

1-18-17
1st reading (1)

SPONSORED BY: David J. Mello

SECONDED BY: [Signature]

**CITY OF HOBOKEN
ORDINANCE NO. _____**

**AN ORDINANCE OF THE CITY OF HOBOKEN,
COUNTY OF HUDSON, STATE OF NEW JERSEY
AUTHORIZING THE ACQUISITION OF
CERTAIN REAL PROPERTY KNOWN AS
BLOCK 10, LOTS 1 THROUGH 7 AND LOTS 30 THROUGH 36
ON THE OFFICIAL TAX MAP OF THE CITY OF HOBOKEN
AND THE INSTITUTION OF
EMINENT DOMAIN PROCEEDINGS, IF NECESSARY**

WHEREAS, N.J.S.A. 40A:12-5 and N.J.S.A. 20:3-1 et seq. authorize public entities to acquire real property or an interest in real property; and

WHEREAS, the City Council of the City Hoboken ("Council" or "City") has deemed it necessary to acquire certain real property in the City known as Block 10, Lots 1 through 7 and Lots 30 through 36 (the "Property") on the Official Tax Map of the City; and

WHEREAS, the Council has determined that the public interest will be served by the acquisition of the Property for open space and park purposes; and

WHEREAS, the Council desires to formally authorize the acquisition of the Property, subject to the subsequent approval by the City Council of an appraisal setting forth the fair market value of the Property to provide just compensation, by and through, (i) negotiation and agreement; or (ii) the institution of eminent domain proceedings, if necessary.

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

SECTION 1. Subject to the subsequent approval by the City Council of an appraisal setting forth the fair market value of the Property to provide just compensation, the Mayor, City Council and such other officials, consultants, agents, employees and professionals of the City as may be necessary and appropriate, shall be and are hereby authorized to acquire the Property specifically designated and known as Block 10, Lots 1 through 7 and Lots 30 through 36 (the "Property") as shown on the Official Tax Map of the City of Hoboken, by and through, (i) negotiation and agreement; or (ii) by the institution of eminent domain proceedings, if necessary, pursuant to N.J.S.A. 40A:12-5 and N.J.S.A. 20:3-1 et seq. including the filing of a Declaration of Taking, the filing of a complaint in eminent domain and all other proceedings related thereto.

SECTION 2. In conjunction with said acquisition, the City hereby reserves and shall reserve any and all rights it had or may have to recover in any subsequent or pending action or by any administrative means, all costs of remediation and/or clean-up of contamination and/or removal of solid waste and/or sanitary land fill closures that have been incurred or may be incurred in the future by reason of conditions which were in existence as of or prior to the date of vesting of title and possession of this Property in the name of the City.

SECTION 3. In conjunction with said acquisition, the City reserves and shall reserve the right to seek in its sole discretion, any and all available legal, administrative and equitable remedies to compel the record owners and/or responsible parties to remediate and/or clean up the Property in accordance with applicable state and federal statutory and regulatory provisions or to remove solid waste or carry out closure of a sanitary landfill if located on the Property. The City is not and shall not be liable for the clean-up and removal costs of any discharge which occurred or began prior to the City's ownership.

SECTION 4. The Mayor, City Council and such other officials, consultants, agents, employees and professionals of the City as may be necessary and appropriate are hereby authorized and directed to take any and all actions necessary to effectuate the purposes of this Ordinance.

SECTION 5. All ordinances, resolutions and regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 6. If any section, paragraph, article, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply to the section, paragraph, article, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 7. This Ordinance shall take effect after approval and publication as required by law.

Date of Introduction: January 18, 2017

Introduction:

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravi Bhalla	✓			
Peter Cunningham	✓			
Michael DeFusco			✓	
James Doyle	✓			
Tiffany Fisher	✓			
David Mello	✓			
Ruben Ramos, Jr.	✓			
Michael Russo	✓			
Jen Giattino, Council President	✓			

Final Reading:

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravi Bhalla				
Peter Cunningham				
Michael DeFusco				
James Doyle				
Tiffany Fisher				
David Mello				
Ruben Ramos, Jr.				
Michael Russo				
Jen Giattino, Council President				

Approved as to Legal Form:

Brian Aloia, Esq. Corporation Counsel

Adopted by the Hoboken City Council
By a Vote of ____ Yeas to ____ Nays
On the ____ day of ____, 2017

