of the contract terms shall remain unchanged; and,

BE IT FURTHER RESOLVED Susan Ferraro, Esq. shall be required to comply with all local, state and federal laws regarding pay-to-play and public contracting, as well as any local, state or federal laws regarding contributions and reporting; 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: March 20, 2013

APPROVED:

APPROVED AS TO FORM:

Quentin Wiest
Business Administrator

Melissa L. Longo, Esq.
Corporation Counsel

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla				
Theresa Castellano				
Jen Giattino				
Elizabeth Mason				
David Mello				
Tim Occhipinti				
Michael Russo				
President Peter Cunningham				

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 **\$ 11,862.50**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>YEAR</u>	<u>AMOUNT</u>
Beattie Padovano, LLC Counselors at Law 50 Chestnut Ridge Rd Ste 208 P O Box 244 Montvale, NJ 07645-0244	263.03/1	1401 Hudson St	2010	\$11,862.50

Meeting: March 20, 2013

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 **\$12,322.43**

<u>NAME</u>	<u>BL/LT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
Chase Att: Refund Dept P O Box 961227 Ft. Worth, TX 76161-0227	18/4/C002G	70 Adams St	3/12	\$2,439.50
Chase Att: Refund Dept P O Box 961227 Ft. Worth, TX 76161-0227	18/4/C0P33	70 Adams St	3/12	\$ 121.98
Wells Fargo Home Mort MAC X2302-04D, Tax Dept 1 Home Campus Des Moines, IA 50328	29/25	118 Jefferson St	1/13	\$3,428.32
Ohring, Avi & Rochelle 626 Jefferson St #12-A Hoboken, NJ 07030	76/11.01/C12GA	626 Jefferson St	3/12	\$ 73.19
Sun Trust Mortgage RVW-3166 Taneisha Bostick 1001 Semmes Ave. Richmond, Va. 23224	114/11/C0P22	1321-27 Adams St	3/12, 4/12, 1/13	\$ 344.56
Wells Fargo Home Mort MAC X2302-04D, Tax Dept 1 Home Campus Des Moines, IA 50328	243/11	1119 Washington St	1/13	\$4,726.25
Wong, Amy & Stephen Chin 1125 Maxwell Lane #1023 Hoboken, NJ 07030	261.03/1/C1023	1125 Maxwell Lane	4/12	\$1,188.63

Meeting: March 20, 2013

Approved as to Form:

CORPORATION COUNSEL

Sharon Curran



CALENDAR FOR JULY 2013 THROUGH DECEMBER 2013

RESOLVED, that the following dates and times listed below are adopted as the official meeting dates of the Hoboken City Council for July 2013 through December 2013, and be it further

RESOLVED, that in accordance with N.J.S.A. 10:4-8(d) and 10:4-18 (Open Public Meetings Act), within seven (7) days of passage of this Resolution, the City Clerk shall (a) prominently post this Resolution in at least (1) one location at City Hall reserved for similar announcements; (b) mail, telephone, telegram or hand deliver this Resolution to all of the official newspapers of the City of Hoboken; and (c) maintain a copy of this Resolution in the Office of the City Clerk; and, be it further

RESOLVED, that this Resolution be advertised in two of the City's official newspapers within (7) days of passage.

CITY COUNCIL MEETINGS, COUNCIL CHAMBERS, CITY HALL, 94 WASHINGTON STREET, HOBOKEN, NJ

Wednesday	July 10, 2013	7 PM
Wednesday	August, 7, 2013	7 PM
Wednesday	September 4, 2013	7 PM
Wednesday	September 18, 2013	7 PM
Wednesday	October 2, 2013	7 PM
Wednesday	October 16, 2013	7 PM
Wednesday	November 6, 2013	7 PM
*Monday	November 18, 2013	7 PM
Wednesday	December 4, 2013	7 PM
Wednesday	December 18, 2013	7 PM

*Moved due to the New Jersey League of Municipality November 19-22, 2013

** Due to the move of the Municipal Election to November, the swearing in of the new Mayor and Council –At-Large will be Wed., January 1, 2014 and the re-organization meeting will be Wed., January 8, 2014 tentatively pursuant to **N.J.S.A. 40:45A-1**.

All information pertaining to the Council agenda may be obtained from the City Clerk, during regular business hours, prior to each Council meeting and also, on the City's website – <http://www.hobokennj.org>.

By order of City Council resolution adopted March 20, 2013

James J. Farina
City Clerk

Introduced by: _____
Seconded by: _____

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

**RESOLUTION TO REFUND HANDICAPPED PARKING APPLICATION FEE TO APPLICANT
DIMENICO GIGANTE IN THE AMOUNT OF \$125.00**

WHEREAS, The Subcommittee for Handicapped Parking denied approval;

NOW, THEREFOR, BEIT RESOLVED, by the Council of the City of Hoboken, that warrant be draw on the City Treasure to the order of the following sum opposite the name as reimbursement for handicapped parking fees:

NAME	ADDRESS	AMOUNT
Dimenico Gigante	1302 Washington Street	\$125.00

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, Corporation Counsel, and the CFO for action, including a warrant for payment to the above mentioned individual, 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: March 20, 2013

APPROVED:

APPROVED AS TO FORM:

Quentin Wiest
Business Administrator

Mellissa L. Longo, Esq.
Corporation Counsel

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla				
Theresa Castellano				
Jen Giattino				
Elizabeth Mason				
David Mello				
Tim Occhipinti				
Michael Russo				
President Peter Cunningham				

Introduced By:_____

Seconded By:_____

CITY OF HOBOKEN
RESOLUTION No._____

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

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

City of Hoboken TD Bank Recreation Trust	#4257004394
City of Hoboken TD Bank HUBCAPS	#2710002463
City of Hoboken TD Bank RCA North Haledon	#3982549741

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

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

MEETING: March 20, 2013

APPROVED AS TO FORM:

Quentin Wiest
Business Administrator

Melissa Longo
Corporation Counsel

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla				
Theresa Castellano				
Jen Giattino				
Elizabeth Mason				
David Mello				
Tim Occhipinti				
Michael Russo				
President Peter Cunningham				

CITY OF HOBOKEN
Department of Revenue and Finance

Dawn Zimmer
Mayor



QUENTIN WIEST
Business Administrator
GEORGE DESTEFANO
Chief Financial Officer

March 14, 2013

Via fax 201-785-1229
Danny Rodriguez – Asst VP
TD Bank
1000 Mac Arthur Boulevard
Mahwah, NJ 07430

Re: Closure of Bank Accounts

Dear Mr. Rodriguez:

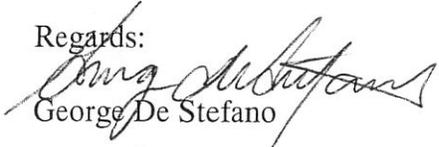
Below is a list of various bank accounts within TD Bank that should be closed.

Recreation Trust Fund	#4257004394
HUCAPS	#2710003463
RCA North Haledon	#3982549741

Could you please close these various accounts? The funds have already been transferred to Investor Savings Bank.

Thank you in advance for your prompt attention in closing the various bank accounts.

Regards:


George De Stefano

cc: Solomon Steplight – Finance Director
Quentin Wiest – Business Administrator



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[Wires](#) | [ACH](#) | [Transfers](#) | [Recipients](#) | [Import/Export](#) | [Reports](#)

Timeout: 0:14:54

View Payment: FedWire

Use this screen to view a FedWire.

Payment Information

Payment Type: Fedwire

[View Payment History](#)

Status: Confirmed
Confirmation Number: 20130313C1B76E1C000555
Sequence Number: 1686885

Debit Account: Checking -- 4257004394 -- USD
Debit Amount: \$8,175.25
Value Date: 03/13/2013
Send Date: 03/13/2013
Frequency: One Time Only

Reference for Beneficiary: Trnsf Balance

Details of Payment: Trnsf Bal in Recreation to Investor

Beneficiary Information

Beneficiary Account Number: 2059900901
Beneficiary Name: City of Hoboken Recreation Trust
Address:

Beneficiary Bank ID Type: ABA (Wire)
Beneficiary Bank ID: 221272031
Beneficiary Bank Name: INVESTORS BANK
Address: SHORT HILLS
 SHORT HILLS NJ UNITED STATES

[Cancel](#)

Wire Transfer Policy: Current day wires with a Fed payment method must be submitted by 5:00 PM ET. International Foreign Currency wires must be submitted by 2:00 PM. By submitting a wire transfer request, you authorize TD Bank to withdraw the amount of any requested wire transfer which you authorize and instruct via TD eTreasury, plus any applicable fees and charges, from your designated account, subject to the terms of your Cash Management Master Agreement (and applicable Appendices).

Acct# 4257004394

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*Closed out of Recreation Trust
 TD Bank to
 Amestas
 \$8,175.25*



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Timeout: 0:14:58

Preview Payment Fedwire

Use this screen to preview a Fedwire payment.

Payment Information

Payment Type: Fedwire

Debit Account: RECREATION TRUST FUND ACCOUNT -- 4257004394 -- USD

Debit Amount: \$8,175.25

Value Date: 03/13/2013

Send Date: 03/13/2013

Reference for Beneficiary: Trnsf Balance

Details of Payment: Trnsf Bal in Recreation to Investor

Frequency One Time Only

Beneficiary Information

Beneficiary Account Number: 2059900901

Beneficiary Name: City of Hoboken Recreation Trust

Address:

Bank ID Type: ABA (Wire)

Bank ID: 221272031

Bank Name: INVESTORS BANK

Address: SHORT HILLS

SHORT HILLS NJ UNITED STATES

Options

Save as Template: No

Authorization Required

To complete this transaction, enter your passcode.

Enter Passcode:

[Cancel](#)[Edit Payment](#)[Submit Payment](#)

Wire Transfer Policy: Current day wires with a Fed payment method must be submitted by 5:00 PM ET. International Foreign Currency wires must be submitted by 2:00 PM. By submitting a wire transfer request, you authorize TD Bank to withdraw the amount of any requested wire transfer which you authorize and instruct via TD eTreasury, plus any applicable fees and charges, from your designated account, subject to the terms of your Cash Management Master Agreement (and applicable Appendices).

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[Wires](#) | [ACH](#) | [Transfers](#) | [Recipients](#) | [Import/Export](#) | [Reports](#)

Timeout: 0:14:51

View Payment: FedWire

Use this screen to view a FedWire.

Payment Information

- [Import Profiles](#)
- [Export Profiles](#)
- [Import History](#)
- [Export History](#)

3/12/2013

Payment Type: Fedwire

[View Payment History](#)

Status: Confirmed
 Confirmation Number: 20130312C1B76E1C000612
 Sequence Number: 1696581

Debit Account: Checking -- 2710003463 -- USD
 Debit Amount: \$122,927.17
 Value Date: 03/12/2013
 Send Date: 03/12/2013
 Frequency: One Time Only

Reference for Beneficiary: 3/12/13 trnsf

Details of Payment: Transfer Balance to Investor's Bank

Beneficiary Information

Beneficiary Account Number: 2059900698
 Beneficiary Name: City of Hoboken Hudcaps
 Address: 94 Washington St
 Hoboken, NJ 07030

Beneficiary Bank ID Type: ABA (Wire)
 Beneficiary Bank ID: 221272031
 Beneficiary Bank Name: INVESTORS BANK
 Address: SHORT HILLS
 SHORT HILLS NJ UNITED STATES

[Cancel](#)

Wire Transfer Policy: Current day wires with a Fed payment method must be submitted by 5:00 PM ET. International Foreign Currency wires must be submitted by 2:00 PM. By submitting a wire transfer request, you authorize TD Bank to withdraw the amount of any requested wire transfer which you authorize and instruct via TD eTreasury, plus any applicable fees and charges, from your designated account, subject to the terms of your Cash Management Master Agreement (and applicable Appendices).

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*Closed out account in TD Bank
 HUDCAPS - 2710003463
 \$122,927.17*



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Timeout: 0:14:56

Edit Payment: Fedwire

Use this screen to edit a Fedwire payment.

* Required Field

Payment Information

Payment Type: Fedwire

[View Payment History](#)

Debit Account: Acct Nickname -- Acct Number -- Currency
HUDCAPS -- 2710003463 -- USD

Reference for Beneficiary: 3/12/13 trnsf

Details of Payment: Transfer Balance to Investor's Bank

Debit Amount: 122,927.17 \$ *

Value Date: 03/12/2013 * MM/DD/YYYY

Frequency: One Time Only *

If a recurring payment,

Number of Payments:

Continue until further notice

End Date: MM/DD/YYYY

Beneficiary Information

[From List](#)

Save To Recipient List

Beneficiary Account Number: 2059900698 *

Beneficiary Name: City of Hoboken Hudcaps *

Address: 94 Washington St

Hoboken, NJ 07030

Beneficiary Bank: [Edit](#)

Bank ID Type: ABA (Wire)

Bank ID: 221272031

Bank Name: INVESTORS BANK

Address: SHORT HILLS

SHORT HILLS NJ UNITED STATES

Additional Information (Optional)

Intermediary Bank: [Add](#)

Options

Save as Template:

[Cancel](#)

[Delete Payments](#) [Preview Payment](#)

Wire Transfer Policy: Current day wires with a Fed payment method must be submitted by 5:00 PM ET. International Foreign Currency wires must be submitted by 2:00 PM. By submitting a wire transfer request, you authorize TD Bank to withdraw the amount of any requested wire transfer which you authorize and instruct via TD eTreasury, plus any applicable fees and charges, from your designated account, subject to the terms of your Cash Management Master Agreement (and applicable Appendices).

