

Sponsored by: _____

Seconded: _____

**MEETING OF THE CITY COUNCIL
OF HOBOKEN, NEW JERSEY
MISCELLANEOUS LICENSING
MARCH 4, 2009**

<u>TAXI OWNERS</u>	<u>12 ITEMS</u>
#21 SAHM CORP. 497 WESTSIDE AVE	JERSEY CITY, NJ
#13 HAMZA CORP 2828 KENNEDY BLVD	JERSEY CITY, NJ
#26 SZ & M INC. 19 PECAN VALLEY DR.	MARLBORO, NJ
#34 SZ & M INC. 19 PECAN VALLEY DR	MARLBORO, NJ
#46 SZ & M INC. 19 PECAN VALLEY DR.	MARLBORO, NJ
#18 ABOBK.R.S.CORP 2828 KENNEDY BLVD.	JERSEY CITY, NJ
#30 SHAWKI KHALIL 12 COLONIAL DR.	BAYONNE, NJ
#45 SONIA KHALIL 12 COLONIAL DR.	BAYONNE, NJ
#11 3 M TAXI CORP SHAWKI KHALIL 12 COLONIAL DR	BAYONNE, NJ
#41 3 M TAXI CORP SHAWKI KHALIL 12 COLONIAL DR	BAYONNE, NJ
#28 3 M TAXI CORP SHAWKI KHALIL 12 COLONIAL DR	BAYONNE, NJ
#12 YEM CORPORATION 330 50TH ST	WEST NEW YORK, NJ

<u>PARKING FACILITIES</u>	<u>1 ITEM</u>
JDA HOBOKEN BUSINESS CENTER LLC 50 HARRISON ST. HOBOKEN, NJ 07030	LOT AT 50 HARRISON ST.

<u>VENDOR</u>	<u>4 ITEMS</u>
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SHARKFINN, LLC.
416 NORTHWEST 13TH ST.
PORTLAND, ORE. 97209

ALAN MERMELSTEIN (NO FEE - VETERAN)
T-SHIRT EXPRESS
193 BROADWAY
BAYONNE, NJ 07002

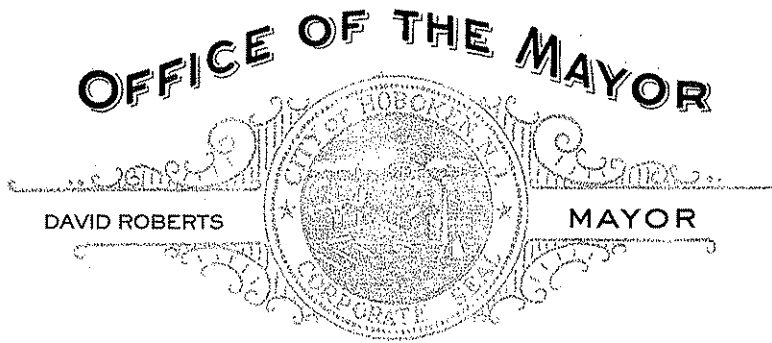
XION DESIGN
169 MANHATTAN AVE #35
JERSEY CITY, NJ 07307

SKY LUXURY AND WELLNESS
125 MARSHALL ST.
HOBOKEN, NJ 07030

<u>MUSIC MACHINES</u>	<u>2 ITEMS</u>
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LEO'S GRANDEZVOUS 200 GRAND ST. HOBOKEN, NJ 07030	1 MUSIC MACHINE
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CHARACTER CLUB 111 MONROE ST. HOBOKEN, NJ 07030	1 MUSIC MACHINE
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Proclamation

WHEREAS, March 8th through March 14th, 2009 marks **Girl Scout Week** as designated by Girl Scouts of the United States of America, a movement founded in 1912 by Juliette Gordon Low in Savannah, Georgia; and

WHEREAS, throughout its long and distinguished history, Girl Scouting has inspired more than 50 million girls and women to strive for the highest ideals of courage, confidence and character; and

WHEREAS, through Girl Scouts, girls grow strong, gain self-confidence, develop leadership skills and learn the lifelong lesson of contributing back to their communities; and


WHEREAS, Girl Scouting helps girls achieve their potential by increasing awareness of opportunities which exist in the fields of math, science, sports, technology and other professional pursuits; and

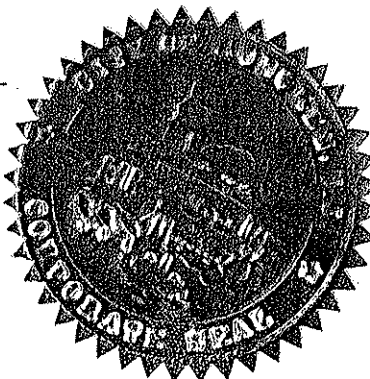
WHEREAS, the Girl Scouts Heart of New Jersey was formed in 2008 and is capably delivering the optimal Girl Scout experience to over 28,000 young women and adults in Essex, Hudson, Hunterdon, Middlesex, Somerset, Union and Warren counties; and

WHEREAS, more than 3.8 million Girl Scouts nationwide, including in excess of 100,000 in the State of New Jersey, join in celebrating this great American tradition;

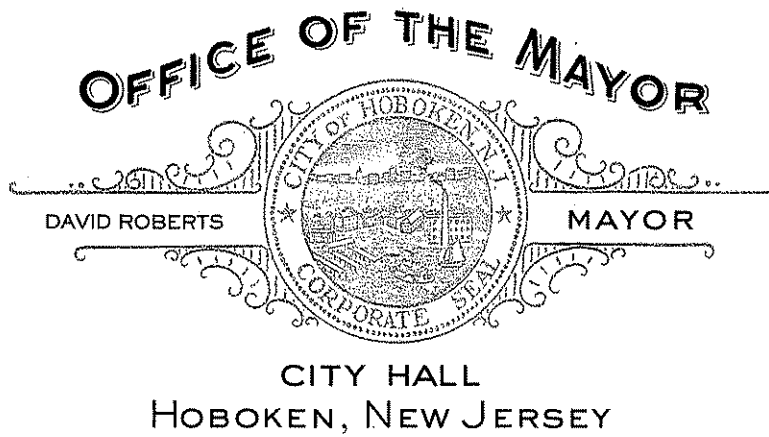
NOW, THEREFORE, BE IT RESOLVED, THAT I, DAVID ROBERTS, Mayor of the City of Hoboken, do hereby proclaim **March 8th through March 14th, 2009** as **Girl Scout Week**

throughout the City of Hoboken in recognition of the long and distinguished history of the Girl Scouts of the United States of America and to encourage all citizens to acknowledge and celebrate the accomplishments of this great organization and to wish them continued success in all future endeavors.


James J. Farina, City Clerk
Dated: March 4, 2009




David Roberts, Mayor



February 27, 2009

Communication To The Honorable Nino Giacchi And
Members of the Hoboken City Council

Dear Council President and Members of the City Council:

On Saturday, March 7th, Hoboken will celebrate St. Patrick's Day. This is an annual event which attracts thousands of residents and visitors alike. This is to be a peaceful, orderly day, honoring the Irish heritage of our residents.

The City of Hoboken, in conjunction with the Hoboken City Council, will again enact a "zero tolerance" policy on all code violations, including consumption of alcohol in public, fighting, public urination and house and rooftop parties, among others. The Director of Public Safety is hereby directed to be vigilant in taking all necessary steps to maintain law and good order throughout the day's events.

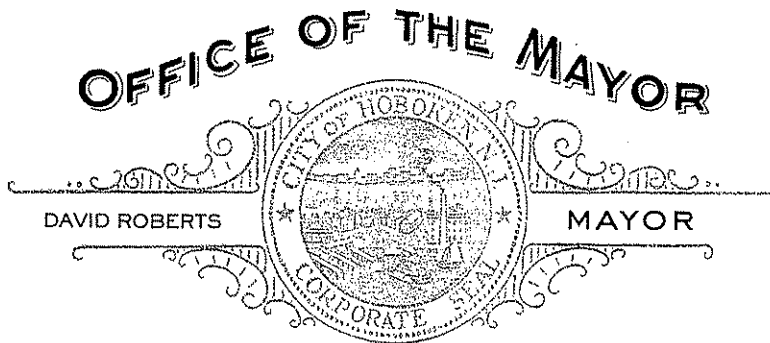
All municipal ordinances will be strictly enforced as well as the maximum penalty of \$1,000 for all violations. This initiative resulted in a steep drop of violations at last year's event and the City will continue to adhere to a zero tolerance policy.

The City is working closely with the Hoboken Hospitality Association to forewarn participants and enforce the municipal code.

The St. Patrick's Day Parade is a wonderful day for our community and rest assured that every precaution will be taken to make certain all residents and visitors to our community are safe and adhere to the zero tolerance on this day.

