

*Updated 9/6/16 \* 9/7/16 \*\**

**SPECIAL MEETING OF SEPTEMBER 7, 2016**

**CLOSED SESSION (from 6:00 PM to 7:00 PM)**

**Corporation Counsel**

- CC1. RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12(B)(7) AND ATTORNEY CLIENT PRIVILEGE WITH SPECIAL COUNSEL FLORIO KENNY & RAVAL, LLP AND CAPEHART SCATCHARD RELATING TO THE SETTLEMENT OF THE PENDING WORKERS COMPENSATION MATTERS KNOWN AS BH V. CITY OF HOBOKEN (CLAIM NO.: W000358606) AND LK V. CITY OF HOBOKEN (CLAIM NO.: 001190004)
- CC2. RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12(B)(7) AND ATTORNEY CLIENT PRIVILEGE WITH SPECIAL COUNSEL WEINER LESNIAK, LLP RELATING TO THE SETTLEMENT OF THE PENDING MATTER OF JM V. CITY OF HOBOKEN (CLAIM NO. W881014494)
- CC3. RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12(B)(7) AND THE ATTORNEY-CLIENT PRIVILEGE WITH JOSEPH MARAZITI, ESQ., AS WELL AS OTHER ATTORNEYS OF THE FIRM OF MARAZITI FALCON, LLP, TO DISCUSS PENDING LITIGATION BETWEEN THE CITY OF HOBOKEN, SHIPYARD ASSOCIATES, L.P. AND APPLIED MONROE LENDER, LLC REGARDING THE PROPOSED "MONARCH AT SHIPYARD" DEVELOPMENT AND THE PROPOSED REDEVELOPMENT OF 800-822 MONROE STREET

**REGULAR MEETING OF SEPTEMBER 7, 2016**

**STARTING AT 7:00PM**

**Please note: The Hoboken City Council may consider additional Resolutions, Ordinances or any other matter brought before the Hoboken City Council until September 7, 2016 and throughout the meeting, subject to compliance with the Open Public Meetings Act (OPMA) and the council rules of procedure**

**PRESENTATION FROM MAYOR DAWN ZIMMER PRESENTING PROCLAMATIONS TO JOE BUCINO, DOLORES PASCULLI AND RICKY REPETTI FOR THEIR SERVICES TO THE CITY OF HOBOKEN**

**MAYOR ZIMMER PROCLAIMING THE LAST SUNDAY OF THE HOBOKEN ITALIAN FESTIVAL "MOLFETA DAY" IN HONOR OF MADONNA DEI MARTIRI  
A PRESENTATION FROM JOHN JAHR REGARDING THE SOUTHWEST TRAFFIC RECOMMENDATIONS \*\***

## **2<sup>ND</sup> Readings and Final reading**

1. AN ORDINANCE AMENDING CHAPTER 190 ENTITLED “VEHICLES AND TRAFFIC AND CHAPTER 192 ENTITLED “PARKING FOR HANDICAPPED” TO AMEND VARIOUS CURBSIDE LOADING REGULATIONS (**sponsored by Councilman DeFusco and Councilman Ramos) (Z-429)**)
2. AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ESTABLISHING A SCHEDULE OF CLASSIFICATIONS AND ALLOCATIONS OF TITLE FOR THE HEREIN MENTIONED POSITIONS IN THE CITY OF HOBOKEN (**sponsored by Councilwoman Fisher and Councilman DeFusco) (Z-430)**)

## **PUBLIC COMMENTS**

### **PETITIONS AND COMMUNICATIONS**

Mayor Zimmer appoints Leo Pellegrini as Acting Mayor for the City of Hoboken from August 7 through August 22, 2016

Mayor Zimmer appoints Dr. Jonathan Metsch as a 2<sup>nd</sup> Alternate to the Historic Preservation Commission on August 4, 2016

Mayor Zimmer appoints Michael Russo, Quentin Wiest and Linda Landolfi to the Self Insurance Fund Commission on August 4, 2016

Mayor Zimmer appoints Sgt. Willie Montanez as a coordinator to the Office of Emergency Management on August 5, 2016

