

THE COUNCIL OF THE CITY OF HOBOKEN

MINUTES FOR MEETING OF DECEMBER 6, 2017

Council President opened the meeting at 7:14 P.M. and stated, "I would like to advise all those present that notice of this meeting has been provided to the public in accordance with the provisions of the Open Public Meetings Act, and that notice was published in the Jersey Journal and on the City website, copies were provided in the Hoboken Reporter, The Record, The Newark Star-Ledger and also placed on the bulletin board in the lobby of City Hall. If any Councilperson or member of the public believes that this meeting, or any portion thereof, is in violation of the Open Public Meetings Act, they are requested to so advise the City Council and City Clerk at this time, or at the time of the believed violation, in accordance with **N.J.S.A. 10:4-17**. Written objections, if any, shall be made in writing to the City Clerk."

Roll call: Councilpersons Bhalla, DeFusco, Doyle, Cunningham, Fisher, Mello, Ramos Jr., Russo and Council President

ABSENT:

Council President comments the presentation will be carried to the next city council meeting

Council President comments that there are no more 2nd readings

ORDINANCES (continued) **2nd Readings and Final Readings**

None for this meeting.

PUBLIC COMMENTS

The speakers who spoke: ~~Tiffany Kane~~, Tony Soares, Peter Kim, Michael Evers, Cheryl Fallick, Emily Tenenbaum, Mark Villimar, Jeff Auriemma, from Union City, Eric Garrison, Heather Gibbins, Karen Meneghin, Hany Ahmed

Council President comments that there are a few items are being carried, A4, A11 (removed), A8 & CD2 pulled from the agenda, Ordinance #2, #7, #12 carried to the January 3, 2018 and ordinance #10 is being removed)

PETITIONS AND COMMUNICATIONS

17-659

Mayor Zimmer appoints Tige Anderson, Angela Nappi, Paraskevi “Voula” Papadopoulos, Evangelina Pena and Michael Watson to the Hoboken Green Team

*******Councilman Mello left the meeting at 8:19 PM*******

17-660

Miscellaneous Licenses

---Adopted by the following vote: Yeas: 8 Nays: 0 Absent: 1
---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Ramos, Russo and President Giattino
---Nays: None.
---Absent: Mello

Received and filed

REPORTS FROM CITY OFFICERS

None for this meeting.

17-661

CLAIMS

Total for this agenda **\$7,885,557.27**

---Adopted by the following vote: Yeas: 8 Nays: 0 Absent: 1
---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Ramos, Russo and President Giattino
---Nays: None.
---Absent: Mello

17-662

PAYROLL

For the two week period starting November 9, 2017 – November 15, 2017

Regular Payroll	O/T Pay	Other Pay
\$1,745,581.52	\$160,012.16	\$242,154.04

Total

\$2,147,747.72

---Adopted by the following vote: Yeas: 8 Nays: 0 Absent: 1

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Ramos, Russo and President Giattino

---Nays: None.

---Absent: Mello

PUBLIC COMMENTS ON RESOLUTIONS

The speakers who spoke: Tony Soares, Patricia Waiters,

Councilman Mello returned to the meeting at 8:24 PM

CONSENT AGENDA - A3. A4, A5, A6, A9, CD1, F1-F3, TX1-TX3, PS1-PS3, T1, T2, CL1

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

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

Pulled from the agenda for discussion: A1, A2, A7, A10

Removed by Governing Body: A8, A11, CD2

RESOLUTIONS
Administration

17-663

---By Councilwoman Fisher

RESOLUTION APPROVING A CHANGE ORDER TO THE CITY'S CONTRACT WITH UNDERGROUND UTILITIES CORPORATION FOR THE WASHINGTON STREET REDESIGN PROJECT IN THE INCREASED AMOUNT OF **\$29,155.12**

WHEREAS, pursuant to Resolution No. A4 dated October 19, 2016, the City Council previously awarded a contract to Underground Utilities Corporation for construction services for the Washington Street Redesign project in the amount of \$17,563,235.71; and,

WHEREAS, the City Council has previously approved eleven (11) change orders with Underground Utilities in the combined increased amount of \$279,795.44 for a new total contract amount of \$17,843,031.15; and,

WHEREAS, the City received the attached correspondences from T&M Associates dated November 27, 2017, recommending three changes to the contract with Underground Utilities Corporation; and,

WHEREAS, change one, in the amount of \$8,013.72, accounts for work necessary to tie-in a water main at the intersection of 4th Street and Washington Street which was done at night to minimize the impact on neighboring business and residents; and,

WHEREAS, change two, in the amount of \$19,587.40, accounts for the addition of a tree protective barrier around Street Trees, at the request of the Shade Tree Commission, to protect the trees during construction work; and,

WHEREAS, change three, in the amount of \$1,554.00, accounts for quantity adjustments necessary for dense grade aggregate backfill and concrete encasement; and,

WHEREAS, it is recommended that the City Council approve Change Order #12 to this contract, which includes those changes delineated above, in the total increased amount of \$29,155.12; and,

WHEREAS, the new total contract amount, including previous change orders, is \$17,872,186.27, which represents a 0.16% increase from the current contract amount and a 1.76% increase from the original contract amount.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, that Change Order #12 shall be awarded as delineated above in the increased amount of \$29,155.12; and,

1. The above recitals are incorporated herein as though fully set forth at length.
2. The terms of the referenced proposal shall govern the contract, and no changes may be made without the prior written consent of both parties.
3. Any change orders which shall become necessary hereafter shall be subject to the City's ability to appropriate sufficient funds, which appropriation shall be at the sole discretion of the City Council.
4. The Council hereby authorizes the Mayor, or her 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.

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 8 Nays: 1
---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Ramos, Russo and President Giattino
---Nays: Mello

~~RESOLUTION APPROVING FOUR CHANGE ORDERS TO THE CITY'S CONTRACT WITH FLANAGAN'S CONTRACTING GROUP INC., FOR THE SOUTHWEST BLOCK 12 PARK PROJECT IN THE TOTAL AMOUNT OF \$344,792.41 FOR A 15.54% INCREASE IN THE ORIGINAL CONTRACT AMOUNT~~

Tabled to the next council meeting by the following vote: YEAS: 9– NAYS:
YEAS: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino
NAYS:

Councilman President motions to table and seconded by Councilman DeFusco

17-664

---By Councilwoman Fisher

RESOLUTION AWARDDING A CONTRACT TO PRECISION IN THE NOT TO EXCEED AMOUNT OF \$290,630.00 FOR HOBOKEN CITY HALL MISCELLANEOUS REPAIRS

WHEREAS, the City of Hoboken requires the services of a construction company for miscellaneous repairs to Hoboken City Hall as delineated in Bid 17-18, which repairs include but are not limited to:

1. New metal and wood doors;
2. Restoration of historic wood doors;
3. Door hardware;
4. New construction office service window;
5. Protective glazing and partitions;
6. Gypsum plastering and plaster repair;
7. Painting; and,

WHEREAS, on November 28, 2017 bids for this project were received and announced as follows:

COMPANY	BID PRICE
Precision	Base Bid - \$287,130.00 Alternate 1 - \$0 Alternate 2 - \$0 Alternate 3 - \$3,500.00 Total Bid - \$290,630.00

ZN Construction	Base Bid - \$292,500.00 Alternate 1 - \$25,000.00 Alternate 2 - \$10,000.00 Alternate 3 - \$65,000.00 Total Bid - \$392,500.00
Cypreco Industries, Inc.	Base Bid - \$343,500.00 Alternate 1 - \$10,000.00 Alternate 2 - \$15,000.00 Alternate 3 - \$45,000.00 Total Bid - \$413,500.00
Kunzman Construction	Base Bid - \$486,384.00 Alternate 1 - \$17,568.00 Alternate 2 - \$3,800.00 Alternate 3 - \$4,000.00 Total Bid - \$511,752.00

WHEREAS, pursuant to the attached correspondence from the project engineer HMR dated November 30, 2017, the lowest responsive and responsible bid was submitted by Precision in the total amount of \$290,630.00; and,

WHEREAS, the Administration recommends awarding a contract to Precision, the lowest responsive and responsible bidder, in the not to exceed amount of \$290,630.00 to perform miscellaneous repairs in City Hall.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, that Precision is hereby awarded a contract in the not to exceed amount of \$290,630.00 to perform miscellaneous repairs in City Hall; and,

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately subject to the following conditions:

1. The award of this contract is subject to finalization of the contract terms.
2. Any change orders which shall become necessary shall be subject to the City's ability to appropriate sufficient funds, which appropriation shall be at the sole discretion of the City Council.
3. The Council hereby authorizes the Mayor, or her 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. The Mayor, or her designee, is hereby authorized to execute an agreement as outlined herein with:

Precision
216 Somerset Street
Bound Brook, New Jersey 08805

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 8 Nays: 1

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Ramos, Russo and President Giattino

---Nays: Mello

~~RESOLUTION AWARDING A PROFESSIONAL SERVICE CONTRACT TO ECONOMIC DEVELOPMENT STRATEGIES LLC TO CONDUCT A SPECIAL IMPROVEMENT DISTRICT FEASIBILITY STUDY IN THE AMOUNT OF \$32,000.00~~

16-665

---By Councilwoman Fisher

RESOLUTION AWARDING A PROFESSIONAL SERVICE CONTRACT TO VALUE RESEARCH GROUP FOR APPRAISAL AND CONSULTING SERVICES RELATED TO THE POTENTIAL ACQUISITION OF THE UNION DRY DOCK PROPERTY IN THE AMOUNT OF **\$17,500.00**

WHEREAS, the City of Hoboken has a need to acquire a an appraiser to provide appraisal and consulting services to the Block 259, Lot 1, otherwise known as the “Union Dry Dock Property”; and,

WHEREAS, the purchasing agent has determined and certified in writing that the anticipated value of the contract may exceed \$17,500.00; and,

WHEREAS, the City is committed to acquiring the Union Dry Dock property for public open space; and,

WHEREAS, the City is working expeditiously to complete its own appraisal and will pursue all options necessary to acquire the property; and,

WHEREAS, Value Research Group, LLC has intricate knowledge of the fair market value of property located in the City as it has previously provided appraisal and consulting services to the City during the CY 2017; and,

WHEREAS, the Administration recommends that a non-fair and open contract be awarded to the Value Research Group, LLC for appraisal and consulting services related to the potential acquisition of the Union Dry Dock property located at Block 259, Lot 1; and,

WHEREAS, pursuant to Hoboken City Code §20A-4(A), the municipality shall award all contracts or agreements for the provision of professional services on the basis of qualification based, competitive negotiation; and,

WHEREAS, §20A-4(H) of the Hoboken City Code allows the City Council to waive part or all of the requirements of §20A-4 by a majority vote of the full Council in the event compliance with part or all of the requirements delineated in §20A-4 is impracticable; and,

WHEREAS, the Administration recommends that the requirements set forth in Hoboken City Code §20A-4 be waived and Value Research Group, LLC be awarded the contract based upon and its's intricate knowledge and experience and the City's immediate need to obtain and appraisal; and,

WHEREAS, Value Research Group, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the City of Hoboken in the previous one year, and that the contract will prohibit Value Research Group from making any reportable contributions through the term of the contract; and,

WHEREAS, the Administration therefore recommends awarding this service as a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.5 in the amount of \$17,500.00, for a term to expire on December 6, 2018.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken authorizes the Mayor to enter into a non-fair and open contract with Value Research Group, as described herein, to provide appraisal and consulting services related to the potential land acquisition of Block 259, Lot 1 for a term to expire December 6, 2018, and in the amount of \$17,500.00; and,

BE IT FURTHER RESOLVED, by a majority of the City Council of the City of Hoboken, voting in full, that the requirements of §20A of the Hoboken City Code are hereby waived relative to this contract; and,

BE IT FURTHER RESOLVED, that no minimum payment is implied or guaranteed and the City reserves the right to cancel this Agreement at any time and Value Research Group shall only be paid for the work completed or on a pro-rated amount if payment arrangements are based upon a fixed retainer; and,

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately, subject to the following conditions:

1. The above recitals are incorporated herein as though fully set forth at length.
2. Any change orders which shall become necessary shall be subject to the City's ability

to appropriate sufficient funds, which appropriation shall be at the sole discretion of the City Council.

3. The Council hereby authorizes the Mayor, or her 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.

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 8 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-666

---By Councilman Cunningham

**RESOLUTION AUTHORIZING THE CITY OF HOBOKEN TO ENTER INTO A
MEMORANDUM OF AGREEMENT WITH THE WITH THE HOBOKEN UNIFORMED
FIREFIGHTERS, LOCAL 1078**

WHEREAS, the City of Hoboken by and through the Mayor, Corporation Counsel, and Business Administrator have engaged in negotiations on behalf of the City with the Hoboken Uniformed Firefighters, Local 1078; and,

WHEREAS, the terms resulting from said negotiations have been memorialized in a Memorandum of Agreement between the parties, which is attached hereto and incorporated by reference; and,

WHEREAS, the Administration recommends that the terms memorialized in the attached Memorandum of Agreement be accepted by the City Council of the City of Hoboken.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that the City of Hoboken is hereby authorized to enter into the attached Memorandum of Agreement with the Hoboken Uniformed Firefighters, Local 1078; and:

1. The above recitals are incorporated as if fully set forth at length.
2. The Council hereby authorizes the Mayor or her designee to execute any and all documents and take any and all actions necessary to realize the intent and purpose of this resolution.
3. This resolution shall be effective immediately.

