

MEETING OF JANUARY 3, 2007

**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, JANUARY 3, 2007 AT 7:00 PM**

President Del Boccio opened the meeting at 7:06 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 Bergen 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 Cammarano, Campos, Castellano, Cricco, Giacchi, LaBruno, Ramos, Russo and President Del Boccio.

ABSENT: None.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

ORDINANCE OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE GUARANTY BY THE CITY OF HOBOKEN OF BONDS, NOTES, OR OTHER OBLIGATIONS OF THE HOBOKEN MUNICIPAL HOSPITAL AUTHORITY, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$52,000,000 AND AUTHORIZING VARIOUS AGREEMENTS AND RELATED MATTERS IN CONNECTION THEREWITH (DR-281)

President Del Boccio 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 which was read in full.

The following addressed the ordinance as follows: Mayor David Roberts; Joan Quigley, New Jersey Assemblywoman; Richard Mason, 921 Hudson Street; Harvey Holzburg, 100 Constitute Way, Jersey City; Bill Noonan, 711 Garden Street; Ron DiVito, 1500 Washington Street; Helen Hirsch, 98 Park Avenue; Donald Pellicano, 1000 Hudson Street; Councilman Campos left the meeting at 8:00 p.m.; Dorothy DeMauro, 814 Washington Street; Richard Tremitedi, 2 Constitution Court; Councilman Campos returned to the meeting at 8:02 p.m.; Jason Padrone, 112 Oak Street, Weehawken; Bob DuVal.

303 Park Avenue; Steve Cappiello, 530 Adams Street; Abbie Jacobs, 1240 Bloomfield Street; Randy Brummette, 630 Hudson Street; Elizabeth Mason, 921 Hudson Street; Councilman Cricco left the meeting at 8:27 p.m.; James Vance, 107 Monroe Street; Dr. Thomas Azzolini, 2 14th Street; Councilman Cricco returned to the meeting at 8:30 p.m.; Michael Sweidlow, 7 Pierson Road South, Maplewood; Maurice DeGennaro, 614 Hudson Street; Dr. Angelo Caprio, 308 Willow Avenue; Perry Belfiore, 161 11th Street; Lane Bajardi, 70 Park Avenue.

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

Councilman Campos moved that the hearing be closed.

Motion duly seconded by Councilman Russo.

---Adopted by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Cammarano, Campos, Castellano, Cricco, Giacchi, LaBruno, Ramos, Russo and President Del Boccio.

---Nays: None.

Councilwoman Castellano left the meeting at 9:00 pm and returned at 9:05 p.m.

After discussion among the city council members the final vote on the ordinance was taken.

Council President Del Boccio instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Cammarano, Campos, Castellano, Cricco, Giacchi, LaBruno, Ramos, Russo and President Del Boccio.

---Nays: None.

At 9:15 p.m. a recess was taken.

At 9:25 p.m. the meeting was resumed.

07-700

PETITIONS AND COMMUNICATIONS

January 2, 2007

The Honorable Members of the City Council
City of Hoboken
94 Washington Street
Hoboken, NJ 07030

Dear Ladies and Gentlemen:

Pursuant to my authority under Chapter 44, Sections 1-2of the Hoboken Code, I hereby reappoint the following individuals to the hoboken Planning Board.

James Monaco 1 Marineview Pl.	4 year term	expires December 31, 2010
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Nicholas De Trizio	4 year term	expires December 31, 2010
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Hank Forrest
518 Jefferson Street

First Alternate
2 year term

expires December 31, 2008

Very truly yours,

DAVID ROBERTS
City of Hoboken

cc/ James J. Farina, City Clerk
Joseph Sherman, Corporation Counsel
Thomas Mooney, Planning Board

--Received and filed.

07-701

APPLICATIONS FOR MISCELLANEOUS LICENSES

Limo/Livery Drivers -----	6
Public Hack Drivers -----	3

---Councilman Giacchi moved that the licenses be granted.
---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Campos, Castellano, Cricco, Giacchi, LaBruno, Ramos, Russo and President Del Boccio.
---Nays: None.

CLAIM RESOLUTIONS

07-702

By Councilman Giacchi:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling \$167,813.41 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Campos, Castellano, Cricco, Giacchi, LaBruno, Ramos, Russo and President Del Boccio.
---Nays: None.

By Councilman Giacchi:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling \$59,124.93 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Campos.

---Adopted by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Cammarano, Campos, Castellano, Cricco, Giacchi, LaBruno, Ramos, Russo and President Del Boccio.