Sincerely,

DAVID ROBERTS
Mayor



CITY HALL
HOBOKEN, NEW JERSEY

February 27, 2009

The Honorable A. Nino Giacchi
President, Hoboken City Council
Hoboken City Hall
94 Washington Street
Hoboken, NJ 07030

Re: Special Meeting of the Hoboken City Council

Dear Council President Giacchi:

I hereby call a Special Meeting of the Hoboken City Council on Wednesday, March 11, 2009 at 6:00 pm in the City Council Chambers, 94 Washington Street, First Floor, Hoboken, New Jersey for the following purpose:

INTRODUCTION OF AMENDMENT TO THE SFY 2009 MUNICIPAL BUDGET

Sincerely,

DAVID ROBERTS
Mayor
City of Hoboken

Cc: City Council Members
Judith L. Tripodi, Fiscal Monitor
Steven W. Kleinman, Corporation Counsel
James J. Farina, City Clerk
The Jersey Journal/Star Ledger/The Record

Introduced By: _____

Second By: _____

**CITY OF HOBOKEN
RESOLUTION NO. _____**

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS

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

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

RESOLVED, that a warrant be drawn on the City Treasurer made payable to the
appearing on the attached list totaling **\$38,140.86**

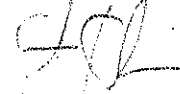
<u>NAME</u>	<u>BL/LT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
WASHINGTON MUTUAL ATTN:TAX DEPARTMENT, FSC0211 P.O. BOX 100573 FLORENCE, SC 29501-0573	27/32/C0002	604 FIRST ST	4/08	\$ 3,239.07
SHANNON GLAVAN 130 JEFFERSON STREET #3 HOBOKEN, NJ 07030	29/19/C0003	130 JEFFERSON ST	1/08	\$ 1,548.71
COUNTRYWIDE TAX SERVICES PO BOX 10211 VAN NUYS, CA 91410-0211	76/25/C0003	618 JEFFERSON ST	2/08	\$ 112.49
WELLS FARGO HOME MORTGAGE 1 HOME CAMPUS DES MOINES, IA 50328-0001	41/6	211 ADAMS ST.	4/08	\$ 4,191.52
COUNTRYWIDE TAX SERVICES PO BOX 10211 VAN NUYS, CA 91410-0211	238/12/C0008	933 HUDSON ST.	4/08	\$ 999.99
COUNTRYWIDE TAX SERVICES PO BOX 10211 VAN NUYS, CA 91410-0211	219/10.4/C05A	827 WASHINGTON ST.	3/07 2/08/4/08	\$ 2,425.49

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
CHASE HOME FINANCE LLC 3415 VISION DRIVE COLUMBUS, OH 43219-6009	48/8	315 MONROE ST.	2/08	\$ 2,096.05
HAVEN SAVINGS BANK 621 WASHINGTON ST. HOBOKEN, NJ 07030	261.04/1/C0314	1025 MAXWELL LANE	4/08	\$ 3,247.06
WELLS FARGO HOME MORTGAGE 1 HOME CAMPUS DES MOINES, IA 50328-0001	87/13/C004B	824-830 MONROE ST.	4/08	\$2,212.49
WELLS FARGO HOME MORTGAGE 1 HOME CAMPUS DES MOINES, IA 50328-0001	87/13/C0P23	824-830 MONROE ST.	4/08	\$ 118.53
SALIL NADGAUDA 300 NEWARK ST #6H HOBOKEN, NJ 07030	21/1/C006H	300 NEWARK ST	1/08-2/08 1/07-2/07-3/07-4/07 1/06-2/06-3/06&4/05	\$12,249.39
HUDSON CITY SAVINGS WEST 80 CENTURY ROAD PARAMUS, NJ 07675	69/27/C0002	514 ADAMS ST	4/08	\$2,035.31
MICHAEL JIMENEZ 79 MYRTLE AVENUE EDGEWATER, NJ 07020	179/26	338 GARDEN ST	1/07	\$2,010.08
MICHELLE MATTIS 825 ADAMS STREET #5B HOBOKEN, NJ 07030	91/1.2/C005B	825 ADAMS ST	4/08	\$ 86.79
KAREN & CHRISTOPHER PLATT 721-23 MADISON STREET #2 HOBOKEN, NJ 07030	83/11/C0002	721-23 MADISON ST	3/08	\$ 140.08

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
WELLS FARGO HOME MORTGAGE 1 HOME CAMPUS DES MOINES, IA 50328-0001	247/35/C000A	1206 WASHINGTON ST.	1/08	\$1,427.81

Meeting: March 4, 2009

Approved as to Form:



CORPORATION COUNSEL



Sharon Curran

Introduced By: _____

Second By: _____

**CITY OF HOBOKEN
RESOLUTION NO. _____**

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS

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

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

RESOLVED, that a warrant be drawn on the City Treasurer made payable to the appearing on the attached list totaling **\$3,148.01**

- **PAYMENTS LISTED UNDER MISCELLANEOUS CODE 15 REFUND FOR
WELLS FARGO - 1/09**

<u>NAME</u>	<u>BL/LT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
WELLS FARGO HOME MORTGAGE 1 HOME CAMPUS THOMAS REXROAT MAC X2302-04D DES MOINES, IA 50328	171/1.1/C0003	901 WILLOW AVE.	1/09	\$ 1,818.64
WELLS FARGO HOME MORTGAGE 1 HOME CAMPUS THOMAS REXROAT MAC X2302-04D DES MOINES, IA 50328	221/3/C0043	1013-19 WASHINGTON ST	1/09	\$ 1,329.37

Meeting: March 4, 2009

Approved as to Form:



CORPORATION COUNSEL



Sharon Curran

Introduced By: _____

Second By: _____

**CITY OF HOBOKEN
RESOLUTION NO. _____**

**RESOLUTION AUTHORIZING THE REFUND OF TAX APPEALS
HUDSON COUNTY TAX BOARD AND 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 **\$4,962.71**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>YEAR</u>	<u>AMOUNT</u>
CHRISTINE AUBIN 211 JEFFERSON STREET #4 HOBOKEN, NJ 07030	40/5/C0004	211 JEFFERSON ST HCB JUDGEMENT	2008	\$1,524.02
AL KEEHVARZIAN 1023 CLINTON ST #4A HOBOKEN, NJ 07030	162/3/C004A	1023 CLINTON ST HCB JUDGEMENT	2008	\$ 815.67
DANIEL KEOUGH C/O FULIN ZHU COUNSELOR AT LAW 783 SPRINGFIELD AVE SUMMIT, NJ 07901-2332	18/12/C0006	77-79 JEFFERSON ST HCB JUDGEMENT	2008	\$2,623.02

Meeting: March 4, 2008

Approved as to Form:



CORPORATION COUNSEL



SHARON CURRAN

INTRODUCED BY: Councilwoman Castellano

SECONDED BY: Councilman Russo

CITY OF HOBOKEN
RESOLUTION NO.: _____

**RESOLUTION IN SUPPORT OF THE UNITED STATES NATIONAL HEALTH
INSURANCE ACT “EXPANDED AND IMPROVED MEDICARE FOR ALL” (H.R. 696)**

WHEREAS, every person in the City of Hoboken and in the United States deserves access to affordable quality health care; and

WHEREAS, the crisis in American health care includes rising costs, increased insurance premiums and out-of-pocket medical and pharmaceutical expenses; and

WHEREAS, the U.S. poverty rate is increasing, as employee layoffs and outsourcing of the workforce is increasing, and the number of Americans without health insurance now exceeds 47 million; and

WHEREAS, many with insurance have coverage so inadequate that a major illness would lead to financial ruin, and

WHEREAS, one-half of personal bankruptcies are due to illness or medical bills; and

WHEREAS, the rising cost of insuring public employees can be reduced and best met not by limiting benefits, but by providing benefits under a national, publicly-funded health insurance program; and

WHEREAS, the complex bureaucracy arising from our fragmented, for-profit, multi-payer system of health care financing consumes approximately thirty percent (30%) of United States health care spending while the single-payer Medicare system has administrative costs of less than 5%; and

WHEREAS, proposals for “consumer directed health care” would worsen this situation by penalizing the sick, discouraging prevention and saddling many working families with huge medical bills; and

WHEREAS, managed care and other market-based reforms have failed to contain health care costs, which now threaten the international competitiveness of U.S. manufacturers; and

WHEREAS, U.S. hospitals spend 24.3% of their budgets on billing and administration while hospitals under Canada’s single payer system spend only 12.9%; and

WHEREAS, Harvard researchers estimate that more than \$300 billion could be recovered by replacing private insurance companies with a single public payer, *enough to cover the uninsured and to improve coverage for all those who now have only partial coverage*; and

WHEREAS, entrusting care to profit-oriented firms diverts billions of dollars to outrageous incomes for CEO's and threatens the quality of care; and

WHEREAS, The United States National Health Insurance Act (H.R. 676) would assure universal coverage of all medically necessary services, contain costs by slashing bureaucracy, protect the doctor patient relationship, assure patients a completely free choice of doctors, and allow physicians a free choice of practice settings; and

WHEREAS, most polls show that the majority of Americans support universal healthcare; and

WHEREAS, as of the date of this resolution, the majority of American physicians (59%) believe that Single Payer is the best method of securing universal healthcare; and

WHEREAS, United States Representative John Conyers, Jr. (D-MI) has introduced H.R. 676, the United States National Health Insurance Act, also known as "Expanded and Improved Medicare for All," in the 110th Congress, which Act would provide a universal, comprehensive single-payer system of high-quality national health insurance; and

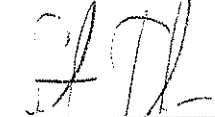
WHEREAS, The United States Conference of Mayors, at its 76th Annual Meeting held June 20-24, 2008, adopted a resolution supporting the adoption of the United States Health Insurance Act; and

WHEREAS, the Hudson County Board of Chosen Freeholders, at its meeting of January 24, 2008, adopted a resolution endorsing H.R. 676 and advising our U.S. Senators and Representatives to do the same.