---Motion duly seconded by Councilwoman Fisher

---Adopted by the following vote: Yeas: 8 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-667

---By Councilman Russo

RESOLUTION AWARDING A CONTRACT TO SUN LIFE FINANCIAL FOR MEDICAL STOP LOSS INSURANCE FOR THE CITY OF HOBOKEN

WHEREAS, the City of Hoboken has a need to acquire medical stop loss insurance; and,

WHEREAS, pursuant to N.J.S.A. 40A:11-5(m), the purchase of insurance is an exception to the bidding requirements set forth in Local Public Contracts law; and,

WHEREAS, pursuant to N.J.S.A. 40A:11-5(m), the procurement of insurance coverage shall be in accordance with the requirements for extraordinary unspecifiable services (40A:11-5(1)(a)(ii); and,

WHEREAS, the City's insurance broker, Fairview Insurance Agency Associates, Inc. ("Fairview"), solicited proposals from multiple carriers; and,

WHEREAS, Fairview has recommended that the City award a contract to Sun Life Financial to serve as its medical stop loss insurance carrier; and,

WHEREAS, based upon Fairview's expertise and recommendation, the Administration recommends awarding a contract to Sun Life Financial to serve as its medical stop loss insurance carrier, in accordance with their proposal, based upon price and other factors, including the advantages inherent in continuity of service; and,

WHEREAS, on November 29, 2017, the Self-Insurance Fund Commission of the City of Hoboken recommended awarding a contract to Sun Life Financial; and,

WHEREAS, the City Council of the City of Hoboken wishes to award a contract to Sun Life Financial for medical stop loss insurance in the not-to-exceed amount of \$901,970.42 for a period of thirteen (13) months to expire December 31, 2018.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, that a contract is awarded to Sun Life Financial in the not to exceed amount of \$901,970.42 for medical stop loss insurance services in accordance with the proposal from Sun Life Financial; and,

BE IT FURTHER RESOLVED that this resolution shall take effect immediately, subject to the following conditions:

1. The award of this contract is subject to finalization of the contract terms.

2. Any change orders which shall become necessary shall be subject to the City's ability to appropriate sufficient funds, which appropriation shall be at the sole discretion of the City Council.
3. The Council hereby authorizes the Mayor, or her 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. The mayor, or her designee, is hereby authorized to execute an agreement as outlined herein.

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

~~RESOLUTION AWARDED A CONTRACT TO HOBOKEN SMART CITY GROUP, LLC
FOR THE CITY'S SMART CITY INITIATIVE SUBJECT TO FINAL NEGOTIATION OF
THE CONTRACT TERMS (REMOVED BY COUNCIL)~~

17-669

---By Councilman Cunningham

**RESOLUTION GRANTING THE REQUEST OF THE LOCAL CONGREGATION OF
JEHOVAH'S WITNESSES TO PERFORM CONSTRUCTION WORK ON SATURDAYS
AND CERTAIN FEDERAL HOLIDAYS DURING THEIR RENOVATION PROJECT**

WHEREAS, the local congregation of Jehovah's Witnesses in Hoboken has requested approval to perform construction work on Saturdays and federal holidays that fall between Monday and Saturday for the duration of their renovation project, which will take place from November 21, 2017-February 18, 2018, because this work will be performed by volunteer workers on a pro bono basis from various locations; and,

WHEREAS, Hoboken City Code §133-9(C) states "All construction and demolition activity, excluding emergency work, shall not be performed between the hours of 6:00 p.m., and 8:00 a.m. on weekdays or at any time during weekends and federal holidays"; and,

WHEREAS, pursuant to §133-9(C)(1)-(3), the City Council of the City of Hoboken may waive some or all of the provisions of this section upon written request; and,

WHEREAS, the attached request from the local congregation of Jehovah's Witnesses has been reviewed by the City Council; and,

WHEREASB, the City Council recognizes that it is appropriate in accordance with the factors delineated in §133-9(C)(1)-(3) to authorize an extension of the normal construction hours allowed under §133-9C for the above referenced work to be performed on Saturdays and federal

holidays falling between Monday and Saturday for the duration of the Jehovah's Witnesses' renovation project.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, in accordance with §133-9(C)(1)-(3), that the local congregation of Jehovah's Witnesses and their workers may perform work related to their community center renovation project on Saturdays and on federal holidays that fall between Monday and Saturday during normally permitted construction hours from November 21, 2017 through February 18, 2018.

---Motion duly seconded by Councilwoman Fisher

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-670

---By Councilwoman Fisher

RESOLUTION RECOMMENDING TO GOVERNOR CHRISTIE, GOVERNOR-ELECT MURPHY, NJ TRANSIT EXECUTIVE DIRECTOR SANTORO, PORT AUTHORITY CHAIRMAN O'TOOLE, PORT AUTHORITY EXECUTIVE DIRECTOR COTTON, THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, THE ARMY CORPS OF ENGINEERS, AND HUDSON COUNTY EXECUTIVE DEGRISE, TO RELOCATE THE PROPOSED NY WATERWAY HOMEPORT FROM THE FORMER UNION DRY DOCK SITE IN HOBOKEN TO A LOCATION IS MORE APPROPRIATE FOR INDUSTRIAL NATURE OF THE OPERATIONS

WHEREAS, Block 259, Lot 1 is a waterfront property located at 901 Sinatra Drive in Hoboken consisting of 8.36 acres, 3.15 acres on land and 5.21 under water ("UDD Site"); and,

WHEREAS, since 1976, at the and up until recently, the Union Dry Dock & Repair Company ("Union Dry Dock") has conducted business at the UDD Site as a barge repair facility with just two dry dock slips and a small work crew, generating little vehicular and marine traffic; and,

WHEREAS, the UDD Site is located in area that is residential and recreational, located along the waterfront between two municipal parks, Castle Point Park to the south and Maxwell Place Park to the north, adjacent to the Hoboken Cove Boathouse and a beach, directly across the street from one of Hoboken's oldest parks, Elysian Park and adjacent to the North Sinatra Drive Multi Use path; and,

WHEREAS, the UDD Site is located just east of the intersection of Hudson Street, 11th Street and Sinatra Drive North, one of the most dangerous intersections in Hoboken, frequently

traversed by many residents and families, including young children and seniors, who live in the surrounding area and use the many nearby parks and recreational activities; and,

WHEREAS, over the past 25 years, the City of Hoboken and private developers have made significant investments to build a public waterfront park along Hoboken's entire former industrial waterfront, portions having received multiple awards; in conjunction with this, thousands of units of new residential housing (many of which are abutting the UDD Site) and millions of square feet of commercial and retail development have been completed inland of the waterfront; and,

WHEREAS, this city council and the residents of Hoboken know the importance of and fully support expanding trans-Hudson transportation to meet the future travel needs of all NJ Residents; and,

WHEREAS, Hoboken currently is host to two ferry terminals, a small one located at 14th Street on a privately owned pier in a residential and recreational area, and the larger one located at the Lackawanna Terminal owned by NJ Transit which primarily is in an area that includes industrial and commercial uses; and,

WHEREAS, between 2014 – 2017, UDD expressed via written correspondence and meetings with the administration their interest, and later their intent, to transition away from their business and ultimately wind it down; and,

WHEREAS, during the summer of 2017, a petition was signed by over 2,100 people urging the City to acquire the UDD Site to complete one of the final missing links of Hoboken's proposed continuous public waterfront park and the Hudson River Waterfront Walkway; and,

WHEREAS, on August 2nd 2017, the city council passed a resolution 'Recommending To The Hoboken Planning Board To Add The Union Dry Dock Property At 901 Sinatra Drive To The List Of "Planned And Possible New Parks" In The 2017 City Of Hoboken Master Plan Reexamination Report And Master Plan Open Space Plan Map'; and,

WHEREAS, in September 2017 UDD indicated to the administration that they were unwilling to engage with the administration on its potential purchase of the UDD Site; and,

WHEREAS, on October 4th, to provide the administration with a tool to negotiate for the acquisition of the property, the city council approved the first reading of what would be ordinance Z-521 'Authorizing The Acquisition By Purchase or Condemnation Of A Portion Of The Real Property Located At 901 Sinatra Drive, Also Known As Block 259, Lot 1, Hoboken, New Jersey Now Owned By Union Dry Dock And Repair Company'; and,

WHEREAS, on November 13th the ordinance was approved on second reading; and,

WHEREAS, according to Chairman of NY Waterway Armand Pohan's comments he provided during the public portion of the November 13th city council meeting, NY Waterway has 30,000 riders daily, 2,000 (or 7%) of which come from Hoboken; and,

WHEREAS, at the same city council meeting, Mr. Pohan further stated that an analysis was performed, albeit not provided to the city, of alternative sites north of and including Jersey City; although seemingly excluded from the analysis was Bayonne, a city that has significant port locations along its waterfront, which according to public sources, NY Waterway has had discussions along with Port Authority about the possibility of expanding water ferry service to Bayonne; and,

WHEREAS, as disclosed to the current administration at a meeting on November 9th, 2017 by senior managers of NY Waterway and NJ Transit, Port Imperial Ferry Corp. d/b/a NY Waterway had recently acquired the UDD Site, and NJ Transit would be entering into an MOU to further acquire the site from NY Waterway; and,

WHEREAS, as described in the meeting on November 9th, NY Waterway and NJ Transit's intent is to move NY Waterway's homeport currently located in Weehawken, New Jersey on a privately owned site to this location for the daily storage of approximately 20 ferries; maintenance, refueling and sanitary waste removal for their entire fleet, storage of large quantities of diesel fuel, and maintenance for their shuttle bus ferries; and,

WHEREAS, on November 14th, UDD and NY Waterway restated this in an application submitted to the New Jersey Department of Environmental Protection for a provisional waterfront permit however, reference to refueling, waste removal, fuel storage and ferry bus maintenance were omitted; and,

WHEREAS, a same proposal to relocate the ferry homeport to the UDD Site was made in 2012, but when protested by the City of Hoboken and concerned residents, NJ Transit Executive Director James Weinstein wrote to Mayor Zimmer stating, "this is to confirm that New Jersey Transit is no longer exploring the acquisition of the Union Dry Dock property nor does the agency anticipate doing so in the future"; and,

WHEREAS, written opposition to locating the ferry homeport at the UDD Site due to concerns about the environmental impact to Hoboken residents, visitors and the wildlife along the Hudson River has been voiced by Hoboken Mayor Dawn Zimmer, Mayor-Elect Ravi Bhalla, City Council President Jen Giattino, Second Ward Councilwoman Tiffanie Fisher, the Fund for a Better Waterfront, the Hoboken Cove Community Boathouse, Bike Hoboken, Quality of Life Coalition, the fishermen at the public fishing pier, Maxwell Place Condo Association, and hundreds of community residents; as of this writing State Senator Brian Stack, Assemblywoman Annette Chapparo and County Freeholder Anthony Romano have also indicated they will submit in writing their opposition; and,

WHEREAS, the NY Waterway ferries are diesel-powered thus emitting chemical elements including sulfates, ammonium, nitrates, elemental carbon, condensed organic compounds and even carcinogenic compounds and heavy metals with most of the NY Waterway ferry fleet using Tier 1 engines that generate the highest levels of pollution of any class of marine engines; and,

WHEREAS, the refueling and repair of ferries will result in inevitable diesel fuel and chemical spills contaminating the surrounding river and adding to considerable air pollution caused by the ferry traffic; and

WHEREAS, the storage and refueling of the NY Waterway fleet will produce a significant increase in ferry traffic clustered at this Hoboken waterfront site vs. the current UDD operations with each of the expected at least 80 daily trips to generate powerful wakes that will be disruptive for marine life and marine vegetation, fishing, as well as the use of human-powered watercraft in the area; and,

WHEREAS, the Hoboken Cove Community Boathouse is an all-volunteer organization that offers free kayaking to thousands of children and adults each year May through September located in the protected cove area adjacent to the UDD Site and a few feet away from their boathouse located in Maxwell Place Park; activities both the Boathouse and the Maxwell Place Park will be directly and negatively impacted by the proposed NY Waterway activities at the UDD Site; and,

WHEREAS, there are two prime fishing spots at Castle Point Park, one a public fishing pier located just two hundred feet south of the UDD Site and activities here will be directly and negatively impacted by the proposed NY Waterway activities at the UDD Site; and,

WHEREAS, the Hudson River at this location is a migratory finfish pathway where those fishing at Castle Point Park have identified American shad, striped bass, blueback herring, Atlantic sturgeon, shortnose sturgeon and American eel all of which are listed as “species of concern” in the NJDEP Coastal Zone Management regulations – migratory patterns in this area will be directly and negatively impacted by the proposed NY Waterway activities at the UDD Site; and,

WHEREAS, one of the few natural beaches in the area is situated directly north of the UDD Site in an intertidal zone, considered a rich, diverse marine habitat and where horseshoe crabs lay their eggs which are critical to the survival of thousands of shorebirds as they migrate to breeding grounds each spring – marine habitat in this area will be directly and negatively impacted by the proposed NY Waterway activities at the UDD Site; and,

WHEREAS, the three public parks surrounding the UDD Site and North Sinatra Drive Multi Use path which connects them are tremendous recreational resources used daily by area residents with runners, strollers and cyclists, and children and young adults – all of these surrounding recreational uses will be directly and negatively impacted by the proposed NY Waterway activities at the UDD Site; and,

WHEREAS, the complex intersection of 11th Street, North Sinatra Drive and Hudson Street is traversed daily by car and pedestrians which are traveling to the nearby recreational facilities, to and from school, to Washington Street, or commuting to and from work - the increased proposed traffic by the approximate 150 NY Waterway employees who are expected to park at the UDD Site as well as from ferries that are expected to be serviced there will have a

direct and negative impact pedestrian and safety at what is already considered a dangerous intersection; and,

WHEREAS, the maintenance and refueling operations are expected to occur for 17 hours per day, thus significantly increasing noise pollution to the neighboring area which includes approximately 2,000 residents who currently hear operations within their homes, recreational facilities and three public parks directly adjacent to the site.

