

MEETING OF FEBRUARY 3, 2010

MINUTES OF A MEETING OF THE COUNCIL OF THE CITY OF HOBOKEN, NEW JERSEY, HELD IN THE COUNCIL CHAMBERS, CITY HALL, HOBOKEN, NEW JERSEY, WEDNESDAY, FEBRUARY 3, 2010 AT 7:00 PM

President Cunningham opened the meeting at 7:11 p.m. and stated, "I would like to advise all those present that notice of this meeting has been provided to the public in accordance with the provisions of the Open Public Meeting Act, and that notice was furnished to The Jersey Journal and The Hoboken Reporter, The Record, The Newark Star - Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

The Clerk then called the roll:

PRESENT: Council persons Bhalla, Giacchi, Lenz, Marsh, Mason, Mello, Russo and President Cunningham.

ABSENT: Castellano.

At this time President Cunningham recognized John DePalma's former Deputy Clerk's birthday and asked for a moment of silence.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED PARKING FOR HANDICAPPED; (DELETED 503 Bloomfield Street, 700 Park Avenue, 1032 Hudson Street) added 713 Bloomfield Street, 909 Hudson Street, 530 Adams Street Z-27

President Cunningham directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance of which the heading was read in full.

No other person present desiring to be heard and no written protests or objections received, President Cunningham asked for a motion to close the hearing.

President Cunningham moved that the hearing be closed.

Motion duly seconded by Councilman Russo.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 – Absent - 1

---Yeas: Council persons Bhalla, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham.

---Nays: None.

---Absent: Castellano

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

--- Adopted by the following vote: YEAS: 8 - NAYS: 0 - 1 - ABSENT

---Yeas: Council persons Bhalla, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham

---Nays: None.

---Absent: Castellano.

AN ORDINANCE AMENDING CHAPTER 145-26 ENTITLED, "VIOLATIONS AND PENALTIES." Z-28

President Cunningham directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance of which the heading was read in full.

No other person present desiring to be heard and no written protests or objections received, President Giacchi asked for a motion to close the hearing.

Councilman Russo moved that the hearing be closed.

Motion duly seconded by Councilman Mason.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 – ABSENT - 1

---Yeas: Council persons Bhalla, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham.

---Nays: None.

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

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT - 1

---Yeas: Council persons Bhalla, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham.

---Nays: None.

---Absent: Castellano.

10-243

APPLICATIONS FOR MISCELLANEOUS LICENSES

Parking Facilities -----	3
Vendors-----	13
Taxi, Liveries, Limousines-----	21

---Councilman Lenz moved that the licenses be granted.
 ---Motion duly seconded by Councilman Russo.
 ---Adopted by the following vote: YEAS: 8 - NAYS: 0 – ABSENT: 1
 ---Yeas: Council persons Bhalla, Giacchi, Lenz, Marsh, Mason, Mello, Russo, and President Cunningham.
 ---Nays: None.
 ---Absent: Castellano.

10-244

REPORTS OF CITY OFFICERS

A report of the Tax Collector Sharon Curran indicating receipts for the month ending January 2010 - \$1,198,275.89 (Abatements - \$4,359.66)

---Received and filed.

RESOLUTIONS

Presented and Read

10-245

---By President Cunningham

CONFIRMING APPOINTMENT OF ERIC S. KURTA TO THE HOBOKEN MUNICIPAL HOSPITAL AUTHORITY FOR REMAINDER OF THE FIVE-YEAR TERM TO EXPIRE ON JUNE 30, 2014.

WHEREAS, pursuant to the Code of the City of Hoboken, §36A-1, the City of Hoboken has established the Hoboken Municipal Hospital Authority; and,

WHEREAS, §36A-3 of the Code of the City of Hoboken provides for eleven (11) members to serve on the Authority; and,

WHEREAS, §36A-3 further provides that six (6) Class III public members shall be appointed to the Authority with the advice and consent of the City Council; and,

WHEREAS, the expiration date for the term of office for the Class III position held by Fred Tompkins was June 30, 2014; and,

WHEREAS, Mayor Dawn Zimmer has nominated Eric S. Kurta to this position, which is the remainder of the five (5) year appointment to expire on June 30, 2014; and,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby confirms **Eric S. Kurta, 214 Garden Street, Apt. 4 Hoboken, NJ**, to serve as a member of the Hoboken Municipal Hospital Authority for the remainder of the five (5) year term, which will expire on **June 30, 2014**.

Speakers before the vote: Scott Siegel.

---Motion duly seconded by Councilwoman Marsh.

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

---Yeas: Council persons Bhalla, Giacchi, Lenz, Marsh, Mello, and President Cunningham.

---Nays: Russo.

---Abstain: Mason.

---Absent: Castellano.

10-246

---By President Cunningham

AFFIRMING APPOINTMENT OF THE DIRECTOR OF COMMUNITY DEVELOPMENT

WHEREAS, the code for the City of Hoboken establishes the Department of Community Development, pursuant to the Code of the City of Hoboken, §20-1 *et seq.*; and

WHEREAS, Mayor Dawn Zimmer is hereby appointing Brandy Forbes, as the Director of Community Development, pursuant to the Code of the City of Hoboken, §20-1 *et seq.* at an annual salary of one hundred three thousand and five hundred (\$103,500.00) dollars; and

WHEREAS, funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken hereby concurs with the appointment of Brandy Forbes, as the Director of Community Development, pursuant the Code of the City of Hoboken, §20-1 *et seq.*.

---Motion duly seconded by Councilwoman Marsh.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 – ABSENT - 1

---Yeas: Council persons Bhalla, Giacchi, Lenz, Mason, Marsh, Mello, Russo and President Cunningham.

---Nays: None.

---Absent: Castellano.

10-247

---By President Cunningham

AFFIRMING APPOINTMENT OF DIRECTOR OF HUMAN SERVICES

WHEREAS, the code for the City of Hoboken establishes the Department of Human Services, pursuant to the Code of the City of Hoboken, §39-1 *et seq.*; and

WHEREAS, Mayor Dawn Zimmer is hereby appointing Leo Pellegrini, as the Director of the Human Services, pursuant to the Code of the City of Hoboken, §30-1 *et seq.* at an annual salary of one hundred three thousand five hundred (\$103,500.00) dollars; and

WHEREAS, funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken hereby concurs with the appointment of Leo Pellegrini, as the Director of Human Services, pursuant the Code of the City of Hoboken, §39-1 *et seq.*.

Motion duly seconded by Councilwoman Marsh.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 – ABSENT - 1

---Yeas: Council persons Bhalla, Giacchi, Lenz, Mason, Marsh, Mello, Russo and President Cunningham.

---Nays: None.

---Absent: Castellano.

10-248

---By President Cunningham

AFFIRMING APPOINTMENT OF DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION AND PARKING

WHEREAS, the code for the City of Hoboken establishes the Department of Transportation and Parking, pursuant to the Code of the City of Hoboken, §56-8 *et seq.*; and

WHEREAS, Mayor Dawn Zimmer is hereby appointing Ian Sacs, P.E., as the Director of the Department of Transportation and Parking, pursuant to the Code of the City of Hoboken, §56-8 *et seq.* at an annual salary of one hundred three thousand and five hundred (\$103,500.00) dollars; and

WHEREAS, funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken hereby concurs with the appointment of Ian Sacs, P.E., as the Director of the Department of Transportation and Parking, pursuant the Code of the City of Hoboken, §56-8 *et seq.*.

---Motion duly seconded by Councilwoman Marsh

---Adopted by the following vote: YEAS: 8 - NAYS: 0 – ABSENT - 1

---Yeas: Council persons Bhalla, Giacchi, Lenz, Mason, Marsh, Mello, Russo and President Cunningham.