James Farina, City Clerk

☐ Vetoed by the Mayor for the following reasons: _____

-or-

☐ Approved by the Mayor
On the ____ day of ____, 2017

Dawn Zimmer, Mayor

**NOTICE OF INTRODUCTION
CITY OF HOBOKEN, HUDSON COUNTY
ORDINANCE NO. ____**

NOTICE IS HEREBY GIVEN, that the foregoing Ordinance entitled “An Ordinance of the City of Hoboken, County of Hudson, State of New Jersey Authorizing the Acquisition of Certain Real Property Known as Block 10, Lots 1 Through 7 and Lots 30 Through 36 on the Official Tax Map of the City of Hoboken and the Institution of Eminent Domain Proceedings, if Necessary” was introduced, read by title and passed on the first reading at a meeting held on _____, 2017. A Statement of Purpose of the Ordinance is contained below. The Council of the City of Hoboken will further consider the Ordinance for second reading and final passage thereof at their meeting to be held on _____, 2017 at _____p.m., prevailing time, at City Hall, 94 Washington Street, Hoboken, New Jersey 07030, at which time and place a public hearing will be held thereon by the City Council and all parties in interest and citizens shall have an opportunity to be heard concerning said Ordinance.

STATEMENT OF PURPOSE OF ORDINANCE

The purpose of the above Ordinance is to authorize the acquisition of certain real property for open space and park purposes, subject to the subsequent approval by the City Council of an appraisal setting forth the fair market value of the Property to provide just compensation, by and through, (i) negotiation and agreement; or (ii) by the institution of eminent domain proceedings, if necessary. The Property to be acquired is known as Block 10, Lots 1 through 7 and Lots 30 through 36 as shown on the Official Tax Map of the City of Hoboken. The Ordinance further reserves all rights of the City with regard to the removal

and remediation of any contamination on the site, including, without limitation, the recovery in any subsequent or pending action by administrative or other means, the costs of remediation, inclusive of legal, administrative and equitable costs thereof.

A copy of the full Ordinance is available to any member of the general public, without cost, at the Hoboken City Hall, 94 Washington Street, Hoboken, New Jersey at the Office of the City Clerk, Monday through Friday, between the hours of 9:00 a.m. and 4:00 p.m.

/s/ James J. Farina
James J. Farina, City Clerk

1-18-17
1st reading (2)

SPONSORED BY: _____

SECONDED BY: _____

CITY OF HOBOKEN
ORDINANCE NO.: _____

**AN ORDINANCE AMENDING CHAPTER 193 OF THE HOBOKEN CITY
CODE ENTITLED "WATER" §193-3 "WATER PIPE MAINTENANCE"**

WHEREAS, Hoboken property owners are responsible for the entire supply line for their water service pipes from the meter to the main service line; and,

WHEREAS, during the "Washington Street Redesign Project," the City is going to replace the main service line and the portion of the supply line that runs from the main service pipe to the curblin; and,

WHEREAS, at the curblin the City will install valve boxes; and,

WHEREAS, as construction on each individual service line is completed with the installation of a valve box, the responsibility of the owner for the supply line will change so that the owner is only responsible for the supply line from the meter on their property to the valve box installed at the curblin; and,

WHEREAS, as construction on each individual service line is complete with the installation of a valve box, the City will take responsibility for the water service pipe and the portion of the supply line that runs from the main service line and extending to, but not including, the valve box at the curblin of the street.

NOW, THEREFORE, the City Council of the City of Hoboken does hereby Ordain as follows (additions noted in underline, ~~deletions noted in strikethrough~~):

SECTION ONE:

§ 193-3. Water pipe maintenance.

~~The owner of a building and premises connected with the municipal water supply shall maintain the water service pipes, fixtures and connections in good order and repair, so that there shall be no waste of water.~~

A. Washington Street: As construction is completed on each individual service line with the installation of a valve box, the owner of a building and premises connected with the municipal water supply shall be responsible to maintain the water supply line, fixtures, and connections in good order and repair from the valve (when installed) at the curblin of the street to the meter on their property. The City will be responsible for that portion of the supply line that runs from the main water service line and extending to, but not including, the valve at the curblin of the street.

B. All Other Properties in the City of Hoboken (not including Washington Street): The owner of a building and premises connected with the municipal water supply shall be responsible for the entire supply line for their water service pipes from the meter on their property to the main service line.