NOW, THEREFORE, BE IT RESOLVED, that the City of Hoboken, New Jersey expresses its support for The United States National Health Insurance Act (H.R. 676), and calls upon federal legislators to work towards its immediate enactment, and further urges the adoption of a process by which healthcare providers will be required to justify and increases to healthcare costs; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Senators Frank Lautenberg and Robert Menendez and to Congressmen Albio Sires, Donald Payne and Steven Rothman.

APPROVED AS TO FORM:



Steven W. Kleinman, Corporation Counsel

Meeting Date: March 4, 2009

Introduced by: _____

Seconded by: _____

**CITY OF HOBOKEN
RESOLUTION NO. _____**

**RESOLUTION APPOINTING MATTHEW J. GIACOBBE OF SCARINCI &
HOLLENBECK LLC AS SPECIAL LEGAL COUNSEL FOR LABOR NEGOTIATIONS**

WHEREAS, the City of Hoboken requires the services of Special Legal Counsel to handle labor negotiations involving the City of Hoboken; and,

WHEREAS, the City of Hoboken has reviewed the qualifications of Matthew J. Giacobbe of the law firm Scarinci & Hollenbeck LLC, and has determined that this attorney and law firm can provide these services for the City of Hoboken in an efficient manner; and,

WHEREAS, this type of work constitutes a professional service as defined by N.J.S.A. 40A:11-2(b) and as such, is exempt from public bidding requirements pursuant to N.J.S.A. 40A:11-5; and,

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

WHEREAS, funds for this agreement are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken does hereby authorize a contract between the City of Hoboken and Scarinci & Hollenbeck LLC to provide legal services as set forth above;

BE IT FURTHER RESOLVED, by the Council of the City of Hoboken in the County of Hudson that:

1. A contract for Special Counsel for the City of Hoboken shall be prepared and executed with the following vendor:

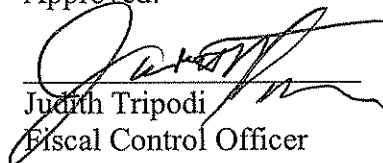
**Scarinci & Hollenbeck LLC
1100 Valley Brook Avenue, P.O. Box 790
Lyndhurst, NJ 07071**

Such firm to be paid at an hourly rate of \$140.00, with a total amount not to exceed \$75,000.00.

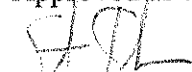
2. This agreement shall be effective March 1, 2009 and terminate February 28, 2010.

3. The Mayor is hereby authorized to execute a contract with Scarinci & Hollenbeck LLC for professional legal services on behalf of the City of Hoboken and to take any other actions necessary to complete and realize the intent and purpose of this resolution.
4. The City Clerk shall publish notice of this resolution in one newspaper authorized by law to publish the City's legal advertisements as required by N.J.S.A. 40A:11-5(1)(a) and shall keep a copy of the resulting contract on file in accordance with N.J.S.A. 40A:11-1 et seq.
5. This resolution shall take effect immediately.

Approved:


Judith Tripodi
Fiscal Control Officer

Approved as to form:


Steven W. Kleinman
Corporation Counsel

Date of Meeting: March 4, 2009

CHIEF FINANCIAL OFFICER'S CERTIFICATION
OF AVAILABILITY OF FUNDS
FOR CONTRACT AWARDS

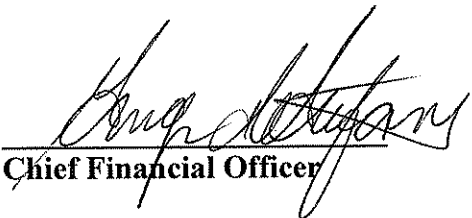
I, George De Stefano, Chief Financial Officer of the City of Hoboken, hereby Certify that the amount \$75,000.00 necessary to meet this contract amount is available in the following appropriation, Labor Counsel Other Expenses (9-01-20-157-020). These funds are sufficient to meet the contractual commitment providing for:

Labor Counsel Other Expenses

and awarded to the following vendor:

Scarinci & Hollenbeck LLC
1100 Valley Brook Avenue
Lyndhurst, NJ 07071

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



Chief Financial Officer

Date: 2/26/09

Balance 02/26/09
75,000.00
(75,000.00)
000

Judith L. Tripodi
Fiscal Monitor
City of Hoboken
94 Washington Street
Hoboken NJ 07030
201-420-2059 fax 201-420-2096

**CITY OF HOBOKEN
DEPARTMENT OF ADMINISTRATION**

Memorandum

DATE: February 27, 2009
TO: City Council Members
FROM: Judy Tripodi, Fiscal Monitor
SUBJECT: Labor Counsel

The following attorneys were interviewed for the position of labor counsel for the upcoming union contract negotiations:

Matthew J. Giacobbe and Ramon Rivera, Scarinci Hollenbeck - \$140 per hour
Allen C. Roth, Roth Horowitz - \$150 per hour
Frederick Danser, Apruzzese, McDermott, Mastro & Murphy - \$185 per hour
Daniel J. McCarthy, Rogut McCarthy - \$195 per hour

We also considered David F. Corrigan, at a rate of \$135 per hour, but did not interview because his work is known to the City. Mr. Corrigan will continue as the City's general labor counsel.

There were several key factors in determining which attorney (firm) could provide the best services to the City. These included, but were not limited to experience in labor contract negotiations and interest arbitration in urban environments, success rates, and more importantly, availability of time to devote to the completion of all 6 union contracts within a timely manner.

One of the issues raised by the union officials was the continuous postponement of meetings in the last round of negotiations because our labor attorney had prior commitments. It is our position that these negotiations should move forward expeditiously and focus directly on issues of great concern to the City.

Recognizing our specific needs, it was determined that the best candidates to represent the City in the negotiations are Matthew Giacobbe and Ramon Rivera. Mr. Giacobbe has extensive experience in both contract negotiations and interest arbitration with a proven track record for success. Mr. Giacobbe is well respected in this field and has represented many municipalities and school districts in labor issues throughout the State. Mr. Rivera also specializes in labor contract negotiation, representing several municipalities in this area. Both are fully aware of the City's current fiscal posture and are available to meet the timely schedules to completing negotiations in a judicious manner.

It is requested that Council award a contract to Matthew Giacobbe of the firm of Scarinci Hollenbeck to represent the City as labor counsel for union negotiations in an amount now to exceed \$75,000.00.

Introduced by: _____

Seconded by: _____

CITY OF HOBOKEN
RESOLUTION NO. _____

**THIS RESOLUTION AUTHORIZES A CHANGE TO AN
EXISTING CONTRACT FOR THE INSTALLATION OF A
H.V.A.C. SYSTEM AT THE HOBOKEN BOYS AND GIRLS
CLUB.**

WHEREAS, the Council of the City of Hoboken at their meeting of 16 April 2008 passed the attached resolution authorizing a contract with Envirocon, LLC for the installation of a H.V.A.C. system at the Boys and Girls Club in Hoboken; and

WHEREAS, attached communication from the City of Hoboken's engineering firm requests Change Order number one be considered and authorized; and

WHEREAS, the total amount of this change order is \$8,601.22, or 8.75% of the original approved expense, this is within the State of New Jersey guidelines for consideration by the City Council:

NOW THEREFORE BE IT RESOLVED as follows:

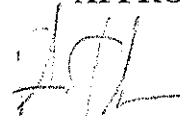
- A. This resolution shall be known and may be cited as Change Order #1 to the existing Envirocon, LLC contract.
- B. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor or his agent is hereby authorized to sign off on this change order to the contract
- C. The amended amount of this contract shall not exceed \$106,901.22
- D. This resolution shall take effect immediately upon passage.

Meeting of: 4 March 2009

APPROVED:


James J. Ronga, Director, Env.Svcs.