---Nays: None.

---Absent: Castellano.

10-249

---By Councilman Lenz

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 Accounts which have been dormant:

City of Hoboken Collector of Revenue Redemption	#4144012046
City of Hoboken Public Fund Checking	#7057005283

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 Capital One Bank, which administer the accounts noted above shall be furnished with a certified copy of this resolution.

---Motion duly seconded by Councilman Russo

---Adopted by the following vote: YEAS: 8 - NAYS: 0 – ABSENT - 1

---Yeas: Council persons Bhalla, Giacchi, Lenz, Mason, Marsh, Mello, Russo and President Cunningham.

---Nays: None.

---Absent: Castellano.

10-250

---By Councilman Lenz

RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS FOR THE SFY 2010 BUDGET

WHEREAS, the City of Hoboken is expected to enter into contracts, commitments or payments prior to the adoption of the SFY 2010 budget and no adequate provision has been made in the SFY 2010 temporary budget for the aforesaid purposes; and,

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

WHEREAS, the total emergency appropriation resolutions adopted in SFY 2010 pursuant to the provisions of N.J.S.A. 40A:4-20 including this resolution total **\$72,345,609.64** for Current Expenses and **\$6,186,826.39** for the Parking Utility.

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

- 1) Emergency temporary appropriations be and the same are hereby made in the amount of **\$11,337,327.00**
- 2) for Current Expenses and **\$706,000.00** for the Parking Utility as follows:

**City of
Hoboken
Temporary Appropriations
SFY 2010**

			Meeting
Operations Within CAPS			2/3/10
Mayor Office	0-01-20-110-011	S/W	39,000.00
	0-01-20-110-021	O/E	2,262.00
City Council	0-01-20-111-011	S/W	36,830.00
	0-01-20-111-021	O/E	
Office of Clerk	0-01-20-120-011	S/W	63,700.00
	0-01-20-120-021	O/E	21,205.00
Legal Advertising	0-01-20-121-020	O/E	414.00
Cod of Ordinances	0-01-20-123-020	O/E	2,000.00
Elections	0-01-20-122-011	S/W	
	0-01-20-122-021	O/E	98,263.00
Bus Administrators	0-01-20-112-011	S/W	41,000.00
	0-01-20-112-021	O/E	
Purchasing	0-01-20-114-011	S/W	40,000.00
	0-01-20-114-021	O/E	
Licensing Bureau	0-01-20-115-011	S/W	16,500.00
	0-01-20-115-021	O/E	5,000.00
Personnel & Health			
Benefits	0-01-20-105-011	S/W	29,500.00
	0-01-20-105-021	O/E	
Constituent Services	0-01-27-333-011	S/W	
	0-01-27-333-021	O/E	
Zoning Administration	0-01-21-186-011	S/W	10,500.00
	0-01-21-186-021	O/E	
Uniform Construction			
Code	0-01-22-195-011	S/W	101,500.00
	0-01-22-195-021	O/E	
Corporation Counsel	0-01-20-155-011	S/W	25,000.00
	0-01-20-155-021	O/E	25,000.00
Special Counsel	0-01-20-156-021	O/E	70,000.00
Expert Witness & Appraisal	0-01-20-158-021	O/E	
Revenue & Finance			
Director	0-01-20-130-011	S/W	94,500.00
	0-01-20-130-021	O/E	9,050.00
Annual Audit	0-01-20-135-020	O/E	
Accounts & Control	0-01-20-131-011	S/W	
	0-01-20-131-021	O/E	
Payroll	0-01-20-132-011	S/W	
	0-01-20-132-021	O/E	
Tax Collections	0-01-20-145-011	S/W	17,000.00
	0-01-20-145-021	O/E	15,000.00

Information Technology	0-01-20-147-011	S/W	19,500.00
	0-01-20-147-021	O/E	25,000.00
Municipal Court	0-01-43-490-011	S/W	110,000.00
	0-01-43-490-021	O/E	20,000.00
Public Defender	0-01-43-495-011	S/W	10,500.00
	0-01-43-495-021	O/E	2,000.00
Office of Tax Assessor	0-01-20-150-011	S/W	50,500.00
	0-01-20-150-021	O/E	5,000.00
Human Services Director	0-01-27-330-011	S/W	26,000.00
	0-01-27-330-021	O/E	
Rent Leveling	0-01-27-347-011	S/W	10,000.00
	0-01-27-347-021	O/E	
Housing Inspection	0-01-21-187-011	S/W	
	0-01-21-187-021	O/E	700.00
Transportation	0-01-27-348-011	S/W	
	0-01-27-348-021	O/E	
Health	0-01-27-332-011	S/W	55,000.00
	0-01-27-332-021	O/E	20,000.00
Senior Citizens	0-01-27-336-011	S/W	50,000.00
	0-01-27-336-021	O/E	2,000.00
Recreation & Cultural Affairs	0-01-28-370-011	S/W	35,000.00
	0-01-28-370-021	O/E	10,000.00
Cultural Affairs	0-01-27-176-011	S/W	10,000.00
	0-01-27-176-021	O/E	
Director Environmental Svc	0-01-26-290-011	S/W	18,000.00
	0-01-26-290-021	O/E	3,805.00
Parks	0-01-28-375-011	S/W	95,000.00
	0-01-28-375-021	O/E	20,000.00
Public Property	0-01-28-377-011	S/W	98,000.00
	0-01-28-377-021	O/E	30,000.00
Streets & Roads	0-01-26-291-011	S/W	599,000.00
	0-01-26-291-021	O/E	19,017.00
Emergency Road Repair Central Garage	0-01-40-701-040	O/E	
	0-01-26-301-011	S/W	35,000.00
	0-01-26-301-021	O/E	40,000.00
Sanitation	0-01-26-305-011	S/W	
	0-01-26-305-021	O/E	983,776.00
Director Community Develop	0-01-20-160-011	S/W	17,000.00
	0-01-20-160-021	O/E	
Grants Management	0-01-20-116-011	S/W	
	0-01-20-116-021	O/E	750.00
Waterfront Development Planning Board	0-01-31-462-000	O/E	
	0-01-21-180-011	S/W	13,000.00
	0-01-21-180-021	O/E	
Zoning Board of Adjustments	0-01-21-185-021	O/E	5,000.00
Redevelopment	0-01-21-181-000	O/E	15,000.00
Historic Preservation Comm	0-01-20-175-021	O/E	
Police	0-01-25-241-011	S/W	1,900,000.00