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Bank

America's Most Convenient Bank®

T

STATEMENT OF ACCOUNT



339909 06DD1815 1 000000
HUDCAPS CITY OF HOBOKEN
94 WASHINGTON ST
HOBOKEN NJ 07030

Page: 1 of 2
Statement Period: Feb 01 2013-Feb 28 2013
Cust Ref #: 2710003463-802-T-***
Primary Account #: 271-0003463



TD MUNICIPAL CHOICE SOLUTION

HUDCAPS CITY OF HOBOKEN

Account # 271-0003463

ACCOUNT SUMMARY

Beginning Balance	122,932.44	Average Collected Balance	122,932.44
Service Charges	5.27	Annual Percentage Yield Earned	0.00%
Ending Balance	122,927.17	Days in Period	28

DAILY ACCOUNT ACTIVITY

Service Charges

POSTING DATE	DESCRIPTION	AMOUNT
2/28	EARNINGS CREDIT RATE	0.15%
2/28	MAINTENANCE FEE	18.00
2/28	EARNINGS CREDIT	12.73
Subtotal:		5.27

DAILY BALANCE SUMMARY

DATE	BALANCE
1/31	122,932.44
2/28	122,927.17

*Chamster
2059900698*

V1.8.4js-1:47436

339909 06DD1815 011897

Call 1-800-937-2000 for 24-hour Bank-by-Phone services or connect to www.tdbank.com



Company: CITY OF HOBOKEN

3/12/2013

Click on a check number to see an image of the check.

Account Details

Information valid as of Tuesday, March 12, 2013 at 10:32 AM EST

Account Selection	Account Description	Current Balance	Available Balance
502059900711 - RCA NH Wan Green	RCA NH Wan Green	24,318.88	24,318.88

Request Specific Date Range

From 03/11/2013 To 03/12/2013

Advanced Search >>

The system has completed your history request for dates 03/11/2013 through 03/12/2013 for 502059900711 - RCA NH Wan Green account.

Posted Transactions

Date	Transaction	Description	Debit	Credit
03/12/2013	INCOMING WIRE			24,318.88
Totals			0.00	24,318.88

First | Prev | Showing Records 1 - 1 of 1 | Next | Last

Select Export Format BAI2

Investors Bank

Closed out Account in TD Bank
 RCA North Halden
 3982549741



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[Wires](#) [ACH](#) [Transfers](#) [Recipients](#) [Import/Export](#) [Reports](#)

Timeout: 0:14:56

Edit Payment: Fedwire

Use this screen to edit a Fedwire payment.

* Required Field

Payment Information

Payment Type: Fedwire

[View Payment History](#)

Debit Account: Acct Nickname -- Acct Number -- Currency
North Haledon RCA Escrow -- 3982549741 -- USD

Reference for Beneficiary: 3/12/13 trnsf

Details of Payment: Transfer balance to Investor's Bank

Debit Amount: 24,318.88 \$ *

Value Date: 03/12/2013 * MM/DD/YYYY

Frequency: One Time Only *

If a recurring payment,

Number of Payments:

Continue until further notice

End Date: MM/DD/YYYY

Beneficiary Information

[From List](#)

Save To Recipient List

Beneficiary Account Number: 2059900711 *

Beneficiary Name: North Haledon RCA Escrow *

Address:

Beneficiary Bank: [Edit](#)

Bank ID Type: ABA (Wire)

Bank ID: 221272031

Bank Name: INVESTORS BANK

Address: SHORT HILLS
SHORT HILLS NJ UNITED STATES

Additional Information (Optional)

Intermediary Bank: [Add](#)

Options

Save as Template:

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Wire Transfer Policy: Current day wires with a Fed payment method must be submitted by 5:00 PM ET. International Foreign Currency wires must be submitted by 2:00 PM. By submitting a wire transfer request, you authorize TD Bank to withdraw the amount of any requested wire transfer which you authorize and instruct via TD eTreasury, plus any applicable fees and charges, from your designated account, subject to the terms of your Cash Management Master Agreement (and applicable Appendices).

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STATEMENT OF ACCOUNT



348060 06DD1815 1 000000
CITY OF HOBOKEN
NORTH HALEDON RCA ESCROW
94 WASHINGTON ST
HOBOKEN NJ 07030

Page: 1 of 2
Statement Period: Feb 01 2013-Feb 28 2013
Cust Ref #: 3982549741-802-T-***
Primary Account #: 398-2549741



TD MUNICIPAL CHOICE SOLUTION

CITY OF HOBOKEN
NORTH HALEDON RCA ESCROW

Account # 398-2549741

ACCOUNT SUMMARY

Beginning Balance	24,347.71	Average Collected Balance	24,341.03
Other Withdrawals	13.35	Interest Paid Year-to-Date	2.19
Service Charges	15.48	Annual Percentage Yield Earned	0.00%
Ending Balance	24,318.88	Days in Period	28

DAILY ACCOUNT ACTIVITY

Other Withdrawals

POSTING DATE	DESCRIPTION	AMOUNT
2/15	SERVICE CHARGE, ANALYSIS FEES	13.35
Subtotal:		13.35

Service Charges

POSTING DATE	DESCRIPTION	AMOUNT
2/28	EARNINGS CREDIT RATE	0.15%
2/28	MAINTENANCE FEE	18.00
2/28	EARNINGS CREDIT	2.52
Subtotal:		15.48

DAILY BALANCE SUMMARY

DATE	BALANCE	DATE	BALANCE
1/31	24,347.71	2/28	24,318.88
2/15	24,334.36		

*minutes
2059900711*

*move
move from TD
bank to
minutes*

VI.B.4|s-1:47436
348060 06DD1815 022767

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Timeout: 0:14:46

- Wire Pending List
- Wire Processed List
- View Payment: FedWire**
- Wire Transfer
- New Wire Payment
- Payment Information

Payment Type: Fedwire

[View Payment History](#)

Status: Received By Bank
 Confirmation Number: 1696573
 Sequence Number: 1696573

Debit Account: Checking -- 3982549741 -- USD
 Debit Amount: \$24,318.88
 Value Date: 03/12/2013
 Send Date: 03/12/2013
 Frequency: One Time Only

Reference for Beneficiary: 3/12/13 trnsf

Details of Payment: Transfer balance to Investor's Bank

Beneficiary Information

Beneficiary Account Number: 2059900711
 Beneficiary Name: North Haledon RCA Escrow
 Address:

Beneficiary Bank ID Type: ABA (Wire)
 Beneficiary Bank ID: 221272031
 Beneficiary Bank Name: INVESTORS BANK
 Address: SHORT HILLS
 SHORT HILLS NJ UNITED STATES

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Sponsored by: _____

Seconded by: _____

City of Hoboken
Ordinance No.: _____

AN ORDINANCE AMENDING CHAPTER §44 (LAND USE PROCEDURES) UPDATING AND CONSOLIDATING THE PROCESSES AND PROCEDURES FOR LAND USE BOARDS

WHEREAS, the City Council wishes to update administrative procedures for the Planning Board and Zoning Board of Adjustment to assure consistency with the city's land use goals set forth in the Master Plan; and

WHEREAS, the consolidation of administrative procedures for the Planning Board and Zoning Board of Adjustment to a single location (chapter) within the Municipal Code is a matter of significant convenience for residents of the City of Hoboken and to users of the Municipal Code.

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

SECTION ONE: AMENDMENT

Chapter 44, Land Use Procedures, of the Code of the City of Hoboken is hereby amended as follows; deletions to the current ordinance are noted in ~~strike through~~, additions to the current ordinance are noted in underline.

Chapter 44. LAND USE PROCEDURES

Article I. Planning Board

§ 44-101. Establishment; ~~e~~Composition.

A. Members. There is hereby established a Planning Board of pursuant to P.L. 1975, c. 291, in the City of Hoboken, ~~a Planning Board of~~ nine members ~~consisting of the following four classes~~ in accordance with the provisions of N.J.S.A. 40:55D-23:

- (1) One (1) Class I member; the Mayor or the Mayor's designee in the absence of the Mayor;
- (2) One (1) Class II member; ~~one of the~~ an officials of the municipality, other than a member of the governing body, to be appointed by the Mayor;
- (3) One (1) Class III member; a member of the governing body to be appointed by it; and
- (4) Six (6) Class IV members; ~~six other~~ citizens of the municipality to be appointed by the Mayor.

~~(3) The members of Class IV shall hold no other municipal office, position or employment. For purposes of this section, membership on a municipal board or commission whose function is advisory in nature and the establishment of which is discretionary and not required by statute shall not be considered the holding of municipal office.~~

~~(4) Alternate members.~~

B. Alternate members.

- (1) ~~Not more than~~ Two alternate members, who ~~shall~~ meet the qualifications of Class IV members, ~~may~~ shall be appointed by the Mayor. Such alternate members shall be designated, at the time of

appointment, as "Alternate No. 1" and "Alternate No. 2." ~~The terms of the alternate members shall be for two years, except such terms shall be such that the term of not more than one alternate member shall expire in any one year; provided, however, that in no instance shall the term of the alternate member first appointed exceed two years. A vacancy occurring otherwise than by expiration of term shall be filled by the Mayor for the unexpired term only.~~

- (2) Alternate members may participate in discussions of the proceedings but may not vote, except in the absence or disqualification of ~~any~~ a regular member of ~~the regular~~ any class. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.

C. Substitute members. If the Planning Board lacks a quorum because regular or alternate members are prohibited from acting on a matter due to the member's personal or financial interest therein, regular members of the Zoning Board of Adjustment shall be called upon to serve as substitute members in accordance with N.J.S.A. 40:55D-23.2.

D. Class IV members shall hold no other municipal office, position or employment.

§ 44-102. Terms of ~~e~~Office.

- A. ~~The term of the member composing Class I~~ member shall ~~correspond with his official tenure~~ coincide with the term of the Mayor, except that if the Mayor appoints a designee as the Class I member, the designee shall serve at the pleasure of the Mayor.
- B. ~~The terms of the members composing Class II and Class III~~ members shall be for one year or shall terminate at the completion of their respective terms of office whichever occurs first.
- C. The terms of all Class IV members first appointed pursuant to this chapter shall be so determined that, to the greatest practicable extent, the expiration of such terms shall be distributed evenly over the first four years after their appointments, as determined by resolution of the governing body; provided, however, that no term of any member shall exceed four years, and further provided that nothing herein shall affect the term of any present member of the Planning Board, all of whom shall continue in office until the completion of the terms for which they were appointed. Thereafter, all Class IV members shall be appointed for terms of four years except as otherwise hereinabove provided. All terms shall run from January 1 of the year in which the appointment is made.

D. The terms of the Alternate members shall be for two years. Expirations of Alternate terms shall be distributed such that not more than one alternate member shall expire in any one year.

§ 44-103. Vacancies.

If a vacancy of any class shall occur otherwise than by expiration of terms, it shall be filled by appointment as above provided for the unexpired terms.

§ 44-104. Organization.

- A. ~~The Planning Board shall elect a Chairman and Vice Chairman from the members of Class IV and select a Secretary, who may be either a member of the Planning Board or a municipal employee designated by it in accordance with N.J.S.A. 40:55D-24.~~
- ~~B. The Secretary of the Board shall ensure that at least one copy of all applications is kept at all times in the Board's files in the custody of the recording secretary. All pending applications on file with the Board shall be listed on the Board's regular meeting agenda, whether the Board is required to take action thereon or not.~~
- B. The Planning Board shall select a secretary who may be either a member or alternate member of the Planning Board or a municipal employee designated by it.

- C. There is hereby created the position of Planning Board Attorney. The Planning Board may annually appoint, fix the compensation of, or agree upon the rate of compensation of the Planning Board Attorney, who shall be an attorney other than the Municipal Attorney.
- D. The Planning Board may also employ or contract for the services of experts and other staff and services as it may deem necessary. The Board shall not, however, exceed, exclusive of gifts or grants, the amount appropriated by the governing body for its use unless a court of competent jurisdiction finds the appropriation to be unreasonable.
- E. The Planning Board Chair shall appoint four (4) regular members of the Board which shall be known as the "Subdivision and Site Plan Review Committee" (Committee). The Committee shall operate in the following manner and have the following powers and duties:
 - (1) To review all applications submitted to the Board prior to a formal hearing thereon.
 - (2) To grant informal review of a concept plan for a development for which the developer intends to prepare or submit an application for development.
 - (a) The fee charged for such review shall be the same as that charged on the application for development, except that such fee shall be a credit toward the subsequent application fee.
 - (b) Neither the developer nor the Committee shall be bound by any concept plan review.
 - (3) In the case of minor subdivision applications, such Committee may unanimously approve the same in accordance with this chapter.
 - (4) In the case of major subdivision and site plan applications, the Committee shall submit a written report to the entire Board prior to the formal hearing thereon.
 - (5) The Committee shall keep minutes of all of its meetings and shall not consider any application unless it has been formally filed with the Secretary of the Board.
 - (6) Three members of the Committee shall constitute a quorum.

~~C.—Subdivision and Site Plan Review Committee. The Board shall appoint a Committee consisting of four regular members of the Board which shall be known as the "Subdivision and Site Plan Review Committee." The Committee shall review all applications submitted to the Board prior to a formal hearing thereon. The Committee shall also grant informal review of a concept plan for a development for which the developer intends to prepare or submit an application for development. The fee charged for such review shall be the same as that charged on the application for development, except that such fee shall be a credit toward the subsequent application fee. Neither the developer nor the Committee shall be bound by any concept plan review. In the case of minor subdivision applications, such Committee may unanimously approve the same in accordance with the 1959 Land Subdivision Ordinance of the City of Hoboken. In the case of major subdivisions, site plan and conditional use application, the Committee shall submit a written report to the entire Board prior to the formal hearing thereon. The Committee shall keep minutes of all of its meetings and shall not consider any application unless it has been formally filed with the Secretary of the Board. Three members of the Committee shall constitute a quorum.~~

§ 44-5. Planning Board Attorney.