APPROVED AS TO FORM:


Steven W. Kleinman, Corporation Counsel

CHIEF FINANCIAL OFFICER'S CERTIFICATION
OF AVAILABILITY OF FUNDS
FOR CONTRACT AWARDS

I, George De Stefano, Chief Financial Officer of the City of Hoboken, hereby Certify that the amended amount \$106,901.22 necessary to meet this contract amount is available in the following appropriation, Boys/Girls Club Improvements (9-55-56-853-306) . These funds are sufficient to meet the contractual commitment providing for:

Installation of a H.V.A.C. System with Change Order #1

and awarded to the following vendor:

Envirocon, LLC
490 Schooley's Mountain Road
Hackettstown, NJ 07840

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


Chief Financial Officer

Date: 2/20/2009

	Balance 5/18/08	
	127,400.00	
	<u>(98,300.00)</u>	
	29,100.00	
03/04/09	<u>(8,601.22)</u>	
	20,498.78	

REMINGTON & VERNICK ENGINEERS AND AFFILIATES

EDWARD VERNICK, PE, CME, President
CRAIG F. REMINGTON, PLS, PP, Vice President

EXECUTIVE VICE PRESIDENTS

Michael D. Vena, PE, PP, CME
Edward J. Walberg, PE, PP, CME
Thomas F. Beach, PE, CME
Richard G. Arango, PE, CME

DIRECTOR OF OPERATIONS
CORPORATE SECRETARY
Bradley A. Blubaugh, BA, MPA

SENIOR ASSOCIATES
John J. Cantwell, PE, PP, CME
Alan Dittenhofer, PE, PP, CME
Frank J. Seney, Jr., PE, PP, CME
Terence Vogt, PE, PP, CME
Dennis K. Yoder, PE, PP, CME
Charles E. Adamson, PLS, AET
Kim Wendell Bibbs, PE, CME
Marc DeBlasio, PE, PP, CME
Leonard A. Faiola, PE, CME
Christopher J. Fazio, PE, CME
Kenneth C. Ressler, PE, CME
Gregory J. Sullivan, PE, PP, CME

**Remington &
Vernick Engineers**
232 Kings Highway East
Haddonfield, NJ 08033
(856) 795-9595
(856) 795-1882 (fax)

15-33 Halsted Street, Suite 204
East Orange, NJ 07018
(973) 323-3065
(973) 323-3068 (fax)

**Remington, Vernick
& Vena Engineers**
9 Allen Street
Toms River, NJ 08753
(732) 286-9220
(732) 505-8416 (fax)

3 Jocama Boulevard, Suite 2
Old Bridge, NJ 08857
(732) 955-8000
(732) 591-2815 (fax)

**Remington, Vernick
& Walberg Engineers**
845 North Main Street
Pleasantville, NJ 08232
(609) 645-7110
(609) 645-7076 (fax)

4907 New Jersey Avenue
Wildwood City, NJ 08260
(609) 522-5150
(609) 522-5313 (fax)

**Remington, Vernick
& Beach Engineers**
922 Fayette Street
Conshohocken, PA 19428
(610) 940-1050
(610) 940-1161 (fax)

5010 East Trindle Road, Suite 203
Mechanicsburg, PA 17050
(717) 766-1775
(717) 766-0232 (fax)

U.S. Steel Tower
600 Grant Street, Suite 1251
Pittsburgh, PA 15219
(412) 263-2200
(412) 263-2210 (fax)

Univ. Office Plaza, Bellevue Building
262 Chapman Road, Suite 105
Newark, DE 19702
(302) 266-0212
(302) 266-6208 (fax)

**Remington, Vernick
& Arango Engineers**
243 Route 130, Suite 200
Bordentown, NJ 08505
(609) 298-6017
(609) 298-8257 (fax)

February 11, 2009

Mr. James Ronga, Program Monitor
Department of Environmental Services
City of Hoboken
94 Washington Street
Hoboken, New Jersey 07030

**Re: City of Hoboken
Boys & Girls Club HVAC Improvements
Change Order # 1
Our File No: 0905 T 001**

Dear Mr. Ronga:

Envirocon, LLC, has substantially completed the improvements for the above captioned project. However, there are number of items that need to be adjusted by the introduction of a formal change order.

As discussed in the November 24, 2008 meeting in the office of Mr. Alfred Arezzo, Hoboken Construction Code Official, a steel platform is required beneath the HVAC unit being installed.

Accordingly, the following changes are required:

Supplemental items

1.	Steel Platform for HVAC Unit, Complete and Installed	1 LS	\$9,236.16
----	---	------	------------

Supplemental Totals: \$9,236.16

Reduction / Credit Items

R6	Duct Insulation, Materials & Labor	1 LS	(\$276.30)
R15	Metal Ducts – Materials & Labor	1 LS	(\$358.64)

Reduction / Credit Totals: (\$634.94)

S:\Hoboken\0905T001- Boys & Girls Club HVAC Improvements\Inspection & Contract
Administration\Insp. Correspondence\CO No. 1 Recommendation.doc

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www.rve.com

City of Hoboken
Boys & Girls Club HVAC Improvements
Our File No: 0905 T 001
February 10, 2009
Page 2

For your convenience in the preparation of the Resolution for Change Order No. 1 for the project, we have prepared the following summary:

• Original Contract Amount:	\$98,300.00
• Contractual Increase, Change Order No.1:	\$ <u>8,601.22</u>
Adjusted Contract Amount:	\$106,901.22

If you have any questions feel free to contact me at (973) 323-3065.

Sincerely,
REMINGTON & VERNICK ENGINEERS, INC.



K. Wendell Bibbs, P.E., C.M.E.
Senior Associate & North Jersey Regional Manager

KWB/ld

cc: Stephanie Hottendorf, Grants Management
Richard England, Purchasing Agent
James Walker

R REMINGTON & VERNICK ENGINEERS
V CHANGE ORDER # 1

CONTRACTOR:
 Environ, LLC
 490 Schooley's Mountain Rd.
 Hackensack, NJ 07840
 908-813-1500

02/10/09

NAME OF PROJECT:
 BOYS & GIRLS CLUB HVAC IMPROVEMENTS
 PROJECT NUMBER:
 0905T001
 CLIENT:
 CITY OF HOBOKEN
 REASON FOR CHANGE: Addition of steel under the HVAC unit as per revised drawings

ITEM	DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	AMOUNT
SUPPLEMENTALS					
1	Steel Platform for HVAC Unit, Complete and Installed	1	LS	\$9,236.16	\$9,236.16
REDUCTIONS					
R6	Duct Insulation - Material & Labor	1	LS	(\$276.30)	(\$276.30)
R15	Metal Ducts - Materials & Labor	1	LS	(\$358.64)	(\$358.64)
					\$8,601.22
	ORIGINAL CONTRACT AMOUNT				\$88,300.00
	+ SUPPLEMENTAL				\$9,236.16
	+ EXTRA				\$0.00
	- REDUCTION				(\$634.94)
	ADJUSTMENT AMOUNT BASED ON CHANGE ORDER NO. 1				\$108,901.22

ACCEPTED BY:

[Signature] ARON GUERIN 2/13/09
 ((CONTRACTOR)) Date
[Signature] 2/17/09
 Remington & Vernick Inspector Date
[Signature] 2/18/09
 Municipal Engineer Date
[Signature] 2/18/09
 Remington & Vernick Engineer Date

APPROVED BY:

((TOWNSHIP)) Date

INTRODUCED BY: _____
SECONDED BY: _____

CITY OF HOBOKEN
RESOLUTION NO. _____

**AN AMENDMENT TO THE RESOLUTION AWARDING A CONTRACT FOR THE
INSTALLATION OF A H.V.A.C. SYSTEM AT THE HOBOKEN BOYS AND GIRLS CLUB
BASED ON THE LOWEST RESPONSIBLE BIDDER.**

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposals were received for the installation of a H.V.A.C. system at the Hoboken Boys and Girls Club for the City of Hoboken in accordance with the specifications set forth in City of Hoboken Bid 08-17. The original resolution had an incorrent total \$ for the successful bidder. The correct figure is herewith shown and the incorrect is shown on the resolution (attached) of 16 April 2008.

Vendor	Base Bid \$	Alternate #1 \$	Total \$
Envirocon,LLC 490 Schooley's Mountain Road Hackettstown, NJ 07840	\$ 81,300.00	\$ 17,000.00	\$ 98,300.00
In-Line Air Conditioning Co., Inc. 85 East 21 st Street Bayonne, NJ 07002	\$ 100,200.00	\$ 27,950.00	\$ 128,150.00

And, WHEREAS, the City of Hoboken's Engineering firm for this project recommends the following,

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

1. The above recitals are incorporated herein as thought fully set forth at length.
2. The council hereby authorizes the Mayor, or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
3. The Mayor, or his designee is hereby authorized to execute an agreement, contingent on all mandated requirements being met, for the above references goods and/or services based upon the following information:

Envirocon, LLC
490 Schooley's Mountain Road
Hackettstown, NJ 07840

Meeting: 16 April 2008

Approved:

Approved to Form:

Richard England, Business Administrator

Steven W. Kleinman, Corporation Counsel

Sponsored By: _____

Co-Sponsored By: _____

RESOLUTION #: _____

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH
THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENT/EXTENSION
OF A RAILING SYSTEM AT THE PATH AREA TO PROHIBIT PEDESTRIANS FROM CROSSING MID-
BLOCK AT HUDSON PLACE**

WHEREAS, the City of Hoboken has been invited to submit a Safe Streets to Transit funding application to the New Jersey Department of Transportation for safety improvements at transportation/transit related facilities; and

WHEREAS, the City of Hoboken wishes to submit an application for the improvement/extension of a railing system at the Path area to prohibit pedestrians from crossing mid-block at Hudson Place;

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Hoboken formally approves the grant application for the above stated project.