	0-01-25-241-021	O/E	65,000.00
Acquisition of Vehicles	0-01-25-242-000	O/E	
Fire	0-01-25-266-011	S/W	1,200,000.00
	0-01-25-266-021	O/E	75,000.00
Uniform Fire Safety	0-01-25-265-011	S/W	
Office of Emergency Mgnt	0-01-25-252-011	S/W	11,000.00
	0-01-25-252-021	O/E	
Insurance			
General Liability	0-01-30-400-010	O/E	75,000.00
Workers Compensation	0-01-30-400-020	O/E	90,000.00
Employee Group Health	0-01-30-400-029	O/E	1,750,000.00
Unclassified			
ABC Board	0-01-20-113-011	S/W	600.00
	0-01-20-113-021	O/E	
Volunteer Ambulance	0-01-25-260-020	O/E	
N H Reg Council of Mayor	0-01-23-222-020	O/E	
Settlements of Claims	0-01-23-219-020	O/E	3,000.00
Towing/Storage of Aband Veh	0-01-23-223-020	O/E	4,020.00
Engineering	0-01-31-461-000	O/E	
Labor Arbitrations	0-01-20-157-020	O/E	
Municipal Dues & Membership	0-01-23-212-020	O/E	
Celebration of Public Events	0-01-23-216-020	O/E	2,000.00
Postage	0-01-23-211-020	O/E	40,000.00
Office Machines	0-01-23-213-020	O/E	
Copiers/Printers O/E			
Stationary & Office Supply	0-01-23-218-020	O/E	44,259.00
Central Office Supplies O/E			
Electricity	0-01-31-430-000	O/E	100,000.00
Street Lighting	0-01-31-435-000	O/E	150,000.00
Gasoline	0-01-31-460-000	O/E	60,000.00
Fuel	0-01-31-447-000	O/E	10,000.00
Water & Sewer	0-01-31-445-000	O/E	
Comminications	0-01-31-440-000	O/E	50,000.00
TeleCommunications Equipment	0-01-31-450-000	O/E	1,000.00
Salary Adjustment		O/E	2,000,000.00
Master Plan	0-01-31-463-000	O/E	30,000.00
Salary Settlements	0-01-36-479-000	O/E	171,000.00
Sub Total Within CAPS			11,048,651.00
Statutory Expenditures			
Social Security System	0-01-34-472-000		232,000.00
Consol Police/Fire Pension	0-01-36-474-000		
Unemployment Compensation	0-01-23-225-020		
Police/Firemen's Retirement	0-01-36-475-000		

Subtotal Statutory Expenditures		<u>232,000.00</u>
Outside Caps		
Maintenance of Free Public Library	0-01-29-390-021	
Public Employee Retirement	0-01-36-471-000	
Hoboken Housing Authority		
Police SW	0-01-44-101-011	
Matching Funds for Grant	0-01-46-892-001	
Subtotal Outside caps		<u>0.00</u>
Total Appropriations Included in 26.25% limit		<u>11,280,651.00</u>
Capital Improvements Outside "CAPS"		
Capital Improvement Fund	0-01-44-900-001	
Computer Technology upgrades	0-01-44-900-002	
Emergency Repair City Piers	0-01-44-900-003	
Total Capital Improvements From CAP		<u>0.00</u>
Municipal Debt Service		
Payment Bond Principal	0-01-45-900-001	
Interest on Bonds	0-01-45-930-000	
Interest on Notes	0-01-45-935-000	
Interest on Tax Anticipation Notes	0-01-45-936-000	
BAN Notes Principle	0-01-45-925-000	
Green Trust Loan Repayment	0-01-45-940-001	
Underground Storage Tank Loan	0-01-45-940-020	
Interest of Garage Sale	0-01-45-937-001	
Principal on HCIA Police Car	0-01-45-937-020	
Total Municipal Debt Judgement		<u>0.00</u> 56,676.00
Total		<u>11,337,327.00</u>

Grants

Deferred Charges

Overexpenditure 2 of 7

Total Temporary

Municipal Budget

11,337,327.00

Parking Utility

Salary Wages 0-31-55-501-100 306,000.00

Other Expenses 0-31-55-502-200 400,000.00

Group Health 0-31-55-506-000

Capital Improvement

Capital Outlay

Statutory Expenditures

Public Employee

Retirement System 0-31-55-541-100

Social Security System 0-31-55-541-020

Unemployment

Compensation Insurance 0-31-55-541-300

**Total Appropriations Included in 26.25%
limit**

706,000.00

Debt Service

Payment of Bond

Principal 0-31-55-503-000

Interest on Bonds 0-31-55-504-000

Payment of Note Interest
(916) 0-31-55-503-010

Payment of Note Principal
(916) 0-31-55-505-000

Trustee Fee 0-31-55-503-050

Total Parking Debt

0.00

**Total Temporary
Parking Utility Budget**

706,000.00

Police Department

Police

Crossing Guards

Housing Authority

Total Police

Recreational

Recreational Seasonal

Recreation

Total Recreation

Difference

Prior Year Settlement
Salary Adjustment
Municipal Court O/T
Summer Lunch
OEP
Police Grant
Fire Education

After the meeting, on February 8, 2010, the above resolution was amended as per City Council by Fiscal Control Officer, Judith L. Tripodi.

The following spoke on the resolution: Mo DeGennaro.

---Motion duly seconded by Councilwoman Marsh
---Adopted as amended by the following vote: YEAS: 6 - NAYS: 2 – ABSENT - 1
---Yeas: Council persons Bhalla, Giacchi, Lenz, Marsh, Mello and President Cunningham.
---Nays: Mason, Russo
---Absent: Castellano

At 10:03 p.m. the council recessed.

At 10:19 p.m. the council resumed the meeting.

10-251

---By Councilman Giacchi

REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR DONATIONS FOR ST. PATRICK'S DAY PURSUANT TO N.J.S.A. 40A:4-39.

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

WHEREAS, N.J.S.A. 40A:4-39 allows municipalities to receive amounts for costs incurred for Donations for St. Patrick's Day, and

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

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

1. The Mayor and Council hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Donations for St. Patrick's Day as per N.J.S.A. 40A:4-39.

2. The municipal clerk of the City of Hoboken is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

Motion duly seconded by Councilman Bhalla

---Adopted by the following vote: YEAS: 8 - NAYS: 0 – ABSENT - 1

--Yeas: Council persons Bhalla, Giacchi, Lenz, Mason, Marsh, Mello, Russo and President Cunningham.
--Nays: None.
--Absent: Castellano.

10-252

---By Councilman Bhalla

REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR SAFE TEEN DRIVING PROGRAM PURSUANT TO N.J.S.A. 40:4-39.

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

WHEREAS, N.J.S.A. 40A:4-39 allows municipalities to receive amounts for costs incurred for Safe Teen Driving Program, and

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

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

1. The Mayor and Council hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Safe Teen Driving Program as per N.J.S.A. 40A:4-39.

2. The municipal clerk of the City of Hoboken is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

Motion duly seconded by Councilman Lenz

---Adopted by the following vote: YEAS: 8 - NAYS: 0 – ABSENT - 1

---Yeas: Council persons Bhalla, Giacchi, Lenz, Mason, Marsh, Mello, Russo and President Cunningham.

---Nays: None.

---Absent: Castellano.

10-253

---By President Cunningham

THIS RESOLUTION AWARDS A PROFESSIONAL SERVICES CONTRACT TO CMX, INC. FOR THE DEVELOPMENT OF A HYDRAULIC LIFT REMEDIAL ACTION PLAN FOR THE MUNICIPAL GARAGE.

WHEREAS, a proposal was received on 4 January 2010 for a Hydraulic Lift Remedial Action Plan for the Municipal Garage, and

WHEREAS, said proposal has been deemed acceptable based upon the recommendation of the firm of Scarinci, Hollenbeck, LLC.

NOW THEREFORE BE IT RESOLVED as follows:

- A. This resolution awards a contract to CMX, Inc., in an amount not to exceed \$57,336.00, for the tasks outlined in the attached proposal.
- B. Pursuant to the provisions of N.J.S.A. 40A:11-5(1)(a)(i), the Mayor or his agent is hereby authorized to enter into an Agreement with CMX, Inc.
- C. This resolution shall take effect immediately upon passage.

Motion duly seconded by Councilwoman Marsh

--Adopted by the following vote: YEAS: 8 - NAYS: 0 – ABSENT - 1

--Yeas: Council persons Bhalla, Giacchi, Lenz, Mason, Marsh, Mello, Russo and President Cunningham.

--Nays: None.

--Absent: Castellano.

10-254

---By Councilman Mello

A RESOLUTION APPROVING PARTICIPATION WITH THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION THROUGH THE NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY'S 2011 PEDESTRIAN SAFETY GRANT PROGRAM.