~~There is hereby created the office of Planning Board Attorney. The Planning Board may annually appoint, fix the compensation of or agree upon the rate of compensation of the Planning Board Attorney, who shall be an attorney other than the Municipal Attorney.~~

§ 44-6. Experts and staff.

~~The Planning Board may also employ or contract for the services of experts and other staff and services as it may deem necessary. The Board shall not, however, exceed, exclusive of gifts or grants, the amount appropriated by the governing body for its use.~~

§ 44-7105. Powers and ~~d~~Duties of the Planning Board.

The Board, in accordance with N.J.S.A. 40:55D-25, shall adopt such rules and regulations as may be necessary to carry into effect the provisions and purposes of this chapter. In the issuance of the subpoenas, administration of oaths and taking of testimony, the provisions of the County and Municipal Investigations Law of 1953 (N.J.S.A. 2A:67A-1 et seq.) shall apply. It shall also have the following powers and duties:

- A. To ~~make~~ prepare and, after public hearing, adopt or amend a Master Plan or component parts thereof, to guide the use of lands within the municipality in a manner which protects public health and safety and promotes the general welfare and, at least every six years, reexamine and amend, if necessary, a Master Plan for the physical development of the municipality in accordance with the provisions of N.J.S.A. 40:55D-28.
- B. To reexamine, at least every ~~six~~ ten (10) years, the Master Plan and development regulations; ~~of the City and recommend,~~ prepare and adopt by resolution, to the governing body, a report on the findings of such reexamination in accordance with N.J.S.A. 40:55D-89, by written resolution to the governing body, and any necessary amendments ~~thereto~~ resulting there from.
- C. To review and approve preliminary and final subdivision applications, in accordance with Chapter 34, Subdivision of Land, of the Code of the City of Hoboken, and attach reasonable conditions to the approval thereof.
- D. To review and approve preliminary and final site plan applications, in accordance with this Chapter and with Chapter 196 Zoning, of the Code of the City of Hoboken, and attach reasonable conditions to the approval thereof.
- E. To review and approve conditional use applications, in accordance with Chapter 196 Zoning, of the Code of the City of Hoboken, ~~including special review in the W-District~~ and attach reasonable conditions to the approval thereof. In cases where a "d" variance is involved, the application for conditional use will be heard by the Zoning Board of Adjustment.
- ~~F. To approve planned development applications and allow a greater concentration of density or intensity of land use within a section or sections of development, whether it be earlier, later or simultaneous in the development than in others.~~
- ~~G. To grant general development plan approval to provide the increased flexibility desirable to promote mutual agreement between the applicant and the Planning Board on the basic scheme of a planned development.~~
- F. To participate in the preparation and review of programs or plans required by state or federal law or regulations.
- G. To assemble data on a continuing basis as part of a continuous planning process.
- H. To prepare annually ~~prepare~~ a program of municipal capital improvement projects over a term of ~~six~~ ten (10) years, and amendments thereto, and recommend the same to the governing body.
- I. To consider and make a report to the governing body, within 35 days after referral, as to any proposed development regulation submitted to it pursuant to the provisions of N.J.S.A. 40:55D-26a, and also to review ~~pass upon~~ other matters specifically referred to the Planning Board by the governing body, pursuant to the provisions of N.J.S.A. 40:55D-26b.
- J. Granting of ~~r~~Relief; Variances; Direction for Issuance of Certain Permits.
 - (1) When reviewing applications for approval of subdivision plats, site plans or conditional uses, to grant to the same extent and subject to the same restrictions as the Zoning Board of Adjustment:

- (a) Variances pursuant to ~~Section 57c of P.L. 1975, c. 294~~ [N.J.S.A. 4:55D-70c](#).
- (b) Direction pursuant to N.J.S.A. 40:55D-36 for issuance of a permit for a building or structure not related to a street.
- (c) [Direction pursuant to N.J.S.A. 40:55D-34 for issuance of a permit for a building or structure in the bed of a mapped street or public drainage way, flood control basin or public area reserved pursuant to N.J.S.A. 40:55D-32.](#)
- ~~(c) Whenever relief is requested pursuant to this subsection, notice of a hearing on the application for development shall include reference to the request for a variance or direction for issuance of a permit as the case may be.~~

(2) [Whenever relief is requested pursuant to this subsection, notice of the hearing on the application for development shall include reference to the request for a variance or direction for issuance of a permit, as the case may be.](#)

~~(2)~~

(3) The developer may elect to submit a separate application requesting approval of the variance or direction of the issuance of a permit and a subsequent application for any required approval of a subdivision, site plan or conditional use. The separate approval of the variance or direction of the issuance of a permit shall be conditioned upon grant of all required subsequent approvals by the Planning Board. No such subsequent approval shall be granted unless the approval can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the zone plan and ~~Zoning Ordinance~~ [Chapter 196](#).

K. [To require a developer, as a condition of subdivision or site plan approval, to execute a developer's agreement, post performance and/or maintenance guarantees, and/or pay pro rata cost for off-tract improvements as permitted by law. Off-tract improvements shall include but not be limited to](#) ~~To require a developer, as a condition for approval of a subdivision or site plan, to pay his pro rata share of the cost of providing only reasonable and necessary street improvements, improvements to and water, sewerage and drainage facilities, and easements therefore, located outside the property limits of the subdivision or development but necessitated or required by construction or improvements within such subdivision or development. Such r~~ [Regulations shall be based on circulation and comprehensive utility service plans in accordance with the Master Plan, of the City of Hoboken, respectively, and shall establish fair and reasonable standards to determine the proportionate or pro rata amount of the cost of such facilities, that shall be borne by each developer or owner within a related and common area, which standards shall not be altered subsequent to preliminary approval. Where a developer pays the amount determined as his pro rata share under protest, he shall institute legal action within one year of such payment in order to preserve the right to a judicial determination as to the fairness and reasonableness of such amount.](#)

L. To grant exceptions from this chapter and the requirements of subdivision and site plan approval pursuant to N.J.S.A. [40:55D-25\(6\) and](#) 40:55D-51.

M. [To](#) ~~issue~~ subdivision certificates pursuant to N.J.S.A. 40:55D-56.

N. To perform such ~~other~~ advisory duties as ~~and~~ [are](#) assigned to it, by ordinance or resolution of the governing body, for the aid and assistance of the governing body, ~~Zoning Board of Adjustment~~ or other agencies or officers.

O. [Issue subpoenas, administer oaths and take testimony in accordance with the provisions of the County and Municipal Investigations Law of 1953 \(N.J.S.A. 2A:67A-1, et seq.\)](#)

P. [To perform such other duties as may be provided by law.](#)

§ 44-8106. Procedure; time limits [Time of Decision.](#)

A. Minor subdivisions. Minor subdivision approvals shall be granted or denied within 45 days of the [date of submission of a complete an application to the Planning Board is deemed complete](#) or within such further

time as may be consented to by the applicant. Failure of the Planning Board to act within the statutory period prescribed shall constitute minor subdivision approval. Approval of a minor subdivision shall expire 190 days from the date of Planning Board approval unless, within such period, a plat in conformity with such approval and the provisions of the Map Filing Law, N.J.S.A. 46:23-9.9, et seq., or a deed clearly describing the approved minor subdivision, is filed by the developer with the County Recording Officer, the Municipal Engineer and the Municipal Tax Assessor. Any such plat or deed must be signed by the Chairman and Secretary of the Planning Board before it will be accepted for filing by the county recording officer. The Planning Board may extend the one-hundred-ninety-day period for filing a minor subdivision plat or deed if the developer proves to the reasonable satisfaction of the Planning Board that the developer was barred or prevented, directly or indirectly, from filing because of delays in obtaining legally required approvals from other governmental or quasi-governmental entities and that the developer applied promptly for and diligently pursued the required approvals. The length of the extension shall be equal to the period of delay caused by the wait for the required approvals, as determined by the Planning Board. The developer may apply for the extension either before or after what would otherwise be the expiration date.

- B. Preliminary approval of major subdivisions approval. Upon submission of an complete application for a subdivision of 10 or fewer lots, the Planning Board shall grant or deny preliminary approval within 45 days of the date of such submission is deemed complete or within such further time as may be consented to by the developer, ~~unless such application includes a variance request, in which event the Board shall have 120 days from the date of a complete application to render its decision.~~ Upon submission of an complete application for a subdivision of more than 10 lots, the Planning Board shall grant or deny preliminary approval within 95 days of the date of such submission is deemed complete or within such further time as may be consented to by the developer, ~~unless such application includes a variance request, in which event the board shall have 120 days from the date of a complete application to render its decision.~~ Otherwise, the Planning Board shall be deemed to have granted preliminary approval for the subdivision.

- (1) ~~If the Planning Board requires any substantial amendment in the layout of improvements proposed by the developer that have been the subject of a hearing, an amended application shall be submitted and proceeded upon, as in the case of the original application for development.~~
- (2) ~~Preliminary subdivision approval and any variances granted incidental thereto shall remain valid for three years from the date of such approval. Requests for extensions of such three-year period pursuant to N.J.S.A. 40:55D-49c shall be made within such three-year period.~~

- C. Ancillary powers. Whenever an application for approval of a subdivision plat, site plan or conditional use includes a request for variance relief or direction for the issuance of a permit pursuant to §44-105.J, the Planning Board shall grant or deny approval of the application within 120 days of the date the application is deemed complete or within such further time as may be consented to by the applicant. In the event that the developer elects to submit separate consecutive applications, the aforesaid provision shall apply to the application for approval of the variance or direction for issuance of a permit. The period for granting or denying and subsequent approval shall be as otherwise provided by these regulations. Failure of the Planning Board to act within the statutory period prescribed shall constitute approval of the application, and a certificate of the Administrative Officer as to the failure of the Planning Board to act shall be issued on request of the applicant, and it shall be sufficient in lieu of the written endorsement or other evidence of approval herein required and shall be so accepted by the County Recording Officer for purposes of filing subdivision plats.

- D. Final approval. Application for final subdivision approval shall be granted or denied within 45 days of the date the application is deemed complete or within such further time as may be consented to by the applicant. Failure of the Planning Board to act within the period prescribed by law shall constitute final approval and a certificate of the Administrative Officer as to the failure of the Planning Board to act shall be issued on request of the applicant, and it shall be sufficient in lieu of the written endorsement or other evidence of approval, herein required, and shall be so accepted by the County Recording Officer for purposes of filing subdivision plats. Final approval of a major subdivision shall expire 95 days from the date of signing of the plat by the Chair and Secretary of the Board unless within such period the plat shall have been duly filed by the developer with the County Recording Officer. The Planning Board

may, for good cause shown, extend the period for recording for an additional period not to exceed 190 days from the date of signing of the plat. The Planning Board may for good cause shown extend the period for recording for an additional period not to exceed 190 days from the date of signing of the plat. The Planning Board may extend the ninety-five-day or one-hundred-ninety-day period if the developer provides to the reasonable satisfaction of the Planning Board that the developer was barred or prevented, directly or indirectly, from filing because of delays in obtaining legally required approvals from other governmental or quasi-governmental entities and that the developer applied promptly for and diligently pursued the required approvals. The length of the extension shall be equal to the period of delay caused by the wait for the required approvals, as determined by the Planning Board. The developer may apply for the extension either before or after what would otherwise be the expiration date.

C.— Final major subdivision approval.

(1) Application for final subdivision approval shall be granted or denied within 45 days of submission of a complete application or within such further time as may be consented to by the applicant. Whenever review or approval of the application by the County Planning Board is required, such approval shall be conditioned upon timely receipt of a favorable report on the application by the County Planning Board.

(2) Final approval of a major subdivision shall expire 95 days from the date of signing of the plat unless, within such period, the plat shall have been duly filed by the developer with the county recording officer. The Planning Board may, for good cause shown, extend the period for recording for an additional period not to exceed 190 days from the date of signing of the plat.

(3) The Planning Board shall grant final subdivision approval if the detailed drawings, specifications and estimates of the application for final approval conform to the standards established for the same, the conditions of preliminary approval and the standards prescribed by the Map Filing Law, P.L. 1960, c. 141, N.J.S.A. 46:23-9.9 et seq., provided that in the case of a planned unit development, planned unit residential development or residential cluster, the Planning Board may permit minimal deviations from the conditions of preliminary approval necessitated by change of conditions beyond the control of the developer since the date of preliminary approval without the developer being required to submit another application for preliminary approval.

D.— Site plan approval: Preliminary and final site plan approval shall be governed by Article IX, § 196-26 et seq. of the City of Hoboken Zoning Ordinance, subject to the following:

(1) A copy of any application for property within the CBD(H) Subdistrict shall be contemporaneously filed with the Hoboken Historic District Commission.

(2) On all applications involving a variance request, the Board shall have 120 days from the date of a complete application to render its decision.

(3) The Board, on granting site plan approval, shall find and set forth in its resolution of approval that the application provides for:

(a) Preservation of existing natural resources on the site, if any.

(b) Safe and efficient vehicular and pedestrian circulation, parking and loading.

(c) Screening, landscaping and proper location of structures.

(d) Exterior lighting needed for safety reasons in addition to any requirements for street lighting.

(e) Conservation of energy and use of renewable energy sources.

(f) Recycling of recyclable materials.