---Nays: None.

By Councilman Cricco:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling \$27,192.61 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Ramos.

---Adopted by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Cammarano, Campos, Castellano, Cricco, Giacchi, LaBruno, Ramos, Russo and President Del Boccio.

---Nays: None.

By Councilman Campos:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling \$101,046.24 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Cammarano.

---Adopted by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Cammarano, Campos, Castellano, Cricco, Giacchi, LaBruno, Ramos, Russo and President Del Boccio.

---Nays: None.

By Councilman Campos:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling \$111,708.28 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilman Cammarano.

---Adopted by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Cammarano, Campos, Castellano, Cricco, Giacchi, LaBruno, Ramos, Russo and President Del Boccio.

---Nays: None.

By Councilman Cammarano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling \$12,897.21 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Russo.

---Adopted by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Cammarano, Campos, Castellano, Cricco, Giacchi, LaBruno, Ramos, Russo and President Del Boccio.

---Nays: None.

By Councilman Giacchi:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling \$39,353.87 against the CAPITAL ACCOUNT.

Seconded by Councilman Campos.

---Adopted by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Cammarano, Campos, Castellano, Cricco, Giacchi, LaBruno, Ramos, Russo and President Del Boccio.

---Nays: None.

By Councilwoman LaBruno:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling \$183,084.99 against the PARKING UTILITY.

Seconded by Councilman Campos.

---Adopted by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Cammarano, Campos, Castellano, Cricco, Giacchi, LaBruno, Ramos, Russo and President Del Boccio.

---Nays: None.

PAYROLL RESOLUTIONS

07-703

By Council President Del Boccio:

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 NOVEMBER 30, 2006 TO DECEMBER 13, 2006 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

<u>Department</u>	<u>Account Num.</u>	<u>Regular Pay</u>	<u>Overtime</u>	<u>Other Pay</u>	<u>Total Pay</u>
Personnel	7-01-20-105	8,142.23			8,142.23
Mayor's Office	7-01-20-110	5,622.32			5,622.32
City Council	7-01-20-111	8,085.11			8,085.11

Bus Adm. Office	7-01-20-112	11,666.64	251.96	554.62	12,473.22
ABC Board	7-01-20-113			269.24	269.24
Purchasing	7-01-20-114	3,780.97			3,780.97
Grants Management	7-01-20-116	7,570.97			7,570.97
City Clerks Office	7-01-20-120	16,622.17	374.64		16,996.81
Elections	7-01-20-122				
Finance Office	7-01-20-130	4,316.70			4,316.70
Accounts / Controls	7-01-20-131	2,946.04			2,946.04
Payroll Division	7-01-20-132	3,183.81	1,245.29		4,429.10
Tax Collection	7-01-20-145	11,103.22		302.64	11,405.86
Assessor's Office	7-01-20-150	12,147.97			12,147.97
Corporation Counsel	7-01-20-155	15,884.37			15,884.37
Community Develop.	7-01-20-160	5,977.97			5,977.97
Treasurer	7-01-20-146				
Planning Board	7-01-21-180	3,641.55			3,641.55
Info Technology	7-01-20-147	3,220.97			3,220.97
Zoning Officer	7-01-21-186	2,528.16			2,528.16
Housing Inspection	7-01-21-187	5,603.93			5,603.93
Construction Code	7-01-22-195	26,467.75			26,467.75
Police Division	7-01-25-241	459,404.54	13,694.85	39,529.60	512,628.99
Crossing Guards	7-01-25-241	12,586.39			12,586.39
Emergency Mgmt	7-01-25-252	3,887.23		96.15	3,983.38
Fire Division	7-01-25-266	497,631.48	16,769.86	180.00	514,518.34
Signal & Traffic	7-01-25-267				
Envir. Ser. Dir. Office	7-01-26-290	17,673.29	2,688.98		20,362.27
Streets & Roads	7-01-26-291				
Central Garage	7-01-26-301	5,711.66		2,191.02	7,902.68