NOW, THEREFORE, BE IT RESOLVED, that the Hoboken City Council shall write to Governor Christopher Christie, Governor-Elect Phil Murphy, NJ Transit Executive Director Steven Santoro, Port Authority Chairman Kevin O'Toole, Port Authority Executive Director Richard Cotton, NJDEP Commissioner Robert Martin, Commander of the New York District of the Army Corps of Engineers Colonel Thomas D. Asbery, and Hudson County Executive Director Thomas DeGise attaching a copy of this resolution, expressing opposition to locating the NY Waterway homeport at the UDD Site in Hoboken; and

BE IT FURTHER RESOLVED, that the Hoboken City Council and City of Hoboken will work with NJ Transit, NY Waterway, the NJDEP and other relevant parties to identify a more appropriate location for the ferry homeport and secure the UDD site for public open and recreational space.

---Motion duly seconded by Council President Giattino

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

~~RESOLUTION AUTHORIZING THE CITY OF HOBOKEN TO ENTER INTO A
MEMORANDUM OF AGREEMENT WITH THE WITH THE COUNTY OF HUDSON~~

Community Development

17-671

---By Councilman Cunningham

RESOLUTION OF THE CITY OF HOBOKEN AUTHORIZING THE EXECUTION OF AN INTERIM COST AND CONDITIONAL DESIGNATION AGREEMENT WITH HOBOKEN WESTERN EDGE, LLC INCLUDING PROVISIONS FOR AN ESCROW DEPOSIT TO DEFRAY THE CITY'S COSTS INCURRED IN THE NEGOTIATION OF A REDEVELOPMENT AGREEMENT

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the "Act"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, the City desires that a portion of the land located within an area which has been determined to be an area in need of redevelopment in accordance with the Act, designated as Block 106, Lot 1 on the Tax Map of the City of Hoboken, more commonly referred to as 1200 Madison (the “Property” or the “Project Site”), be redeveloped in accordance with the Western Edge Redevelopment Plan, as same may be amended from time to time (the “Redevelopment Plan”); and

WHEREAS, Hoboken Western Edge, LLC (“HWE”) is the current owner of the Project Site; and

WHEREAS, HWE submitted an initial Pre-Submission Form and certain accompanying project plans to the City of Hoboken on or about April 12, 2016 (collectively, the “Original Pre-Submission Form”) seeking to be designated as the Redeveloper of the Project Site; and

WHEREAS, the City reviewed and vetted the information contained in the Original Pre-Submission Form, including but not limited to, certain political contribution disclosures; and

WHEREAS, in response to the City’s various project compliance reviews, HWE submitted to the City certain supplemental information which included site plans, floor plans, elevations, massing diagrams, environmental reports, and correspondence (collectively, the “Supplemental Information”); and

WHEREAS, the Supplemental Information submitted by HWE included several iterations of design concepts for the Project Site, each of which varied certain key project components; and

WHEREAS, the most recent design concept for the Project Site was submitted by HWE on October 10, 2017 (the “New Proposal”) and a revised Pre-Submission Form was submitted on or about November 6, 2017 (the “Revised Pre-Submission Form”); and

WHEREAS, the Revised Pre-Submission Form and the New Proposal collectively comprise the Proposal (the “Proposal”); and

WHEREAS, the New Proposal would provide for the development of three (3) new buildings comprising 351 residential units in total; 48,305 sq. ft. of retail in total on the ground floors and mezzanine levels; 175,500 sq. ft. of upper story commercial uses in total; an integration of the existing industrial buildings for adaptive reuse purposes; 591 parking spaces, comprising 91 self-park and 500 semi-automated mechanical; approximately 43,833 square feet of publicly accessible open space on HWE-owned property for the development of a linear park

and pedestrian connections to the park and the conversion of approximately 15,500 sq. ft. of land area within the Monroe Street right-of-way for integration into the park; and

WHEREAS, HWE seeks to be designated the exclusive Conditional Redeveloper of the Project Site; and

WHEREAS, the City requires that prospective redevelopers pay the reasonable costs incurred by the City in reviewing and evaluating the prospective redeveloper's proposal, negotiating and drafting a Redevelopment Agreement (should a Redevelopment Agreement ultimately be executed), and all other costs and expenses related to the matter, prior to either the execution of a Redevelopment Agreement or a determination by the City that a Redevelopment Agreement cannot be executed, as the case may be; and

WHEREAS, accordingly, the City has prepared a form of Interim Cost and Conditional Designation Agreement, a copy of which is attached hereto as **Exhibit A**, whereby HWE would pay the reasonable costs incurred by the City in reviewing and further evaluating the Proposal, negotiating and drafting a Redevelopment Agreement (should a Redevelopment Agreement ultimately be executed), and all other costs and expenses related to this matter, prior to either the execution of a Redevelopment Agreement or a determination by the City that a Redevelopment Agreement cannot be executed, as the case may be; and

WHEREAS, as it is further acknowledged in the form of Interim Cost and Conditional Designation Agreement attached hereto, the components of the Proposal, including any phasing of the project and the provision of community benefits, are subject to negotiation.

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

1. The Mayor is hereby authorized to execute an Interim Cost and Conditional Designation Agreement between the City of Hoboken and Hoboken Western Edge, LLC, in a form substantially as that attached hereto as **Exhibit A**.
2. Staff and consultants to the City are hereby authorized and directed to take all other administrative actions to implement this Resolution as are necessary and appropriate to accomplish its goals and intent.
3. This Resolution shall be effective immediately.

---Motion duly seconded by Council President Giattino

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino
---Nays: None.

~~RESOLUTION RELEASING A CASH GUARANTY AND PERFORMANCE SURETY BOND IN THE TOTAL AMOUNT OF \$751,943.00 RELATED TO A CONSTRUCTION PROJECT AT 1400 HUDSON STREET, BLOCK 269.3, LOT 4~~

Corporation Counsel

~~RESOLUTION PROVIDING FOR REIMBURSEMENT OF THE LEGAL DEFENSE COSTS OF CITY EMPLOYEE NUMBER 102033 IN ACCORDANCE WITH HOBOKEN CITY CODE §54-39 "METHODS OF PROVIDING DEFENSE"~~

Finance

17-672

---By Councilwoman Fisher

RESOLUTION INSERTING A SPECIAL ITEM OF REVENUE INTO THE CY 2017 MUNICIPAL BUDGET TO INCLUDE THE **\$5,500.00** RECEIVED FROM THE DEPARTMENT OF LAW AND PUBLIC SAFETY FOR THE DRIVE SOBER OR GET PULLED OVER YEAR END HOLIDAY CRACKDOWN CY2017

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and,

WHEREAS, the City of Hoboken has received notice of an award of \$5,500.00 from the Department of Law and Public Safety for the Drive Sober or Get Pulled Over Year End Holiday Crackdown CY2017, and wishes to amend its CY2017 Budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken hereby requests that the Director of the Division of Local Government Services approve the insertion of an item of revenue in the CY2017 budget in the amount of \$5,500.00. This is now available as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated
With Prior Written Consent of the Director of the

Division of Local Government Services:

State and Federal Revenues Off-set with
Appropriations:

Drive Sober Year End Holiday Crackdown
Other Expenses \$5,500.00

BE IT FURTHER RESOLVED by the City Council of the City of Hoboken that the sum of \$5,500.00 is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from CAPS
State and Federal Programs Off-Set by
Revenues:

Drive Sober Year End Holiday Crackdown
Other Expenses \$5,500.00

NOW, THEREFORE, BE IT RESOLVED, that the City Clerk will forward a certified copy of this resolution electronically to the Director of Local Government Services for approval.

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-673

---By Councilwoman Fisher

CITY OF HOBOKEN RESOLUTION AUTHORIZING CY2017 APPROPRIATION TRANSFERS

WHEREAS, N.J.S.A. 40A:4-58 provides for the transfer of funds in the last two (2) months of the fiscal year from appropriations deemed to have an excess to appropriations where sufficient balances are not available to fulfill the purpose of the appropriation to the end of the fiscal year, provided that no transfers may be made to appropriations for contingent expenses or deferred charges, and no transfers may be made from appropriations for contingent expenses, deferred charges, cash deficit of the preceding year, reserve for uncollected taxes, down payments, capital improvement fund and interest and redemption charges; and,

WHEREAS, the City of Hoboken requires certain transfers of funds for the reaming of CY2017 as follows:

CURRENT FUND		
	<u>From</u>	<u>To</u>
HOUSING INSPECTION S/W	32,000	
GASOLINE	3,000	
COMMUNITY DEVELOPMENT DIRECTOR S/W		18,000
PURCHASING DIVISION S/W		7,000
ENVIRONMENTAL SVC DIRECTOR S/W		7,000
WATER & SEWER		3,000

NOW, THEREFORE, BE IT RESOLVED, with 2/3 of the City Council of the City of Hoboken voting in the affirmative, that the following CY2017 appropriation transfers are hereby authorized, pursuant to N.J.S.A. 40A:4-58, for the City of Hoboken:

CURRENT FUND		
	<u>From</u>	<u>To</u>
HOUSING INSPECTION S/W	32,000	
GASOLINE	3,000	
COMMUNITY DEVELOPMENT DIRECTOR S/W		18,000
PURCHASING DIVISION S/W		7,000
ENVIRONMENTAL SVC DIRECTOR S/W		7,000
WATER & SEWER		3,000

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-674

---By Councilwoman Fisher

RESOLUTION AUTHORIZING THE SUBMISSION OF GRANT APPLICATIONS FOR THE HOBOKEN MUNICIPAL DRUG ALLIANCE GRANT, APPROVING MATCH AMOUNTS, AND ACCEPTANCE OF FUNDS IF APPROVED

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and,

WHEREAS, the City Council of the City of Hoboken recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the City Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the City of Hoboken desires to apply for, obtain, and effectuate a grant from the Governor's Council on Alcoholism and Drug Abuse through the County of Hudson for approximately \$43,200.00, with a cash match of \$10,800.00 (subject to appropriation in the CY2018 budget) and an in-kind service match of \$32,400.00, to carry out the Hudson County Municipal Alliance on Alcoholism and Drug Abuse Program for FY2018-2019.

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

1. The City Council hereby authorizes the submission and execution of the attached Strategic Plan for Funding for the Hoboken Municipal Alliance grant year July 1, 2018 to June 30, 2019 in the amount of:
 - a. Alliance DEDR Allocation: \$43,200.00
 - b. City Cash Match: \$10,800.00
 - c. City In-Kind Match: \$32,400.00
2. The Mayor, the Business Administrator, or their designee may sign the Strategic Plan for Funding and any other documents necessary in connection therewith, on behalf of the City of Hoboken, and their signature will constitute acceptance of the terms and conditions.
3. The City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.
4. Upon receipt of the fully executed grant agreement, the Council does further authorize the expenditure of funds pursuant to the terms of the agreement.