WHEREAS, the City of Hoboken is interested in participating in a program with the N.J. Division of Highway Traffic Safety to reduce pedestrian injuries through education, enforcement, and engineering, and

WHEREAS, the City of Hoboken wishes to receive approved funding for a project under the New Jersey Division of Highway Traffic Safety in an undetermined amount **for the FY2011 Walk Safe Hoboken Program.**, and

WHEREAS, the Hoboken City Council has reviewed the accompanying application and has approved the application process, and

WHEREAS, the project is a joint effort between the Division of Highway Traffic Safety and the City of Hoboken for the purpose described in the application;

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

- 1) The Mayor or his designee is authorized to execute the above referenced grant application, and all other documents to fulfill the intent of the application.
- 2) As a matter of public policy, the City of Hoboken, wishes to participate to the fullest extent possible with the N.J. Division of Highway Traffic Safety.

Motion duly seconded by Councilman Bhalla

--Adopted by the following vote: YEAS: 8 - NAYS: 0 – ABSENT - 1

--Yeas: Council persons Bhalla, Giacchi, Lenz, Mason, Marsh, Mello, Russo and President Cunningham.
--Nays: None.
--Absent: Castellano.

10-255

---By President Cunningham

RESOLUTION AUTHORIZING MAYOR TO EXECUTE A CONSTRUCTION AND TEMPORARY EASEMENT AGREEMENT WITH NORTH HUDSON SEWERAGE AUTHORITY

WHEREAS, North Hudson Sewerage Authority (“NHTSA”) is a public body corporate and politic of the State of New Jersey; and,

WHEREAS, NHTSA owns and operates a wastewater treatment plant which processes wastewater for the County of Hudson and the City of Hoboken; and,

WHEREAS, rehabilitation and relining of the existing NHTSA pipes would allow an approximately 50% increase in flow through NHTSA’s treatment plant resulting in commensurate decrease in untreated combined sewer overflow to the streets of Hoboken; and

WHEREAS, NHTSA desires a temporary non-exclusive twenty foot wide easement, as more particularly described on Exhibit “A” of the easement agreement, for the purpose of laying, constructing and installing the By-Pass Pipeline, as well as a non-exclusive perpetual right-of-way upon the surface of the easement area; and

WHEREAS, NHTSA agrees to promptly restore the easement area, at its sole cost and expense, to substantially the same condition that exists currently, and to comply, at its sole cost and expense with all federal, state and municipal laws, rules, regulations and ordinances; and,

WHEREAS, the Council has determined that it is in the best interest of the City to accept the attached agreement as negotiated.

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

1. The attached Construction and Temporary Easement Agreement between the City of Hoboken and the North Hudson Sewerage Authority is hereby approved;
2. The Mayor of the City of Hoboken, or her designee, is hereby authorized and directed to execute said Agreement, and the City Clerk is hereby authorized to attest same and to affix the City Seal.

Motion duly seconded by Councilwoman Marsh

---Adopted by the following vote: YEAS: 8 - NAYS: 0 – ABSENT - 1

---Yeas: Council persons Bhalla, Giacchi, Lenz, Mason, Marsh, Mello, Russo and President Cunningham.
---Nays: None.
---Absent: Castellano.

10-256

---By Councilman Lenz

RESOLUTION APPROVING COLLATERAL ASSIGNMENT TO PROCEEDS OF REAL ESTATE CONTRACT WITH CAPITAL ONE, NA

WHEREAS, NFW Leasing, Inc., a New Jersey corporation (“NWF”) purchased and is the owner of certain real property and improvements located in the City of Hoboken, Hudson county, New Jersey (the ”City”), commonly known as 56-66 Park Avenue, as more fully described in the Real Estate contract, as hereinafter defined (the ”Mortgaged Property”); and,

WHEREAS, pursuant to a Lease Purchase Agreement, dated as of June 29, 2006 (the “2006 Lease Agreement”), between NWF and the City, as amended by that certain Omnibus Amendment”) by and among the City, NWF, and the Trustee, as hereinafter defined (the 2006 Lease Agreement, as so amended by the Omnibus Amendment and as may be further amended from time to time, the “Lease Agreement”), NWF, as lessor thereunder, leased to the City, as lessee thereunder, said real property and improvements and the City agreed to make certain rental payments thereunder to NWF (the “Lease Agreement Rent”) in consideration therefore; and

WHEREAS, pursuant to the Lease Agreement and a certain Trust Indenture, dated as of June 29, 2008, between NWF and North Fork Bank (as predecessor-in-interest to Capital One, N.A. and now Capital One, N.A.) in its capacity as Trustee (solely in such capacity, the “Trustee”), as amended by the Omnibus Amendment (as so amended and as may be further amended from time to time, the “Indenture”), NWF assigned the Lease Agreement Rent to the Trustee for the benefit of the holders of the \$15,600,000 Certificates of Participation Relating to the Lease Purchase Agreement between NWF Leasing Inc. and The City of Hoboken, dated as of June 29,2006 (the “Certificates”) issued under the Indenture, which Certificates evidenced the right of the holders thereof to receipt of a proportionate share of such Lease Agreement Rent; and

WHEREAS, the Bank purchased and is the holder of all of the outstanding Certificates evidencing the right to receipt of a proportionate share of the Lease Agreement Rent; and

WHEREAS, the Bank purchased and is the holder of all of the outstanding Certificates evidencing the right to receipt of a proportionate share of the Lease Agreement Rent; and

WHEREAS, the payment of the Lease Agreement Rent (which has been assigned to the Trustee for the benefit of the holders of the Certificates evidencing such holders’ proportionate share thereof) and of all other amounts payable under the Lease Agreement, the Indenture and the Certificates is secured by, among other things, a mortgage on the Mortgaged Property pursuant to t certain Amended and Restated Mortgage and Security Agreement, dated as of June 26, 2008, from NWF to the Bank (the “Mortgage”); and

WHEREAS, pursuant to the terms of the Lease Agreement and the Indenture, the City has the right to sell or direct NWF to sell the Mortgaged Property for a purchase price in an amount sufficient to defease all of the outstanding Certificates, which sale proceeds are

to be applied to prepay all Basic Rent (as such term is defined in the Lease Agreement) under Lease Agreement and all other amounts due and owing under the Lease Agreement; and

WHEREAS, the City has entered into a Real Estate Purchase and Sale Agreement dated as of June 30, 2008 (such Real Estate Purchase and Sale Agreement, as the same may hereafter be amended, is collectively referred to herein as the “Real Estate Contract”), pursuant to which the City has agreed to sell, and SHG Hoboken Urban Renewal Associates, LLC (the “Buyer” has agreed to purchase, the Mortgaged Property (and in conjunction therewith, to cause NWF to recovery title to the Mortgaged Property to the City prior to such sale and/or to transfer title thereto Basic Rent and all other amounts due and owing under the Lease Agreement to Capital One and if the sale is not closed, the city’s rights in the Real Estate Contract, including the deposit provided for in same, are intended to accrue to the benefit of Capital One, to the extent of their interest therein, and because such an Assignment is customary to secure such a loan that has been made by Bank to the City and the City deems it important to maintain a positive relationship with Capital One as a lender, the City agrees to collaterally assign to the Bank all of the city’s right, title and interest in and to the proceeds due under, but none of its duties, obligations or liabilities under, the Real Estate Contract, all on the terms and conditions set forth herein and to apply any proceeds of such Real Estate contract which are insufficient to defease the Certificates in full, to a partial prepayment of the Lease Agreement Rent and reduce the outstanding Certificates and other amounts due and owing to the Bank.