(4) If preliminary approval is granted, the written resolution of the Planning Board granting the same shall be signed by the Chairman and Secretary of the Board and sent to the applicant and the Zoning Officer, who may grant a first certificate of zoning compliance, subject to the conditions of the resolution, unless such condition(s) necessitate fulfillment prior to the issuance of such certificate. If final approval is granted, the written resolution of approval and the site plan shall be signed by the Chairman and Secretary of the Board and sent to the applicant and the Zoning Officer, who may grant a final certificate of zoning compliance,

~~subject to the conditions of the written final resolution, unless such condition(s) necessitate fulfillment prior to the issuance of such certificate. If a site plan has been denied approval, the written resolution of disapproval shall be signed by the Chairman and Secretary of the Board and sent to the applicant and the Zoning Officer.~~

~~(5) Preliminary site plan approval and any variances granted incidental thereto shall remain valid for three years from the date of such approval. Requests for extension of such three-year period pursuant to N.J.S.A. 40:55D-49c shall be made within such three-year period.~~

~~E. Conditional use approval. Conditional use approval shall be governed by Article X, § 196-35 et seq. of the City of Hoboken Zoning Ordinance, subject to the following: Where an application involves a variance request, the Board shall have 120 days from the date of a complete application to render its decision.~~

~~F. Planned unit development. Prior to the approval of any planned development, the Planning Board shall find the following facts and conclusions:~~

~~(1) The departures by the proposed development from zoning regulations otherwise applicable to the property conform to the standards of urban design review for planned developments under § 196-27.1 of the City of Hoboken Zoning Ordinance.~~

~~(2) The proposals for maintenance and conservation of common open space are reliable, and the amount, location and purpose of the common open space are adequate.~~

~~(3) The provision through the physical design of the proposed development for public services, control over vehicular and pedestrian traffic and the amenities of light and air, recreation and visual enjoyment are adequate.~~

~~(4) The proposed planned development will not have an unreasonably adverse impact upon the area in which it is proposed to be established.~~

~~(5) In the case of a proposed development which contemplates construction over a period of years, the terms and conditions intended to protect the interest of the public and the residents, occupants and owners of the proposed development in the total completion of the development are adequate.~~

~~G. General development plan. General development plan approval shall be governed by Article IX, § 196-34 et seq. of the City of Hoboken Zoning Ordinance, subject to the following provisions:~~

~~(1) The general development plan shall set forth the permitted number of dwelling units, the amount of nonresidential floor space, the residential density and the nonresidential floor area for the planned development, in its entirety, according to a schedule which sets forth the timing of the various sections of the development.~~

~~(2) The planned development shall be developed in accordance with the general development plan approved by the Planning Board, notwithstanding any provision of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., or an ordinance or regulation adopted pursuant thereto after the effective date of the approval.~~

~~(3) The term of the effect of the general development plan approval shall be determined by the Planning Board using the guidelines set forth in Subsection G(4) of this section, except that the term of the effect of the approval shall not exceed 20 years from the date upon which the developer receives final approval of the first section of the planned development pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.~~

~~(4) In making its determination regarding the duration of the effect of approval of the development plan, the Planning Board shall consider the number of dwelling units or amount of nonresidential floor area to be constructed, prevailing economic conditions, the timing schedule to be followed in completing the development and the likelihood of its fulfillment, the developer's capability of completing the proposed development and the contents of the general development plan and any conditions which the Planning Board attached to the approval thereof.~~

~~(5) The Planning Board shall grant or deny general development plan approval within 95 days after submission of a complete application to the administrative officer or within such further time as may be consented to by the applicant. Failure of the Planning Board to act within the period prescribed shall constitute general development plan approval of the planned development.~~

~~(6) In the event that the developer seeks to modify the proposed timing schedule, such modification shall require the approval of the Planning Board. The Planning Board shall, in deciding whether or not to grant approval of the modification, take into consideration prevailing economic and market conditions, anticipated and actual needs for residential units and nonresidential space within the municipality and the region and the availability and capacity of public facilities to accommodate the proposed development.~~

~~(7) The developer shall be required to gain the prior approval of the Planning Board if, after approval of the general development plan, the developer wishes to make any variation in the location of land uses within the planned development or to increase the density of residential development or the floor area ratio of nonresidential development in any section of the planned development. However, any variation in the location of land uses or increase in density or floor area ratio proposed in reaction to a negative decision of or condition of development approval imposed by the Department of Environmental protection pursuant to P.L. 1973, c. 185 (N.J.S.A. 13:19-1 et seq.) shall be approved by the Planning Board if the developer can demonstrate, to the satisfaction of the Planning Board, that the variation being proposed is a direct result of such determination by the Department of Environmental Protection.~~

~~(8) Once a general development plan has been approved by the Planning Board, it may be amended or revised only upon application by the developer approved by the Planning Board. However, a developer, without violating the terms of the approval pursuant to this act, may, in undertaking any section of the planned development, reduce the number of residential units or amounts of nonresidential floor space by no more than 15% or reduce the residential density or nonresidential floor area ratio by no more than 15%; provided, however, that a developer may not reduce the number of residential units to be provided pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., without prior municipal approval.~~

~~(9) Upon the completion of each section of the development, as set forth in the approved general development plan, the developer shall notify the administrative officer, by certified mail, as evidence that the developer is fulfilling his obligations under the approved plan. For the purposes of this section, "completion of any section of the development" shall mean that the developer has acquired a certificate of occupancy for every residential unit or every nonresidential structure, as set forth in the approved general development plan and pursuant to Section 15 of P.L. 1975, c. 217 (N.J.S.A. 52:27D-133). If the municipality does not receive such notification at the completion of any section of the development, the municipality shall notify the developer, by certified mail, in order to determine whether or not the terms of the approved plan are being complied with. If a developer does not complete any section of the development within eight months of the date provided for in the approved plan or if at any time the municipality has cause to believe that the developer is not fulfilling his obligations pursuant to the approved plan, the municipality shall notify the developer, by certified mail, and the developer shall have 10 days within which to give evidence that he is fulfilling his obligations pursuant to the approved plan. The municipality thereafter shall conduct a hearing to determine whether or not the developer is in violation of the approved plan. If, after such a hearing, the municipality finds good cause to terminate the approval, it shall provide written notice of the same to the developer and the approval shall be terminated 30 days thereafter.~~

~~(10) In the event that a developer who has general development plan approval does not apply for preliminary approval for the planned development which is the subject of that general development plan approval within five years of the date upon which the general development plan has been approved by the Planning Board, the municipality shall have cause to terminate the approval.~~

~~(11) In the event that a development which is the subject of an approved general development plan is completed before the end of the term of the approval, the approval shall terminate with the completion of the development. For the purposes of this section, a development shall be considered complete on the date upon which a certificate of occupancy has been issued for the final residential or nonresidential structure in the last section of the development, in accordance with the timing schedule set forth in the approved general development plan, and the developer has fulfilled all of his obligations pursuant to the approval.~~

H. ~~Ancillary power. Whenever the Planning Board is called upon to exercise its ancillary power to grant a variance as set forth in Article I, § 44-7L(1) of this chapter, the Planning Board shall grant or deny approval of the application within 120 days after submission by the developer of a complete application or within such further time as may be consented to by the applicant. In the event that the developer elects to submit separate consecutive applications, the aforesaid provision shall apply to the application for approval of the variance or direction for issuance of a permit. The period for granting or denying and subsequent approval shall be as otherwise provided in this chapter. Failure of the Planning Board to act within the time prescribed shall constitute approval of the application and a certificate of the administrative officer as to the failure of the Planning Board to act shall be issued upon request of the applicant.~~

§ 44-9107. Applications; ~~p~~Procedure; Concept Plan Approval for filing.

A. ~~Applications for development within the jurisdiction of the Planning Board pursuant to the provisions of P.L. 1975, c. 291, shall be filed with the Secretary of the Planning Board at least 25 days before the monthly meeting of the Board. The applicant shall file at least 14 days before the date of the monthly meeting of the board seven copies of a sketch plat; seven copies of an application for minor subdivision approval; seven copies of an application for major subdivision approval or seven copies of an application for site plan review, conditional use approval or planned development. At the time of filing the application but in no event less than 10 days prior to the date set for hearing, the applicant shall also file seven copies of its plot plans, maps or other papers for which approval is sought or required by virtue of any provision of this chapter or any rule of the Planning Board. The applicant shall obtain all necessary forms, including the applicable checklist, from the Secretary of the Planning Board. The Secretary of the Board shall inform the applicant of the steps to be taken to initiate applications and of the regular meeting dates of the Board and the Subdivision and Site Plan Committee. A complete application shall mean an application certified as complete by the Secretary of the Board in consultation with the Board's professionals and the applicable municipal commissions; pursuant to §44-304. Whenever the term "administrative officer" appears in this chapter or in the Municipal Land Use Law, P.L. 1975, c. 291, N.J.S.A. 40:5D-1 et seq., it shall refer to the Secretary of the Board.~~

B. At the request of the developer, the Planning Board shall grant an informal review of a concept plan for a development for which the developer intends to prepare and submit an application for development. The developer shall not be bound by any concept plan for which review is required, and the Planning Board shall not be bound by any such review.

~~B. Subdivision certificate.~~

~~(1) Any person desiring information as to whether land has been subject to or is statutorily exempt from subdivision approval may apply to the Planning Board for a certificate as to approval of subdivision of land, such application shall include:~~

~~(a) A copy of the current deed to the land.~~

~~(b) A survey of the land.~~

~~(c) A check in the amount of \$10 payable to the City of Hoboken.~~

~~(d) Such additional facts and/or documents that the applicant desires the Board to consider in issuance of the certificate.~~

~~(2) The certificate shall be issued within 15 days after receipt of the application and fee therefor. Such certificate shall be designated a "certificate as to approval of subdivision of land" and shall certify:~~

~~(a) There exists in the City of Hoboken a duly established Planning Board and an ordinance controlling subdivision of land.~~

~~(b) Whether a subdivision has been approved by the Planning Board as to the land. If a subdivision has been approved, a copy of the written resolution of approval shall be attached to the certificate.~~

~~(c) If there has been no subdivision approval, whether or not such land is statutorily exempt from the requirement of approval under the definition of subdivision set forth in N.J.S.A. 40:55D-7.~~

~~(3) The administrative officer shall keep a duplicate copy of each certificate, consecutively numbered, including a statement of the fee charged, in a binder as a permanent record of the Board's office.~~

§ 44-108. Advisory Committee.

The Mayor may appoint one or more persons as a citizens' advisory committee to assist or collaborate with the Planning Board in its duties, but such person or persons shall have no power to vote or take other action required of the Board. Such person or persons shall serve at the pleasure of the Mayor.

Article II. Zoning Board of Adjustment

§ 44-44201. Establishment; eComposition.

A. Members. ~~A Zoning Board of Adjustment~~ There is hereby established a Zoning Board of Adjustment of the City of Hoboken, consisting of seven (7) Class IV members, appointed by the governing body, in accordance with pursuant to N.J.S.A. 40:55D-69, et seq., ~~consisting of seven residents of the City of Hoboken appointed by the City Council to serve for terms of four years from January 1 of the year of their appointment. Members of the Zoning Board of Adjustment shall be appointed by the City Council. The terms of the members first appointed shall be so determined that, to the greatest practicable extent, the expiration of such terms shall be evenly distributed over the first four years. Thereafter, the term of each member shall be for four years. Nothing in this chapter shall, however, be construed to effect the term of any present members of the Zoning Board of Adjustment, all of whom shall continue in office until the completion of the term for which they were appointed.~~

~~B. No member of the Zoning Board of Adjustment may hold any elective office or position under the municipality.~~

~~C. A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term only.~~

~~D. Alternate members.~~

~~(1) Not more than four alternate members, who shall meet the qualifications of Class IV members, may be appointed by the City Council. Such alternate members shall be designated at the time of appointment as "Alternate No. 1", "Alternate No. 2", "Alternate No. 3" and "Alternate No. 4." The terms of the alternate members shall be for two years, except that such terms shall be such that the term of not more than one alternate member shall expire in any one year; provided, however, that in no instance shall the term of the alternate member first appointed exceed two years. A vacancy occurring otherwise than by expiration of term shall be filled by the appointing authority for the unexpired term only.~~

~~(2) Alternate No. 1 shall have a term expiring December 31, 2011. Alternate No. 2 shall have terms expiring on December 31, 2010. Alternate No. 3 shall have a term expiring December 31, 2011 and Alternate No. 4 shall have a term expiring on December 31, 2010. Thereafter, the terms of the alternate members shall be for two years, and the terms of not more than two alternate members shall expire in any one year.~~

~~(3) A vacancy occurring otherwise than by expiration of term shall be filled by the appointing authority for the unexpired term only.~~

~~(4) Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of any regular member of the Board. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, alternate members shall vote in the order of their numerical designations.~~

B. Alternate members.

- (1) Not more than four (4) alternate members, who shall meet the qualification of Class IV members, may be appointed by the governing body. Such alternate members shall be designated at the time of appointment as "Alternate No. 1", "Alternate No. 2", "Alternate No. 3" and "Alternate No. 4".
 - (2) Alternate members may participate in discussions of the proceedings but may not vote, except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, alternates shall vote in their order of appointment: Alternate No. 1 first, Alternate No. 2 second, and so on.
- C. Substitute members. If the Zoning Board lacks a quorum because regular or alternate members are prohibited from acting on a matter due to the member's personal or financial interest therein. Class IV members of the Planning Board shall be called upon to serve as substitute members in accordance with N.J.S.A. 40:55D-69.1.
- D. No member of the Zoning Board of Adjustment shall hold any municipal office, position or employment.

§ 44-202. Terms of Office.

- A. The term of all Class IV members shall be four years. The terms of the members first appointed shall be so determined that, to the greatest practicable extent, the expiration of such terms shall be distributed evenly over the first four years after their appointment, provided, however, that no term of any member shall exceed four years. Thereafter, all Class IV members shall be appointed for terms of four years. Nothing herein shall affect the term of any present member of the Zoning Board of Adjustment, all of whom shall continue in office until the completion of the terms for which they were appointed. All terms shall run from January 1 of the year in which the appointment is made.
- B. The term of all Alternate members shall be two years. Expiration of such terms shall be distributed such that not more than two alternate members shall expire in any one year.