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

Tax Collector

17-675

---By Councilwoman Fisher

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS (PAYABLE TO THE INDIVIDUALS LISTED ON THE RESOLUTION FOR THE AMOUNT OF **\$219,967.91**)

WHEREAS, overpayments of taxes have been made on properties listed below; and,

WHEREAS, Sharon Curran, Collector of Revenue for the City of Hoboken, recommends that the following refunds be made in accordance with N.J.S.A. 54:4-69:

NAME	BL/LOT/UNIT	PROPERTY	QTR/YEAR	AMOUNT
CORELOGIC REFUND DEPARTMENT P.O. BOX 9202 COPPELL, TEXAS 75019	18/30/ C005A	84 ADAMS ST	2/17	\$2,214.44
CORELOGIC REFUND DEPARTMENT P.O. BOX 9202 COPPELL, TEXAS 75019	18/30/ C00P1	84 ADAMS ST	2/17	\$ 116.32
CORELOGIC REFUND DEPARTMENT P.O. BOX 9202 COPPELL, TEXAS 75019	8/1/ C004A	551 OBSERVER HIGHWAY	1/17	\$1,658.80
LERETA 1123 S. PARKVIEW DRIVE COVINA, CA 92724	86/1/ C0P72	800 JACKSON ST	4/17	\$ 39.86
LERETA 1123 S. PARKVIEW DRIVE COVINA, CA 92724	86/1/ C0303	800 JACKSON ST	4/17	\$2,522.10
CORELOGIC/NATIONSTAR 3001 HACKBERRY ROAD IRVING, TEXAS 75063	149/1/ C0E3E	402 NINTH ST	1/17	\$1,797.23

NAME	BL/LOT/UNIT	PROPERTY	QTR/YEAR	AMOUNT
YU-TING CHEN 650 SECOND STREET #5A HOBOKEN, NJ 07030	36/1/ C005A	650 SECOND ST	2/17	\$2,013.20
LT NATIONAL TITLE 2 HUDSON PLACE, 5TH FLOOR HOBOKEN, NJ 07030	86/1/C0510	800 JACKSON ST	2/17	\$ 528.89
MICHAEL ADELHOCK 117 GOLF EDGE DRIVE WESTFIELD, NJ 07090	179/9/ C000B	319 PARK AVE	4/17	\$2,892.04
CAPITAL ONE BANK ATTN: CHARLINDA SANDERS P.O. BOX 9212 COPPELL, TEXAS 75019-9228	48/24/ C0006	320 MADISON ST	3/17	\$1,147.18
AFRM TITLE & ABSTRACT 30 FRENEAU AVE, ROUTE 79 MATAWAN, NJ 07747	269.03/1/ C0922	1400 HUDSON ST	1&2/18	\$4,465.51
ALLISON FAYE ZWEIMAN 1120 CLINTON ST #C-5C HOBOKEN, NJ 07030	156/5/ CC-5C	1118 CLINTON/ 1117 GRAND	1&2/17	\$1,667.60
CORELOGIC/REFUND DEPT P.O. BOX 9220 COPPELL, TEXAS 75019-9238	269.03/1	1400 HUDSON ST	4/17	\$192,702.16
KABILAN MAKENDRA 1201 ADAMS STREET #214 HOBOKEN, NJ 07030	109/1.01/ C0214	1200 GRAND ST	4/17	\$2,743.75 <u>ABATEMEN T</u>
ELITE TITLE GROUP 22 RIDGE ROAD LYNDHURST, NJ 07071	109/1.01/ C0228	1200 GRAND ST	4/17	\$3,458.83 <u>ABATEMEN T</u>

NOW, THEREFORE, BE IT RESOLVED, that a warrant be drawn on the City Treasury in the total amount of \$219,967.91, made payable to the following:

NAME	BL/LOT/UNIT	PROPERTY	QTR/YEAR	AMOUNT
CORELOGIC REFUND DEPARTMENT P.O. BOX 9202 COPPELL, TEXAS 75019	18/30/ C005A	84 ADAMS ST	2/17	\$2,214.44
CORELOGIC REFUND DEPARTMENT P.O. BOX 9202 COPPELL, TEXAS 75019	18/30/ C00P1	84 ADAMS ST	2/17	\$ 116.32
CORELOGIC REFUND DEPARTMENT P.O. BOX 9202 COPPELL, TEXAS 75019	8/1/ C004A	551 OBSERVER HIGHWAY	1/17	\$1,658.80
LERETA 1123 S. PARKVIEW DRIVE COVINA, CA 92724	86/1/ C0P72	800 JACKSON ST	4/17	\$ 39.86
LERETA 1123 S. PARKVIEW DRIVE COVINA, CA 92724	86/1/ C0303	800 JACKSON ST	4/17	\$2,522.10
CORELOGIC/NATIONSTAR 3001 HACKBERRY ROAD IRVING, TEXAS 75063	149/1/ C0E3E	402 NINTH ST	1/17	\$1,797.23
YU-TING CHEN 650 SECOND STREET #5A HOBOKEN, NJ 07030	36/1/ C005A	650 SECOND ST	2/17	\$2,013.20

LT NATIONAL TITLE 2 HUDSON PLACE, 5TH FLOOR HOBOKEN, NJ 07030	86/1/C0510	800 JACKSON ST	2/17	\$ 528.89
MICHAEL ADELHOCK 117 GOLF EDGE DRIVE WESTFIELD, NJ 07090	179/9/ C000B	319 PARK AVE	4/17	\$2,892.04
CAPITAL ONE BANK ATTN: CHARLINDA SANDERS P.O. BOX 9212 COPPELL, TEXAS 75019-9228	48/24/ C0006	320 MADISON ST	3/17	\$1,147.18
AFRM TITLE & ABSTRACT 30 FRENEAU AVE, ROUTE 79 MATAWAN, NJ 07747	269.03/1/ C0922	1400 HUDSON ST	1&2/18	\$4,465.51
ALLISON FAYE ZWEIMAN 1120 CLINTON ST #C-5C HOBOKEN, NJ 07030	156/5/ CC-5C	1118 CLINTON/ 1117 GRAND	1&2/17	\$1,667.60
CORELOGIC/REFUND DEPT P.O. BOX 9220 COPPELL, TEXAS 75019-9238	269.03/1	1400 HUDSON ST	4/17	\$192,702.16
KABILAN MAKENDRA 1201 ADAMS STREET #214 HOBOKEN, NJ 07030	109/1.01/ C0214	1200 GRAND ST	4/17	\$2,743.75 <u>ABATEMEN T</u>
ELITE TITLE GROUP 22 RIDGE ROAD LYNDHURST, NJ 07071	109/1.01/ C0228	1200 GRAND ST	4/17	\$3,458.83 <u>ABATEMEN T</u>

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-676

---By Councilwoman Fisher

RESOLUTION AUTHORIZING A REFUND FROM A TAX APPEAL THAT WAS FILED IN THE STATE TAX COURT (PAYABLE TO THE INDIVIDUALS LISTED ON THE RESOLUTION FOR THE AMOUNT OF **\$54,607.51**)

WHEREAS, a tax appeal was filed in the State Tax Court regarding the property listed below; and,

WHEREAS, the Court entered judgment which reduced the assessed value of the property; and,

WHEREAS, as a result, Sharon Curran, Collector of Revenue for the City of Hoboken has calculated the refund to be made in accordance with the judgment.

NOW, THEREFORE, BE IT RESOLVED, that a warrant be drawn on the City Treasury in the total amount of \$54,607.51, made payable to the following:

NAME	BL/LT/ UNIT	PROPERTY	YEA R	AMOUNT
HOBOKEN HOLDINGS C/O NAT REALTY DEVELOPMENT CORP SAIBER LLC 18 COLUMBIA TURNPIKE, SUITE FLORHAM PARK, NJ 07932	BL 230 LOT 6.01	2-10 HUDSON PLACE	2016	\$48,081.00
Michael A. Vespasiano Attorney Trust Account 331 Main Street Chatham, NJ 07928	BL 216 LOT 13	523 WASHINGTON STREET	2016	\$2,435.07
Michael A. Vespasiano Attorney Trust Account 331 Main Street	BL 216 LOT 13	523 WASHINGTON STREET	2017	\$4,091.44

Chatham, NJ 07928				
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---Motion duly seconded by Councilman Ramos
 ---Adopted by the following vote: Yeas: 9 Nays: 0
 ---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo
 and President Giattino
 ---Nays: None.

17-677

---By Councilwoman Fisher

RESOLUTION CANCELLING THE 1ST & 2ND QUARTERS BILLING ON BLOCK 190
 LOT 10 (1ST QUARTER, **\$4,340.87**, AND 2ND QUARTER, **\$4,340.86** BOTH PAID)

WHEREAS, the Tax Assessor recommends that the billing for Block 190, Lot 10, for CY 2017, 1st Quarter in the amount of \$4,340.87, and 2nd Quarter in the amount of \$4,340.86 be cancelled; and,

WHEREAS, the Tax Assessor recommends that the payments received for the 1st Quarter and 2nd Quarter be applied to the omitted billing on the 4th Quarter in the amount of \$8,251.32; and,

WHEREAS, the Tax Collector shall cancel the billing for Block 190, Lot 10 for the 1st Quarter in the amount of \$4,340.87 and the 2nd Quarter in the amount of \$4,340.86 and both quarters shall be considered paid.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that Block 190, Lot 10 is hereby deleted from the 2017 Tax Duplicate in error.

---Motion duly seconded by Councilman Ramos
 ---Adopted by the following vote: Yeas: 9 Nays: 0
 ---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo
 and President Giattino
 ---Nays: None.

Public Safety

17-678

---By Councilman Bhalla

RESOLUTION AUTHORIZING THE CITY OF HOBOKEN TO ENTER INTO A
MEMORANDUM OF UNDERSTANDING WITH THE COUNTY OF HUDSON

WHEREAS, the County of Hudson ("County"), by way of its Office of Emergency Management and through certain Homeland Security Grants has in its possession certain pieces of equipment, including but not limited to Hydrant Adapter Kits and Mutual Aid Kits; and,

WHEREAS, this equipment is available to certain Townships and Municipalities within the County; and,

WHEREAS, the distribution of equipment to Townships and Municipalities throughout the County will better ensure the appropriate use of the equipment to better serve and protect the general public; and,

WHEREAS, the City of Hoboken is a Municipality with employees who have been duly licensed and recognized by all appropriate authorities to carry out activities related to the protections of the public's health, safety and welfare and does represent that it is qualified to receive, care for and operate the equipment that is the subject of this Memorandum of Understanding; and,

WHEREAS, the Administration recommends that the terms memorialized in the attached Memorandum of Understanding be accepted by the City Council.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that the Mayor is hereby authorized to enter into the attached Memorandum of Understanding with the County of Hudson; and:

1. The Memorandum of Understanding is subject to finalization of the contract terms.
2. The Council hereby authorizes the Mayor or her designee to execute the Memorandum of Understanding and take any and all actions necessary to realize the intent and purpose of this resolution.

This resolution shall be effective immediately.

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-679

---By Councilman Bhalla

RESOLUTION AWARDED A CONTRACT TO MOTOROLA SOLUTIONS FOR THE
PURCHASE OF PORTABLE RADIOS IN THE AMOUNT OF **\$31,159.80** IN
ACCORDANCE WITH NJ STATE CONTRACT #83909

WHEREAS, the City needs to purchase portable radios and related equipment for the Hoboken Fire Department; and,

WHEREAS, N.J.S.A. 40A:11-10 and N.J.S.A. 40A:11-12 permit municipalities to award public contracts without public bidding when the vendor is an approved state contractor or part of an approved national cooperative; and,

WHEREAS, the City recommends purchasing the required radios and equipment from Motorola Solutions c/o Allcomm Technologies in the amount of \$31,159.80 pursuant to their NJ State Contract # 83909.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, that a contract is awarded to Motorola Solutions c/o Allcomm Technologies for the purchase of portable radios and related equipment in the amount of \$31,159.80 as follows:

1. The award of this contract is subject to finalization of the contract terms.
2. Any change orders which shall become necessary shall be subject to the City's ability to appropriate sufficient funds, which appropriation shall be at the sole discretion of the City Council.
3. The Council hereby authorizes the Mayor, or her 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. The mayor, or her designee, is hereby authorized to execute an agreement as outlined herein with:

Motorola Solutions
c/o Allcomm Technologies
5105 Route 34
Farmingdale, New Jersey 07727

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-680

---By Councilman Bhalla

RESOLUTION APPROVING A CHANGE ORDER TO THE CITY'S CONTRACT WITH AMERICAN ASPHALT FOR THE POLICE DEPARTMENT PARKING LOT IMPROVEMENTS PROJECT IN THE AMOUNT OF **\$17,000.00** WHICH REPRESENTS A 5.72% INCREASE IN THE ORIGINAL CONTRACT AMOUNT

WHEREAS, the City Council of the City of Hoboken awarded a contract to American Asphalt & Milling Services, LLC (“American Asphalt”), for the Police Department Parking Lot Improvements Project by way of resolution dated October 4, 2017, pursuant to their bid proposal in the amount of \$297,031.75; and,

WHEREAS, the City received the first change order request in the amount of \$17,000.00 from Boswell Engineering pursuant to the attached correspondence dated November 29, 2017; and,

WHEREAS, Boswell Engineering has recommended that “the City authorize a change order to replace the porous asphalt material with porous concrete material. Given the different material there is a cost escalation of approximately \$7,000.00. The change in materials will allow the contractor to install the surface course of the parking lot in less favorable conditions while still providing a finished product that meets the specifications”; and,

WHEREAS, Boswell Engineering has also recommended that the City install “interpretive signage similar to the signage installed as part of the City Hall Landscape & Drainage Improvements project which was completed in 2016. The proposed signage will be consistent with the City’s existing branding and wayfinding signage and will highlight not only the project specific information but the benefits gained from the implementation of the new infrastructure. In order to prepare site specific signage and provide the installation of same [Boswell] propose[s] a not to exceed allowance of \$10,000.00”; and,

WHEREAS, it is requested that the City Council approve Change Order No. 1 in the amount of \$17,000.00; and,

WHEREAS, the original contract amount of \$297,031.75 has been increased by 5.72% for a new contract amount of \$ 314,031.75.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, that Change Order No.1 in the amount of \$17,000.00 is approved as delineated above.