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

1. The City hereby agrees to execute and enter into the Collateral Assignment to Proceeds of Real Estate Contract annexed hereto as Exhibit A; and
2. The Mayor and appropriate City officials are hereby authorized to execute said Collateral Assignment and to perform all acts required to implement the execution and issuance thereof.

---Motion duly seconded by Councilwoman Marsh
---Adopted as amended by the following vote: YEAS: 6 - NAYS: 2 – ABSENT - 1
---Yeas: Council persons Bhalla, Giacchi, Lenz, Marsh, Mello and President Cunningham.
---Nays: Mason, Russo
---Absent: Castellano

Councilman Russo left meeting at 9:11 pm
Councilman Russo returned at 9:14 pm

10-257
---By Councilman Lenz

RESOLUTION AUTHORIZING THE CITY TAX COLLECTOR TO ISSUE DUPLICATE CERTIFICATE OF TAX SALE

WHEREAS, pursuant to N.J.S.A. 54:5-52.1, the Tax Collector may, if duly authorized by resolution of the governing body, issue and execute a new certificate of tax sale in place of one which has been misplaced or lost; now, therefore, be it-

RESOLVED, by the City Council of the City of Hoboken that the Tax Collector be and is hereby authorized pursuant to N.J.S.A. 54:5-52.1 to issue a duplicate certificate of tax sale for any certificate that has been misplaced or lost provided that there appears on the new certificate the following information:

1. A statement that is a duplicate of the original one which was misplaced or lost;
2. The date of the tax sale upon which it was issued; and
3. The name and title of the officer who issued same; and, be it further –

RESOLVED, that the Tax Collector shall collect a \$100.00 fee on behalf of the City as payment for the duplicate certificate.

Motion duly seconded by Councilman Russo

---Adopted by the following vote: YEAS: 8 - NAYS: 0 – ABSENT - 1

---Yeas: Council persons Bhalla, Giacchi, Lenz, Mason, Marsh, Mello, Russo and President Cunningham.

---Nays: None.

---Absent: Castellano.

10-258

---By Councilman Lenz

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 appearing on the attached list totaling **\$39,015.11**

<u>NAME</u>	<u>BL/LT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
LIM, KIN & BETH OCCHIOGROSSO 105 SEVENTH ST #2 HOBOKEN, NJ 07030	205/24/C0002	105 SEVENTH ST	4/09	\$ 556.67
CALABRESE, GEOFFREY & A 829 GARDEN ST #2 HOBOKEN, NJ 07030	195/14/C0002	829 GARDEN ST	4/09	\$ 357.74
F & S INVESTMENTS, LLC 203 CHURCH ST NAUGATUCK, CT 06770	268.1/3/C002U	1500 HUDSON ST	1&2/09	\$ 4,577.37
TANG, CHRISTOPHER 744 PARK AVE #4L HOBOKEN, NJ 07030	169/18/C004L	744 PARK AVE	4/09	\$ 2,133.62

WELLS FARGO HOME MORTGAGE ONE HOME CAMPUS DES MOINES, IA 50328	261.03/1/CP104	1125 MAXWELL LANE	4/09	\$ 289.54
FOLTYNOWICZ, ROGER & MEREDITH 601 OBSERVER HWY #503 HOBOKEN, NJ 07030	7/11/C0503	601 OBSERVER HWY	4/09	\$ 5,856.73
FIRST AMERICAN ATT: TAX DEPT. 1 FIRST AMERICAN WAY WESTLAKE, TX 76262	84/1/C02-N	450 SEVENTH ST	2/09	\$ 1,142.16
MILLER, ADAM & A SLONE 943 BLOOMFIELD ST HOBOKEN, NJ 07030	208/15	943 BLOOMFIELD ST	4/09	\$ 897.80
SNYDER, MARK A & A 326 MADISON ST #2 HOBOKEN, NJ 07030	48/21/C0002	326 MADISON ST	4/09	\$ 396.03
SCHNEIDER, M & N LEITCH 1110 HUDSON ST #5B HOBOKEN, NJ 07030	243/25/C005B	1110 HUDSON ST	4/09	\$ 2,140.83
HARGREAVES, JON & J RAJARAMAN 1025 MAXWELL LANE #209 HOBOKEN, NJ 07030	261.04/1/C0209	1025 MAXWELL LANE	3/09	\$ 2,201.22
DIAMOND, RONALD F 85-89 HARRISON ST #310 HOBOKEN, NJ 07030	13/4/C0310	85-89 HARRISON ST	4/09	\$ 1,594.10
FIRST AMERICAN P.O. BOX 961230 FORT WORTH, TX 76161-0230	184/17/C0005	931 PARK AVENUE	1,2,3&4/09	\$ 4,489.00
KEITH J BURKHARDT, ATTORNEY AT LAW 946 BLOOMFIELD ST HOBOKEN, NJ 07030	162/14/C0403	1016-18 WILLOW AVE	4/09	\$ 1,462.35
D'ANGELIS, V & KATHERINE 1201 ADAMS ST HOBOKEN, NJ 07030	109/1.1/C0211	1200 GRAND ST	3/09	\$ 104.31
GALA, MARY SUSAN	158.2/12	56 WILLOW COURT	4/09	\$ 375.64

56 WILLOW TERRACE
HOBOKEN, NJ 07030

LEWIS M LEFKOWITZ, ESQ

51 FROST AVE. W. 200/10/C0002 121 BLOOMFIELD ST 4/09 \$ 2,624.99
EDISON, NJ 08820

VARMA, RAMESH & 261.03/1/CP118 1125 MAXWELL LANE 3 & 4/09 \$ 510.42
GURBACHAM
1125 MAXWELL LANE #474
HOBOKEN, NJ 07030

TITLE SOURCE 57/11/C0003 421 JACKSON ST 4/09 \$1,421.74
1450 WEST LONG LAKE RD
SUITE 400
TROY, MI 48098

DANIEL GANC C/O 114/1/C0223 1300 GRAND ST 4/09 \$ 2,117.17
GESS GESS & SCANLON
89 HUDSON ST
HOBOKEN, NJ 07030

VISLOCKY, MICHAEL 43/29/C0302 208-212 WILLOW AVE. 4/09 \$ 1,130.80
208 WILLOW AVE #302
HOBOKEN, NJ 07030

FALABELLA, ANTHONY J 74/21/C004B 624-626 MONROE ST 3/09 \$ 2,634.88
624 MONROE ST #4B
HOBOKEN, NJ 07030

Motion duly seconded by Councilman Russo.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 – ABSENT - 1

---Yeas: Council persons Bhalla, Giacchi, Lenz, Mason, Marsh, Mello, Russo and President Cunningham.

---Nays: None.

---Absent: Castellano.

10-260

---By Councilman Lenz

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 appearing on the attached list totaling **\$ 1,795.60**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>YEAR</u>	<u>AMOUNT</u>
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**MPF7, LLC & DSF7, LLC169/19/
70 HUDSON ST
HOBOKEN, NJ 07030**

742 PARK AVE 2009

\$ 1,795.60

Motion duly seconded by Councilman Russo

---Adopted by the following vote: YEAS: 8 - NAYS: 0 – ABSENT - 1

---Yeas: Council persons Bhalla, Giacchi, Lenz, Mason, Marsh, Mello, Russo and President Cunningham.

---Nays: None.

---Absent: Castellano.

10-261

---By Councilman Lenz

RESOLUTION TO APPROVE SPECIAL COUNCIL MEETINGS FOR CERTAIN ZONING APPEALS

WHEREAS, the City Council of the City of Hoboken had previously scheduled on February 10, 2010, a hearing on the appeal of Fund for a Better Waterfront on the application of Stevens Institute of Technology, received and filed September 22, 2009; and

WHEREAS, that hearing was postponed due to snow emergency; and

WHEREAS, the City Council is in receipt of the appeal of Daniel Tumpson on the application of 226 Park Realty, LLC, received and filed December 15, 2009, which requires assignment of a special meeting date.