Mayor Zimmer appointing Lauren Zucker to the Green Team on August 16, 2016

Mayor Zimmer appoints Joseph Lupo and Maricela Rivera as a coordinators to the Office of Emergency Management on September 2, 2016\*

Miscellaneous Licenses

### **REPORTS FROM CITY OFFICERS**

A report from the Municipal Tax Collector Sharon Curran for taxes collected for the month of June 2016 **\$598,634.87 (Abatement Totals –\$3,653.61)**

A report from Municipal Court indicating receipts for the month of June 2016 as **\$451,823.79**

### **CLAIMS**

Total for this agenda ~~\$3,859,047.21~~ \$3,917,192.21 (revised) \*\*

**PAYROLL**

**For the two week period starting July 14 – July 27, 2016**

<b>Regular Payroll</b>	<b>O/T Pay</b>	<b>Other Pay</b>
\$1,613,605.66	\$70,360.20	\$194,169.43
<b>Total</b>		
\$1,878,135.29		

**For the two week period starting July 28 – August 10, 2016**

<b>Regular Payroll</b>	<b>O/T Pay</b>	<b>Other Pay</b>
\$1,630,230.11	\$68,508.14	\$113,292.50
<b>Total</b>		
\$1,812,030.45		

**Additional Payroll August 18, 2016**

<b>Regular Payroll</b>	<b>O/T Pay</b>	<b>Other Pay</b>
\$2,219.22	\$733.79	\$0.00
<b>Total</b>		
\$2,953.01		

**For the two week period starting August 11 – August 24, 2016**

<b>Regular Payroll</b>	<b>O/T Pay</b>	<b>Other Pay</b>
\$1,622,838.32	\$50,894.03	\$107,627.08
<b>Total</b>		
\$1,781,359.43		

**CONSENT AGENDA**

Consent Agenda defined: All items listed with an asterisk (\*) are considered to be routine business by the City Council and will be enacted by one motion. There will be no separate discussion on these items unless a council member or citizen so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the agenda.

**RESOLUTIONS**

**Administration**

- A1.\* RESOLUTION AUTHORIZING EXECUTION OF RECOVERY AGREEMENT BETWEEN THE HOBOKEN HOUSING AUTHORITY, THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, AND THE CITY OF HOBOKEN
- A2.\* RESOLUTION APPROVING ENTERING INTO A CONTRACT WITH PSE&G FOR THE PURCHASE AND INSTALLATION OF 26 STREET LAMPS IN AND AROUND SOUTHWEST PARK
- A3.\* RESOLUTION AMENDING HOBOKEN CITY COUNCIL RESOLUTION T1 DATED JULY 6, 2016
- A4.\* RESOLUTION RECOGNIZING SEPTEMBER AS CHILDHOOD CANCER MONTH AND SUPPORTING AND THANKING HOBOKEN BUSINESSES AND RESIDENTS MAKING A DIFFERENCE (sponsored by Councilman Bhalla)

### **Community Development**

- CD1.\* RESOLUTION AUTHORIZING EXECUTION OF LETTER OF INTENT WITH PUBLIC SERVICE ELECTRIC AND GAS COMPANY
- CD2.\* RESOLUTION TO APPROVE A LICENSE AGREEMENT BETWEEN THE CITY OF HOBOKEN AND 722 JEFFERSON ST., LLC, OWNER OF BLOCK 83 LOTS 20-24 (A/K/A 722-730 JEFFERSON STREET), FOR USE AND MAINTENANCE OF A PORTION OF THE PUBLIC RIGHT OF WAY ADJACENT TO SAID PROPERTY
- CD3.\* RESOLUTION RELEASING PERFORMANCE BOND IN THE AMOUNT OF **\$4,754.40** FOR A CONSTRUCTION PROJECT AT 737 GARDEN STREET
- CD4.\* RESOLUTION RELEASING PERFORMANCE BOND TO JEFFREY DWORZANSKI FOLLOWING THE CONSTRUCTION PROJECT AT 153 3RD STREET, HOBOKEN, NEW JERSEY
- CD5.\* RESOLUTION TO PARTICIPATE IN THE SUSTANABLE JERSEY SOLAR CHALLENGE PROGRAM
- CD6.\* RESOLUTION TO APPROVE A LICENSE AGREEMENT BETWEEN THE CITY OF HOBOKEN AND EMPIRE DEVELOPMENT GROUP, OWNER OF BLOCK 189 LOT 39 (A/K/A 208 BLOOMFIELD STREET), FOR USE AND MAINTENANCE OF A PORTION OF THE PUBLIC RIGHT OF WAY ADJACENT TO SAID PROPERTY
- CD7.\* RESOLUTION TO APPROVE A LICENSE AGREEMENT BETWEEN THE CITY OF HOBOKEN AND EMPIRE DEVELOPMENT GROUP, OWNER OF BLOCK 189 LOT