1. The above recitals are incorporated herein as though fully set forth at length.
2. The terms of the referenced proposal shall govern the contract, and no changes may be made without the prior written consent of both parties.
3. Any change orders which shall become necessary hereafter shall be subject to the City’s ability to appropriate sufficient funds, which appropriation shall be at the sole discretion of the City Council.
4. The Council hereby authorizes the Mayor, or her 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.

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino
---Nays: None.

Transportation and Parking

17-681

---By Councilman Russo

RESOLUTION AUTHORIZING SUSPENSION OF PARKING FEES AT OFF-STREET MUNICIPAL PARKING FACILITIES DURING SPECIFIC DATES AND TIMES AROUND THE HOLIDAY SEASON FOR ALL CITY OWNED PUBLIC PARKING FACILITIES TO INCENTIVIZE LOCAL HOLIDAY SHOPPING

WHEREAS, the City of Hoboken wishes to incentivize local shopping during the holiday season and to support Hoboken's local economy; and,

WHEREAS, the City seeks to suspend parking fees in the City's off-street municipal parking facilities for up to four (4) hours per day; and,

WHEREAS, the four (4) hours per day must be within a single parking session; and,

WHEREAS, in order to qualify for the free parking for a four (4) hour period, the individual must provide receipts showing they have spent at least \$25.00 on food and/or retail purchases within Hoboken on the same day that they are seeking the free parking; and,

WHEREAS, in order to support local business and Hoboken's local economy, the City Council of the City of Hoboken seeks to waive parking fees at off-street municipal parking facilities during certain dates and times during the holiday season, subject to the above requirements.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken authorizes from December 7, 2017 until January 1, 2018 at 11:59 p.m., that individuals will be entitled to park at any off-street City-owned parking facility for a period of four (4) hours at no fee, subject to proof that they have spent at least \$25.00 within Hoboken on food and/or retail purchases that same day.

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-682

---By Councilman Russo

RESOLUTION APPROVING THE TRAFFIC CONTROL PROPOSAL PREPARED BY J. FLETCHER CREAMER FOR THE PSE&G MADISON STREET MANHOLE AND CONDUIT PROJECT

WHEREAS, PSE&G is currently in the process of implementing infrastructure improvement projects throughout Northern New Jersey, which includes the upgrading and expansion of the existing Madison Street Substation in Hoboken and the relocation of the Marshall Street Substation in Hoboken; and,

WHEREAS, the purpose of the planned work at the Madison Street Substation and Marshall Street Substation is to ensure that the City is better prepared for future storms and catastrophic events; and,

WHEREAS, as a part of the PSE&G infrastructure improvement project, conduit is required to be installed to an existing manhole on 12th Street, which work will take place in the middle of the street and therefore presents traffic issues; and,

WHEREAS, PSE&G's subcontractor, J. Fletcher Creamer has submitted the attached traffic control proposal which will require the closing of 12th Street from Madison to Monroe and temporary two way traffic on Madison Street between 11th and 12th Street for a period of approximately 3 days; and,

WHEREAS, in consultation with the Director of Transportation, Office of Emergency Management, and Hoboken Police Department it has been determined that work should be performed continuously until complete; and,

WHEREAS, 24 hour work is not permitted pursuant to the permit conditions passed by the City Council on June 7, 2017; and,

WHEREAS, the City wishes to authorize the attached Traffic Control Proposal, which includes a noise mitigation plan and authorize continuous work as delineated above as an exception to the permit conditions previously approved.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, that the attached Traffic Control Proposal submitted by J. Fletcher Creamer, and review materials submitted by Joseph A. Pomante, P.E. of Boswell Engineering are hereby approved, including the temporary closing of 12th Street between Madison and Monroe and the temporary two way traffic on Madison between 11th and 12th; and,

BE IT FURTHER RESOLVED, that the changes identified in the Traffic Control Proposal may be in effect for a period of approximately three (3) days, beginning at 9:00 a.m. on Thursday and concluding on Saturday evening at 6:00 p.m.; and,

BE IT FURTHER RESOLVED, that continuous work will be permitted in accordance with the above as an exception to the permit conditions previously approved.

---Motion duly seconded by Councilman Doyle
---Adopted by the following vote: Yeas: 9 Nays: 0
---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino
---Nays: None.

Clerk

17-683

---By Councilman Doyle

RESOLUTION TO ADOPT THE MINUTES OF THE MEETINGS OF THE CITY COUNCIL
DATED: **SPECIAL AND REGULAR MEETING OF NOVEMBER 13, 2017**

---Motion duly seconded by Councilman Russo
---Adopted by the following vote: Yeas: 9 Nays: 0
---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino
---Nays: None.

ORDINANCES

Introduction and First Reading

17-684

Z-530

---By Councilman Doyle

AN ORDINANCE TO AMEND THE CITY CODE OF THE CITY OF HOBOKEN CHAPTER 68 ENTITLED "ALCOHOLIC BEVERAGES" §68-4 "HOURS OF BUSINESS" AT §68-4(A)(3) TO EXTEND SUNDAY HOURS ON CHRISTMAS EVE AND NEW YEAR'S EVE

WHEREAS, Hoboken City Code Chapter 68 entitled "Alcoholic Beverages" at §68-4 sets forth the hours permitted for the sale of alcohol in the City of Hoboken; and,

WHEREAS, pursuant to §68-4(A)(3), the sale of alcoholic beverages is permitted on Sundays from 11:01 a.m. -2:59 a.m.; and,

WHEREAS, in certain years, including 2017, both Christmas Eve and New Year's Eve fall on Sundays; and,

WHEREAS, Christmas Eve and New Year's Eve are busy days for the sale of alcoholic beverages, and extended hours allowing for earlier opening would benefit both the businesses and consumers; and,

WHEREAS, the City Council of the City of Hoboken wishes to amend §68-4(A)(3) to allow for extended hours of operation for the sale of alcoholic beverages from 9:00 a.m. – 11:00 a.m. on Christmas Eve and New Year’s Eve in those years when said holidays fall on a Sunday.

NOW, THEREFORE, be it ordained, by the Mayor and the City Council of the City of Hoboken as follows:

Section 1: The following additions shall be made to Hoboken City Code §68-4(A)(3) to read as follows:

A. No licensee shall serve, deliver or allow, permit or refer the sale, service or delivery of any alcoholic beverages or allow or permit the consumption of any alcoholic beverage on the licensed premises on:

- 1) New Year's Day, when it is a Sunday, between the hours of 5:00 a.m. and 11:00 a.m., and on New Year's Day, when it is any day other than a Sunday, between the hours of 5:00 a.m. and 6:00 a.m.;
- 2) Any day for which Hoboken City Hall is designated, in writing, as closed due to a holiday, between the hours of 3:00 a.m. and 6:00 a.m.;
- 3) Any other Sunday, between the hours of 3:00 a.m. and 11:00 a.m., except that in those years that Christmas Eve (December 24) and New Year’s Eve (December 31) fall on a Sunday, plenary distribution licensees may also sell and deliver alcoholic beverages for consumption off of their premises between the hours of 9:00 a.m. and 11:00 a.m.;
- 4) Any other Saturday, between the hours of 3:00 a.m. and 6:00 a.m.;
- 5) Any other Monday, Tuesday, Wednesday, Thursday or Friday, between the hours of 2:00 a.m. and 6:00 a.m.

B. No licensee of an establishment that chooses to serve alcoholic beverages shall permit patrons to enter the premises after 2:00 a.m. in the morning on Saturday and/or Sunday. The provisions of this subsection shall not apply to those licensees that choose not to serve alcoholic beverages after 2:00 a.m. in the morning on Saturday and/or Sunday. Those licensees that choose to make this election must notify the City Clerk by August 1 of each year of their election. This election shall be effective for a one-year period.

C. A licensee of an establishment that chooses to serve alcoholic beverages shall impose a closing time of 3:00 a.m. in the morning on Saturday and/or Sunday and 2:00 a.m. in the morning on all other days. The provisions of this subsection shall not apply to those licensees that choose not to serve alcoholic beverages after 2:00 a.m. in the morning on Saturday and/or Sunday. Those licensees that choose to make this election must notify the City Clerk by August 1 of each year of their election. This election shall be effective for a one-year period.

Section 2: 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.

Section 3: 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 4: This ordinance shall take effect as provided by law.

Section 5: All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect. This Ordinance shall also supersede any inconsistent provisions contained in any resolution or ordinance previously adopted by the Hoboken City Council.

Section 6: 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 7: This Ordinance shall take effect upon passage and publication as provided by law.

---Motion duly seconded by Councilman Russo

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

RESOLUTION

~~RESOLUTION DECLARING AN EMERGENCY PURSUANT TO N.J.S.A. 40:69A-181(B) AND MAKING ORDINANCE _____ ENTITLED "AN ORDINANCE TO AMEND THE CITY CODE OF THE CITY OF HOBOKEN CHAPTER 68 ENTITLED "ALCOHOLIC BEVERAGES" §68-4 "HOURS OF BUSINESS" AT §68-4(A)(3) TO EXTEND SUNDAY HOURS ON CHRISTMAS EVE AND NEW YEAR'S EVE" EFFECTIVE IMMEDIATELY~~

(REMOVED BY ADMINISTRATION)

~~AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 196 OF THE HOBOKEN CITY CODE ENTITLED “ZONING” ARTICLE IX “GENERAL SUPPLEMENTARY REGULATIONS” AT §196-31(C)(2)(G) “FEATHER FLAGS”~~

REMOVED BY COUNCIL) (CARRIED TO 1/3/18)

RESOLUTION

~~RESOLUTION OF THE CITY OF HOBOKEN REFERRING THE PROPOSED ZONING ORDINANCE AMENDING §196-31(C)(2)(G) TO THE CITY OF HOBOKEN PLANNING BOARD IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-7(e) (CARRIED TO 1/3/18)~~

17-685

Z-531

---By Councilman Doyle

AN ORDINANCE TO AMEND THE CITY CODE OF THE CITY OF HOBOKEN CHAPTER 196 ENTITLED “ZONING” ARTICLE IX “GENERAL SUPPLEMENTARY REGULATIONS” AT §196-28.2 “ROOFS” TO AMEND THE WORDING OF §196-28.2(B)(4)

WHEREAS, Chapter 196 of the Hoboken City Code contains the City’s zoning code; and,

WHEREAS, Article IX entitled “General Supplementary Regulations” at §28.2(B) sets forth regulations regarding green roofs; and,

WHEREAS, it has come to the City Council’s attention that the undefined and inconsistent term “unencumbered” is used in 196-28.2(B)(4) and that deletion of said term would create clarity and consistency within this section of the Code.

NOW, THEREFORE, the Mayor and Council of the City of Hoboken do hereby ordain as follows:

Section 1: The following ~~deletions~~ shall be made to Hoboken City Code §196-28.2(B)(4) to read as follows:

B. Green roofs. Green roofs are encouraged wherever possible and particularly so on roofs with surface area of 5,000 square feet or more where other alternative energy applications are not being used. Green roofs shall be installed in accordance with the following criteria:

- 1) A green roof shall consist of four layers: a waterproof membrane, a layer of insulation, a drainage layer, and the growing medium (substrate). Additionally, a protective layer of

PVC or other suitable material may be placed beneath the growing medium to protect against roots penetrating the waterproofing layer.

- 2) The growing medium shall be, at a minimum, a thin lightweight medium suitable for planting green roof vegetation such as, for example, a mix of expanded shale and/or sand with 10% humus. More intensive applications are encouraged if the structure is designed appropriately for the use.
- 3) Plantings on green roofs shall be shallow-rooted, drought-tolerant species that thrive in thin, nutrient-poor soils and will not require irrigation such as mosses, grasses and sedum.
- 4) If a green roof is provided on at least 50% of the ~~unencumbered~~ roof surface, the remainder of the available roof area, subject to the setback and clearance requirements set forth herein, may be utilized for the construction of a roof deck.
- 5) Green roofs shall be approved by the City Engineer for, among other things, the building's underlying structural integrity, and it may be subject to periodic inspection.
- 6) If all of the above criteria in Subsection B(1) through (5) of this section are met, review and approval of the application will be processed by the Zoning Officer. Applications not meeting these specifications will require review and variance approval by the Planning Board of Zoning Board of Adjustment.

Section 2: 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.

Section 3: 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 4: This ordinance shall take effect as provided by law.