Sanitation	7-01-26-305	57,822.25	11,366.54	1,195.36	70,384.15
Summer Training Empl	7-01-28-370-015			(2,998.13)	(2,998.13)
Human Service Direct.	7-01-27-330	6,420.51			6,420.15
Board of Health	7-01-27-332	13,241.82	2,529.23		15,771.03
Constituent Services	7-01-27-333	6,275.18			6,275.18
Senior Citizens Div	7-01-27-336	14,727.18	532.98		15,260.16
Rent Stabilization	7-01-27-347	7,086.08			7,086.08
Transportation	7-01-27-348	8,350.36	757.34	994.50	10,102.20
Recreation	7-01-28-370	25,390.39	2,097.20	40.00	27,527.59
Parks	7-01-28-375	27,375.91	1,701.95	1,355.12	30,432.98
Public Prop.	7-01-28-377	25,599.16	5,704.33		31,303.49
Public Library	7-01-29-390	29,400.97	918.00		30,318.97
Public Defender	7-01-43-495	2,372.54			2,372.54
Municipal Court	7-01-43-490	33,307.77	1,585.05	412.50	35,305.32
Parking Utility	7-31-55-501-100	61,716.45	7,729.28		69,445.73
Universal Cops	7-01-25-241-012				
Cops In School	7-01-25-241-015				
Civilian Hiring	7-01-25-241-016	5,666.97			5,666.97
Minority Affairs	7-01-27-331				
Summer Fun	7-01-28-370-013				
Summer Lunch	G-02-44-701-316				
Other					
Salary Adjustment	7-01-36-478-000			26,701.92	26,701.92
Police Outside Employ.	T-03-40-000-006			35,702.50	35,702.50
Ped Safety Grant	7-01-25-241-013				
Fire Education Grant	T-13-10-000-000		1,504.92		1,504.92
Police Housing Auth	7-01-25-241-017			20,120.00	20,120.00

Grand Total	1,480,160.25	71,452.40	126,647.04	1,678,259.69
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Motion by Council President Del Boccio.

Seconded by Councilman Campos.

---Adopted by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Cammarano, Campos, Castellano, Cricco, Giacchi, LaBruno, Ramos, Russo and President Del Boccio.

---Nays: None.

RESOLUTIONS

Presented and Read

07-704

---By Councilman Giacchi:

RESOLVED, that the Chief Financial Officer is hereby directed, pursuant to N.J.S.A. 40A:4-20 to make the following additional temporary emergency appropriations:

ACCOUNT	ACCOUNT #	AMOUNT
(Within Cap)		
Personnel S & W	7-01-20-105-010	\$ 25,000.00
Mayor's S & W	7-01-20-110-010	\$ 17,000.00
City Council S & W	7-01-20-111-010	\$ 24,000.00
Business Admin. S & W	7-01-20-112-010	\$ 37,000.00
Purchasing S & W	7-01-20-114-010	\$ 11,000.00
Grants Mgmt. S & W	7-01-20-116-010	\$ 22,000.00
City Clerk S & W	7-01-20-120-010	\$ 51,500.00
Finance Super S & W	7-01-20-130-010	\$ 13,000.00
Accts & Control S & W	7-01-20-131-010	\$ 9,000.00
Payroll S & W	7-01-20-132-010	\$ 13,000.00
Tax Collector S & W	7-01-20-145-010	\$ 34,000.00
Information Tech S & W	7-01-20-147-010	\$ 10,000.00
Tax Assessor S & W	7-01-20-150-010	\$ 36,500.00
Corp. Counsel S & W	7-01-20-155-010	\$ 48,000.00
Community Devel. SW	7-01-20-160-010	\$ 15,000.00
Community Devel. O.E.	7-01-20-160-021	\$ 5,000.00
Planning Bd. S & W	7-01-21-180-010	\$ 11,000.00
Zoning Officer S & W	7-01-21-186-010	\$ 7,500.00
Housing Inspect. S&W	7-01-21-187-010	\$ 18,000.00
Construction S & W	7-01-22-195-010	\$ 82,000.00
Police Department S&W	7-01-25-241-010	\$1,550,000.00
Emerg. Mgmt. S & W	7-01-25-252-010	\$ 8,000.00
Fire Department S & W	7-01-25-266-010	\$1,508,000.00
Environ. Svcs. Dir. S&W	7-01-26-290-010	\$ 62,000.00
Central Garage S & W	7-01-26-301-010	\$ 26,000.00
Solid Waste S & W	7-01-26-305-010	\$ 212,000.00
Solid Waste O.E.	7-01-26-305-021	\$ 250,000.00
Human Svcs. Dir S&W	7-01-27-330-010	\$ 19,000.00
Constituent Services S&W	7-01-27-333-010	\$ 18,000.00
Board of Health S & W	7-01-27-332-010	\$ 48,000.00