§ 44-203. Vacancies.

If a vacancy of any Class IV or Alternate shall occur otherwise than by expiration of terms, it shall be filled by appointment as above provided for the unexpired terms.

§ 44-204. Officers, Organization.

- A. The Board of Adjustment shall elect a Chairman and Vice Chairman from its Class IV members and shall also select a Secretary, who may be a Board member or another municipal employee in accordance with N.J.S.A. 40:55D-69.
- B. The Zoning Board of Adjustment shall select a secretary who may be either a member or alternate member of the Zoning Board or a municipal employee designated by it.
- C. There is hereby created the position of Zoning Board Attorney. The Zoning Board may annually appoint, fix the compensation of, or agree upon the rate of compensation of the Zoning Board Attorney, who shall be an attorney other than the Municipal Attorney.
- D. The Zoning Board of Adjustment may also employ or contract for the services of experts and other staff and services as it may deem necessary. The Zoning Board shall not, however, exceed, exclusive of gifts or grants, the amount appropriated by the governing body for its use unless a court of competent jurisdiction finds the appropriation to be unreasonable.

§ 44-13. Board of Adjustment Attorney.

~~There is hereby created the office of Attorney to the Zoning Board of Adjustment. The Zoning Board of Adjustment may annually appoint, fix the compensation of or agree upon the rate of compensation of the Zoning Board of Adjustment Attorney, who shall be an attorney other than the Municipal Attorney.~~

§ 44-14. Experts and staff.

The Zoning Board of Adjustment may also employ or contract for and fix the compensation of such experts and other staff and services as it may deem necessary. The Board shall not authorize expenditures which exceed, exclusive of gifts or grants, the amount appropriated by the governing body for its use.

§ 44-15~~205~~. Promulgation of ~~r~~Rules and ~~r~~Regulations.

The Board shall adopt such rules and regulations as may be necessary to carry into effect the provisions and purposes of this chapter. In the issuance of subpoenas, administration of oaths and taking of testimony, the provisions of the County and Municipal Investigations Law of 1953 (N.J.S.A. 2A:67A-1, et seq.) shall apply.

§ 44-16~~206~~. Powers and ~~d~~Duties of the Zoning Board of Adjustment.

- A. The powers of the Zoning Board of Adjustment shall be in accordance with N.J.S.A. 40:55D-69, et seq. and amendments and supplements thereto and with the provisions of this chapter.
- B. It is further the intent of this chapter to confer upon the Zoning Board of Adjustment as full and complete powers as may lawfully be conferred upon such Board, including, but not by way of limitation, the authority, in connection with any case, action or proceeding before the Board, to interpret and construe the provisions of this chapter or any term, clause, sentence or word hereof and the Zoning Map, in accordance with the general rules of construction, applicable to legislative enactments.
- C. The Board may, in appropriate cases and subject to appropriate conditions and safeguards, grant variances from the terms of Chapter 196, Zoning, in accordance with the general or specific rules contained herein and with the general rules hereby laid down, that equity shall be done in cases where the strict construction of the provisions of that chapter would work undue hardship. The powers and duties of the Board having been delegated to and imposed upon it by statute, the Board shall in all cases follow the provisions applicable to it in N.J.S.A. 40:55D-1, et seq. or subsequent statutes in such case made and provided, and it shall from time to time furnish to any person requesting the same a copy of its rules and information as to how appeals or applications may be properly filed with the Board for its decision thereon. ~~when acting upon applications for preliminary or minor subdivision and preliminary site plan approval, shall have the power to grant such exceptions from the requirements for such approval as may be reasonable and within the general purpose and intent of the provisions for preliminary or minor subdivision and site plan review, as well as this chapter, if the literal enforcement of one or more provisions of this chapter is impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question, and it shall, from time to time, furnish to any person requesting the same a copy of its rules and information as to how appeals or applications may properly be filed with the Board for its decision thereon.~~
- D. The Board shall annually review its decisions and prepare and adopt by resolution a report of its findings on Zoning Ordinance provisions, which were the subject of variance requests, and its recommendations for Zoning Ordinance amendments, if any. Copies of the report and resolution shall be submitted to the City Council and the Planning Board.

§ 44-17~~207~~. Appeals and ~~a~~Applications.

- A. Appeals to the Board of Adjustment may be taken by any interested party affected by any from a decision or action by of the Zoning Officer in regard to the based on or made in the enforcement of Chapter 196, Zoning, Ordinance or Official Map, including the denial of a certificate of zoning compliance or the issuance of the same subject to conditions based upon the report of the Historic Preservation Commission. Each appeal shall be taken within the 20 days prescribed by the statute by filing a notice of appeal with the Zoning Officer from whom the appeal is taken, together with three (3) copies of said notice with the Secretary of the Board of Adjustment. Said notice of appeal shall specify the grounds for said appeal. The Zoning Officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.
[Amended 3-20-1991 by Ord. No. P-136]

- B. Applications addressed to the original jurisdiction of the Board of Adjustment without prior application to the ~~Building Subcode Official~~ Zoning Officer shall be filed with the Secretary of the Zoning Board of Adjustment at least 25 days before the monthly meeting of the Board. The applicant shall obtain all necessary forms from the Secretary of the Board, who shall inform the applicant of the steps to be taken to initiate applications and of the regular meeting dates of the Board. A complete application shall mean an application certified as complete by the Secretary of the Board in consultation with the Board's professionals and the applicable municipal commissions; pursuant to §44-304. ~~Three copies of the application shall be filed. At the time of filing the appeal or application, but in no event less than 10 days prior to the date set for hearing, the applicant shall also file all plot plans, maps or other papers required by virtue of any provision of this chapter or any rule of the Board of Adjustment. The applicant shall obtain all necessary forms from the Secretary of the Zoning Board of Adjustment. The Secretary of the Board shall inform the applicant of the steps to be taken to initiate proceedings and of the regular meeting dates of the Board.~~
- C. An appeal to the Board of Adjustment stays all proceedings in furtherance of the action in respect of which the decision appealed from was made, unless the officer from whom the appeal is taken certifies to the Board of Adjustment, after the notice of appeal shall have been filed with ~~him~~ said officer, that, by reason of facts stated in the certificate, a stay would, in ~~his~~ said officer's opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by an restraining order, ~~which may be granted by the Board of Adjustment or by~~ of the Superior Court of New Jersey on application or notice to the officer from whom the appeal is taken and on due cause shown.

§ 44-18208. Power to ~~r~~Reverse or ~~m~~Modify ~~d~~Decisions.

In exercising the above-mentioned power, the Board of Adjustment may, in conformity with the provisions of P.L. 1975, c. 294 N.J.S.A. 40:55D-1, et seq., or amendments thereto or subsequent statutes applying, reverse or affirm wholly or partly in part, or may modify the order, requirement, decision or determination appealed from, and make such other, requirement, decision or determination as ought to be made, and, to that end, have all the powers of the administrative officer from whom the appeal was taken.

§ 44-19209. Expiration of variance.

Any variance from the terms of ~~this~~ Chapter 196, Zoning, hereafter granted by the Board of Adjustment, permitting the erection or alteration of any structure or structures or permitting a specified use of any premises, shall expire by limitation, unless such construction or alteration shall have been actually commenced on each and every structure permitted by said variance or unless such permitted use has actually been commenced, within one (1) year from the date of publication of the notice of the judgment or determination of the Board of Adjustment, except, however, that the running of the period of limitation herein provided shall be tolled from the date of filing an appeal from the decision of the Board of Adjustment to the governing body or to a court of competent jurisdiction, until the termination in any manner of such appeal or proceeding. The Board of Adjustment, upon written request of the developer, and for good cause shown, may grant an extension of time beyond the one (1) year limitation, up to but not exceeding two additional years.

§ 44-20210. Powers granted by law.

- A. The Board of Adjustment shall have such powers as are granted by law, including but not limited to:
- (1) To hear and decide appeals ~~where it is alleged by the appellant that there is error in any order, requirement, decision or refusal made by an administrative official or agency based on or made in the enforcement of the Zoning Ordinance~~ pursuant to section §44-207.
 - (2) To hear and decide requests for interpretations of the Zoning Mmap or Zoning Ordinance, or for decisions upon other special questions upon which such Board is authorized by the Chapter 196, Zoning Ordinance to pass.
 - (3) Variances.

(a) Where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property; or by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property; or by reason of an extraordinary and exceptional situation, uniquely affecting a specific piece of property, or the structures lawfully existing thereon, the strict application of any regulation in ~~the Zoning Ordinance~~ [Chapter 196 Zoning](#) would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the owner of such property, to grant upon an application or an appeal relating to such property, a variance from such strict application [of such regulation](#) so as to relieve such difficulties or hardship.

(b) Where in an application or appeal relating to a specific piece of property the purposes of ~~this act~~ [the Municipal Land Use Law \(N.J.S.A. 40:55D-1, et seq.\)](#) would be advanced by a deviation from the [requirements of Chapter 196, Zoning Ordinance](#) requirements and the benefits of the deviation would substantially outweigh any detriment, to grant a variance to allow departure from [regulations pursuant to Chapter 196, the Zoning Ordinance](#); provided, however, that no variance from those departures enumerated in Subsection A(54) of this section shall be granted under this subsection, and further provided that the proposed development does not require approval by the Planning Board of a subdivision, site plan or conditional use in conjunction with which the Planning Board has power to review a request for a variance pursuant to ~~Section 47a of the Municipal Land Use Law of 1975, P.L. 1975, c. 294~~ [§44-105.J](#).

(4) In particular cases and for special reasons, to grant a variance to allow departure from regulations pursuant to ~~Article 8 of P.L. 1975, c. 294~~ [Chapter 196, Zoning](#), to permit a use or principal structure in a district restricted against such use or principal structure; an expansion of a nonconforming use; deviation from a specification or standard ~~under the Zoning Ordinance~~ pertaining solely to a conditional use; an increase in the permitted floor area ratio; or an increase in the permitted density, except as applied to the required lot area for a lot or lots for detached one- or two-dwelling-unit buildings, which lot or lots are either an isolated undersized lot or lots resulting from a minor subdivision; [or a height of a principal structure which exceeds by 10 feet or 10% maximum height permitted in the district for a principal structure](#). A variance under this subsection shall be granted only by affirmative vote of at [least five \(5\) members](#).

B. No variance or other relief may be granted under the provisions of this section unless such variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance. Any application under any subsection of this section may be referred to any appropriate person or agency, [including the Planning Board, Historic Preservation Commission, Shade Tree Commission, Environmental Commission and/or any Municipal Department](#), for its report, provided that such reference shall not extend the period of time within which the Zoning Board of Adjustment shall act.

§ 44-24211. Additional powers.

A. The Zoning Board of Adjustment shall, in addition to the powers specified in § 44-20210 ~~of this Article~~, have power given by law [in accordance with N.J.S.A. 40:55D-76, as amended and supplemented](#), to:

- (1) Direct issuance of a permit pursuant to N.J.S.A. 40:55D-34 for a building or structure in the bed of a mapped street or public drainage way, flood-control basin or public area reserved on the Official Map.
- (2) Direct issuance of a permit pursuant to N.J.S.A. 40:55D-365 for a building or structure not related to a street.
- (3) Grant to the same extent and subject to the same restrictions as the Planning Board, subdivision or site plan approval pursuant to ~~Article 6 of P.L. 1975, c. 294~~ [N.J.S.A. 40:55D-37, et seq.](#), or conditional use approval pursuant to N.J.S.A. 40:55D-67 whenever the Board is reviewing an

application for approval of a use variance pursuant to ~~Article II, § 44-20A(5)~~ §44-210.A of this chapter.

- B. The developer may elect to submit a separate application requesting approval of the variance and a subsequent application for any required approval of a subdivision, site plan or conditional use. The separate approval of the variance shall be conditioned upon the granting of all required subsequent approvals by the Board of Adjustment. No such subsequent approval shall be granted unless such approval can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the Zone Plan and Zoning Ordinance. The number of votes of Board members required to grant any such subsequent approval shall be as otherwise provided in this chapter for the approval in question, and the special vote pursuant to §44-210.A(4) hereof shall not be required.
- C. ~~An application under this section shall be referred to the Planning Board for its report on such subdivision, site plan or conditional use application.~~

§ 44-22212. Time for ~~of~~ Decision.

- A. The Board of Adjustment shall render its decision not later than 120 days after the date an appeal is taken from the decision of an administrative officer; or from the date the submission of a complete an application for development is deemed complete to the Board pursuant to the provisions of N.J.S.A. 40:55D-70**2b**. Failure of the Board to render a decision within such one-hundred-twenty-one-day period or within such further times as may be consented to by the applicant shall constitute a decision favorable to the applicant.
- B. ~~Failure of the Board to render a decision within such thirty-day period or within such further time as may be consented to by the applicant shall constitute a decision favorable to the applicant.~~
 - B. In the event that the developer elects to submit separate consecutive applications, the aforesaid provision shall apply to the application for approval of the variance. The period for granting or denying any subsequent approval shall be as otherwise provided in this chapter. Failure of the Board of Adjustment to act within the period prescribed shall constitute approval of the application, and a certificate of the Administrative Officer as to the failure of the Board of Adjustment to act shall be issued on request of the applicant, and it shall be sufficient in lieu of the written endorsement of other evidence of approval herein required, and shall be so accepted by the County Recording Officer for purposes of filing subdivision plats.
- C. Whenever review of approval of the application by the County Planning Board is required by N.J.S.A. 40:27-6.3, in the case of a subdivision, or N.J.S.A. 40:27-6.6, in the case of a site plan, the Board of Adjustment shall condition any approval that is grants upon timely receipt of a favorable report on the application by the County Planning Board or approval by the County Planning Board by its failure to report thereon within the required time.