Section 5: All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect. This Ordinance shall also supersede any inconsistent provisions contained in any resolution or ordinance previously adopted by the Hoboken City Council.

Section 6: 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 7: This Ordinance shall take effect upon passage and publication as provided by law.

---Motion duly seconded by Councilman Russo

---Adopted by the following vote: Yeas: 8 Nays: 1

---Yeas: Council persons Bhalla, Cunningham, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: DeFusco

RESOLUTION

17-686

---By Councilman Russo

RESOLUTION OF THE CITY OF HOBOKEN REFERRING THE PROPOSED ZONING ORDINANCE AMENDING §196-28.2(B)(4) TO THE CITY OF HOBOKEN PLANNING BOARD IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-7(e)

WHEREAS, pursuant N.J.S.A. 40:55D-26(a), prior to the adoption of a development regulation, revision, or amendment thereto, the Planning Board shall make and transmit to the governing body, within 35 days after referral, a report including identification of any provisions in the proposed development regulation, revision or amendment which are inconsistent with the master plan and recommendations concerning those inconsistencies and any other matters as the board deems appropriate.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, that the following Ordinance, by title, read for introduction on December 6, 2017 shall be sent to the Planning Board of the City of Hoboken for review and recommendation:

- 1) AN ORDINANCE TO AMEND THE CITY CODE OF THE CITY OF HOBOKEN CHAPTER 196 ENTITLED "ZONING" ARTICLE IX "GENERAL SUPPLEMENTARY REGULATIONS" AT §196-28.2 "ROOFS" TO AMEND THE WORDING OF §196-28.2(B)(4)

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-687

Z-532

---By Councilman Russo

AN ORDINANCE AMENDING CHAPTER 141A OF THE HOBOKEN CITY CODE
ENTITLED “PARKING PERMITS” AT §141A-3 “TEMPORARY PERMITS” TO AMEND
PRICE AND REGULATIONS REGARDING TEMPORARY RESIDENT PARKING
PERMITS

WHEREAS, Chapter 141A of the City Code of the City of Hoboken establishes the rules and regulations associated with Hoboken’s permit parking program; and,

WHEREAS, the City of Hoboken established a resident permit parking program 25 years ago in order to manage extremely finite curbside parking resources and enhance parking availability for Hoboken residents; and,

WHEREAS, the Hoboken Parking Utility requires various documentation to establish current residency and vehicle ownership in order to obtain a resident permit so as to establish a fair resident parking permit program that protects residents from permit abuse; and,

WHEREAS, temporary permits are available to residents who do not meet the requirements of a residential permit or who need parking on a temporary basis for vehicles which they own or are primary user during the temporary period at the cost of \$1 per day; and,

WHEREAS, pricing for most Hoboken Parking Utility products, including temporary permits, has not increased or kept pace with inflation for over a decade which causes the Parking Utility a financial hardship, especially as Hoboken’s population has increased by over 60% during this period; and,

WHEREAS, adjusting the cost of temporary permits to \$5.00 per day will put temporary permit pricing at parity with \$5.00 per day visitor hang tags and provide an additional incentive for residents to obtain documentation required to become eligible for a resident parking permit; and,

WHEREAS, currently temporary parking permits are issued for a maximum of 45 continuous days, however, this permit may be continuously renewed; and,

WHEREAS, allowing temporary permits to be continuously renewed defeats the purpose of the “temporary” permit and it would benefit all Hoboken residents to limit the use of said temporary permits in order to encourage individuals to obtain and submit all of the appropriate documentation.

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: AMENDMENTS TO HOBOKEN CODE CHAPTER 141A

§ 141A-3. Temporary permits.

A. Temporary permits may be issued, at a cost of \$5.00 per day, for a maximum of 45 continuous days per vehicle per calendar year, whereupon the permit shall expire, ~~or be renewed by providing documentation as described in §141A-3C and D to reestablish residency and ownership or primary use, respectively, for said permit.~~ Alternatively, a temporary permit may be issued for ~~a nonrenewable maximum of 14 continuous days by providing one document listed in §141A-3C, and the documentation listed in §141A-3D.~~ The Parking Utility shall have the power to extend the duration of the 14-day temporary permit up to a maximum of 45 continuous days ~~temporary permits up to 14 days~~ upon application in person to the Parking Utility and by providing the minimum required ~~upon a demonstration of documentation as mandated in §141A-3C and §141A-3D.~~ ~~special circumstances.~~

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

---Motion duly seconded by Councilman Cunningham Council President Giattino

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-688

Z-533

---By Councilman Russo

AN ORDINANCE AMENDING CHAPTER 190 ENTITLED “VEHICLES AND TRAFFIC”
AND CHAPTER 192 ENTITLED “PARKING FOR HANDICAPPED” TO AMEND
VARIOUS CURBSIDE PARKING AND TRAFFIC CIRCULATION REGULATIONS

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

WHEREAS, Chapter 192 of the General Code of the City of Hoboken establishes the rules and regulations associated with handicapped accessible parking; and,

WHEREAS, municipal code updates to loading zones, bus stops, traffic signals, bicycle lanes, and handicapped accessible parking are necessary to supplement paving and striping for Phase I of the Washington Street Redesign.

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: AMENDMENTS TO HOBOKEN CODE CHAPTER 190

§ 190-11. Loading zones designated.

The locations described are hereby designated as Loading Zones. No person shall park a vehicle in said location during the times indicated other than for the loading or unloading of goods and materials for a time limit of 20 minutes.

Name of Street	Times	Side	Location
<u>Washington Street</u>	<u>6:00 a.m. to 2:00 p.m. Monday through Friday</u>	<u>East</u>	<u>Beginning at a point 44 feet south of the southerly curbline of Newark Street and extending 40 feet southerly therefrom</u>
<u>Washington Street</u>	<u>6:00 a.m. to 2:00 p.m. Monday through Friday</u>	<u>East</u>	<u>Beginning at a point 45 feet south of the southerly curbline of First Street and extending 40 feet southerly therefrom</u>

§ 190-13. Bus stops.

The locations described are hereby designated as bus stops. No vehicle other than an omnibus picking up or discharging passengers shall be permitted to occupy said location between the hours indicated. All others will be towed.

Street/Location	Hours/Days
------------------------	-------------------

Newark Street (far side), beginning at a point 40 feet south of the southerly curbline of Newark Street and extending 100 feet southerly therefrom

6:00a.m. to 11:00p.m. Monday to Sunday

§ 190-25. Installation of traffic signals.

In accordance with the provisions of this §190-25, traffic control signals will be installed and maintained at the herein described intersections:

Name of Street	At Intersection of	Type
<u>Washington Street</u>	<u>First Street</u>	<u>Automated</u>
<u>Washington Street</u>	<u>Second Street</u>	<u>Automated</u>
<u>Washington Street</u>	<u>Third Street</u>	<u>Automated</u>
<u>Washington Street</u>	<u>Fourth Street</u>	<u>Automated</u>
<u>Washington Street</u>	<u>Fifth Street</u>	<u>Automated</u>
<u>Washington Street</u>	<u>Sixth Street</u>	<u>Automated</u>
<u>Washington Street</u>	<u>Seventh Street</u>	<u>Automated</u>
<u>Washington Street</u>	<u>Eighth Street</u>	<u>Automated</u>
<u>Washington Street</u>	<u>Ninth Street</u>	<u>Automated</u>
<u>Washington Street</u>	<u>Tenth Street</u>	<u>Automated</u>

Name of Street	At Intersection of	Type
<u>Washington Street</u>	<u>Eleventh Street</u>	<u>Automated</u>
<u>Washington Street</u>	<u>Twelfth Street</u>	<u>Automated</u>
<u>Washington Street</u>	<u>Thirteenth Street</u>	<u>Automated</u>

Washington Street Fourteenth Street Automated

§ 190-47. Streets designated.

E. The following roadways are hereby designated as bicycle lanes and/or routes:

Street	Begin	End	Class
<u>Washington Street</u>	<u>Observer Highway</u>	<u>Eighth Street</u>	<u>II</u>

SECTION TWO: AMENDMENTS TO HOBOKEN CODE CHAPTER 192

§ 192-4. Enumeration of spaces.

B. The following locations are hereby approved by the Committee for Handicap Parking as general handicap spaces for all persons holding a motor vehicle services placard and/or the handicap license plates pursuant to N.J.S.A. 39:4-205:

Name of Street	Side	Location
<u>Washington Street</u>	<u>West</u>	Beginning at a point 250 feet north of Observer Highway and extending 22 feet northerly therefrom
<u>Washington Street</u>	<u>West</u>	<u>Beginning at a point 295 feet north of the northerly curblineline of Observer Highway and extending 22 feet northerly therefrom</u>
<u>Washington Street</u>	<u>West</u>	<u>Beginning at a point 108 feet south of the southerly curblineline of First Street and extending 22 feet southerly therefrom</u>

SECTION THREE: 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 FOUR: 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 FIVE: EFFECTIVE DATE

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

SECTION SIX: 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.

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-689

Z-534

---By Councilman Cunningham

AN ORDINANCE AMENDING CHAPTER 190 ENTITLED “VEHICLES AND TRAFFIC”
§190-50 “BICYCLE RULES AND REGULATIONS” AT §190-50(J) “RIDING ON
SIDEWALKS”

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

WHEREAS, Chapter 192 of the General Code of the City of Hoboken establishes the rules and regulations associated with handicapped accessible parking; and,

WHEREAS, municipal code updates to loading zones, bus stops, traffic signals, bicycle lanes, and handicapped accessible parking are necessary to supplement paving and striping for Phase I of the Washington Street Redesign.

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: AMENDMENTS TO HOBOKEN CODE CHAPTER 190

§ 190-11. Loading zones designated.

The locations described are hereby designated as Loading Zones. No person shall park a vehicle in said location during the times indicated other than for the loading or unloading of goods and materials for a time limit of 20 minutes.

Name of Street	Times	Side	Location
<u>Washington Street</u>	<u>6:00 a.m. to 2:00 p.m. Monday through Friday</u>	<u>East</u>	<u>Beginning at a point 44 feet south of the southerly curbline of Newark Street and extending 40 feet southerly therefrom</u>
<u>Washington Street</u>	<u>6:00 a.m. to 2:00 p.m. Monday through Friday</u>	<u>East</u>	<u>Beginning at a point 45 feet south of the southerly curbline of First Street and extending 40 feet southerly therefrom</u>

Name of Street	Times	Side	Location
<u>Washington Street</u>	<u>6:00 a.m. to 2:00 p.m. Monday through Friday</u>	<u>East</u>	<u>Beginning at a point 40 feet south of the southerly curbline of Second Street and extending 40 feet southerly therefrom</u>
<u>Washington Street</u>	<u>6:00 a.m. to 2:00 p.m. Monday through Friday</u>	<u>West</u>	<u>Beginning at a point 40 feet north of the northerly curbline of Second Street and extending 40 feet northerly therefrom</u>
<u>Washington Street</u>	<u>6:00 a.m. to 2:00 p.m. Monday through Friday</u>	<u>East</u>	<u>Beginning at a point 65 feet south of the southerly curbline of Third Street and extending 40 feet southerly therefrom</u>
<u>Washington Street</u>	<u>6:00 a.m. to 2:00 p.m. Monday through Friday</u>	<u>West</u>	<u>Beginning at a point 40 feet south of the southerly curbline of Third Street and extending 40 feet southerly therefrom</u>
<u>Washington Street</u>	<u>6:00 a.m. to 2:00 p.m. Monday through Friday</u>	<u>West</u>	<u>Beginning at a point 40 feet north of the northerly curbline of Third Street and extending 40 feet northerly therefrom</u>
<u>Washington Street</u>	<u>6:00 a.m. to 2:00 p.m. Monday through Friday</u>	<u>East</u>	<u>Beginning at a point 65 feet south of the southerly curbline of Fourth Street and extending 40 feet southerly therefrom</u>

§ 190-13. Bus stops.

The locations described are hereby designated as bus stops. No vehicle other than an omnibus picking up or discharging passengers shall be permitted to occupy said location between the hours indicated. All others will be towed.

A. Washington Street, northbound, on the easterly side at:

Street/Location**Hours/Days**

First Street (far side), beginning at a point 40 feet north of the northerly curblineline of First Street and extending 95 feet northerly therefrom

6:00a.m. to 11:00p.m. Monday to Sunday

Third Street (far side), beginning at a point 40 feet north of the northerly curblineline of Third Street and extending 100 feet northerly therefrom

6:00a.m. to 11:00p.m. Monday to Sunday

B. Washington Street, southbound, on the westerly side at:

Street/Location**Hours/Days**

Newark Street (far side), beginning at a point 40 feet south of the southerly curblineline of Newark Street and extending 100 feet southerly therefrom

6:00a.m. to 11:00p.m. Monday to Sunday

Second Street (far side), beginning at a point 40 feet south of the southerly curblineline of Second Street and extending 100 feet southerly therefrom

6:00a.m. to 11:00p.m. Monday to Sunday

Fourth Street (far side), beginning at a point 40 feet south of the southerly curblineline of Fourth Street and extending 100 feet southerly therefrom

6:00a.m. to 11:00p.m. Monday to Sunday

§ 190-25. Installation of traffic signals.