Senior Citizens S & W	7-01-27-336-010	\$ 46,000.00
Rent Control S & W	7-01-27-347-010	\$ 20,000.00
Transportation S & W	7-01-27-348-010	\$ 32,000.00
Recreation S & W	7-01-28-370-010	\$ 85,000.00
Public Property S & W	7-01-28-377-010	\$ 100,000.00
Group Health O.E.	7-01-30-400-030	\$1,000,000.00
Electricity O.E.	7-01-31-430-000	\$ 20,000.00
Street Lights O.E.	7-01-31-435-000	\$.....30,000.00
Telecommunications O.E.	7-01-31-450-000	\$.....2,000.00
Municipal Court S&W	7-01-43-490-010	\$ 105,000.00
Public Defender S & W	7-01-43-495-010	<u>\$ 7,000.00</u>
	TOTALS	\$7,637,500.00

ACCOUNT (Outside the Cap)	ACCOUNT #	AMOUNT
Unemployment Ins. O.E.	7-01-23-225-020	\$ 12,000.00
Public Library S & W	7-01-29-390-010	<u>\$ 92,000.00</u>
	TOTALS	\$ 104,000.00

ACCOUNT (Utility)	ACCOUNT #	AMOUNT
Parking Utility S & W	7-31-55-502-100	\$ 215,000.00
Parking Utility O.E.	7-31-55-502-200	<u>\$ 200,000.00</u>
	TOTALS	\$ 415,000.00

---Motion duly seconded by Councilman Campos.

---Adopted by the following vote: YEAS: 7 - NAYS: 2

---Yeas: Council persons Cammarano, Campos, Cricco, Giacchi, LaBruno, Ramos and President Del Boccio.

---Nays: Castellano, Russo.

07-705

---By Councilman Giacchi:

WHEREAS, the City of Hoboken is contractually required to provide health care to it's employees, and

WHEREAS, the City of Hoboken is desirous to continue said coverage, and

WHEREAS, the Administration of the City of Hoboken sought competitive proposals from health care providers, and

WHEREAS, the Administration has identified Horizon Blue Cross/Blue Shield as the recommended provider of health care services, now

THEREFORE BE IT RESOLVED, the Administration is hereby authorized to enter into a one (1) year contract (1 February 2007 through 31 January 2008) with Horizon Blue Cross/Blue Shield at a maximum annual cost of \$10,450,000.

---Motion duly seconded by Councilman Campos.

---Adopted by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Cammarano, Campos, Castellano, Cricco, Giacchi, LaBruno, Ramos, Russo and President Del Boccio.

---Nays: None.

07-706

---By Council President Del Boccio:

WHEREAS, the City of Hoboken is a member of the Garden State Municipal Joint Insurance Fund; and

WHEREAS, it is required for the City of Hoboken to have representation on the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken, County of Hudson, State of New Jersey that:

1. William Murray is hereby appointed as Alternate Fund Commissioner representing the City of Hoboken on the Garden State Municipal Joint Insurance Fund Board of Commissioners.

I do hereby certify that the foregoing is a true copy of a resolution passed by the City Council of the City of Hoboken at a meeting held on the 3rd day of January, 2007.

---Motion duly seconded by Councilman Campos.

---Adopted by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Cammarano, Campos, Castellano, Cricco, Giacchi, LaBruno, Ramos, Russo and President Del Boccio.

---Nays: None.

07-707

---By Councilwoman Castellano:

WHEREAS, the Hoboken City Council seeks to maintain affordable rents in the City of Hoboken: and

WHEREAS, the legislation exempting certain newly constructed multiple dwelling units from rent control ordinances was originally enacted in 1987, was amended in 1992 and was again amended to become permanent in 1999; and

WHEREAS, the city of Hoboken has been made aware of several instances where rents are being increased by exorbitant, unconscionable and immoral numbers; and

WHEREAS, the Hoboken City Council urges the New Jersey Legislature to amend N.J.S.A. 2A: 42-84.1 et seq. to place limits on newly constructed multiple dwellings that are otherwise exempt from rent control by limiting increases to either A) Cost of living per annum or; B) a maximum percentage increase to be determined by the Legislature; and

WHEREAS, the Hoboken City Council requests that if amended, that N.J.S.A. 2A: 42-84.1 et seq. be applicable to existing as well as future tenants.

NOW THEREFORE BE IT RESOLVED THAT:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The City Council directs the City Clerk to forward certified copies of this resolution to all Hudson County Senators and Assembly Persons, the Senate President, the Assembly Speaker and the Governor.
3. This resolution shall be effective immediately.