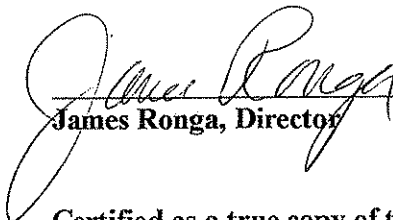
BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as (SST2008 Hoboken City 00061) to the New Jersey Department of Transportation on behalf of the City of Hoboken.

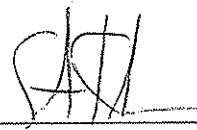
BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Hoboken and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Meeting Date: March 4, 2009

Department of Environmental Services

Approved as to form:


James Ronga, Director


Steven W. Kleinman, Corporate Counsel

Certified as a true copy of the Resolution adopted by the Council
On this _____ day of _____, 2009.

James J. Farina, City Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____
James J. Farina, City Clerk

David Roberts, Mayor

Memo

To: Steve Kleinman

From: Stephanie Hottendorf *SN*

✓ **CC:** James Ronga

Date: February 24, 2009

Re: Resolution Authorizing Application to NJ DOT for Safe Streets to Transit

An application for the above entitled project has already been submitted to NJ DOT. The Council authorized submission of such, at their meeting of June 18, 2008 (copy attached). However, the NJ DOT has asked that a new resolution be submitted following their required format; therefore, I have attached a new resolution to be approved by Council at the March 4, 2009 meeting.

Sponsored By: Don Min

Co-Sponsored By: Pete H. Cunningham

RESOLUTION #: _____

AUTHORIZING THE SUBMISSION OF A SAFE STREETS TO TRANSIT APPLICATION TO
THE NJ DEPARTMENT OF TRANSPORTATION FOR FUNDING THE
IMPROVEMENT/EXTENSION OF A RAILING SYSTEM AT THE PATH AREA TO
PROHIBIT PEDESTRIANS FROM CROSSING MID-BLOCK AT HUDSON PLACE

WHEREAS, the City of Hoboken has been invited to submit a Safe Streets to Transit funding application to the New Jersey Department of Transportation for safety improvements at transportation/transit related facilities; and

WHEREAS, the City of Hoboken wishes to submit an application for the improvement/extension of a railing system at the Path area to prohibit pedestrians from crossing mid-block at Hudson Place;

NOW, THEREFORE, the governing body resolves that Mayor is hereby authorized to:

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

RESOLVED BY THE Council of the City of Hoboken:

- 1. That, should funding be awarded, the Mayor is hereby authorized to execute a funding agreement;
- 2. That this resolution shall take effect immediately.

Meeting Date: June 18, 2008

Department of Environmental Services

Joseph Peluso, Director

Approved as to form:

SAKL
Steven W. Kleinman, Corporate Counsel

INTRODUCED BY: _____
SECONDED BY: _____

**CITY COUNCIL OF THE
CITY OF HOBOKEN
RESOLUTION NO. _____**

**RESOLUTION AUTHORIZING AMENDED CONTRACT WITH
FXFOWLE ARCHITECTS, PC
AND PROFESSIONAL PLANNERS FOR PREPARATION OF REDEVELOPMENT PLAN
FOR THE HOBOKEN TERMINAL AND YARD**

WHEREAS, by resolution dated June 21, 2006, and pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), the City Council of the City of Hoboken directed the Planning Board of the City of Hoboken to conduct a preliminary investigation and public hearing to determine whether all or any part of the area ("the Study Area") known and designated on the Tax Map of the City of Hoboken as:

**Block 229, Lots 1 and 2,
Block 139, Lots 1.1, 1.2, 1.3, 2, 3 and 4,**

which is generally referred to as the Hoboken Terminal and Yard, is an area in need of redevelopment in accordance with N.J.S.A. 40A:12A-6;

WHEREAS, at the direction of the Planning Board, planning consultants Phillips Preiss Shapiro Associates, Inc. ("PPSA") prepared a Redevelopment Study for the Hoboken Terminal & Yard dated November, 2006, ("the Study") that recommended the designation of the Study Area as an area in need of redevelopment;

WHEREAS, following receipt of the Study and with due notice, the Planning Board held a public hearing on Tuesday, January 2, 2007, to determine whether all or any part of the Study Area is an area in need of redevelopment in accordance with the Redevelopment Law, and, on Tuesday, January 11, 2007, duly adopted a resolution recommending that all of the Study Area be designated as an area in need of redevelopment; and

WHEREAS, by resolution dated February 7, 2007 the City Council has considered the recommendation of the Planning Board and the Study and has determined that the following properties within the study area meet the statutory criteria for redevelopment known and designated on the Tax Map of the City of Hoboken as:

**Block 229, Lots 1 and 2,
Block 139, Lots 1.1, 1.2, 1.3, 2, 3 and 4,**

Should be and are hereby designated as an area in need of redevelopment, as provided in N. J. S. A. 40A:12A-5 and

WHEREAS, by resolution dated December 13, 2007, the City Council of the City of Hoboken awarded a contract to the firm FXFOWLE Architects, PC 22 West 19 Street; New York, New York 10011, architects and professional planners is hereby authorized to prepare a redevelopment plan for the Hoboken Terminal and Yard Area and to submit same to the City Council for its review and adoption.

The cost of said redevelopment plan shall not exceed a maximum amount of one hundred and fifty-five thousand dollars (\$155,000); and

WHEREAS, the City of Hoboken established an escrow account for the payment of FX FOWLE Architects, PC to be funded by New Jersey Transit Corporation through its agent, LCOR Hoboken Rail Station Redevelopment LLC. in the amount of \$175,000 and the City of Hoboken shall administer said escrow in accordance with the procedures set forth in N.J.S.A. 40:55D-53.1, 53.2 and 53.2a; and

WHEREAS, FXFOWLE has submitted to the City of Hoboken a request to increase the original contract amount from \$155,000 to \$230,000 as per the attached letter, dated January 28, 2009; and

WHEREAS, FXFOWLE has submitted to the City of Hoboken a request for additional services in the amount of \$25,000 as per the attached letter, dated February 24, 2009, which will result in a total contract amount of \$255,000; and

WHEREAS, New Jersey Transit Corporation, by letter of December 3, 2007 agreed to deposit \$175,000 into an escrow account of the City of Hoboken for payment to FXFOWLE for preparation of a redevelopment plan for the Hoboken Terminal and Yard and payment of \$155,000 out of the escrow account was made to FXFOWLE; and

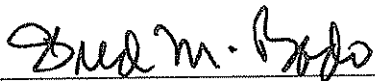
WHEREAS, New Jersey Transit Corporation, by letter of February 25, 2009 has agreed to increase the amount of the escrow account by an additional \$80,000 to increase the total amount of the escrow account for FXFOWLE to \$255,000; and

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

1. The contract with the firm FXFOWLE Architects, PC 22 West 19 Street; New York, New York 10011, architects and professional planners is hereby amended to increase the maximum amount from \$155,000 to a new maximum amount of \$255,000 as per the attached letters of FXFOWLE, dated January 28, 2009 and February 24, 2009, attached hereto; and
2. Said contract amount shall be transferred and deposited into an escrow account of the City of Hoboken by New Jersey Transit Corporation in accordance with the attached letter, dated February 25, 2009; and
3. The Council hereby authorizes the Mayor, or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
4. This resolution shall be effective immediately.

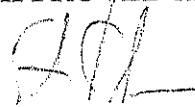
Date of Meeting: March 4, 2009

APPROVED:



Fred M. Bado, Director
Community Development

APPROVED AS TO FORM:



Steven W. Kleinman,
Corporation Counsel

FXFOWLE

FXFOWLE ARCHITECTS, PC 22 WEST 19 STREET | NEW YORK NY 10011 | T 212 627 1700 | F 212 463 8716 | WWW.FXFOWLE.COM

February 24, 2009

Mr. Fred Bado,
Director of Community Development
City of Hoboken
94 Washington Street
Hoboken, NJ 07030

Re: Redevelopment Plan for Hoboken Terminal & Yard Area; Request for Additional Services #2

Dear Fred,

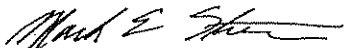
This proposal supersedes our request for additional planning services dated January 29, 2009. We submitted Request for Additional Services #1 dated January 28, 2009 due to additional scope of services and an extension of the project schedule. In early December FXFOWLE submitted a Draft of the redevelopment plan. Since then ongoing meetings have been held with the City Council to get feedback on the redevelopment plan and to generate consensus for the final preferred redevelopment plan including the recommended intensity of uses, height and bulk, for the redevelopment parcel. While the consensus building process has been ongoing we still need to obtain feedback and direction before we can finalize the plan.

We anticipate that this consensus building process will continue. With the input that we receive from the City we will modify the plan and expect the Redevelopment Plan to be finalized within the next three months. To gain feedback on the plan we have assumed an additional six meetings with the City Council / stakeholders. This proposal does not include any additional public meetings or new professional renderings or modifications to the existing professional renderings.