NOW, THEREFORE BE IT RESOLVED, that the City Council shall conduct hearings on the aforesaid appeals pursuant to N.J.S.A. 40:55D-17 and Section 44-34 of the Code of the City of Hoboken on Special Meeting dates as follows, which dates shall be reserved for the subject appeal and with no other business to be conducted:

1. Appeal of Fund for a Better Waterfront – Thursday, February 25, 2010, at 7:00 p.m. in the Council Chambers of Hoboken City Hall.
2. Appeal of Daniel Tumpson – Thursday, March 25, 2010 at 7:00 p.m. in the Council Chambers of Hoboken City Hall.

BE IF FURTHER RESOLVED, that the City Council of the City of Hoboken advertise these meetings as being open to the public; provided however, that the proceedings shall be on the record established at the respective hearings of the Zoning Board of Adjustment and shall be limited to oral argument by the attorneys for the parties; after which argument a decision on the appeal may be voted by the City Council.

The following speakers spoke: Scott Seigel, Richard Tremediti, Mo DeGennaro, Dan Tumpson, Jim Doyle, Curtis Crystal.

Motion duly seconded by President Cunningham

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

---Yeas: Council persons Bhalla, Giacchi, Lenz, Marsh, Mello, Russo and President Cunningham.

--Nays: None.
--Abstain: Mason
--Absent: Castellano

10-262

--By Councilman Russo

RESOLUTION APPROVING THE HOBOKEN CITY COUNCIL REGULAR MINUTES

Resolved that filed minutes for the Hoboken City Council regular meetings of November 16, 2009 have been reviewed and approved as to legal form and content.

Motion duly seconded by Councilwoman Marsh

--Adopted by the following vote: YEAS: 8 - NAYS: 0 – ABSENT - 1

--Yeas: Council persons Bhalla, Giacchi, Lenz, Mason, Marsh, Mello, Russo and President Cunningham.

--Nays: None.

--Absent: Castellano.

10-263

--By Councilman Lenz

RESOLUTION FOR DEPARTMENT OF REVENUE & FINANCE TO COVER DEFICIT IN THE PAYROLL AGENCY ACCOUNT

WHEREAS, there exists a deficit in the Payroll Agency account that has been carried since SFY 2007 subject to clarification; and

WHEREAS, that deficit has now been determined to be One Hundred Fifty Five Thousand Dollars (\$155,000.00); and

WHEREAS, the deficit in the Payroll Agency account prior to SFY 2007 was and is One Hundred Fifty Five Thousand (\$155,000.00) dollars; and

WHEREAS, the Director of Finance has determined that funds are available for this purpose;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken authorizes the expenditure and reallocation of One Hundred Fifty Five Thousand Dollars (\$155,000.00) to cover the deficit in the Payroll Agency account.

Motion duly seconded by Councilwoman Marsh

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

--Yeas: Council persons Bhalla, Giacchi, Lenz, Marsh, Mello, Russo and President Cunningham.

--Nays: Mason.

--Absent: Castellano.

10-264

---By President Cunningham

THIS RESOLUTION AWARDS A CONTRACT TO NACIREMA GROUP FOR EMERGENCY SNOW REMOVAL WITHIN THE CITY IN ACCORDANCE WITH THE SPECIFICATIONS IN BID NUMBER 10-16.

WHEREAS, proposals were received on 18 December 2009 for Emergency Snow Removal, and

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

<u>VENDOR</u>	<u>Mason Dump Truck</u>	<u>Salt Truck</u>	<u>Single Dump Truck</u>
Nacirema Group Bayonne, NJ 07002	\$ 200.00/per hour	\$250.00/hour	\$ 275.00/per hour
Conte General Bloomfield, NJ	\$ No Bid	\$ No Bid	\$ 225.00/per hour

NOW THEREFORE BE IT RESOLVED as follows:

- A. This resolution awards a contract to Nacirema Group, Bayonne, NJ 07002, in an amount not to exceed \$15,000.00, for Emergency Snow Removal according to the specifications set forth.**
- B. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor or her agent is hereby authorized to enter into an Agreement with Nacirema Group.**
- C. This resolution shall take effect immediately upon passage.**

Motion duly seconded by Councilwoman Marsh

---Adopted by the following vote: YEAS: 8 - NAYS: 0 – ABSENT - 1

---Yeas: Council persons Bhalla, Giacchi, Lenz, Mason, Marsh, Mello, Russo and President Cunningham.

---Nays: None.

---Absent: Castellano.

ORDINANCES

Introduction and First Reading

10-265

Z-29

AN ORDINANCE TO AMEND CHAPTER 190 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED “VEHICLES AND TRAFFIC” TO TURN SECOND STREET INTO A TWO-WAY STREET WITH BIKE PATHS BETWEEN RIVER STREET AND SINATRA DRIVE.

WHEREAS, the Council of the City of Hoboken declares it to be in the public’s best interest for traffic within the City of Hoboken to be minimized and to flow safely for the general welfare of the residents of the City; and,

WHEREAS, pursuant to Section 7 of Chapter 190 of the Code of the City of Hoboken, Second Street between Sinatra Drive and River Street is designated as a two-way roadway; and,

WHEREAS, in conflict with Chapter 190, the actual use of Second Street between Sinatra Drive and River Street has been used as a one-way road with traffic heading westerly; and,

WHEREAS, SJP Properties (“SJP”) has agreed to provide, at their sole cost and expense, all improvements necessary to implement two-way traffic on Second Street between River Street and Sinatra Drive, pursuant to plans produced by SJP professionals or consultants thereof, and agreed to by professionals from the City of Hoboken; and,

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hoboken that Chapter 190 of the Code of the City of Hoboken is hereby amended as follows:

SECTION ONE:

Chapter 190 of the Code of the City of Hoboken is amended as follows:

§ 190-3. Parking prohibited at all times.

In accordance with the provisions of this § 190-3, no person shall park a vehicle at any time upon the following streets or portion thereof except for the pickup and drop off of passengers:

Name of Street	Side	Location
Adams Street	West	Beginning at a point 205 feet south of the southerly curblines of Third Street and extending 35 feet southerly therefrom
Bloomfield Street	West	Beginning at a point 35 feet north of the northerly curblines of Fourteenth Street and extending for 95 feet northerly therefrom
Bloomfield Street	West	Beginning at a point 189 feet north of the northerly curblines of Observer Highway and extending 37 feet northerly therefrom
Name of Street	Side	Location
Clinton Street	East	Beginning at a point 100 feet north of the northerly curblines of Third Street and extending 67 feet northerly therefrom
Clinton Street	East	Beginning at a point 190 feet north of the northerly curblines of Third Street and extending 45 feet north therefrom
Name of Street	Side	Location
Court Street	East	Beginning at the southerly curblines of Seventh Street and extending to the northerly curblines of Newark Street
Court Street	West	Beginning at the northerly curblines of Seventh Street and extending to the northerly curblines of Newark Street
Eighth Street	South	Beginning at the westerly curblines of Castle Point Terrace and extending to the easterly curblines of Hudson Street