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Campos, Castellano, Cricco, Giacchi, LaBruno, Ramos, Russo and President Del Boccio.
---Nays: None.

07-708

---By Councilwoman LaBruno:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that the \$4,150.00 necessary to meet this contract amount is available in the SFY 2007 Budget, in the following appropriation, Parking Utility Other Expense - 7-31-55-502-200. These funds will be sufficient to meet the contractual commitment providing for:

Refund of Erroneous Booting charges and Dismissed Tows

and awarded to the following vendor:

Hoboken Parking Utility (to be dispersed to shown individuals)
94 Washington Street
Hoboken, NJ 07030

I further certify that this commitment together with all previously made commitments will not exceed the appropriation balance available for this purpose.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Campos, Castellano, Cricco, Giacchi, LaBruno, Ramos, Russo and President Del Boccio.
---Nays: None.

07-709

---By Councilwoman LaBruno:

WHEREAS, the Hoboken Parking Utility requires it's monthly customers within the Municipal Garages within Hoboken to make a deposit as security for the individual vehicle AVI (computer card) used to enter/exit the garage(s), and

WHEREAS, the Hoboken Parking Utility receives said deposits from the individual customers, and

WHEREAS, this deposit is refundable upon the cancellation of the contract between the individual and the Hoboken Parking Utility, now, therefore, be it

RESOLVED, that the attached list of individuals be refunded the deposit value equal to the amount shown next to their individual name, and be it further

RESOLVED, that the total amount of all refunds, by this Resolution, shall be Three Thousand Two Hundred Seventy Dollars (\$3,270.00), and be it further

RESOLVED, that the Hoboken Parking Utility shall reimburse said individuals from the Other Expense Line in the SFY 2007 Budget Fund line number 7-31-55-502-200. (See attached list)

---Motion duly seconded by Councilman Campos.

---Adopted by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Cammarano, Campos, Castellano, Cricco, Giacchi, LaBruno, Ramos, Russo and President Del Boccio.

---Nays: None.

07-710

---By Councilman Giacchi:

WHEREAS, there exists a need for a Vision Plan Service for the City employees of Hoboken for the provision of a group vision service plan, and

WHEREAS, the Interim Business Administrator, Richard England, has recommended that the City of Hoboken, continue to make such vision plan service available to its employees in accordance with the existing personnel policies and collective bargaining agreements; and

WHEREAS, the Interim Business Administrator, Richard England, has recommended that the City of Hoboken enter into a two (2) year contract with Vision Service Plan, beginning January 1, 2007 and terminating December 31, 2007; and

WHEREAS, the total amount proposed by Vision Service Plan, for the first year of the contract is equal to their existing charges; and

WHEREAS, the total amount of the first year of the contract with Vision Service Plan, for a Group Vision Service Plan is not to exceed One Hundred Twenty-Five Thousand Dollars (\$125,000.00); and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) allows the award of contracts for insurance without competitive bidding and the contract itself must be made available for public inspection; and

WHEREAS, the Acting Chief Financial Officer certifies that funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hoboken as follows that a contract for Prescription Plan Service is awarded to Vision Service Plan, for a Group Vision Service Plan that is not to exceed One Hundred Twenty-Five Thousand Dollars (\$125,000.00).

BE IT FURTHER RESOLVED, the Mayor and City Clerk are hereby authorized and directed to execute and attest an Agreement with Vision Service Plan, commencing January 1, 2005 through December 31, 2005, the form of said agreements to be approved by Corporation Counsel.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published and the City Clerk shall keep a copy of this contract in accordance with N.J.S.A. 40A:11-1 et seq.

---Motion duly seconded by Councilman Campos.

---Adopted by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Cammarano, Campos, Castellano, Cricco, Giacchi, LaBruno, Ramos, Russo and President Del Boccio.

---Nays: None.

07-711

---By Councilman Russo:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY, as follows:

SECTION 1. In anticipation of the collection of taxes for the fiscal year that commenced July 1, 2006, whether levied or to be levied in such fiscal year, and in anticipation of other revenues for such fiscal year, the City of Hoboken, in the County of Hudson, New Jersey (the "City") hereby authorizes and determines to issue, from time to time, negotiable Tax Anticipation Notes of the City in an aggregate principal amount not to exceed \$20,000,000, in accordance with the Local Budget Law. Each such Tax Anticipation Note shall be designated "Tax Anticipation Note of 2006, Series A", together with such other designation as may be determined by the Chief Financial Officer of the City. The proceeds of the sale of such Tax Anticipation Notes, unless used to pay outstanding notes issued in anticipation of the collection of taxes of the same fiscal year, shall be applied only to the purposes provided for in the budget or for which taxes are levied or to be levied for such fiscal year, and shall not be applied to any other purpose.