We will bill hourly at our 2008 rates for these additional services starting February 1, 2009 through April 30th to a maximum limit of \$25,000 for Labor. Our billing rates for 2009 are attached, which have not been increased from the 2008 rates. If we approach this limit we will notify the City in advance to come to a mutually agreeable fee and schedule to complete the remaining services. Reimbursable expenses will be billed at actual costs to a limit of \$5,000.

We look forward to working with you to expedite this matter and to continuing to work with you on this exciting project. Please provide us with authorization to continue on this basis.

Sincerely,



Mark E. Strauss FAIA AICP LEED PP
Senior Partner

Agreed to and accepted by:

For City of Hoboken

Date: _____

cc: John Loughran, William Doherty, Tim Milam



FXFOWLE ARCHITECTS, PC

Hourly Rate Schedule

Senior Principal	\$350.00
Principal / Project Director	\$275.00
Associate Principal	\$200.00
Senior Associate / Senior Architect / Senior Planner	\$175.00
Project Manager / Senior Designer	\$150.00
Architect / Designer / Planner III	\$125.00
Architect / Designer / Planner II	\$100.00
Architect / Designer / Planner I	\$85.00
Designer / Draftsperson	\$75.00
Model Maker	\$85.00

These billing rates are effective through 31 December 2009 and may be adjusted annually, in accordance with the Architect's adjustments in compensation for Principals and employees.

FXFOWLE

FXFOWLE ARCHITECTS, PC 22 WEST 19 STREET | NEW YORK NY 10011 | T 212 627 1700 | F 212 463 8716 | WWW.FXFOWLE.COM

January 28, 2009

Mr. Fred Bado,
Director of Community Development
City of Hoboken
94 Washington Street
Hoboken, NJ 07030

Re: Redevelopment Plan for Hoboken Terminal & Yard Area; Request for Additional Services #1

Dear Fred,

This proposal supersedes our request for additional planning services dated August 21, 2008. Since August we have continued to work with the city, stakeholders and the council to refine the plan. In December 2009 we submitted a Final Draft of the Redevelopment Plan. Because of additional out-of-scope tasks, services and reimbursable expenses that are beyond our original scope of services we have expended approximately \$345,000 on labor, overhead and reimbursable expenses through the end of January 2009. We are requesting a \$75,000 increase in the limit of the contract between the City of Hoboken and FXFOWLE, PC, dated March 20, 2008. Below is an outline of the additional scope items.

Time Extension:

The original proposal anticipated a project schedule of 6 months, the actual work schedule through January 2009 will be 9 months. The schedule was extended due to additional investigation and study required to resolve issues related to open space requirements; site infrastructure; traffic. The current schedule anticipates the final redevelopment plan to be submitted to the planning board in early spring of 2009. Additional fees for services to be provided beyond January of 2009 have been submitted in a separate request for additional planning services.

Budgeted: \$146,000
Projected: \$200,000

Additional Public Meeting and Increased Staff Attendance:

The number of public meetings was increased from the two in the original proposal to three. The open house format for the first meeting held in the terminal waiting room required detailed planning and logistics led by FXFOWLE. The open house format supplemented a slide show presentation with additional graphics (boards) created specifically for each information station. Attendance at each public meeting was budgeted with two FXFOWLE staff; however because of limited staff availability at the meeting five FXFOWLE staff attended each public meeting.

Budgeted: \$4,000 (2 meetings; 2 staff attend)
Projected: \$11,000 (3 meetings; 5 staff attend)

Mr. Fred Bado
City of Hoboken
Page 2

F X F O W L E

Responding to Public Inquiries (Questionnaires and Web Site emails)

The original proposal did not include the formatting of questionnaire, the tabulation of questionnaire responses to the response to questions / comments submitted via the city's project web site.

Budgeted: \$0
Projected: \$1,000

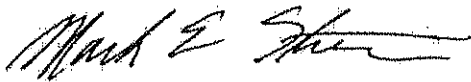
Reimbursable Expenses:

Additional expenses were associated with the contract extension and the public open house including: preparation, reproduction and mounting of station board / graphics; equipment rental including monitor for use in the venue, tables, chairs, easels and transportation of equipment and material to/from meeting.

Budgeted: \$5,000
Projected: \$18,000

Therefore we are requesting an increase of \$75,000 to our contract limit, increasing the total not to exceed contract sum from \$155,000 to \$230,000. We look forward to working with you to expedite this matter and to continuing to work with you on this exciting project.

Sincerely,



Mark E. Strauss FAIA AICP LEED PP
Senior Partner

cc: John Loughran, William Doherty, Tim Milam

TRANSIT
One Penn Plaza East
Newark, New Jersey 07105-2248
979-491-7000

Jon S. Corzine
Governor

Stephen Hils
Board Chairman

Richard R. Sarles
Executive Director

NJ TRANSIT

One Penn Plaza East
Newark, New Jersey 07102-2249
973-481-7000



February 25, 2009

Frederick Bado, Esq.
Director of Community Development
City of Hoboken
City Hall
94 Washington Street
Hoboken, New Jersey 07030

Re: Hoboken Terminal and Yard Redevelopment Plan

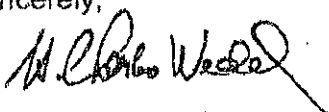
Dear Mr. Bado:

As you know, NJ TRANSIT ("Transit") is a public, governmental entity and an instrumentality of the State of New Jersey. As you also know, NJ TRANSIT is also the sole owner of the Hoboken Terminal and Yard, which the City Council of the City of Hoboken designated as an area in need of redevelopment on February 7, 2007. NJ TRANSIT recognizes that the City of Hoboken has retained FX Fowle, a nationally recognized planning firm, to assist the City with the preparation of a redevelopment plan ("Redevelopment Plan") for the Hoboken Terminal and Yard.

NJ TRANSIT, as a public entity and the owner of the Hoboken Terminal and Yard, supports the City of Hoboken's efforts to create a world class redevelopment plan for this important local and state resource. NJ TRANSIT has contracted with LCOR Hoboken Rail Station Redevelopment LLC ("LCOR") to, among other things, provide services and funding to assist NJ TRANSIT in the planning of the redevelopment of the Hoboken Terminal and Yard. Accordingly, in March 2008, NJ TRANSIT caused LCOR to submit to the City of Hoboken a check in the amount of \$175,000 which represented an amount to be placed in an escrow account for then future payments to FX Fowle for the creation of a Redevelopment Plan for the Hoboken Terminal & Yard site.

Since that time, the funds in that escrow account have been depleted due to the ongoing work of FX Fowle. NJ TRANSIT will cause LCOR to submit to the City of Hoboken an additional \$80,000 to be placed in escrow for the remaining work to be completed by FX Fowle related to this project.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Charles Wedel", with a stylized flourish at the end.

H. Charles Wedel
Chief Financial Officer & Treasurer

cc: Jeffrey Nadell
Sr. Director, Real Estate & Economic Development

Sponsored By: _____

Cosponsored By: _____

RESOLUTION NO:

AUTHORIZING THE SUBMISSION OF A PROPOSAL FOR INCLUSION IN THE 2009-2010 URBAN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO HUD

WHEREAS, Title 1 of the Housing and Community Development Act of 1974 provides for substantial Federal funds being made available to certain urban counties for use therein; and

WHEREAS, this act establishes certain criteria which must be met in order for a county and its participating communities to be the recipient of said funding; and

WHEREAS, the City of Hoboken and the County of Hudson entered into an agreement in cooperation with other municipalities in Hudson County for the carrying out of the Hudson County Community Development Urban County Program under the provisions of the Interlocal Services Act; and

WHEREAS, the City of Hoboken and the County of Hudson have further agreed to cooperate in the carrying out of Community Development Block Grant activities and to undertake or assist in the implementation of programs and projects that better the community; **now therefore –**

BE IT RESOLVED, by the Mayor and the Council of the City of Hoboken that the 2009-2010 proposal for the City of Hoboken's continued participation in the Urban County CDBG Program is hereby approved for submission to the Hudson County Office of Community Development; **and be it –**

FURTHER RESOLVED, that the Mayor or his designee is hereby authorized and directed to transmit the City's proposal for funding to the County of Hudson and the City Clerk of the City is hereby authorized and directed to attest the same and affix the City Seal; **and be it –**

FURTHER RESOLVED, that Mayor or his designee is hereby authorized to:

- (a) make application for such a grant
- (b) provide additional application information and furnish such documents as may be required
- (c) act as the authorized correspondent of the City of Hoboken; **and be it further –**

RESOLVED, that:

- 1. Should funding be awarded, the Mayor or his designee is hereby authorized to execute an agreement thereto with the County of Hudson
- 2. The City Clerk is authorized to affix the City seal to documents related to this application
- 3. This resolution shall take effect immediately.