38 (A/K/A 210 BLOOMFIELD STREET), FOR USE AND MAINTENANCE OF A PORTION OF THE PUBLIC RIGHT OF WAY ADJACENT TO SAID PROPERTY

CD8.\* RESOLUTION AWARDED CHANGE ORDER TO THE CONTRACT WITH FLANAGAN'S CONTRACTING GROUP FOR HOBOKEN BLOCK 12 PARK (BID NO. 16-03), FOR CHANGE ORDERS #3 AND #7, IN AN INCREASED AMOUNT NOT TO EXCEED \$49,592.40, FOR A TOTAL NOT TO EXCEED AMOUNT OF **\$4,957,159.90**

### **Environmental**

E1.\* RESOLUTION AWARDED A CONTRACT TO MODERN GROUP LTD FOR THE PURCHASE OF ONE (1) NEW AND UNUSED HYUNDAI 45D-9 FORKLIFT IN ACCORDANCE WITH THE CITY'S BID NO. 16-17 IN THE TOTAL NOT TO EXCEED AMOUNT OF **\$55,419.82**

E2.\* RESOLUTION APPROVING A CHANGE ORDER TO THE CONTRACT OF PICERNO-GIORDANO CONSTRUCTION FOR THE SPRAYGROUND AT LEGION PARK PROJECT (BID 15 – 14), AS CHANGE ORDER NUMBER 2 (CLOSEOUT/FINAL) FOR A DECREASED AMOUNT OF **\$2,710.00** (0.02% DECREASE) EQUATING TO A FINAL TOTAL AMOUNT OF **\$152,585.00**

E3.\* RESOLUTION AWARDED A CHANGE ORDER TO THE CONTRACT TO GREENSCAPE LANDSCAPE CONTRACTORS, INC. FOR CITY HALL DRAINAGE AND LANDSCAPE IMPROVEMENT PROJECT (BID 15 – 08), AS CHANGE ORDER NUMBER 2, IN AN INCREASED AMOUNT NOT TO EXCEED \$3,610.00 (=2.0% INCREASE) FOR A TOTAL NOT TO EXCEED AMOUNT OF **\$278,252.50**

E4.\* RESOLUTION APPROVING THE PURCHASE OF A USED TRECAN 60-PD SNOWMELTER MACHINE FROM HUDSON COUNTY IN THE NOT TO EXCEED AMOUNT OF **\$65,000.00**

E5.\* RESOLUTION AWARDED A CONTRACT TO LOU'S LANDSCAPING & DESIGN, INC. FOR THE PROVISIONS OF STEVENS PARK SIDEWALK IMPROVEMENT PROJECT IN ACCORDANCE WITH THE CITY'S BID NO. 16 - 21 IN THE TOTAL NOT TO EXCEED AMOUNT OF **\$122,025.00**

E6.\* RESOLUTION AUTHORIZING THE REPLACEMENT OF TREES BY FIELDS HI-RISE CONSTRUCTION COMPANY AND WAIVER OF ANY PERMIT FEES TO COMPLETE THE WORK