SECTION 2. The amount of Tax Anticipation Notes outstanding at any one time shall not exceed \$20,000,000, which is within the gross borrowing power (as certified by the Chief Financial Officer) of the City, and the amount of Tax Anticipation Notes authorized hereby is within the net borrowing power (as certified by the Chief Financial Officer) of the City. On June 30, 2005, the Chief Financial Officer executed a certificate setting forth the gross borrowing power and the net borrowing power of the City in accordance with N.J.S.A. 40A:4-66. Such certificate has been filed in the office of the Clerk of the City, and a copy thereof is attached hereto as Exhibit A and is hereby incorporated herein in its entirety.

SECTION 3. All Tax Anticipation Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that all such Tax Anticipation Notes and any renewals thereof shall mature within 120 days after the beginning of the next succeeding fiscal year. The Chief Financial Officer shall determine all matters in connection with the Tax Anticipation Notes issued pursuant to this resolution, and the Chief Financial Officer's signature upon the Tax Anticipation Notes shall be conclusive evidence as to all such determinations. All Tax Anticipation Notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:4-67. The Chief Financial Officer is hereby authorized to sell part or all of the Tax Anticipation Notes from time to time, at not less than par and accrued interest, at private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price plus accrued interest from their date to the date of delivery thereof.

SECTION 4. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of Tax Anticipation Notes pursuant to this resolution is made, the amount, the description, the interest rate and the maturities of the Tax Anticipation Notes sold, the price obtained and the name of the purchaser, and such report shall be entered in full on the minutes of such meeting.

SECTION 5. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the Tax Anticipation Notes authorized by this resolution. The Tax Anticipation Notes shall be direct, unlimited obligations of the City. The power and obligation of the City to pay any Tax Anticipation Notes issued pursuant to this resolution and the Local Budget Law shall be unlimited and the City shall have the power and be obligated to levy ad valorem taxes upon all taxable property within the City for the payment of such Tax Anticipation Notes and interest thereon, without limitation of rate or amount.

SECTION 6. All Tax Anticipation Notes issued pursuant to this resolution shall be executed by the Chief Financial Officer and the Mayor of the City, and shall be under the seal of the City and attested by the Clerk of the City. Such officers are hereby authorized to execute and deliver all documents necessary or convenient in connection with the issuance, sale and delivery of the Tax Anticipation Notes.

SECTION 7. A certified copy of this resolution shall be filed with the Director of Local Government Services in the Department of Community Affairs, State of New Jersey.

SECTION 8. This resolution shall take effect immediately.

Mm,,,,,,,,, ,---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Cammarano, Campos, Castellano, Cricco, Giacchi, LaBruno, Ramos, Russo and President Del Boccio.
---Nays: None.

07-712

---By Councilman Russo:
---Motion duly seconded by Councilwoman Castellano.

9.* Authorizing amendments to the SFY 2007 Budget introduced on September 6, 2006 (amendments will be furnished at the caucus meeting). **at the request of Councilman Russo, not approved by Corporation Counsel**

---Motion to **TABLE** the above resolution (**07-712**) by Councilman Campos.
---Motion to **TABLE** duly seconded by Councilwoman LaBruno.
---**TABLED** by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Cammarano, Castellano, LaBruno, Russo.

ORDINANCES

Introduction and First Reading

07-713

DR-287

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN ENTITLED VEHICLES AND TRAFFIC, ADOPTED SEPTEMBER 4, 1991 AS ORDINANCE #2278. (No Stopping or Standing; Newark Street (North side) and Grand Street (East side) (DR-287)

THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:

**ARTICLE II
No Stopping or Standing**

Section 1, Chapter 190-6B of the City of Hoboken Administrative Code titled Vehicles and Traffic is hereby amended to include the following as No Stopping or Standing:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Newark Street	North	Beginning at the easterly curbline of Grand Street and extending 80 feet easterly therefrom.

Section 2, This Ordinance shall be part of the Administrative 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 Hoboken code. This ordinance shall take effect as provided by law.

---Councilman Campos 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 JANUARY 17, 2007 at 7:00 PM.

---Motion duly seconded by Council President Del Boccio.