In accordance with the provisions of this §190-25, traffic control signals will be installed and maintained at the herein described intersections:

Name of Street**At Intersection of****Type**

Washington Street

First Street

Automated

Washington Street

Second Street

Automated

Washington Street

Third Street

Automated

Washington Street

Fourth Street

Automated

Washington Street

Fifth Street

Automated

Washington Street

Sixth Street

Automated

<u>Washington Street</u>	<u>Seventh Street</u>	<u>Automated</u>
<u>Washington Street</u>	<u>Eighth Street</u>	<u>Automated</u>
<u>Washington Street</u>	<u>Ninth Street</u>	<u>Automated</u>
<u>Washington Street</u>	<u>Tenth Street</u>	<u>Automated</u>
Name of Street	At Intersection of	Type
<u>Washington Street</u>	<u>Eleventh Street</u>	<u>Automated</u>
<u>Washington Street</u>	<u>Twelfth Street</u>	<u>Automated</u>
<u>Washington Street</u>	<u>Thirteenth Street</u>	<u>Automated</u>
<u>Washington Street</u>	<u>Fourteenth Street</u>	<u>Automated</u>

§ 190-47. Streets designated.

E. The following roadways are hereby designated as bicycle lanes and/or routes:

Street	Begin	End	Class
<u>Washington Street</u>	<u>Observer Highway</u>	<u>Eighth Street</u>	<u>II</u>

SECTION TWO: AMENDMENTS TO HOBOKEN CODE CHAPTER 192

§ 192-4. Enumeration of spaces.

B. The following locations are hereby approved by the Committee for Handicap Parking as general handicap spaces for all persons holding a motor vehicle services placard and/or the handicap license plates pursuant to N.J.S.A. 39:4-205:

Name of Street	Side	Location
<u>Fourth Street</u>	<u>South</u>	<u>Beginning at a point 47 feet west of the westerly curblin</u> <u>Washington Street and extending 22 feet westerly therefrom</u>
<u>Fourth Street</u>	<u>South</u>	<u>Beginning at a point 47 feet east of the easterly curblin</u> <u>Washington Street and extending 22 feet easterly therefrom</u>
<u>Second Street</u>	<u>North</u>	<u>Beginning at a point 47 feet west of the westerly curblin</u> <u>Washington Street and extending 22 feet westerly therefrom</u>

<u>Second Street</u>	<u>South</u>	<u>Beginning at a point 47 feet east of the easterly curbline of Washington Street and extending 22 feet easterly therefrom</u>
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Name of Street	Side	Location
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<u>Washington Street</u>	<u>West</u>	<u>Beginning at a point 250 feet north of Observer Highway and extending 22 feet northerly therefrom</u>
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<u>Washington Street</u>	<u>West</u>	<u>Beginning at a point 295 feet north of the northerly curbline of Observer Highway and extending 22 feet northerly therefrom</u>
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<u>Washington Street</u>	<u>West</u>	<u>Beginning at a point 108 feet south of the southerly curbline of First Street and extending 22 feet southerly therefrom</u>
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<u>Washington Street</u>	<u>West</u>	<u>Beginning at a point 178 feet north of the northerly curbline of First Street and extending 22 feet northerly therefrom</u>
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<u>Washington Street</u>	<u>East</u>	<u>Beginning at a point 40 feet north of the northerly curbline of Second Street and extending 22 feet northerly therefrom</u>
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SECTION THREE: 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 FOUR: 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 FIVE: EFFECTIVE DATE

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

SECTION SIX: 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.

---Motion duly seconded by Councilman Russo

---Adopted by the following vote: Yeas: 5 Nays: 3 Abstain: 1

---Yeas: Council persons Cunningham, Fisher, Ramos, Russo and President Giattino

---Nays: DeFusco, Bhalla and Doyle

---Abstain: Mello

*******Councilman DeFusco comments and asks if this would be tabled*******

~~AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE CITY OF
HOBOKEN, CHAPTER 85 CONDOMINIUM CONVERSIONS~~

(CARRIED TO 1/3/18)

17-690

Z-535

---By Councilman Doyle

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE CITY OF
HOBOKEN, CHAPTER 136 NUISANCES

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

Section 1. The follow additions and deletions shall be made to Chapter 136 of the Code of the City of Hoboken entitled “Nuisances” as follows:

§ 136-1 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BOARD OF HEALTH: The Hoboken Board of Health.

CITY: The City of Hoboken.

ENFORCEMENT AGENCIES: The Hoboken Health Department, including Health Officer, Registered Environmental Health Specialist and Public Health Nuisance Investigator; Environmental Services Division, including Sanitation Inspectors; Hoboken Housing Inspectors; Construction Code Inspectors; Taxi and Limousine Inspectors; Zoning Officer; Hoboken Police Department; and Hoboken Fire Prevention Inspectors.

GRAFFITI: Any writing, drawings, or markings scribbled, scratched or painted illicitly on a

wall or other surface that defaces the property or object on which it appears, often within public view.

HEALTH OFFICER: The legally designated Health Officer of the City of Hoboken.

NUISANCE: Any person, premises, condition, thing or act that may be a detriment, injurious, a menace, hazard or annoyance to the inhabitants of this City and the general public. Nuisances include but are not limited to those examples set forth in § 136-2 hereof.

ORDER OR RULE: Any directive of the Health Officer.

OWNER: Any person who, alone or jointly or severally with others:

- A. Shall have legal title to any building, structure, or unit, with or without accompanying actual possession thereof; or
- B. Shall have charge, care or control of any building, structure, or unit, as owner or agent of the owner or as executor, executrix, administrator, administratrix, receiver, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this chapter and of rules and regulations adopted pursuant thereto to the same extent as if he were the owner.

PERMIT OR LICENSE: A permit or license shall be construed to mean the permission in writing of the Health Officer in accordance with the provisions of the laws and ordinances within the scope of his jurisdiction.

PERSON: Includes any individual, firm, corporation, association or partnership, company or organization of any kind, their agents and employees.

REFUSE: All putrescible and non-putrescible solid waste (except body waste), including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, furniture, refrigerators, appliances, building material and solid market and industrial wastes.

§ 136-2 Prohibited acts.

A. The following matter, things, conditions or acts are hereby declared to be a nuisance and injurious to the health and safety of the inhabitants of the City of Hoboken, and are therefore prohibited.

- 1) Depositing, accumulating or maintaining any matter or thing which serves as food for insects or rodents and to which they may have access or which serves or constitutes a breeding place or harborage for insects or rodents in or on any land, premises, building or other place. Any container maintained for the short-term collection of refuse, recycling, composting or rainwater must have a properly fitting lid, be access-resistant to insects and rodents and must be maintained in good working order at all times and must be kept in a clean and sanitary way.

- 2) Burying, depositing, maintaining or permitting to be maintained or to accumulate upon any public or private property any wastewater, sewage, garbage, refuse, offal or excrement; any dead animals; or any foul, putrid or noxious substance.
- 3) Allowing or suffering to allow any waste container in which garbage, offal, scraps, food waste and any other putrescible material, or recyclable material, is held in or upon any premises which is not watertight, tightly covered and so kept at all times. Containers designed for the specific purpose of composting are permitted, provided they are of a closed type with an airtight lid and catch basin for collection of compost tea.
- 4) Pollution or the existence of a condition or conditions which cause or threaten pollution of any water, including stormwater, in such a manner as to cause or threaten injury to any inhabitants of this municipality either in their health, comfort or property.
- 5) The existence or presence of any open standing water or other liquid in which mosquito eggs, larvae or pupae may breed or exist. This regulation does not prohibit the use of covered, enclosed and properly maintained rain barrels.
- 6) The escape of such quantities of smoke, fly ash, dust, fumes, vapors, mist or gas into the open air from any stack, vent, chimney or any entrance or from any non-accidental fire as to cause injury, respiratory distress, watering of eyes or other physical malady to persons or damage to property.
- 7) The use of property, substances or things within the City emitting or causing any foul, offensive, noisome, nauseous, noxious or disagreeable odors, effluvia or stench, repulsive to the physical senses, which annoy, discomfort, injure or inconvenience the health of persons within the municipality.
- 8) Allowing any building to be occupied as a tenement house, apartment house, dwelling house, rooming house, factory building or food establishment, without a plentiful supply of potable water suitable for domestic or personal requirements, by any person who is responsible for such provision, by reason of ownership, possession or agreement, or in which the water supply has been turned off for any reason except to repair faulty plumbing.
- 9) Failing to make and maintain any dwelling or dwelling unit, rooming house, property or place of business reasonably vermin proof and rodent proof and exterminate the same.
- 10) Allowing or suffering to allow the occupancy of any structure, dwelling or place of business that does not meet the minimum health, safety and habitability standards set forth in the Municipal Code, including but not limited to Chapter 80, Buildings and Dwellings, Dangerous or Unfit, Chapter 95, Dwellings; Minimum Standards, Chapter 115, Health/Sanitary Code, Chapter 116, Heating of Buildings, and Chapter 120, Maintenance of Hotels and Multiple Dwellings, and all applicable fire safety and construction codes as established by the State of New Jersey.

- 11) The placing of any household, commercial or industrial waste or refuse, or construction or demolition materials, into City litter receptacles.
- 12) The dissipation into the air of dirt, debris, dust or materials from any construction site or any public or private place where such materials are stored.
- 13) Failing to keep the rain leaders, gutters, sewers and drains of any structure, dwelling or place of business in good working order and in a state of sound repair, and failing to keep contents thereof from flowing onto or into adjacent premises or property.
- 14) Discarding or throwing of any food product or waste upon any sidewalk, street or public thoroughfare or in any park or other public or private place. Placing of food for animal consumption, in any public place, is also prohibited.
- 15) Weeds and other growths of vegetation upon private or public property at any state of maturity which:
 - a. Exceed six inches in height, except for healthy specimen trees, shrubs or plants grown in a tended and cultivated garden.
 - b. Regardless of height, harbor, conceal or invite deposits or accumulations of refuse, trash or animal wastes.
 - c. Harbor or may harbor rodents, insects or other vermin.
 - d. Gives off unpleasant or noxious odors.
 - e. Constitutes a fire or traffic hazard.
 - f. Weeds that have grown to tree height.
- 16) Trees that are damaged or dead to the extent that a falling limb or tree part could cause injury or property damage.
- 17) The growth, existence or presence of ragweed on any plot of land, lot, street, highway, right-of-way or any other public or private place.
- 18) The growth, existence or presence of poison ivy on any property, public or private.
- 19) All wires, ropes or lines over streets, alleys or public grounds which are not authorized or permitted by the City or which are strung so that the lowest portion is less than 15 feet above the surface of the ground.
- 20) Idling of commercial vehicles for more than three minutes in any district or by any vehicle, commercial, public or private, for any amount of time in a posted school zone.
- 21) Spitting upon any public sidewalk or crossing or upon the floor or any part of a building or public conveyance.
- 22) The keeping of any animal or animals under unsanitary conditions.
- 23) The continuous barking or crying of dogs, birds or other animals.

24) No person shall keep or harbor any livestock or unlawful wildlife unless specifically licensed to do so from by the Health Officer or pursuant to law.

25) No self-storage facility within the boundaries of the City of Hoboken shall be open to its clients or the public for any loading or unloading to or from the building between the hours of 9:00 p.m. and 6:00 a.m. on any day of the week. For purposes of subsection, "self-storage facility" shall mean a facility in which storage space (such as rooms, lockers, containers, and/or outdoor space) is rented to tenants, usually on a short-term basis (often month to month).

26) Any other matter, thing, condition or act which is or may become injurious, detrimental, a menace or endanger the health of the inhabitants of this municipality.

27) The existence or presence of graffiti on any property; public or private.

B. It shall be unlawful for any person or persons to commit, maintain or allow any nuisance as declared and described in this section.

C. Each prohibited act shall constitute a separate violation.

Section 2: 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.

Section 3: 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 4: This ordinance shall take effect as provided by law.

Section 5: All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect. This Ordinance shall also supersede any inconsistent provisions contained in any resolution or ordinance previously adopted by the Hoboken City Council.

Section 6: 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 7: This Ordinance shall take effect upon passage and publication as provided by law.