C. Generally as to all owners:

1. Installation, repairs, and replacement of water service pipes, to the extent that the owner is responsible for said portion in accordance with (A) or (B) above, shall be made by a licensed plumber hired by the property owner and supervised under the direction of a designee of the City. All costs shall be borne by the owner.
2. In the case of a leaking supply line (for which the owner is responsible in accordance with (A) or (B) above), the owner shall be required to contract with a plumber to repair said supply line leak within 48 hours. If no arrangements have been made to repair the leakage within the time prescribed herein, the City shall be permitted to retain a contractor to complete the work for a cost of time and materials, which cost shall be the responsibility of the homeowner and shall be collected as permitted by law. Restoration of lawn areas, shrubs, fences, walkways, driveways, steps, etc. shall be the sole responsibility of the homeowner and not considered as part of the contractor's time and materials costs.
3. The installation of water service supply lines for new construction shall be the responsibility of the owner/developer under the supervision of a designee of the City. All costs shall be borne by the owner/developer.

SECTION TWO: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION THREE: SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION FOUR: EFFECTIVE DATE

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

SECTION FIVE: CODIFICATION

This ordinance shall be a part of the Code of the City of Hoboken as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Code.

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

Date of Introduction: January 18, 2017

Introduction:

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravi Bhalla	/			
Peter Cunningham	/			
Michael DeFusco	/			
James Doyle	/			
Tiffany Fisher	/			
David Mello	/			
Ruben Ramos, Jr.	/			
Michael Russo	/			
Jen Giattino, Council President	/			

Final Reading:

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravi Bhalla				
Peter Cunningham				
Michael DeFusco				
James Doyle				
Tiffany Fisher				
David Mello				
Ruben Ramos, Jr.				
Michael Russo				
Jen Giattino, Council President				

Approved as to Legal Form:

☐ Vetoed by the Mayor for the following reasons: _____

Brian Aloia, Esq. Corporation Counsel

Adopted by the Hoboken City Council
By a Vote of ____ Yeas to ____ Nays
On the ____ day of ____, 2017

James Farina, City Clerk

-or-

☐ Approved by the Mayor
On the ____ day of ____, 2017

Dawn Zimmer, Mayor

1st reading
1-18-17 (3)

SPONSORED BY: MD

SECONDED BY: H. Korman

CITY OF HOBOKEN
ORDINANCE NO.: _____

AN ORDINANCE AMENDING CHAPTER 192 OF THE HOBOKEN CITY CODE ENTITLED "PARKING FOR HANDICAPPED" §192-4 "ENUMERATION OF SPACES" TO REORGANIZE EXISTING HANDICAPPED SPACES

WHEREAS, Chapter 192 of the Hoboken City Code establishes the rules and regulations relating to handicapped parking within the City; and,

WHEREAS, §192-4 enumerates handicapped spaces designated for specific individuals; and,

WHEREAS, updates to the Hoboken Municipal Code are necessary to reorganize existing handicapped parking spaces near 1302 Washington Street.

NOW, THEREFORE, the City Council of the City of Hoboken does hereby Ordain as follows (additions noted in underline, ~~deletions noted in strikethrough~~):

SECTION ONE:

§ 192-4. Enumeration of spaces.

A. Pursuant to the authority granted to the City of Hoboken by N.J.S.A. 39:4-205, the following locations are hereby designated as Restricted Parking spaces for use by persons who have been issued special vehicle identification cards by the Motor Vehicle Commission. No other person shall be permitted to park in these spaces.

~~Michael Biseeglie, 1302 Washington Street (west side of Washington Street, beginning at a point 70 feet from the northerly curblin of Thirteenth Street and extending 12 feet northerly therefrom)~~

~~Rosemarie DiRenzi, 1302 Washington Street (west side of Washington Street, beginning at a point 70 feet from the northwest curblin of Thirteenth Street and extending 12 feet northerly therefrom)~~

~~Thomas Montalvo, 1302 Washington Street (west side of Washington Street, beginning at a point 47 feet from the north curblin of Thirteenth Street and extending 12 feet northerly therefrom)~~

~~Zulma Ramos, 1302 Washington Street (west side of Washington Street, beginning at a point 57 feet north of the northerly curbline of Thirteenth Street and extending 12 feet northerly therefrom)~~

Zulma Ramos, 1302 Washington Street (west side of Washington Street, beginning at a point 47 feet north of the northerly curbline of Thirteenth Street and extending 12 feet northerly therefrom)

Gloria Suarez, 1302 Washington Street (west side of Washington Street, beginning at a point 35 feet from the northerly curbline of Thirteenth Street and extending 12 feet northerly therefrom)

SECTION TWO: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION THREE: SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION FOUR: EFFECTIVE DATE

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

SECTION FIVE: CODIFICATION

This ordinance shall be a part of the Code of the City of Hoboken as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Code.