---Adopted by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Cammarano, Campos, Castellano, Cricco, Giacchi, LaBruno, Ramos, Russo and President Del Boccio.

---Nays: None.

07-714

DR-288

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN ENTITLED VEHICLES AND TRAFFIC, ADOPTED SEPTEMBER 4, 1991 AS ORDINANCE #2278. (Signage Designating Driveway and Loading Zone) (DR-288)

THE COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:

**ARTICLE XXV
Signage Designating Driveway And Loading Zone**

190-41.1 Parking in Front of Driveway

Section 1: Pursuant to N.J.S.A. 39:4-138.4 The Director of Parking Utility may issue to owners of private driveways and to members of the same household permits authorizing the parking of private passenger vehicles in front of the owner's driveway. The Director may require an owner to file a complete application for such a permit on a form provided by the director. An owner of a private driveway shall be eligible to apply for up to three permits for his or her own motor vehicles or for use by other parties authorized by the owner to park in front of the private driveway. Each member of the owner's household who owns a motor vehicle shall also be eligible to apply for a permit issued under this section . The director may require an applicant to provide evidence that the driveway was legally established in accordance with the office of zoning code.

Section 2: The permit shall identify the location of the driveway and the vehicle authorized to park in front of the driveway. The permit shall be 5 ½ inches by 8 ½ inches in size. Shall bear an appropriate certification of authenticity and shall be displayed prominently within the vehicle when parked so as to be seen from the middle of the street.

Section 3: Provided that such parking is not otherwise prohibited and does not interfere with a normal flow of traffic. It is an affirmative defense to prosecution for violation of N.J.S.A. 39:4-138(d) if:

1. The parked vehicle and driveway where the vehicle is parked are owned by the same person; or
2. The parked vehicle is owned by a member of the same household as the owner of the private driveway; or
3. The owner of the private driveway authorized the parking of the parked vehicle in front of the private driveway.
4. This defense may be presented by form of affidavit as provided for in the New Jersey Court Rule 7:6-6(a).

5. No owner may permit any vehicle to park in front of the owner's driveway other than a vehicle registered in the name of the owner or member of the owner's household residing with the owner.
6. No owner may charge a fee for permitting anyone to park a vehicle in front of the owner's driveway.
7. The parked vehicle must be parked parallel to the curb in front of the driveway. No vehicle shall be parked in such a way as to block access to the sidewalk.

Section 4: All ordinances and parts of ordinances inconsistent herewith are hereby repealed. This ordinance shall be part of the Hoboken Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Hoboken code. This ordinance shall take effect as provided by law.

---Council President Del Boccio 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 JANUARY 17, 2007 at 7:00 PM.

---Motion duly seconded by Councilman Giacchi.

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

---Yeas: Council persons Cammarano, Campos, Castellano, Giacchi, LaBruno, Ramos, Russo and President Del Boccio.

---Nays: None.

---Abstentions: Cricco.

07-715

DR-289

AN ORDINANCE OF THE CITY OF HOBOKEN AUTHORIZING AND ADOPTING A STORMWATER MANAGEMENT PLAN FOR THE CITY OF HOBOKEN (DR-289)

WHEREAS, a Municipal Stormwater Management Plan (the "Plan") has been developed to address the key issues of flooding, water pollution and public safety related to the impacts of stormwater on the City of Hoboken; and

WHEREAS, the Plan conforms to all relevant Federal and State statutes and rules to include local rainfall intensity curves used in storm water management design criteria in accordance with the Residential Site Improvement Standards (RSIS) and or substituted by published local frequency data, when available which address stormwater management, dam safety, water pollution and flood control; and

WHEREAS, an additional goal of the Plan is to ensure it is consistent with any other plans which deal with stormwater issues as well as with the goals and strategies of the State Development and Redevelopment Plan; and

WHEREAS, the specific goals of this Plan are to:

- a) Reduce flood damage, including damage to life and property;
- b) Minimize stormwater runoff and new development projects where such runoff will increase flood damage;
- c) Reduce soil erosion from any development or construction project;
- d) Assure the adequacy of existing and proposed culverts and bridges, and other in-stream structures;
- e) Induce water recharge into the ground where practical;
- f) Prevent to the greatest extent feasible, an increase in nonpoint pollution;

- g) Maintain the integrity of stream channels for their biological functions, as well as for drainage;
- h) Minimize pollutant in stormwater runoff from new and existing developments in order to restore, enhance and maintain the chemical, physical and biological integrity of the waters of the State, to protect public health, to safeguard fish and aquatic life and scenic and ecological values and to enhance the domestic, municipal, recreational; industrial and other use of water;
- i) Protect public safety through the proper design and operation of stormwater management basins; and
- j) Ensure adequate maintenance procedures have been established and implemented to ensure that the stormwater management measures fulfill their intended functions.