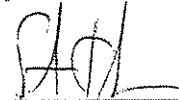
Meeting Date: March 4, 2009

Department of Community Development



Fred M. Bado, Director

Approved as to form:



Steven W. Kleinman, Corporate Counsel

Sponsored by: _____

Seconded by: _____

Resolution No. _____

**RESOLUTION AUTHORIZING EMERGENCY TEMPORARY
APPROPRIATIONS FOR THE SFY 2009 BUDGET**

WHEREAS, the City of Hoboken is expected to enter into contracts, commitments or payments prior to the adoption of the SFY 2009 budget and no adequate provision has been made in the SFY 2009 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 2009 pursuant to the provisions of N.J.S.A. 40A:4-20 including this resolution total \$67,452,202.33 for Current Expenses and \$6,286,000 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 \$2,075,716.41 for Current Expenses and \$0.00 for the Parking Utility as follows:

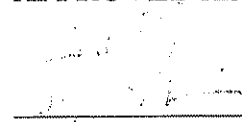
MEETING: 03/04/09

APPROVED FOR CONTENT:



Judith L. Tripodi
Fiscal Control Officer

APPROVED AS TO FORM:



Steven Kleinman
Corporation Counsel

**EMERGENCY TEMPORARY
APPROPRIATIONS FOR THE SFY 2009 BUDGET**

	ITEM	3/4/2009			
I/S CAP	Mayor S & W	0.00			
	Mayor OE	0.00			
	Council S & W	0.00			
	Council OE	0.00			
	Clerk S & W	0.00			
	Clerk OE	2,000.00			
	Clerk Legal Ads	0.00			
	Clerk Codification	0.00			
	Elections S & W	0.00			
	Elections OE	0.00			
	Admin S & W	0.00			
	Admin OE	0.00			
	Purchasing S & W	0.00			
	Purchasing OE	0.00			
	Licensing S & W	0.00			
	Licensing O/E	0.00			
	Personnel S & W	0.00			
	Personnel OE	0.00			
	Const. Serv. S&W	0.00			
	Const. Serv. OE	0.00			
	Zoning S & W	0.00			
	Zoning OE	0.00			
	Const. Code S&	0.00			
	Const. Code OE	0.00			
	Corp.Counsel S&W	0.00			
	Corp.Counsel OE	0.00			
	Spec. Counsel	0.00			
	Labor Counsel	75,000.00			
	Witness/Appraisal	0.00			
	Finance S & W	28,233.12			
	Finance OE	0.00			
	Audit	0.00			
	Accounts S & W	0.00			
	Accounts OE	0.00			
	Payroll S & W	0.00			
	Payroll OE	0.00			
	Tax Coll. S & W	0.00			
	Tax Coll OE	10,000.00			
	Info Tech S & W	0.00			
	Info Tech OE	0.00			
	Mun Court S & W	0.00			
	Mun Court OE	0.00			
	Pub. Def. S & W	0.00			

**EMERGENCY TEMPORARY
APPROPRIATIONS FOR THE SFY 2009 BUDGET**

ITEM	3/4/2009
Pub. Def. OE	0.00
Tax Assess S & W	0.00
Tax Assess OE	0.00
Hum Serv S & W	0.00
Hum Serv OE	0.00
Rent Lev S & W	0.00
Rent Lev OE	0.00
House Insp S & W	0.00
House Insp OE	0.00
Transport S & W	0.00
Transport OE	0.00
Health S & W	0.00
Health OE	0.00
Seniors S & W	0.00
Seniors OE	0.00
Minority Affairs OE	0.00
Recreation S&W	0.00
Recreation OE	0.00
Cultural Affairs S/W	0.00
Enviro Serv. S&W	0.00
Enviro Serv OE	0.00
Parks S & W	0.00
Parks OE	0.00
Pub Prop S & W	0.00
Pub Prop OE	0.00
Street/Roads OE	250,000.00
Garage S & W	0.00
Garage OE	0.00
Sanitation S & W	0.00
Sanitation OE	0.00
Comm. Dev S & W	0.00
Comm. Dev OE	0.00
Grants S & W	0.00
Grants OE	0.00
Water Dev. OE	0.00
Planning S & W	0.00
Planning OE	0.00
Redevelopment Expense	0.00
Zoning Brd. OE	25,000.00
Hist Pres. OE	0.00
Police S & W	0.00
Police OE	0.00
Aqu. Vehicles OE	0.00
Fire S & W	0.00

**EMERGENCY TEMPORARY
APPROPRIATIONS FOR THE SFY 2009 BUDGET**

		ITEM	3/4/2009			
		Fire OE	0.00			
		Uniform Fire S&W	0.00			
		OEM S & W	0.00			
		OEM OE	0.00			
		Liability Insur. OE	0.00			
		Work. Comp OE	0.00			
		Group Health	1,000,000.00			
		ABC S & W	0.00			
		ABC OE	0.00			
		Ambulance OE	0.00			
		NHRC/Mayors OE	0.00			
		Claims OE	0.00			
		Towing OE	0.00			
		Engineering OE	40,000.00			
		Muni. Dues OE	0.00			
		Pub Events OE	0.00			
		Postage OE	0.00			
		Off Machines OE	0.00			
		Off Supplies OE	0.00			
		Financial Consulting	0.00			
		Electricity	50,000.00			
		Street Lighting	50,000.00			
		Gasoline	0.00			
		Fuel	0.00			
		Water/Sewer	0.00			
		Communications	0.00			
		Tele Comm	0.00			
		Salary Adj	0.00			
		Master Plan	15,000.00			
		Social Security	0.00			
		Unemployment	0.00			
		SUB-TOTAL	1,545,233.12			
	O/S CAP					
		Library				
		Bond Principal				
		BAN Principal				
		Note Principal				
		Int on Bonds				
		Int on Notes				
		Int on TAN				
		Green Acres Loan	3,317.00			
		UST Loan				
		Garage Sale Int				

EMERGENCY TEMPORARY			
APPROPRIATIONS FOR THE SFY 2009 BUDGET			
ITEM	3/4/2009		
Police Car Loan			
Green Acres -Multi Parks			
Consol. Police & Fire Pension	166.29		
Public Employee Retirement			
Salary Settlements	512,000.00		
Emergency Road Repair Court	15,000.00		
SUB-TOTAL	530,483.29		
TOTAL	2,075,716.41		
Grants			
Energy Efficiency Study (Grant)			
Road Improvements Grant			
Summer Food Program			
SUB-TOTAL	0.00		
Total Current Fund	2,075,716.41		
Parking Utility			
Parking Utility S&W			
Parking Utility O&E			
SUB-TOTAL	0.00		
GRAND TOTAL	2,075,716.41		

Sponsor: _____

Second: _____

**CITY OF HOBOKEN
RESOLUTION # _____**

**RESOLUTION TO AMEND REGULAR MEETING MINUTES FOR THE CITY
COUNCIL, CITY OF HOBOKEN TO COMPLY WITH THE OPEN PUBLIC
MEETINGS ACT (Sunshine Law).**

WHEREAS, N.J.S.A. 10:4-14 requires public bodies to keep reasonably comprehensible minutes on the essentials of all meetings, whether they are "work sessions," "discussion sessions," "pre-meeting meetings," "information sessions" or given any other designation, and,

WHEREAS, minutes must be "promptly available" to the public in order to (1) enable the public to know what occurred at prior meetings; (2) provide all persons with the opportunity to take action prior to the next meeting of the public body; and,

WHEREAS, "the minutes are intended to recite and disclose any official decision or action taken by the public body, and necessarily must contain sufficient facts and information to permit the public to understand and appraise the reasonableness of the public body's determination," and,

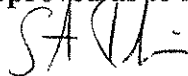
WHEREAS, the City Clerk together with the Administrative Committee of the City Council proposed revisions to previously approved minutes several weeks ago, and,

WHEREAS, the minutes for meetings dated 7/2, 7/6, 8/13, 9/3, 9/17 and 10/1/2008 have been revised to comply with the Open Public Meetings Act as identified by black line;

NOW, THEREFORE, BE IT RESOLVED that the City Council approves minutes for the regular session meetings listed above to replace those previously adopted.

Meeting Date: March 4, 2009

Approved as to form:



Steven Kleinman, Corporation Counsel

Sponsored by: _____

Seconded by: _____

Resolution No. _____

**RESOLUTION AUTHORIZING THE EXTENSION OF THE
AGREEMENT FOR PAYMENT IN LIEU OF TAXES FOR
PROPERTY KNOWN AS CHURCH TOWERS**

WHEREAS, the City of Hoboken, in accordance with Chapter 184 of the Laws of 1949 (Limited Dividend Housing Corporations), entered into an agreement with the property known as Church Towers for payment in lieu of taxes, and,

WHEREAS, said agreement, adopted November 17, 1965 is heretofore attached and therefore, made part of this resolution, and

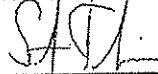
WHEREAS, said agreement was for a period of forty (40) years, commencing February 8, 1968 and expiring February 8, 2008, and

WHEREAS, Chapter 184 of the Laws of 1949 (Limited Dividend Housing Corporations) provides for such an agreement to be extended for a maximum of fifty (50) years.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, County of Hudson, State of New Jersey that in accordance with the provisions of Chapter 184 of the Laws of 1949 (Limited Dividend Housing Corporations) that the agreement with the property known as Church Towers for payment in lieu of taxes be and is hereby extended for an additional ten (10) years commencing February 8, 2008 and expiring February 8, 2018.