Fifth Street	North	Beginning at the westerly curblines of River Street and extending to the easterly boundary line
Fifth Street	South	Beginning at the westerly curblines of River Street and extending to the easterly boundary line
First Street		
Fourteenth Street	North	Beginning at the westerly curblines of Willow Avenue and extending to the westerly curblines of Bloomfield Street
Name of Street	Side	Location
Fourteenth Street	South	Beginning at the westerly curblines of Willow Avenue and extending to the westerly curblines of Garden Street
Hudson Place	North	Beginning at the easterly curblines of Hudson Street and extending to the westerly curblines of River Street
Hudson Street	East	Beginning at the northerly curblines of Seventh Street and extending 101 feet southerly therefrom
Jackson Street	East	Beginning at the southerly curblines of Newark Street and extending to the northerly curblines of Paterson Avenue
Jackson Street	East	Beginning at a point 162 feet south of the southerly curblines of Third Street and extending 38 feet southerly therefrom
Jackson Street	West	Beginning at the southerly curblines of Newark Street and extending to the southerly curblines of Paterson Avenue
Madison Street	East	Beginning at the southerly curblines of Eleventh Street and extending to the northerly curblines of Fifteenth Street
Name of Street	Side	Location
River Street	East	Beginning at the northerly curblines of Newark Street and extending 57 feet northerly therefrom
River Street	East	Beginning at a point 191 feet north of the northerly curblines of Third Street and extending 42 feet northerly therefrom
River Street	East	Beginning at a point of 95 feet north of the northerly curblines of First Street and extending 30 feet north therefrom.
River Street	East	Beginning at a point of 100 feet south of the southerly curblines of Second Street and extending 42 feet south therefrom
Name of Street	Side	Location
Second Street	North	Beginning at the northerly curblines of Hudson Street and extending to the northerly curblines of Washington Street
<u>Second Street</u>	<u>North</u>	<u>Beginning at the northerly curblines of Sinatra Drive and extending to the northerly curblines of River Street</u>
<u>Second Street</u>	<u>South</u>	<u>Beginning at the southerly curblines of Sinatra Drive and extending to the southerly curblines of River Street</u>
Sixth Street	North	Beginning at the westerly curblines of Jackson Street and extending to the westerly boundary line
Tenth Street	South	Beginning at the westerly curblines of Clinton Street and extending to the westerly curblines of Grand Street

Willow Avenue	West	Beginning at the southerly curbline of Fourteenth Street and extending 168 feet southerly therefrom
Willow Avenue	West	Beginning at a point 138 feet north of the northerly curbline of Third Street and extending 36 feet northerly therefrom
Willow Avenue	West	Beginning at the northerly curbline of Thirteenth Street and extending 65 feet northerly therefrom

§ 190-29. Time-limit parking locations and fees.

In accordance with the provisions of this § 190-29, no person shall park or stand a vehicle for longer than the time limit posted upon any of the herein described streets or parts of streets:

Street Location	Side	Hours/Time Limit	Rate
Clinton Street from Third Street to Fourth Street	Both	11:00 a.m. to 7:00 p.m./ 3.0 hours	\$0.25
Eight Street from Monroe Street to Jackson Street	South	9:00 a.m. to 6:00 p.m./ 2 hours	0.25
Fifth Street from Washington Street to Bloomfield Street	Both	9:00 a.m. to 7:00 p.m./ 3.0 hours	15 min. 0.25
First Street from Grand Street to Bloomfield Street	Both	11:00 a.m. to 7:00 p.m./ 1.5 hours	0.25
Street Location	Side	Hours/Time Limit	Rate
First Street from 76 feet east of the easterly curbline of Bloomfield Street to the westerly curbline of Washington Street	North	9:00 a.m. to 7:00 p.m./ 1.5 hours	\$0.25
First Street from Washington Street to Bloomfield Street			
First Street from Washington Street to Hudson Street	Both	8:00 a.m. to 7:00 p.m./ 2.0 hours	0.25
First Street from the westerly curbline of River Street to the easterly curbline of Hudson Street	North	9:00 a.m. to 7:00 p.m./ 90 minutes	0.25/ 30 min.
Street Location	Side	Hours/Time Limit	Rate
Fourteenth Street ¹ from the easterly curbline of Hudson Street to the westerly curbline of Sinatra Drive North	South	10:00 a.m. to 7:00 p.m. Monday to Saturday/ 90 minutes	\$0.25 per min.
Fourteenth Street ¹ from the westerly curbline of Sinatra Drive North to the easterly curbline of McFeeley Lane	North	10:00 a.m. to 7:00 p.m. Monday to Saturday/ 90 minutes	0.25 per min.
Fourth Street from Hudson Street to Bloomfield Street	Both	9:00 a.m. to 7:00 p.m./ 3.0 hours	0.25
Fourth Street between Willow Avenue and Clinton Street	North	9:00 a.m. to 8:00 p.m./ 90 minutes	0.25/ 30 min.
Fourth Street from Clinton Street to Willow Avenue	South	11:00 a.m. to 7:00 p.m./ 3.0 hours	0.25
Street Location	Side	Hours/Time Limit	Rate
Hudson Place from Hudson Street to River Street	North	8:00 a.m. to 7:00 p.m./ 2.0 hours	\$0.25
Hudson Place from River Street to the easterly boundary	North	8:00 a.m. to 7:00 p.m./ 2.0 hours	0.25

Hudson Place from 147 feet east of the easterly curbline of River Street to a point 72 feet east therefrom		8:00 a.m. to 7:00 p.m./ 2.0 hours	0.25
Hudson Street from First Street to Hudson Place	Both	8:00 a.m. to 7:00 p.m./ 2.0 hours	0.25
Hudson Street from 25 feet south of the southerly curbline of Hudson Place to a point 88 feet southerly therefrom	West	9:00 a.m. to 7:00 p.m./ 2.0 hours	0.25
Marshall Street from First Street to Second Street	East	9:00 a.m. to 6:00 p.m./ 2.0 hours	0.25
Street Location	Side	Hours/Time Limit	Rate
Monroe Street from Eight Street to Seventh Street	West	9:00 a.m. to 6:00 p.m./ 2 hours	15 min. \$0.25
Newark Street from Garden Street to Willow Avenue	Both	8:00 a.m. to 8:00 p.m./ 12 hours	15 min. 0.25
Newark Street from Hudson Street to easterly boundary	Both	8:00 a.m. to 7:00 p.m./ 2.0 hours	0.25
Newark Street from Hudson Street to Washington Street	North	8:00 a.m. to 7:00 p.m./ 2.0 hours	0.25
Newark Street from Willow Avenue to Grand Street	North	8:00 a.m. to 8:00 p.m./ 12 hours	0.25
Newark Street between Court Street and Washington Street	South	9:00 a.m. to 10:00 p.m./ 20 minutes	0.25
Street Location	Side	Hours/Time Limit	Rate
Newark Street from Washington Street to Bloomfield Street	South	9:00 a.m. to 7:00 p.m./ 1.5 hours	\$0.25
Newark Street between Washington Street and River	North	9:00 a.m. to 10:00 p.m./ 20 minutes	0.25
River Street from First Street to Hudson Place	Both	8:00 a.m. to 7:00 p.m./ 2.0 hours	0.25
River Street from First Street to Third Street	Both	9:00 a.m. to 7:00 p.m./ 3.0 hours	0.25
River Street between Newark Street and First Street	East	9:00 a.m. to 10:00 p.m./ 20 minutes	0.25
River Street from the northerly curbline of Third Street and extending to a point 191 feet northerly therefrom	East	9:00 a.m. to 9:00 p.m./ 15 minutes	0.25
http://clerkshq.com/Content/Hoboken-nj/books/code/hobokenc190.htm -_ftn12			
Street Location	Side	Hours/Time Limit	Rate
Second Street between Washington Street and Bloomfield Street	Both	9:00 a.m. to 10:00 p.m./ 90 minutes	\$0.25/
Second Street from Washington Street to Hudson Street	South	9:00 a.m. to 7:00 p.m./ 3.0 hours	30 min. 0.25
Street Location	Side	Hours/Time Limit	Rate
Second Street from westerly curbline of River Street to a point of 65 feet westerly therefrom.	South	9:00 a.m. to 7:00 p.m./90 minutes	\$0.25/
			30 min.