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

Date of Introduction: January 18, 2017

Introduction:

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravi Bhalla	/			
Peter Cunningham	/			
Michael DeFusco	/			
James Doyle	/			
Tiffany Fisher	/			
David Mello	/			
Ruben Ramos, Jr.	/			
Michael Russo	/			
Jen Giattino, Council President	/			

Final Reading:

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravi Bhalla				
Peter Cunningham				
Michael DeFusco				
James Doyle				
Tiffany Fisher				
David Mello				
Ruben Ramos, Jr.				
Michael Russo				
Jen Giattino, Council President				

Approved as to Legal Form:

Brian Aloia, Esq. Corporation Counsel

Adopted by the Hoboken City Council
By a Vote of ____ Yeas to ____ Nays
On the ____ day of ____, 2017

James Farina, City Clerk

☐ Vetoed by the Mayor for the following reasons: _____

-or-

☐ Approved by the Mayor
On the ____ day of ____, 2017

Dawn Zimmer, Mayor

1st reading (4)
1-18-17

SPONSORED BY: MD

SECONDED BY: JP

CITY OF HOBOKEN
ORDINANCE NO.: _____

AN ORDINANCE AMENDING CHAPTER 190 OF THE HOBOKEN CITY CODE ENTITLED "VEHICLES AND TRAFFIC" §190-27 "ANGLE PARKING LOCATIONS" TO AMEND ANGLE PARKING DESIGNATIONS ON WASHINGTON STREET

WHEREAS, Chapter 190 of the General Code of the City of Hoboken establishes the rules and regulations associated with circulation and parking within City borders; and,

WHEREAS, the municipality has found that specific sections of Chapters 190 currently require amendments to better effectuate orderly and efficient use of public space and scarce curbside resources; and,

WHEREAS, reverse angle parking was recently added to the east side of Washington Street between Fourteenth Street and Fifteenth Street as part of the 1400 Hudson development circulation plan; and,

WHEREAS, it is therefore being proposed that reverse angle parking be added to the west side of Washington Street between Fourteenth Street and Fifteenth Street in order to maintain uniformity on the 14th block of Washington Street; and,

WHEREAS, reverse angle parking is safer than head-in angle parking due to improved driver visibility when exiting the angle parking space and loading activity occurring nearer to the curbside instead of immediately adjacent to a travel lane; and,

WHEREAS, a reduction in backing crashes has been observed on Hudson Street where head-in parking was converted to reverse angle parking in front of Hoboken Police Department Headquarters.

NOW, THEREFORE, the City Council of the City of Hoboken does hereby Ordain as follows (additions noted in underline, ~~deletions noted in strikethrough~~):

SECTION ONE:

§ 190-27. Angle parking locations.

In accordance with the provisions of this §190-27, the herein described locations shall be designed as angle parking:

A. Head-in angle parking.

Name of Street	Sides	Angle	Location
Washington Street	Both	60°	From Eighth Street to Fifteenth Street
<u>Washington Street</u>	<u>Both</u>	<u>60°</u>	<u>From Eighth Street to Fourteenth Street</u>

B. Reverse Angle Parking

Name of Street	Sides	Angle	Location
Washington Street	East	60°	Fourteenth Street to Fifteenth Street
<u>Washington Street</u>	<u>Both</u>	<u>60°</u>	<u>From Fourteenth Street to Fifteenth Street</u>

SECTION TWO: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION THREE: SEVERABILITY

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existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

Date of Introduction: January 18, 2017

Introduction:

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravi Bhalla	/			
Peter Cunningham	✓			
Michael DeFusco	/			
James Doyle	/			
Tiffany Fisher	✓			
David Mello	✓			
Ruben Ramos, Jr.	✓			
Michael Russo	✓			
Jen Giattino, Council President	✓			

Final Reading:

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravi Bhalla				
Peter Cunningham				
Michael DeFusco				
James Doyle				
Tiffany Fisher				
David Mello				
Ruben Ramos, Jr.				
Michael Russo				
Jen Giattino, Council President				

Approved as to Legal Form:

Brian Aloia, Esq. Corporation Counsel

Adopted by the Hoboken City Council
By a Vote of ____ Yeas to ____ Nays
On the ____ day of ____, 2017

James Farina, City Clerk

☐ Vetoed by the Mayor for the following reasons: _____

-or-

☐ Approved by the Mayor
On the ____ day of ____, 2017

Dawn Zimmer, Mayor