§44-213. Appeal of Zoning Board of Adjustment Decision.

- A. Any interested party may appeal to the governing body any final decision of the Board of Adjustment approving a "d" variance application for development, pursuant to N.J.S.A. 40:55D-17.
- B. Appeal shall be made within 10 days of the date of publication of such final decision of the Board of Adjustment by serving the municipal clerk, in person or by certified mail, with a notice of appeal specifying the grounds thereof and the name and address of the appellant and name and address of his or her attorney, if represented. Such appeal shall be decided by the governing body only upon the record established before the Board of Adjustment.
- C. Notice of hearings and required documents shall be provided in accordance with N.J.S.A. 40:55D-17.
- D. The governing body shall conclude its review of the record not later than 95 days from the date of publication of the decision of the Board of Adjustment. The governing body may reverse, remand or affirm, with or without the imposition of conditions, the final decision of the Board of Adjustment

approving such variance. The review shall be made on the record before the Board of Adjustment. The affirmative vote of a majority of the full authorized membership of the governing body shall be necessary to reverse, remand or affirm, with or without conditions, any final action of the Board of Adjustment.

- E. Any appeal to the governing body shall stay all proceedings in furtherance of the action in respect to which the decision was made, unless the Board certifies to the governing body, that by reason of facts stated in a certificate, a stay would, in its opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed other than by an order of the Superior Court on application upon notice to the Board from whom the appeal is taken and on good cause shown.

Article III. Provisions Applicable to Both Planning Board and Zoning Board of Adjustment and ~~Historic Preservation Commission~~

§ 44-23301. Conflicts of interest.

No member of the ~~municipal agency~~ Planning Board or Zoning Board of Adjustment shall act on any matter in which ~~he~~ that member has, either directly or indirectly, any personal or financial interest. Whenever any such member shall disqualify himself or herself from acting on a particular matter, he or she shall not continue to sit with the ~~municipal agency~~ Board on the hearing of such matter nor participate in any discussion or decisions relating thereto.

§ 44-24302. Meetings.

- A. Meetings of both the ~~municipal agency~~ Planning Board and Zoning Board of Adjustment shall be scheduled no less often than once a month, and any meeting so scheduled shall be held as scheduled unless cancelled for lack of applications for development to process or for lack of a quorum.
- B. Special meetings may be provided for at the call of the Chairman ~~or~~ on the request of any two ~~agency~~ Board members, which shall be held on notice to its members and the public in accordance with all applicable legal requirements.
- C. No action shall be taken at any meeting without a quorum being present.
- ~~D.~~ All actions shall be taken by a majority vote of the members of the municipal agency present at the meeting, except as otherwise required by any provision of P.L. 1975, c. 291 the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., or this chapter. Failure of a motion to receive the number of votes required to approve an application for development ~~pursuant to the exceptional vote requirements of Section 44-125 of the Municipal Land Use Act, N.J.S.A. 40:55D-34, or Article II, Section 44-110.d,~~ shall be deemed an action denying the application. ~~A member of the municipal agency who is absent from any hearing shall be eligible to vote on the matter upon which the hearing was conducted upon certifying, in writing, to the municipal agency that he has read the transcript or listened to the recording of all the hearing from which he was absent.~~
- E. All regular meetings and all special meetings shall be open to the public. Notice of all such meetings shall be given in accordance with the requirements of the Open Public Meetings Law, P.L. 1975, c. 231, N.J.S.A. 10:4-6, et seq.
- F. A member of a Board who was absent for one or more of the meetings at which a hearing was held shall be eligible to vote on the matter upon which the hearing was conducted, notwithstanding his or her absence from one or more of the meetings; provided, however, that such Board member has available to him or her the transcript or recording of all the hearings from which he or she was absent and certifies in writing to the Board that he or she has read such transcript or listened to such recording.

§ 44-25303. Minutes.

Minutes of every regular or special meeting shall be kept and shall include the names of the persons appearing and addressing the ~~municipal agency~~ Board and of the persons appearing by attorney, the action

taken by the ~~municipal agency~~ Board, and the findings, if any, made by it and reasons therefor. The minutes shall thereafter be made available for public inspection during normal business hours at the Board office, ~~of the administrative officer~~. Any interested party shall have the right to compel production of the minutes for use as evidence in any legal proceeding concerning the subject matter of such minutes. Such interested party may be charged a reasonable fee for reproduction of the minutes for his use, as provided for in the rules of the ~~municipal agency~~ Board.

§ 44-26304. Applications Procedures.

An application for development shall mean an application and checklists, on standard forms available in the Board office, on the City's web site, and attached to this Chapter and made a part hereof as Appendix A. Applications shall be filed with the Secretary of the Board at least 25 days before the monthly meeting of the Board. The Secretary of the Board shall certify the application as complete only after the application, checklist and all documents required by the checklist, fees and escrow have been received. On all applications involving a site plan, subdivision or conditional use, the applicant shall be provided with the checklist covering such application set forth in the appendix to this chapter. An application shall be deemed complete upon certification of such fact by the municipal agency or its designee. In the event that an application is not certified as complete within 45 days of its submission, it shall be deemed complete for purposes of commencing the applicable time period for action by the ~~municipal agency~~ Board, unless the application lacks information indicated on the checklist or application form and the municipal agency has notified the applicant, in writing, of such deficiency, within 45 days of submission of the application. The applicant may request a waiver from one or more of the submission requirements, which waiver request shall be granted or denied within 45 days. Nothing herein shall be construed as diminishing the applicant's obligation to prove in the application process that he is entitled to approval of the application. The municipal agency ~~Board~~, at its discretion, may subsequently require correction of any information found to be in error; and submission of additional information not specified in this chapter; or any revisions ~~in to~~ the accompanying documents as are reasonably necessary to make an informed decision as to whether the requirements necessary for approval of the application for development have been met. The application shall not be deemed incomplete for lack of any such additional information or any revisions in the accompanying documents so required by the municipal agency. All applications in the Historic District shall be referred to the Historic Preservation Commission for its recommendation and report. Any application for a property located within a historic district or one which is designated a Historic Site in Chapter 42 of the Code, shall be referred to the Historic Preservation Commission for its consideration and recommendations, which shall be submitted in writing to the Planning Board or Zoning Board of Adjustment prior to the reviewing Board's hearing of the application.

§ 44-27305. Application Fees and Escrow Deposits.

~~Fees for applications or for the rendering of any service by the municipal agency or any member of its administrative staff shall be as set forth in this chapter, the Zoning Ordinance of the City of Hoboken or the Land Subdivision Ordinance of the City of Hoboken.~~

- A. Pursuant to N.J.S.A. 40:55D-8(b), the City shall be reimbursed for the administrative costs associated with a development application from application fees.
- B. Pursuant to N.J.S.A. 40:55D-53.1 and 2, the City is further entitled to offset the costs of professional services engendered by a development application from escrow deposits.
 - (1) Escrow deposits shall be in addition to the application fees and shall be used by the municipal agency to pay professionals for services rendered for review of applications for development, review and preparation of documents, inspection of improvements or other purposes under the provisions of the Municipal Land Use Law. The application review and inspection charges shall be limited only to professional charges for review of applications, review and preparation of documents and inspections of developments under construction and review by outside consultants when an application is of a nature beyond the scope of expertise of the professionals normally utilized by the municipality. The only cost that shall be added to any such charges shall be actual out-of-pocket expenses of such professionals or consultants, including normal and typical expenses incurred in processing applications and inspecting improvements. No applicant shall be charged, from escrow for any municipal, clerical or administrative functions, overhead expenses, meeting room charges

or any of the municipal costs and expenses except as provided for specifically by statute, nor shall a municipal professional add any such charge to his or her bill.

(2) The City shall be entitled to be reimbursed for the review of applications, both as to completeness and as to content; for the review and preparation of documents, such as, but not limited to, drafting resolutions, developer's agreements and necessary correspondence with applicant or applicant's professionals.

(3) If review costs exceed the escrow deposited, the applicant shall pay the additional amount within fifteen (15) days of the request for additional funds. Failure to remit the additional required deposit within the requested timeline shall render the application incomplete, and no further action or proceedings shall be taken by the reviewing Board until after compliance. Where the review costs are less than the amount of the escrow deposit, the difference shall be returned to the applicant within one-hundred-twenty (120) days of final disposition of the application.

C. A schedule of application fees and escrow deposits shall be adopted by the governing body and attached hereto as Appendix B.

D. An application shall be deemed to be incomplete until all application fees and escrow deposits are submitted. Fees and escrow shall be submitted as separate checks, payable to the City of Hoboken, in the amounts indicated on the fee schedule. Where more than one fee category applies, the fee shall equal the combined total of fees required for each type of application.

§ 44-28306. Hearings.

- A. Rules. The ~~municipal agency~~ Planning Board and Zoning Board of Adjustment shall make rules governing the conduct of hearings before such bodies, which rules shall not be inconsistent with the provisions of N.J.S.A. 40:55D-1, et seq. or of this chapter.
- B. Oaths. The officer presiding at the hearing or such person as he or she may designate shall have the power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant evidence, including witnesses and documents presented by the parties, and the provisions of the County and Municipal Investigations Law, ~~P.L. 1953, c. 38~~ (N.J.S.A. 2A:67A-1, et seq.), shall apply.
- C. Testimony. The testimony of all witnesses relating to an application for development shall be taken under oath or affirmation by the presiding officer, and the right of cross-examination shall be permitted to all interested parties through their attorneys, if represented, or directly, if not represented, subject to the discretion of the presiding officer and to reasonable limitations as to time and number of witnesses.
- D. Evidence. Technical rules of evidence shall not be applicable to the hearing, but the municipal agency may exclude irrelevant, immaterial or unduly repetitious evidence.
- E. Records. Each ~~municipal agency~~ Board shall provide for the verbatim recording of the proceedings by either stenographer, mechanical or electronic means. The municipal agency shall furnish a transcript or duplicate recording in lieu thereof on request to any interested party at his or her expense. All transcripts shall be certified in writing by the transcriber to be accurate.

§ 44-29307. Notice ~~r~~Requirements for ~~h~~Hearing.

Whenever notice is required on an application for development pursuant to N.J.S.A. 40:55D-1, et seq. or pursuant to the determination of the municipal agency in question, the applicant shall give notice thereof as follows:

- A. Public notice shall be given by publication in the official newspapers s of the municipality, ~~if there is one, or in a newspaper of general circulation in the municipality~~ at least 10 days prior to the date of the hearing. for the following applications for development:

- [\(1\) Any request for a variance from the requirements of Chapter 196, Zoning.](#)
 - [\(2\) Any request for conditional use approval.](#)
 - [\(3\) Any request for minor site plan approval or preliminary approval of a major site plan.](#)
 - [\(4\) Any request for a minor subdivision approval.](#)
 - [\(5\) Any request for preliminary approval of a major subdivision.](#)
 - [\(6\) Any request for the issuance of a permit to build within the bed of a mapped street, public drainage-way, flood control basin or public area reserved on the Official Map, or in a lot not abutting a street.](#)
- B. Notice shall be given to the owners of all real property as shown on the current tax duplicate or duplicates located within 200 feet in all directions of the property which is the subject of such hearing and whether located within or without the municipality in which the applicant's land is located. Such notice shall be given by serving a copy thereof on the owner as shown on said current tax duplicate or his/[her/their](#) agent in charge of the property; or by mailing a copy thereof, by certified mail, to the property owner at his/[her/their](#) address as shown on said current tax duplicate. A return receipt is not required. Notice to a partnership owner may be made by service upon any partner. Notice to a corporate owner may be made by service upon its President, a Vice President, Secretary or other person authorized by appointment or by law to accept service on behalf of the corporation. [Notice to a limited liability company may be made by service upon any member thereof.](#)
- C. Notice of all hearings on applications for development involving property located within 200 feet of an adjoining municipality shall be given by personal service or certified mail to the Clerk of such municipality, which notice shall be in addition to the notice required to be given pursuant to Subsection B of this section to the owners of lands in such adjoining municipality which are located within 200 feet of the subject premises.
- D. Notice shall be given by personal [al](#) service or certified mail to the [Hudson](#) County Planning Board of a hearing on an application for development of property adjacent to an existing county road or proposed road shown on the Official County Map or on the County Master Plan adjoining other county land or situated within 200 feet of a municipal boundary.
- E. Notice shall be given by personal service or certified mail to the Commissioner of Transportation of a hearing on an application for development of property adjacent to a state highway.
- F. Notice shall be given by personal service or certified mail to the State Planning Commission of hearing on an application for development of property which exceeds 150 acres or 500 dwelling units. Such notice shall include a copy of any maps or documents required to be on file with the municipal agency, [pursuant to N.J.S.A. 40:55D-10.](#)
- G. All notices hereinabove specified in this section shall be given at least 10 days prior to the date fixed for a hearing, and the applicant shall file an affidavit of proof of service with the ~~municipal agency~~ [Board](#) holding the hearing on the application for development at least one [business](#) day before the [date of the](#) hearing. [Notice pursuant to subsections C, D, E and F of this section shall not be deemed to be required unless public notice pursuant to N.J.S.A. 40:55D-12a and b is required.](#)
- H. Any notice made by certified mail as hereinabove required shall be deemed to be completed upon mailing in accordance with the provisions of N.J.S.A. 40:55D-14.
- I. Form of notice. All notices required to be given pursuant to the terms of this chapter shall state the particular municipal agency before which the hearing is to be held, the date, time and place of the hearing, the nature of the matters to be considered, including a general description of the development, the developmental approval and each variance sought, and identification of the property proposed for development by street address, if any, and by reference to lot and block numbers as shown on the

current tax duplicate in the Municipal Tax Assessor's office and the location and times at which any maps and documents for which approval is sought are available as required by law.