Second Street from the westerly curbline of River Street and extending to the easterly curbline of Hudson Street.	North	9:00 a.m. to 7:00 p.m./90 minutes	0.25/ 30 min.
Second Street between Sinatra Drive and River Street [Added 4-21-1999 by Ord. No. R-380]	Both	9:00 a.m. to 9:00 p.m./2 hours	0.25/ 30 min.
Seventh Street from Bloomfield Street to Hudson Street	Both	9:00 a.m. to 7:00 p.m./3.0 hours	0.25
Street Location	Side	Hours/Time Limit	Rate
Sinatra Drive beginning 580 feet north of the easterly curbline of River Street and extending 240 feet north therefrom.	East	9:00 a.m. to 9:00 p.m./2.0 hours	\$0.25/ 30 min.
Sinatra Drive between Second Street and Fourth Street	East	9:00 a.m. to 9:00 p.m./2.0 hours	0.25/ 30 min.
Sinatra Drive from 5th Street to end	East	9:00 a.m. to 9:00 p.m./12.0 hours (For vehicles with resident permits only 9:00 a.m. to 6:00 p.m.)	\$0.25/15 min.
Sixth Street from Hudson Street to Bloomfield Street	Both	9:00 a.m. to 7:00 p.m./3.0 hours	\$0.25
Third Street from Grand Street to Clinton Street	Both	11:00 a.m. to 7:00 p.m./3.0 hours	0.25
Third Street from Hudson Street to Bloomfield Street	Both	9:00 a.m. to 7:00 p.m./3.0 hours	0.25
Third Street from Willow Avenue to Park Avenue	Both	11:00 a.m. to 7:00 p.m./3.0 hours	0.25
Street Location	Side	Hours/Time Limit	Rate
Third Street from Clinton Street to Willow Avenue	South	11:00 a.m. to 7:00 p.m./3.0 hours	0.25
Washington Street from Observer Highway to Seventh Street	Both	9:00 a.m. to 7:00 p.m./1.5 hours	\$0.25
Washington Street from Seventh Street to Eighth Street	Both	9:00 a.m. to 7:00 p.m./3.0 hours	0.25
Washington Street between Fourth Street and Fifth Street	West	9:00 a.m. to 9:00 p.m./20 minutes	0.25
Washington Street between Sixth Street and Seventh Street	West	9:00 a.m. to 8:00 p.m./20 minutes	0.25
Street Location	Side	Hours/Time Limit	Rate
Washington Street beginning at the southerly curbline of Third Street and extending 260 feet southerly therefrom	West	9:00 a.m. to 9:00 p.m./20 minutes	\$0.25
Washington Street between First Street through Seventh Street	East	9:00 a.m. to 9:00 p.m./90 minutes	0.25/ 30 min.
Washington Street between First Street to 260 feet from the curbline of Third Street	West	9:00 a.m. to 9:00 p.m./90 minutes	0.25/ 30 min.

Washington Street between Third Street through Fourth Street	West	9:00 a.m. to 9:00 p.m./90 minutes	0.25/ 30 min.
Street Location	Side	Hours/Time Limit	Rate
Washington Street between Fifth Street through Sixth Street	West	9:00 a.m. to 9:00 p.m./90 minutes	\$0.25/ 30 min.
Washington Street ¹ beginning 100 feet of the southerly curbline of Second Street and extending 85 feet southerly therefrom	West	9:00 a.m. to 9:00 p.m./20 minutes	0.25/ 20 min.
Willow Avenue from First Street to Newark Street	Both	9:00 a.m. to 7:00 p.m./8.0 hours	0.25
Willow Avenue from Newark Street to Observer Highway	Both	8:00 a.m. to 8:00 p.m./12 hours	0.25
Street Location	Side	Hours/Time Limit	Rate
Willow Avenue from Third Street to Fourth Street	Both	11:00 a.m. to 7:00 p.m./ 3.0 hours	0.25
Willow Avenue from Thirteenth Street to Sixteenth Street	Both	8:00 a.m. to 8:00 p.m./ 12 hours	0.25

§ 190-46. Bicycle lanes.

A. Streets designated. The ~~governing body of the City of Hoboken that the~~ City Council designates that Madison Street and Grand Street from Observer Highway and Newark Avenue, respectively, to 15th Street in the City of Hoboken shall have five (5) foot bicycle lanes on the left side of each streets. The governing body also designates that Second Street from Sinatra Drive to River Street shall have five (5) foot bicycle lanes on both sides of the street. ~~†~~ These lanes shall include standard bicycle symbols painted on the street within the bike lanes to notify drivers that they need to share the road with bicyclists.

B. No cars shall be permitted to either travel or park in these lanes.

C. Motorized vehicles must yield to bicycle riders in these lanes, and that bicycle riders shall yield to pedestrians at all crosswalks.

D. In addition to bicycle riders, individuals using roller blades, motorized wheelchairs with an orange safety flag at least five (5) feet above street level, and bicyclers with attached trailers for children will also have the same orange safety flag attached to the rear of the portage vehicle, shall also be permitted to use the bike lanes.

E. In the event that any individual violates the terms of this section he/she shall be subject to a fine in the Municipal Court of the City of Hoboken in an amount of one hundred dollars (\$100.) for the first offense and two hundred dollars (\$200.) per violation for any subsequent offenses.

The remainder of Chapter 190 shall remain unchanged.

SECTION TWO:

All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

SECTION THREE:

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.

SECTION FOUR:

This Ordinance shall take effect as provided by law.

---Councilman Cunningham moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on FEBRUARY 18, 2009 at 7:00 PM.

The speaker who spoke: Mo DeGennaro.

Motion duly seconded by Councilwoman Marsh

---Adopted by the following vote: YEAS: 8 - NAYS: 0 – ABSENT - 1

---Yeas: Council persons Bhalla, Giacchi, Lenz, Mason, Marsh, Mello, Russo and President Cunningham.

---Nays: None.

---Absent: Castellano.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Margaret O’Brien, Scott Siegel, Charles Gormally, Ron Simoncini, Richard Tremitedi, Mo DeGennaro, Gina DeNardo, Eric Volpe, Dan Tumpson, Donna Antonucci, Richard Pasquarelli, Curtis Crystal.

At this time 11:10 p.m. on a motion by Council President Cunningham and duly seconded by Councilman Lenz and voted unanimously by the City Council entered into closed (executive) session.

10-266

CLOSED SESSION

RESOLUTION AUTHORIZING EXECUTIVE SESSION FOR POTENTIAL PURCHASE, LEASE OR ACQUISITION OR REAL PROPERTIES WITH PUBLIC FUNDS

WHEREAS, the Council of the City of Hoboken is authorized to go into closed executive session for the reasons set forth in the Open Public Meetings Act, pursuant to N.J.S.A. 10:4-12, more particularly to discuss any matter involving the purchase, lease or acquisition of real property with public funds as per subsection (5) of the statute; and

WHEREAS, the Council has determined that it is necessary to go into closed executive session for the foregoing purpose of receiving a briefing from the Corporation Counsel and the Director of Community Development.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken that it enter into closed session to discuss the issues as hereinafter set forth; and

BE IT FURTHER RESOLVED, that when the need for confidentiality no longer exists the decisions made therein will be made available to the public.

At this time, 12:09 p.m. on a motion by Councilman Russo and voted unanimously, the Council came out of closed (executive) session.

President Cunningham then adjourned the meeting at 12:10 p.m.

PRESIDENT OF THE COUNCIL

CITY CLERK