MEETING: March 4, 2009

APPROVED AS TO FORM:



Steven W. Kleinman,
Corporation Counsel

APPROVED FOR CONTENT



Judith L. Tripodi,
Fiscal Control Officer



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 802
TRENTON NJ 08625-0802

JON S. CORZINE
Governor

JOSEPH V. DORIA, JR.
Commissioner

February 27, 2009

Ms. Judith L. Tripodi
Fiscal Monitor
City of Hoboken
Department of Administration
94 Washington Street
Hoboken, NJ 07030-0485

Re: Church Towers

Dear Ms. Tripodi:

I am writing in reply to your recent letter to Director Cynthia A. Wilk regarding extension of the PILOT agreement between the City of Hoboken and the Church Towers Urban Renewal Corporation, an entity organized under the Limited Dividend-Nonprofit Housing Corporations or Associations Law, N.J.S.A. 55:16-1 *et seq.*

Inasmuch as N.J.S.A. 55:16-18 provides that "any exemption from taxation made pursuant to the provisions of this section shall not extend for a period of more than 50 years," the Department has no reason to object to the City and the project sponsor extending the PILOT agreement for a project that is subject to the Limited Dividend-Nonprofit Housing Corporations or Associations Law so that it will be in effect for the remainder of the permissible 50 year period.

I hope this information is helpful to you.

Sincerely,

Michael L. Ticktin
Chief, Legislative Analysis
Division of Codes and Standards



Sponsored by: _____

Seconded by: _____

City of Hoboken
Ordinance No.: _____

**An Ordinance Amending the Code of the City of Hoboken To
Establish A Fee For Returned Checks**

WHEREAS, various departments within the City of Hoboken have reason to collect monies from residents, businesses, and other entities; and payment of these monies is often made via a check or other written instrument; and,

WHEREAS, there is an expense to the City whenever such checks or written instruments are returned for insufficient funds; and,

WHEREAS, the City Council finds that it is fair and appropriate to impose a surcharge when this situation arises;

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

SECTION ONE:

There is hereby created a new section of the Code of the City of Hoboken, which shall read as follows:

Fee for Returned Checks.

A. **Findings.** Various departments within the City of Hoboken have reason to collect monies from residents, businesses, and other entities; and payment of these monies is often made via a check or other written instrument.

B. **Service Charge Established.** Any municipal department shall impose a twenty (\$20.00) dollar service charge for any check or other written instrument returned for insufficient funds.

C. **Manner of Collection.** Any service charge authorized herein shall be collected in the same manner prescribed by law for the collection of the account for which the check or other written instrument was tendered in cash or by certified or cashier's check.

SECTION TWO:

If any section or provision of this Ordinance shall be held invalid in any Court, the same shall not affect the other sections or provisions of this Ordinance except so far as the section or provision so declared invalid and shall be inseparable for the remainder or portion thereof.

SECTION THREE:

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION FOUR:

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 FIVE:

This Ordinance shall take effect according to law.

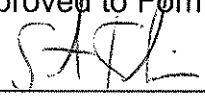
Adopted:

Approved:

City Clerk James Farina

Mayor David Roberts

Approved to Form:



Steven W. Kleinman, Corporation Counsel

Date of introduction: **March 4, 2009**

Sponsored by: _____

Seconded by: _____

CITY OF HOBOKEN
ORDINANCE NO. _____

APPENDIX A OF CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN
NORTHWEST REDEVELOPMENT PLAN
FOR THE NORTHWEST INDUSTRIAL AREA

AN ORDINANCE AMENDING AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF HOBOKEN ADOPTING THE NORTHWEST REDEVELOPMENT PLAN
FOR THE NORTHWEST INDUSTRIAL AREA

LAND USE AND BUILDING BULK REGULATIONS, APPLICATION AND
INTERPRETATION

Zone 1

The following blocks will be permitted to have residential buildings: Blocks B.88; B.89; B.95; B.99; B.100; B.103; Lots 1-6 & 27-32; B.104; B.109; B.110; B.114; Lots 1-13, 20-33, and parts of Lots 14-17 consisting of the southerly one-third (25 ft) of these lots; B.115; Lots 1-14 & 19-32; B.150; B.151; B.156.

For All Sites With The Exception Of Block 95, Lots 6-21

Where a redeveloper chooses to combine residential use with permitted non-residential principal uses such as community facility or office or commercial recreation in a single building, all residential use – except for lobby access – must be located on floors above the other uses and have separate secure entrances. In such a case the floor area of each use must be prorated relative to the site. Such prorating shall also apply to instances where pre-existing non-residential buildings remain whether for continued non-residential use or renovated for residential use. Residential floor area may abut parking areas which are physically separated but technically on the same level. Maximum building height shall be the maximum permitted for residential use and all residential floors shall have rear yards as required for residential buildings.

Where such a mixed-use building directly abuts an off-site residential development, the design shall be evaluated by the Planning Board as to potential negative impact on the access to light and air of the adjoining building's residential floors.

Residential buildings shall be designed as follows:

Building Height: no change

Floor Area Ratio: no change

Density: no change

Lot coverage: no change

Parking: no change

For Block 95, Lots 6 through 21:

Where the re-developer of Block 95, Lots 6 through 21 proposes to create a mixed-use building which includes an "arts center" which, at a minimum shall include a music recording studio (with special requirements for sound insulation), and which may also include a theater, educational and related spaces such as kitchen, gallery space and multi-purpose rooms, the following special bulk & parking regulations and urban design guidelines apply (see below):

Building Height:

one building mass may contain up to six residential floors (maximum: sixty-six (66) feet) which may be increased by a seventh partial floor (up to a maximum: seventy-seven (77) feet in height) if bonus floor area is granted, supported over a base building which contains no more than one level of parking and up to four (4) levels containing an "arts center" which, at a minimum shall include a music recording studio (with special requirements for sound insulation), and which may also include a theater, educational and related spaces such as kitchen, gallery space and multi-purpose rooms (maximum total height: thirty-eight (38) feet) separated by an enclosed volume of space for a theatre not to exceed twenty-three (23) feet in height. Maximum height of the entire mixed-use structure may not exceed one hundred forty-one (141) feet above base flood elevation to the top of the roof slab. Note that if the proposed educational use cannot be funded prior to construction, the assigned floor area shall be removed from the project.

Floor Area Ratio:

3.0 for residential floor area; additional floor area pursuant to the bonus described below:

- **Bonus FAR:**
in addition to the base 3.0 FAR permitted for residential use on the site, the re-developer may also create up to 1.55 FAR of space for such music recording studio and its own ancillary space (including transient overnight accommodations as approved previously by the Zoning Board of Adjustment) provided that for every 2.0 sq.ft. of studio/ancillary space built, a minimum of 1.0 sq.ft. of programmable public space shall be built on-site. It is further provided that so long as at least 12,000 sq.ft. of public space is built, for each 1.0 sq.ft. of public space created, the builder may also create 1.0 sq.ft. of additional residential floor area beyond the base 3.0 FAR.

Density:

maximum dwelling units permitted on the site shall be calculated by dividing permitted base FA by 1,000 (to be calculated at 3.0 FAR). In no event, even if bonus floor area is granted, shall the total number of dwelling units created exceed the maximum permitted at the base 3.0 FAR.

Lot coverage:

sixty-five (65) percent for the residential portion of the building

one hundred (100) percent for the base building containing the parking and the arts center up to thirty-eight (38) feet above base flood elevation as required.

Parking: no change

Urban Design Guidelines:

The following regulations apply specifically to Block 95, Lots 6 through 21; where a conflict appears between these and the Urban Design Guidelines for the Plan as a whole, the following regulations shall control:

General Building Bulk & Yard Requirements: no change

Building Base Design: no change

Parking & Parking Design:

- Window openings: no change
- Arts center roof may be developed for public recreation use (see below)
- Below grade parking floors are permitted so long as they are adequately designed to prevent flooding
- Garage door may be no taller than required for a handicap van
- Garage door must have a horizontal strip of transparency at pedestrian eye level
- Garage door must be a color that matches the building base to the greatest extent possible

Streetscape Requirements:

- Street trees: maximize street trees to the extent possible and provide landscaping appropriate to building design
- Activity areas: no change

Public Recreation Space:

- Design, availability and programming to be approved by the City's Department of Cultural Affairs in conjunction with the Department of Community Development with permanent public easements per Corporation Counsel
- Whereas the proposed public space occupies the 30% of the site normally attributed to required private open space, the roof above the topmost residential floor shall be developed so as to allow access to tenants to at least 50% of the roof area while the balance is developed using green roof technology

Other Regulations:

- Signage: the theatre may have two signs not exceeding two hundred (200) sq. feet each, one on each of the street facades at a height no higher than 70ft. above base flood elevation
- Facade materials: the building may utilize lightweight curtain wall systems, rain screen systems and louvers (note: louvers shall be subject to special review by Board planner)
- All residential use, except for lobby access, shall be located on floors above the other uses except that the topmost floor of the arts center may also contain residential uses so long as the Planning Board determines that adequate security for site residents has been provided through separation of uses including separate secure entrances

Adopted:

Approved:

City Clerk James Farina

Mayor David Roberts

Approved to Form:



Steven W. Kleinman, Corporation Counsel

Date of introduction: **March 4, 2009**