- J. ~~Applications before the Historic Preservation Commission shall not require notice unless requested by the Commission.~~ [Deleted pursuant to Historic Preservation Ord. Z-196 adopted 08/15/2012.]

§ 44-30308. List of pProperty eOwners fFurnished.

Pursuant to the provisions of N.J.S.A. 40:55D-12c, the Board Secretary shall, within seven (7) days after receipt of a request therefor and upon receipt of payment of a fee of \$10, make and certify a list from the current tax duplicate of names and addresses of owners to whom the applicant is required to give notice pursuant to § 44-29307B.

§ 44-34309. Decisions.

- A. ~~Each decision on any application for development shall be set forth, in writing, as a resolution of the municipal agency which will include findings of fact and legal conclusions based thereon.~~ The Planning Board and the Zoning Board of Adjustment shall include findings of fact and conclusions based thereon in each decision on any application for development and shall reduce the decision to writing.
- B. The ~~municipal agency~~ reviewing Board shall provide the findings and conclusions through a resolution adopted at a meeting held within the time period provided ~~in the Act~~ pursuant to N.J.S.A. 40:55D-1, et seq. for action by the ~~municipal agency Board~~ Board on the application for development or a memorializing resolution adopted at a meeting held not later than 45 days after the date of the meeting at which the municipal agency voted to grant or deny approval.
- C. Only the members of the ~~municipal agency~~ reviewing Board who voted for the action taken may vote on the memorializing resolution, and the vote of a majority of such members present at the meeting at which the resolution is presented for adoption shall be sufficient to adopt the resolution. An action pursuant to this section, ~~Section 5 of the Act (N.J.S.A. 40:55D-9)~~, resulting from the failure of a motion to approve an application, shall be memorialized by resolution as provided above, with those members voting against the motion for approval being the members eligible to vote on the memorializing resolution. The vote on any such resolution shall be deemed to be a memorialization of the action of the ~~municipal agency Board~~ Board; ~~and not to be an action of the municipal agency~~; however, the date of the adoption of the resolution shall constitute the date of the decision for purposes of the mailings, filings and publications required by ~~Subdivisions h and i of N.J.S.A. 40:55D-10~~ § 44-309E and § 44-310.
- D. If the ~~municipal agency Board~~ Board fails to adopt a resolution or memorializing resolution as hereinabove specified, any interested party may apply to the Superior Court in a summary manner for an order compelling the ~~municipal agency Board~~ Board to reduce its findings and conclusions to writing within a stated time, and the cost of the application, including attorney's fees, shall be assessed against the municipality.
- E. A copy of the decision shall be mailed by the ~~municipal agency Board~~ Board within 10 days of the date of decision to the applicant or, if represented, then to his or her attorney, without separate charge. A copy of the decision shall also be mailed to all persons who have requested it and who have paid the fee prescribed by the ~~municipal agency Board~~ Board for such service. A copy of the decision shall also be filed in the office of the ~~Zoning Officer~~ Planning Board or Board of Adjustment, who shall make a copy of such filed decision available to any interested party upon payment of a fee calculated in the same manner as those established for copies of other public documents in the municipality.
- F. Whenever review of approval of the application by the County Planning Board is required by N.J.S.A. 40:27-6.3, in the case of a subdivision, or N.J.S.A. 40:27-6.6, in the case of a site plan, the Planning Board of Board of Adjustment shall condition any approval that it grants upon timely receipt of a favorable report on the application by the County Planning Board or approval by the County Planning Board by its failure to report thereon within the required time period.

§ 44-32310. Publication of dDecision.

A brief notice of the decision shall be published within 10 days of the date of the decision in the official newspapers of the municipality, if there is one, or in a newspaper of general circulation in the municipality. Such publication shall be arranged by the applicant. Proof of publication shall be filed with the Secretary of the municipal agency Board immediately following the same.

§ 44-33311. Payment of Taxes.

Pursuant to the provisions of N.J.S.A. 40:55D-39 and N.J.S.A. 40:55D-65, every application for development submitted to the municipal agency Planning Board or Zoning Board of Adjustment shall be accompanied by proof that no taxes or assessments for local improvements are due or delinquent on the property which is the subject of such application or, if it is shown that taxes or assessments are delinquent on said property, any approvals or other relief granted by either Board shall be conditioned upon either the prompt payment of such taxes or assessments or the making of adequate provision for the payment thereof in such manner that the municipality will be adequately protected.

§ 44-312. Dismissal of Inactive Applications.

- A. Applications that have not been deemed complete within six months of the submission date will be dismissed without prejudice.
- B. Applications that have been deemed complete shall be scheduled for a hearing before the appropriate board within the time of action stated in the Municipal Land Use Law. If an applicant fails to appear when scheduled before a board and the time for action pursuant to the Municipal Land Use Law will expire before the next regularly scheduled Planning Board or Board of Adjustment meeting, the application will be dismissed without prejudice.
- C. Extensions on the time for action may be granted for no more than one year from the required time for action, after which the application will be dismissed without prejudice.

Article IV. Appeals

~~§ 44-34. Appeals from decisions of Zoning Board of Adjustment.~~

~~Any appeal from the final decision of the Board of Adjustment approving a D variance may be taken to the governing body in accordance with N.J.S.A. 40:55D-17. The governing body may reverse, remand or affirm, with or without the imposition of conditions, the final decision of the Board of Adjustment approving such variance. The review shall be made on the record before the Board of Adjustment. The affirmative vote of a majority of the full authorized membership of the governing body shall be necessary to reverse, remand or affirm, with or without conditions, any final action of the Board of Adjustment. Any appeal to the governing body shall stay all proceedings in furtherance of the action in respect to which the decision was made, unless the Board certifies to the governing body, after filing of the notice of appeal, that by reason of facts stated in a certificate a stay would cause imminent peril to life or property. In such case, there shall be no stay other than by order of the Superior Court on application upon notice to the Board.~~

Article IV. [Reserved]

Article V. [Reserved]

[NOTE: Article V, Historic Preservation Commission is already deleted pursuant to adoption of Ordinance No. Z-196 on 08/15/2012. Article V should be held in reserve should the city wish to establish an Environmental Commission or a Construction Board of Appeals.]

Article VI. Miscellaneous Provisions

§ 44-47601. Definitions.

Whenever a term is used in this chapter which is defined in ~~P.L. 1975, c. 291~~ [the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq. or in Chapter 196, Zoning, of the Code of the City of Hoboken](#), such term is intended to have the meaning set forth in the definition of such term found in said statute, unless a contrary intention is clearly expressed from the context of this chapter. [The term "administrative officer" for all purposes under the Municipal Land Use Law and under this chapter shall mean the Secretary of the Planning Board or the Secretary of the Zoning Board of Adjustment, as the case may be, unless another official is specified herein.](#)

§ 44-48~~602~~. Repealer[Interpretation.](#)

~~All sections of the Land Subdivision Ordinance, Zoning Ordinance, Site Plan Review Ordinance or any other ordinance of the City of Hoboken which contains provisions contrary to the provisions of this chapter shall be and are hereby, to the extent of such inconsistency, repealed.~~

[This chapter shall be read and interpreted in pari materia with the Municipal Land Use Law, N.J.S.A. 40:55d-1, et seq. as amended, the Zoning Ordinance of the City of Hoboken \(Chapter 196\), and the Subdivision of Land Ordinance of the City of Hoboken \(Chapter 34\), as amended.](#)

§ 44-49. ~~Provisions continued.~~

~~The substantive provisions of the existing Land Subdivision Ordinance adopted April 1, 1959, and the Zoning Ordinance of the City of Hoboken adopted August 1979 and the development regulations set forth therein shall continued in full force and effect.~~

§ 44-50~~603~~. Pending a[Applications.](#)

All applications for development filed prior to the effective date of this chapter may be continued [under the provisions of the prior statute](#), but any appeals arising out of decisions made on any such application shall be governed by the provisions of ~~Article IV~~ [§ 44-213](#) of this chapter.

§ 44-51. ~~Title.~~

~~This chapter shall be known and may be cited as the "Land Use Procedures Ordinance of the City of Hoboken."~~

§ 44-52~~604~~. Copy to be filed with County Planning Board[Filing of Copy.](#)

Immediately upon adoption of this chapter, the Municipal Clerk shall file a copy of this chapter with the [Hudson](#) County Planning Board, as required by law. The Clerk shall also file with said [Hudson](#) County Planning Board copies of all other ordinances of the municipality relating to land use, ~~such as the Subdivision Ordinance~~[which have heretofore not been filed.](#)

§ 44-53. ~~Interpretation.~~

~~This chapter shall be read and interpreted in pari materia with the Municipal Land Use Law, as amended, P.L. 1975, c. 291, the Zoning Ordinance of the City of Hoboken, adopted August 1979, and the Land Subdivision Ordinance of the City of Hoboken, approved April 1, 1959, as amended. Immediately upon adoption of this amended chapter, the Municipal Clerk shall file a copy of this amended chapter with the County Planning Board as required by law.~~

§ 44-54. ~~When effective.~~

~~This chapter shall take effect on final adoption and publication according to law.~~

SECTION TWO: ADDITIONAL AMENDMENTS

The following Chapters and Sections of the Municipal Code of the City of Hoboken are hereby amended, for consistency with Chapter 44 (as amended); deletions to the current ordinance are noted in ~~strikethrough~~, additions to the current ordinance are noted in underline.

Chapter 34A, "Development Application Checklists" shall be deleted in its entirety.

Chapter 196, ZONING

Article XIV. Zoning Board of Adjustment

~~§ 196-54. Establishment, membership and organization.~~

~~A. Establishment. The Zoning Board of Adjustment shall be continued pursuant to the requirements of Article II of the Land Use Procedures Ordinance of the City of Hoboken. *Editor's Note: See Ch. 44, Land Use Procedures.*~~

~~B. Membership.~~

~~[Amended 1-20-2010 by Ord. No. Z-26]~~

~~(1) The Zoning Board of Adjustment shall consist of seven members appointed by the City Council, subject to the conditions set forth in § 44-11 of the Hoboken City Code and N.J.S.A. 40:55D-69 et seq., concerning length of members' terms, ineligibility of those holding elective or appointive municipal office, exclusion from voting of members having any personal interest, directly or indirectly, in the issue under consideration and other items concerning members' appointment, tenure and conduct.~~

~~(2) The Zoning Board of Adjustment shall include four alternate members appointed by the City Council, subject to the conditions set forth in § 44-11 and N.J.S.A. 40:55D-69 et seq., concerning length of members' terms, ineligibility of those holding elective or appointive municipal office, exclusion from voting by members having any personal interest, directly or indirectly, in the issue under consideration, and other items concerning members' appointment, tenure and conduct.~~

~~C. Organization. The Zoning Board of Adjustment shall elect a Chairman and Vice Chairman from among its members and select a Secretary who may or may not be a member of the Board or a municipal employee.~~

~~§ 196-55. Powers and responsibilities.~~

~~A. Powers. The Zoning Board of Adjustment shall have the powers accorded to it in accordance with N.J.S.A. 40:55D-69 et seq., of the New Jersey Statutes as set forth in Article II of the Land Use Procedures Ordinance of the City of Hoboken *Editor's Note: See Ch. 44, Land Use Procedures.* as follows:~~

~~(1) Hear and decide appeals where it is alleged by the appellant that there is any order, requirement, decision or refusal made by the Zoning Officer or other administrative agency based on or made in the enforcement of the Zoning Ordinance.~~

~~(2) Hear and decide in accordance with the provisions of the Zoning Ordinance requests for interpretation of the Zoning Map or Ordinance or for decisions upon other special questions upon which such Board is authorized to pass by this ordinance.~~

~~(3) Where by reason of exceptional narrowness, shallowness or shape of a specific piece of property or by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property or by reason of other extraordinary or exceptional situations uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of this section would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the developer of such property, grant, upon an application or appeal relating to such property, a variance from such strict application of such regulation so as to relieve such difficulties or hardship. Where in an application or appeal relating to a specific piece of property the purposes of this act would be advanced by a deviance from the requirements of this section and the benefits of such deviation would substantially outweigh any~~

detriment, a variance may be granted to allow departure from the strict interpretation of the regulations of this section. The foregoing is subject to the provision that no variance to permit those departures enumerated in Subsection B of this section shall be granted under this subsection, and provided further that the proposed development does not require approval by the Planning Board of a subdivision, site plan or conditional use in conjunction with which the planning Board has power to review a request for a variance pursuant to the requirements of the Land Use Procedures Ordinance. *Editor's Note: See Ch. 44, Land Use Procedures.*

[Amended 6-21-1989 by Ord. No. P-58]

(4) Grant a variance in particular cases and for special reasons to allow a structure or use in a district restricted against such structure or use, but only by affirmative vote of at least 2/3 of the full authorized membership of the Zoning Board of Adjustment.

B. Responsibilities and limitations.

(1) No variance or other relief may be granted under the terms of this subsection, unless such variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the land use plan and Zoning Ordinance.

(2) On such matters as have not previously been reviewed by the Planning Board, the Zoning Board of Adjustment shall, at least 45 days before the required public hearing of any appeal or application, transmit a copy of such appeal or application to the Planning Board, together with a copy of the notice of such hearing so that the Planning Board may review and submit a report of its opinion prior to the date of such hearing. Planning Board failure to submit such report shall be considered approval of the application or appeal.