WHEREAS, the Hoboken Planning Board has adopted the Stormwater Management Plan as an integral part of its Master Plan by the time the next reexamination of the Master Plan is due; and

WHEREAS, within one (1) year after the Stormwater Management Plan is adopted the City of Hoboken will adopt a Stormwater control Ordinance to implement the Plan; and

WHEREAS, once both the Stormwater Management Plan and Stormwater Control Ordinance is adopted same will be submitted to Hudson County for review and approval; and

WHEREAS, the City Council agrees that the Stormwater Management Plan should be adopted for the above mentioned reasons.

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

Section 1. The City of Hoboken does hereby adopt the Stormwater Management Plan prepared by Schoor DePalma Inc., entitled "Stormwater Management Plan for the City of Hoboken of which ten (10) copies are on file with the City Clerk.

Section 2. This Ordinance shall take effect in accordance with law and adopts by reference the above mentioned Stormwater Management Plan pursuant to and in accordance with **N.J.S.A. 40:69A-181**.

---Council President Del Boccio 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 JANUARY 17, 2007 at 7:00 PM.

---Motion duly seconded by Councilman Campos.

---Adopted by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Cammarano, Campos, Castellano, Cricco, Giacchi, LaBruno, Ramos, Russo and President Del Boccio.

---Nays: None.

**07-716
DR-290**

AN ORDINANCE OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY RESCINDING ORDINANCE DR-274, WHICH PROVIDED FOR THE ACQUISITION OF AND IMPROVEMENTS TO VARIOUS PARCELS OF LAND AND OTHER RELATED EXPENSES IN AND FOR THE CITY OF HOBOKEN AND APPROPRIATING 10,000,000.00 THEREFORE, AND PROVIDING FOR THE ISSURANCE OF \$9,500,000.00 IN BONDS OR NOTES OF THE CITY OF HOBOKEN TO FINANCE THE SAME. (DR-290)

WHEREAS, the City Council of the City of Hoboken approved Ordinance DR-274 to acquire the property commonly known as 720-732 Grand Street and 727-733 Adams Street.

WHEREAS, the City of Hoboken was not the successfully bidder to acquire that property, now

Therefore be it ordained, by the City Council of the City of Hoboken, in the County of Hudson, New Jersey, that

1- Authorization to **RECIND ORDINANCE DR-274**, which called for the issuance of bonds for various parcels of land and related expenses not to exceed \$10,000,000.00.

1 After **RESCINDING DR-274** upon the first reading of this ordinance, the City Clerk is hereby directed to publish the full text of the bond ordinance using the words; **NOTICE RECINDING BOND ORDINANCE DR-274**

3- THIS ORDINANCE **RECINDING BOND ORDINANCE DR-274** shall take effect 20 days after the first publication thereof after final adoption, as provided by section 2 and the Local Bond Law.

---Councilman Russo 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 JANUARY 17, 2007 at 7:00 PM.

---Motion duly seconded by Councilwoman Castellano.

---**FAILED** by the following vote: YEAS: 3 - NAYS: 6

---Yeas: Council persons Castellano, Giacchi, Russo.

---Nays: Cammarano, Campos, Cricco, LaBruno, Ramos and President Del Boccio.

PUBLIC HEARING FOR THE SFY 2007 MUNICIPAL BUDGET

The Public Hearing for the SFY 2007 Municipal Budget will be carried over.

Councilwoman LaBruno left the meeting at 9:57 p.m.

Councilman Cricco left the meeting at 9:59 p.m.

Councilwoman LaBruno returned to the meeting at 10:01 p.m.

Councilman Cricco returned to the meeting at 10:02 p.m.

Councilman Ramos left the meeting at 10:02 p.m.

Councilman Ramos returned to the meeting at 10:08 p.m.

All regular business concluded the following members of the public spoke at the "Public Portion" of the meeting: Maurice DeGennaro, 614 Hudson Street; Kim Cardinal, 70 Park Avenue; Maureen McElgunn, 77 Park Avenue; Helen Hirsch, 98 Park Avenue.

President Del Boccio then adjourned the meeting at 10:43 p.m.

PRESIDENT OF THE COUNCIL

CITY CLERK