---Motion duly seconded by Councilman Russo

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-691

Z-536

---By Councilman Russo

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED "PARKING FOR PERSONS WITH DISABILITIES" §192-4 "ENUMERATION OF SPACES" TO APPROVE THE REMOVAL OF RESTRICTED PARKING SPACES

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

Section 1: The following ~~deletions~~ shall be made to Chapter 192 of the Code of the City of Hoboken entitled "Parking for Persons with Disabilities" §192-4 entitled "Enumeration of Spaces" to approve the removal of restricted handicapped parking spaces as follows:

~~Martin Dilworth—214 Bloomfield Street (west side of Bloomfield Street, beginning at a point 178 feet from the northwest curblin of Second Street and extending 22 feet northerly therefrom)~~
~~Mario Mercado, Jr.—1115 Park Avenue (east side, beginning at a point 160 feet north of Eleventh Street and extending 22 feet north therefrom)~~

~~Sixto Rivera—1203 Washington Street (east side of Washington Street, beginning at a point 35 feet from the northeast curblin of Twelfth Street and extending 12 feet north therefrom)~~

~~Joseph Spaccavento—1143 Garden Street (east side of Garden Street, beginning at a point of 35 feet south of the southerly curblin of Twelfth Street and extending 22 feet southerly therefrom)~~

~~Vincent Wassman—713 Bloomfield Street (east side of Bloomfield Street, beginning at a point 150 feet north of Seventh Street and extending 22 feet north therefrom)~~

~~Yarrow Banerjee—624 Park Avenue (west side of Park Avenue, beginning at a point 260 feet north of the northerly curblin of Sixth Street and extending 22 feet northerly therefrom)~~

~~Felix Bonet—206 9th Street (north side of Ninth Street, beginning at a point of 110 feet from the easterly curblineline of Park Avenue and extending 22 feet easterly therefrom)~~

~~James Brennan—1118 Park Avenue (west side of Park Avenue, beginning at a point of 280 feet from the northerly curblineline of Eleventh Street and extending 22 feet northerly therefrom)~~

~~Patricia Breuninger—826 Washington Street (west side of Washington Street, beginning at a point 103 feet south of the southerly curblineline of Ninth Street and extending 12 feet southerly therefrom)~~

~~Maureen Chiriac—260 11th Street (north side of Eleventh Street, beginning at a point 60 feet from the easterly curblineline of Willow Avenue and extending 22 feet easterly therefrom)~~

~~Gilormina Ciccolella—332 Adams Street (west side of Adams Street, beginning at a point of 35 feet south of the southerly curblineline of Fourth Street and extending 22 feet southerly therefrom)~~

~~Camille Corea—730 Hudson Street (west side of Hudson Street, beginning at a point of 110 feet south of the southerly curblineline of Eighth Street and extending 22 feet southerly therefrom)~~

~~Leon Critides—733 Park Avenue (east side of Park Avenue, beginning at a point 320 feet from the northeast curblineline of Seventh Street and extending 22 feet southerly therefrom)~~

~~Spencer Gelband—260 7th Street (north side of Seventh Street, beginning at a point 79 feet from the northeast curblineline of Willow Avenue and extending 22 feet easterly therefrom)~~

~~Eva Gonzalez—51 Garden Street (east side, beginning at a point 35 feet north of northerly curblineline of Observer Highway and extending 22 feet northerly therefrom)~~

~~Gloria Gonzalez—516 Monroe Street (west side of Monroe Street, beginning at a point of 207 feet from the southwest curblineline of Sixth Street and extending 22 feet southerly therefrom)~~

~~Kathleen Hairsine—79 Monroe Street (east side of Monroe Street, beginning at a point 255 feet from the southerly curblineline of First Street and extending 22 feet southerly therefrom)~~

~~Amrish Kathiari—339 Garden Street (east side of Garden Street, beginning at a point 35 feet from the southeast curblineline of Fourth Street and extending 22 feet southerly therefrom)~~

~~Patricia LaBruno—1233 Park Avenue (east side of Park Avenue, beginning at a point 335 feet from the northerly curblineline of Twelfth Street and extending 22 feet northerly therefrom)~~

~~John LiButti—460 Eighth Street (west side of Adams Street, beginning at a point 93 feet from the northerly curblineline of Eighth Street and extending 22 feet northerly therefrom)~~

~~Kathleen Ann Lisa—1215 Willow (east side of Willow Avenue, beginning at a point of 245 feet from the northeast curblineline of 12th Street and extending 22 feet easterly therefrom)~~

~~Cora Paznokas Losordo—521 Garden Street (east side, beginning at a point 195 feet south of Sixth Street and extending 22 feet southerly therefrom)~~

~~Bienvenido Morales—413 1st Street (south side of First Street, beginning at a point 35 feet from the southeast curbline of Adams Street and extending 22 feet easterly therefrom)~~

~~Nickolas Petrosino—213 Adams Street (east side of Adams Street, beginning at a point 180 feet north of the northerly curbline of Second Street and extending 22 feet northerly therefrom)~~

~~Dolores M. Semmens—1203 Willow Avenue (east side of Willow Avenue, beginning at a point of 35 feet north of the northerly curbline of Twelfth Street and extending 12 feet northerly therefrom)~~

~~Juan Sepulveda—55 Bloomfield Street (east side of Bloomfield Street, beginning at a point of 38 feet from the northerly curbline of Observer Highway and extending 22 feet northerly therefrom)~~

~~Ida Serrano—60 12th Street (north side of Twelfth Street, beginning at a point of 75 feet east of the easterly curbline of Washington Street and extending 22 feet easterly therefrom)~~

~~Joseph Stellato—1020 Hudson Street (west side of Hudson Street, beginning at a point 185 feet south of the southerly curbline of Eleventh Street and extending 22 feet southerly therefrom)~~

~~Anthony Terminello—832 Willow Avenue (west side of Willow Avenue, beginning at a point of 95 feet from the southerly curbline of Ninth Street and extending 22 feet southerly therefrom)~~

~~Nazmi Ulqinaku—203 4th Street (south side Forth Street, beginning at a point 35 feet west of the westerly curbline of Garden Street and extending 22 feet westerly therefrom)~~

Section 2: 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.

Section 3: 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 4: This ordinance shall take effect as provided by law.

Section 5: All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect. This Ordinance shall also supersede any inconsistent provisions contained in any resolution or ordinance previously adopted by the Hoboken City Council.

Section 6: 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 7: This Ordinance shall take effect upon passage and publication as provided by law.

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

~~AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ESTABLISHING A SCHEDULE OF CLASSIFICATIONS AND ALLOCATIONS OF TITLE FOR THE HERIN MENTIONED POSITIONS IN THE CITY OF HOBOKEN~~

(CARRIED TO 1/3/18)

17-692

Z-537

---By Councilman DeFusco

AN ORDINANCE TO SUBMIT THE PROPOSITION TO THE VOTERS AT THE NOVEMBER 6, 2018 GENERAL ELECTION THAT THE CITY OF HOBOKEN ADOPT THE HOLDING OF RUN-OFF ELECTIONS AS PERMITTED BY THE UNIFORM NON-PARTISAN ELECTIONS LAW

WHEREAS, the City of Hoboken under current law does not hold run-off elections for the offices of Mayor and Member of the City Council, which means that the winning candidate does not need to receive a majority of all votes cast for that office to be elected; and,

WHEREAS, because the City of Hoboken does not hold run-off elections, in the most recent municipal election, the winning candidate for Mayor received only about one-third of all of the votes cast for Mayor in that election; and,

WHEREAS, the City Council believes that the outcome of the most recent municipal election has exposed a fatal flaw in the City's election process, as "the will of the people" as commonly understood in our democracy is expressed through a majority vote, but because of a

crowded field of candidates, minority rule has determined Hoboken's political leadership for the next four years; and,

WHEREAS, pursuant to N.J.S.A. 40:45-21, a municipality that does not currently hold run-off elections may, by referendum, determine to hold run-off elections to ensure that the winning candidate receives a majority of the votes cast by the voters of that municipality; and,

WHEREAS, pursuant to N.J.S.A. 40:45-21, the question of whether or not to adopt the holding of run-off elections may be submitted to the voters by ordinance of the governing body; and;

WHEREAS, any ordinance adopted for that purpose shall state the proposition that run-off elections be held in the municipality; and,

WHEREAS, pursuant to N.J.S.A. 40:45-21, because it has been more than four years since the question of whether or not to hold run-off elections was last submitted to the voters, this Ordinance is ripe for adoption and if approved by the voters, will be in effect for the next municipal election for City Council in November 2019; and,

WHEREAS, the City Council of the City of Hoboken proposes that run-off elections be adopted for its future municipal elections and in accordance with N.J.S.A. 40:45-21 submit the proposition to the voters that the holding of run-off elections be adopted.

NOW, THEREFORE, the City Council of the City of Hoboken does hereby Ordain:

SECTION ONE:

The City Council of the City of Hoboken requests that pursuant to N.J.S.A. 40:45-21(b) that the City Clerk provide for the submission upon the official election ballot to be used at the November 6, 2018 General Election the following proposition:

SHALL RUN-OFF ELECTIONS BE HELD IN THE CITY OF HOBOKEN AS PERMITTED BY THE "UNIFORM NON-PARTISAN ELECTIONS LAW?"

SECTION TWO:

Pursuant to N.J.S.A. 40:45-21(b) the City Clerk shall provide for the submission of this question at the next General Election on November 6, 2018 by adoption of this Ordinance which must be not less than sixty days before said election (prior to September 7, 2018), and is directed to send a certified copy of this Ordinance upon adoption to the Hudson County Clerk to advise of same.

SECTION THREE: 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 FOUR: 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 FIVE: EFFECTIVE DATE

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

SECTION SIX: 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.

---Motion duly seconded by Councilman Ramos
---Adopted by the following vote: Yeas: 7 Nays: 1 Abstain: 1
---Yeas: Council persons Cunningham, DeFusco, Fisher, Mello, Ramos, Russo and President Giattino
---Nays: Bhalla
---Abstain: Doyle

~~AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE CITY OF
HOBOKEN CHAPTER 104 "FLOOD DAMAGE PREVENTION" ARTICLE III "GENERAL
PROVISIONS" AT §104-6 "LANDS TO WHICH THIS CHAPTER APPLIES~~

(CARRIED TO 1/3/18)

17-693

Z-538

---By Councilman Cunningham

Meeting of December 6, 2017

AN ORDINANCE AMENDING CHAPTER 190 ENTITLED “VEHICLES AND TRAFFIC”
TO AMEND PARKING REGULATIONS ON TWELFTH STREET BETWEEN CLINTON
STREET AND WILLOW AVENUE

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 Chapter 190 currently require amendments to better effectuate safe, orderly, and efficient use of public space and scarce curbside resources; and,

WHEREAS, the thoroughfare of Twelfth Street between Clinton Street and Willow Avenue serves dynamic functions and needs that vary throughout the day; and,

WHEREAS, during morning peak hours, Twelfth Street between Clinton Street and Willow Avenue functions as a critical link in the Hoboken street network providing vehicular access to northern gateways out of the city; and,

WHEREAS, during afternoon and evening hours, Twelfth Street between Clinton Street and Willow Avenue serves more local land use needs, such as curbside parking access to nearby businesses, institutions, and residences; and,

WHEREAS, during overnight hours, Twelfth Street between Clinton Street and Willow Avenue provides additional residential parking supply for area residents; and,

WHEREAS, at this location currently during morning hours, there has been an increase in traffic congestion due to the addition of parking; and,

WHEREAS, if parking was prohibited in this location during morning peak hours, this would allow for two travel lanes which would alleviate some of the congestion; and,

WHEREAS, restricting peak hour parking on Twelfth Street between Clinton Street and Willow Avenue between 6:00am-10:00am, Monday through Friday, and permitting resident permit parking and four hour visitor parking during all other times is a balanced way of accommodating the multiple functions that Twelfth Street serves throughout a typical weekday.

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: AMENDMENTS TO HOBOKEN CODE CHAPTER 190

§ 190-6. No stopping or standing.

- A. Stopping or standing prohibited during specific times on certain streets. In accordance with the provisions of this § 190-6A, no person shall stop or stand a vehicle upon the following streets of portions thereof for the hours indicated herein:

Name of Street	Side	Location	Hours/Days
Twelfth Street	South	Beginning at a point 107 feet east of the easterly curbline of Clinton Street and extending to the westerly curbline of Willow Avenue	6:00 a.m. to 10:00 a.m./Monday through Friday
<u>Twelfth Street</u>	<u>Both</u>	<u>Beginning at a point 40 feet east of the easterly curbline of Clinton Street and extending 125 feet easterly therefrom</u>	<u>6:00 a.m. to 10:00 a.m./Monday through Friday</u>

B. Stopping or standing prohibited at any time. In accordance with the provisions of this subsection, no person shall stop or stand a vehicle at any time upon any of the following described streets or parts of streets:

Name of Street	Side	Location
Twelfth Street	Both	Beginning at the easterly curbline of Clinton Street and extending to the westerly curbline of Willow Avenue
<u>Twelfth Street</u>	<u>Both</u>	<u>Beginning at a point 165 feet east of the easterly curbline of Clinton Street and extending to the westerly curbline of Willow Avenue</u>
<u>Twelfth Street</u>	<u>Both</u>	<u>Beginning at the easterly curbline of Clinton Street and extending 40 feet easterly therefrom</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

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.

---Motion duly seconded by Councilman Russo

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

NEW BUSINESS

At 9:39 PM meeting adjourned of the Governing Body on a motion by Council duly seconded by the Council members

Council President Giattino then adjourned the meeting at 9:39 PM

PRESIDENT OF THE COUNCIL

CITY CLERK