(3) The Zoning Board of Adjustment shall prepare an annual report on variances in accordance with the requirements of N.J.S.A. 40:55D-70.1, as specified in Article 9 of the Municipal Land Use Law.

[Added 6-21-1989 by Ord. No. P-58]

§ 196-56. Procedure.

A. Appeals from the Zoning Enforcement Officer. Appeals to the Zoning Board of Adjustment may be taken by any interested party affected by any decision of the Zoning Enforcement Officer of the City based on or made in the enforcement of this chapter or official map. Such appeal shall be taken within 20 days by filing a notice of appeal with the Zoning Enforcement Officer specifying the grounds of such appeal. The Zoning Enforcement Officer shall immediately transmit to the Zoning Board of Adjustment all the papers constituting the record upon which the action appealed from was taken.

[Amended 6-29-1994 by Ord. No. R-58]

B. Application for development.

(1) A developer may file an application for development with the Zoning Board of Adjustment for action under any of its powers without prior application to the Zoning Enforcement Officer.

(2) If an application for development is filed with the Zoning Board of Adjustment, whether or not an appeal from a decision of the Zoning Enforcement Officer is also taken, the applicant shall submit three copies of his completed application to the Secretary of the Zoning Board of Adjustment. The time for the Board's review shall not begin to run until the submission of a complete application with the required fee. Unless the applicant is informed in writing by the Secretary of the Zoning Board of Adjustment within 45 days of the actual submission of the application that it is incomplete, said application shall be deemed complete as of the date it was submitted.

(3) A complete application for development under this article shall consist of the following:

(a) A properly completed variance information application form.

(b) The required fee, as per § 196-63 of this chapter.

~~(c) If subdivision and/or site plan and/or conditional use approval is also sought as part of an application for a variance pursuant to this chapter, the applicant shall also include the information and documents required pursuant to the provisions of the Land Use Procedures Ordinance.~~

~~(4) The Secretary of the Zoning Board of Adjustment shall distribute the application for review and report and, where required, approval as follows:~~

~~(a) The Zoning Board of Adjustment.~~

~~(b) The Planning Board.~~

~~(c) The City Engineer.~~

§ 196-57. Time for decision.

~~The Zoning Board of Adjustment shall render a decision not later than 120 days after the date that an appeal is taken from the decision of the Zoning Enforcement Officer or the submission of a complete application for development to the Zoning Board of Adjustment pursuant to the requirements of this article. Failure of the Board to render a decision within such one-hundred-twenty-day period or within such further time as may be consented to by the applicant shall constitute a decision favorable to the applicant.~~

§ 196-58. Other powers and duties.

~~All other powers and duties of the Zoning Board of Adjustment not specifically designated in this article shall be as set forth in the Land Use Procedures Ordinance. *Editor's Note: See Ch. 44, Land Use Procedures.*~~

§ 196-63. Application and escrow fees.

[Amended 6-21-1989 by Ord. No. P-58; 3-20-1991 by Ord. No. P-136; 5-1-2002 by Ord. No. DR-36; 5-7-2003 by Ord. No. DR-90; 6-18-2008 by Ord. No. DR-357; 9-1-2010 by Ord. No. Z-53]

Action Requested	Project Type	Project Size	Application Fee	Escrow Fee
Site Plan, PUD, Conditional Use Approval				
Minor site plan [per § 196-26A(1)(b)]				
	Residential	3-9 dwelling units	\$500	\$5,000
	Nonresidential	3,000-4,999 square feet	\$500	\$5,000
	Other	per § 196-26	\$500	\$5,000
Preliminary site plan, PUD, conditional use				
	Residential	10+ dwelling units	\$750 plus \$50/dwelling unit	\$10,000 plus \$100/dwelling unit
	Nonresidential	under	\$750	\$5,000

Action Requested	Project Type	Project Size	Application Fee	Escrow Fee
		5,000 square feet		
	Nonresidential	5,000-9,999 square feet	\$1,000 plus \$50/1,000 square feet	\$7,500
	Nonresidential	10,000-24,999 square feet	\$1,500 plus \$50/1,000 square feet	\$10,000
	Nonresidential	25,000 square feet and over	\$2,000 plus \$50/1,000 square feet	\$15,000
Final site plan	All	All	50% of preliminary	50% of preliminary
Amendment or extension of preliminary or final site plan or conditional use approval	All	All	\$500	\$2,500
Appeals, Interpretations, Variances				
Appeals, per N.J.S.A. 40:55D-70a	All	All	\$300	\$1,000
Interpretations, per N.J.S.A. 40:55D-70b	All	All	\$300	\$1,000
Hardship variance, per N.J.S.A. 40:55D-70c	All	All	\$300 for first \$150 for each additional	\$1,000 if NOT part of site plan \$3,000 if part of site plan
Use variance, per N.J.S.A. 40:55D-70d	All	All	\$500 for first \$250 for each additional	\$1,000 if NOT part of site plan \$3,000 if part of site plan
Other Fees				
Special meeting request	All	All	\$1,000	None
Informal or concept review	All	All	\$400	500

Action Requested	Project Type	Project Size	Application Fee	Escrow Fee
Redevelopment plan amendment	All	All	\$2,500	\$5,000
Zoning Review				
	Residential	1-4 dwelling units	\$100	None
	Residential	5+ dwelling units	\$100 plus \$25/dwelling unit over 4	None
	Nonresidential	under 5,000 square feet	\$100	None
	Nonresidential	5,000-9,999 square feet	\$200	None
	Nonresidential	10,000-49,999 square feet	\$400	None
	Nonresidential	50,000 square feet and over	\$500	None
Historic Preservation Review				
	Residential	1-4 dwelling units	\$50 \$35/dwelling unit	None
	Residential	5+ dwelling units	\$50/1,000 square feet	None
	Nonresidential	All		None
Subdivision	Minor or major	All	\$5/lot	None

SECTION THREE: 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 FOUR: 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 FIVE: EFFECTIVE DATE

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

SECTION SIX: 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: March 20, 2013

Approved:

Approved as to Legal Form:

 Quentin Wiest, Business Administrator

 Mellissa Longo, Interim Corporation Counsel

RECORD OF COUNCIL VOTE ON 1ST READING				
Councilperson	Yea	Nay	Abstain	No Vote
Councilman Bhalla				
Councilwoman Castellano				
Councilwoman Giattino				
Councilwoman Mason				
Councilman Mello				
Councilman Occhipinti				

Councilman Russo				
President Cunningham				

RECORD OF COUNCIL VOTE ON 2 ND READING				
Councilperson	Yea	Nay	Abstain	No Vote
Councilman Bhalla				
Councilwoman Castellano				
Councilwoman Giattino				
Councilwoman Mason				
Councilman Mello				
Councilman Occhipinti				
Councilman Russo				
President Cunningham				

I do hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted by the City Council of the City of Hoboken, in the County of Hudson on this ____ day of _____, 2013

James Farina, City Clerk

Approved by the Mayor of the City of Hoboken on the ____ day of _____, 2013.

Dawn Zimmer, Mayor

-or-

Vetoed by the Mayor for the following reasons:

CITY OF HOBOKEN

Department of Community Development



DAWN ZIMMER
Mayor

BRANDY FORBES
Director

MEMORANDUM

DATE: March 14, 2013

TO: Hoboken City Council

CC: Dawn Zimmer, Mayor
Quentin Wiest, Business Administrator
Mellissa Longo, Corporation Counsel

FROM: Brandy Forbes, Community Development Director *BF*

RE: An Ordinance Amending Chapter §44 (Land Use Procedures) Updating and Consolidating the Processes and Procedures for Land Use Boards – On for Reintroduction

At the February 20, 2013 City Council meeting, the above noted ordinance was introduced. The Planning Board did review the proposed revisions to the ordinance and had one recommendation (see enclosed Planning Board resolution dated March 5, 2013). As well, a correction was noticed regarding the start of the review time clock. Corporation Counsel's office reviewed these two changes and has determined that both are substantive in nature. The Council subcommittee reviewing the ordinance agreed to make the recommended revisions and have the revised ordinance on for introduction at the March 20, 2013 City Council meeting. The substantive changes noted above are highlighted on the ordinance in your packets so you can easily see the language that has changed from the prior introduced ordinance.

This memo is to provide a reminder as to the purpose of this amendment and perhaps address some of the questions you may have regarding the ordinance.

Chapter 44 is the administrative chapter for the land use boards; Planning Board and Board of Adjustment. The chapter establishes the boards and officially adopts standards and procedures, as set forth by the New Jersey Municipal Land Use Law (MLUL). This amendment is a comprehensive update to Chapter 44 Land Use Procedures, making the chapter more concise and user friendly, and consolidating all Planning Board and Zoning Board of Adjustment processes and procedures into a single location within the code. The ordinance corrects inconsistencies and cleans up changes that have occurred over the years to assure that the content of the chapter properly reflects the MLUL and the Master Plan of the City of Hoboken.

This chapter will pull together, in one place, all administrative and procedural items related to the Planning Board and Zoning Board of Adjustment. Having all related information in one place makes the code easier for residents to use and understand. Here are some of the key components to the ordinance amendment:

- This amendment does not convey any additional powers to the boards that are not statutorily set forth in the MLUL.
- The make-up of regular and alternate members on each board remains the same as amended by the City Council in 2009. The Council is the appointing authority for the Board of Adjustments and the Mayor is for the Planning Board.
- The fee and escrow structure remains the same as amended by the City Council in 2010.
- Currently, establishment and administration of the Board of Adjustment can be found in both chapters 44 and 196 (Zoning Code). There is no reason for the Board of Adjustment to appear in chapter 196. This amendment removes the board section from the Zoning Code, and consolidates all elements of the board's administration to chapter 44. By doing this we eliminate redundancy and some inconsistencies in the code.
- The current section concerning appeals (Article IV) is retained but relocated as a subsection of Article II Zoning Board of Adjustment. The appeals addressed in this section are those appeals of a Board of Adjustment decision to the City Council. This appeal process does not apply to decisions of the Planning Board; therefore it was moved from the general chapter to the Board of Adjustment section.
- The Planning Board and Zoning Board of Adjustment sections mirror each other in format, with consistent language used from one to the other where appropriate.
- Several redundancies from the Planning Board and Zoning Board of Adjustment sections have been eliminated by amending the "Provisions Applicable to Both" section. Such matters as meetings, minutes, application procedures, fees and escrow, hearings, notice requirements, decisions, publication of decisions, and dismissal of inactive applications, which are common to both boards are spelled out here to assure consistency of administrative procedures.
- The other key element to this amendment is the introduction of a new application and checklists. The checklists have been split up into application types; subdivision, site plan, variances and conditional use. By making the checklists type specific, the applicant has a more focused list of requirements to meet and documents to provide when filing an application; and eliminates documents that are unnecessary. The application has been converted to an electronic form that can be filled out on line; it has also been reduced from 14 pages to 6 by eliminating redundancy.
- The chapter, application and checklists have already been reviewed by the Planning Board Planner, Engineer and Attorney who enthusiastically support their adoption.

Please email me at bforbes@hobokennj.org and copy Business Administrator Wiest at qwiest@hobokennj.org with any additional questions regarding the proposed ordinance amendment.

**RESOLUTION OF RECOMMENDATION TO THE GOVERNING BODY FOR
AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE CHAPTER 44
LAND USE PROCEDURES UPDATING AND CONSOLIDATING THE
PROCESSES AND PROCEDURES FOR LAND USE BOARDS**

WHEREAS, in accordance with N.J.S.A. 40:55D-62(a), the Governing Body is required to submit ordinances to the Planning Board for review and comment; and

WHEREAS, the City of Hoboken is seeking to comprehensively update and amend Chapter 44 Land Use Procedures, making the chapter more concise and user friendly; and

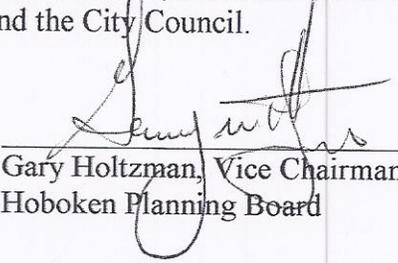
WHEREAS, the governing body agreed to the consolidation of all Planning Board and Zoning Board of Adjustment processes and procedures into a single location within the code; and

WHEREAS, the governing body is seeking to correct any inconsistencies in the Ordinance to assure that the content of the chapter properly reflects the Municipal Land Use Law and the Master Plan of the City of Hoboken; and

WHEREAS, on March 5, 2013, the Planning Board held a public hearing and discussed the amendments to Chapter 44; and

NOW, THEREFORE BE IT RESOLVED, the Board recommends adoption of Chapter 44 Land Use Procedures updating and consolidating the processes and procedures for land use Boards; but recommends that Section 107(a) be modified to add at the end of the last sentence after the word secretary of the Board, "in consultation with the Board's professionals and the applicable municipal commissions;" and

NOW, THEREFORE BE IT FURTHER RESOLVED, that this resolution be forwarded to the Honorable Mayor Dawn Zimmer and the City Council.

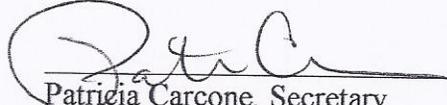


Gary Holtzman, Vice Chairman
Hoboken Planning Board

3/8/13

CERTIFICATION

I hereby certify this to be a true and accurate copy of the resolution adopted by the Hoboken Planning Board, Hudson County, New Jersey, at a public meeting held on March 5, 2013.


Patricia Carcone, Secretary
Hoboken Planning Board

The vote on the motion
to approve this application
was as follows:

The vote on the resolution to
approve this memorialization
was as follows:

Yes:

Yes: 9

No:

No: 0

Absent:

Absent: 2