### **Finance**

- F1.\* RESOLUTION AMENDING HOBOKEN CITY COUNCIL RESOLUTIONS NO. 5 DATED FEBRUARY 17, 2016 AND NO. 7 DATED MAY 18, 2016 TO ALLOW FOR AN ADJUSTMENT OF FUNDS
- F2.\* RESOLUTION INSERTING A SPECIAL ITEM OF REVENUE INTO THE CY2016 MUNICIPAL BUDGET TO INCLUDE THE **\$67,713.02** RECEIVED PURSUANT TO THE 2016 SUMMER FOOD SERVICE PROGRAM
- F3.\* RESOLUTION TO REFUND HANDICAPPED PARKING APPLICATION FEE TO APPLICANT VIRGINIA M. RECKHOW IN THE AMOUNT OF **\$125.00**
- F4.\* RESOLUTION TO REFUND AN OVERPAYMENT OF THE ANNUAL RENT REGISTRATION FEE FOR THE YEARS 2015 AND 2016 TO DARREN PINCUS IN THE TOTAL AMOUNT OF **\$50.00**

### **Public Safety**

- PS1.\* RESOLUTION AUTHORIZING THE EXECUTION OF THE ATTACHED MEMORANDUM OF AGREEMENT BETWEEN THE NEW JERSEY OFFICE OF EMERGENCY MANAGEMENT AND THE CITY OF HOBOKEN FIRE DEPARTMENT
- PS2.\* RESOLUTION TO APPROVE THE ATTACHED AGREEMENT WITH HUDSON COUNTY REGARDING THE 2016 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

### **Transportation**

- T1.\* RESOLUTION AWARDED A PROFESSIONAL SERVICE CONTRACT TO PETRY TRAFFIC, LLC FOR PROFESSIONAL TRAFFIC ENGINEERING SERVICES TO THE CITY OF HOBOKEN FOR THE DESIGN OF A NEW TRAFFIC SIGNAL AT MADISON STREET AND OBSERVER HIGHWAY IN AN AMOUNT NOT TO EXCEED **\$16,700.00** FOR A TERM TO COMMENCE SEPTEMBER 8, 2016

### **Tax Collector**

- TX1.\* RESOLUTION AUTHORIZING THE REFUND OF TAX APPEALS STATE TAX COURT (PAYABLE TO THE INDIVIDUALS LISTED ON THE RESOLUTION FOR THE AMOUNT OF **\$973.05**) (submitted by Tax Collector)
- TX2.\* RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS (PAYABLE TO THE INDIVIDUALS LISTED ON THE RESOLUTION FOR THE AMOUNT OF **\$9,806.03**) (submitted by Tax Collector)

### **Clerk**

CL1.\* RESOLUTION TO ADOPT THE MINUTES OF THE MEETINGS OF THE CITY COUNCIL DATED: **REGULAR AND SPECIAL MEETING OF JUNE 15, 2016**

**ORDINANCES**

Introduction and First Reading

1. BOND ORDINANCE AUTHORIZING THE RESURFACING OF VARIOUS STREETS AND IMPROVEMENTS TO VARIOUS INTERSECTIONS IN THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY; APPROPRIATING THE SUM OF \$1,375,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$1,306,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING
2. AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE CITY OF HOBOKEN CHAPTER 190 “VEHICLES AND TRAFFIC” ARTICLE XVI § 190-28 ENTITLED “ALTERNATE PARKING LOCATIONS” (**sponsored by Councilwoman Giattino and Councilwoman Fisher**) \*
3. AN ORDINANCE TO AMEND AND SUPPLEMENT § 196-31 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED “SIGNS AND SIGNAGE” (**sponsored by Councilman DeFusco and Councilman Bhalla**)
4. AN ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOKEN, CHAPTER 68, ENTITLED “ALCOHOLIC BEVERAGES,” SPECIFICALLY TO REMOVE § 68-7 THE “FIVE-HUNDRED-FOOT RULE.” (**sponsored by Councilman Doyle and Councilman Russo**)
5. AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE CITY OF HOBOKEN CHAPTER 190 “VEHICLES AND TRAFFIC” ARTICLE XVI § 190-28 ENTITLED “ALTERNATE PARKING LOCATIONS” TO CHANGE THE TIME FOR STREET CLEANING ON OBSERVER HIGHWAY SOUTH ON FRIDAYS
6. AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF HOBOKEN ADDING NEW CHAPTER \_\_\_\_ - BUILDING DEMOLITION (**sponsored by Councilman Cunningham and Councilman Doyle**)

**NEW BUSINESS**