

Margaret M. Welch, Esq.  
7 South Street  
Newark, New Jersey 07102  
(201) 622-7325  
Attorney for Plaintiffs  
Reverend Triffel L. Felske,  
St. John Evangelical Lutheran Church,  
and The Hoboken Clergy Coalition

Hudson County Legal Services Corp.  
Timothy K. Madden, Director  
By: Jorge Aviles, Esq.  
574 Newark Avenue  
Jersey City, New Jersey 07306  
(201) 792-6363  
Attorneys for Plaintiffs  
Alfred Davis and Walter Rissland

ST. JOHN EVANGELICAL LUTHERAN CHURCH, : SUPERIOR COURT OF  
REVEREND TRIFFEL L. FELSKE, IN HIS : NEW JERSEY  
CAPACITY AS PASTOR, THE HOBOKEN : LAW DIVISION:  
CLERGY COALITION, ALFRED DAVIS AND : HUDSON COUNTY  
WALTER RISSLAND. :

: Docket No. L-

Plaintiffs :

Civil Action

vs. :

ORDER TO SHOW CAUSE  
WITH TEMPORARY RESTRAINTS

CITY OF HOBOKEN AND ALFRED N. :  
AREZZO, CONSTRUCTION OFFICIAL, :  
BUILDING SUB CODE OFFICIAL, ZONING :  
OFFICER, HISTORIC DISTRICT OFFICER :

Defendants. :

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This matter having been opened to the Court by  
Margaret M. Welch, Esq. and Jorge Aviles, Esq., attorneys for  
plaintiffs, on Verified Complaint in Lieu of Prerogative Writs  
and the Court having read said Complaint, Affidavit and Brief  
annexed hereto;

IT IS ON THIS \_\_\_\_\_ day of \_\_\_\_\_, 1983 ORDERED:

1. That Defendants are temporarily restrained from attempting to close the Temporary Emergency Shelter at 300 Bloomfield Street, Hoboken, New Jersey.

2. That Defendants, City of Hoboken and Alfred Arezzo, appear before this Court on

\_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 1983, at \_\_\_\_\_ .M. or as soon thereafter as counsel may be heard at the Courtroom at 595 Newark Avenue, Jersey City, New Jersey to SHOW CAUSE why the Temporary Restraints Ordered herein should not be continued, pending resolution of this matter.

3. That a copy of this Order, with a copy of the Verified Complaint on which it is based, be served upon the Defendants within \_\_\_\_\_ day(s) of the date hereof, personal service to be made by Plaintiffs or any employee of Plaintiffs attorney, or any police officer of this State or political subdivision thereof.

4. That within twenty (20) days of service hereof, said Defendants shall file a written Answer pursuant to the Rules of Court and if the Defendants fail to do so, Judgment by Default may be rendered against them.

5. That Defendants shall have leave to move for the dissolution or modification of the Restraints entered herein on \_\_\_\_\_ day(s) notice to Plaintiffs.

HONORABLE RAYMOND W. YOUNG, J.S.C.

Margaret M. Welch, Esq.  
7 South Street  
Newark, New Jersey 07102  
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ST. JOHN EVANGELICAL LUTHERAN CHURCH, :  
REVEREND TRIFFEL L. FELSKE, IN HIS :  
CAPACITY AS PASTOR, THE HOBOKEN :  
CLERGY COALITION, ALFRED DAVIS AND :  
WALTER RISSLAND. :

SUPERIOR COURT OF  
NEW JERSEY  
LAW DIVISION:  
HUDSON COUNTY

Plaintiffs :

Docket No. L-

vs. :

Civil Action

CITY OF HOBOKEN AND ALFRED N. :  
AREZZO, CONSTRUCTION OFFICIAL, :  
BUILDING SUB CODE OFFICIAL, ZONING :  
OFFICER, HISTORIC DISTRICT OFFICER :

COMPLAINT IN LIEU OF  
PREROGATIVE WRITS  
(VERIFIED)

Defendants. :

-----  
Reverend Triffel L. Felske, St. John Evangelical  
Lutheran Church, The Hoboken Clergy Coalition, Alfred Davis and  
Walter Rissland each located at 300 Bloomfield Street, Hoboken,  
New Jersey, by way of Complaint, say:

## COUNT I

1. Reverend Triffel L. Felske is the Pastor of St. John Evangelical Lutheran Church located at 300 Bloomfield Street, Hoboken, New Jersey and he is a member of the Board of Directors of The Hoboken Clergy Coalition.

2. He has been Pastor of St. John's since September, 1977.

3. St. John Evangelical Lutheran Church is a Church which has been serving the people of Hoboken continuously since 1891.

4. The Hoboken Clergy Coalition is an ecumenical group consisting of Pastors, Rabbi and representatives of approximately 22 churches and schools in Hoboken.

5. The Hoboken Clergy Coalition is operating a temporary emergency shelter for the homeless in the basement of St. John Evangelical Lutheran Church in accordance with the tenets of their religious beliefs.

6. Last winter the members of the Coalition determined that the plight of the homeless was one of the most pressing needs in its city.

7. The members of the Coalition met with Mayor Steve Cappiello and other city officials on four occasions and on numerous other occasions smaller groups of individuals met to attempt to work out a solution to this problem. They sought to have the City of Hoboken provide them with an abandoned school or other building which could have been rehabilitated and used to feed and provide temporary emergency shelter for homeless persons who were exposed to the freezing elements.

8. No building was provided. After city officials failed to return calls, the Coalition informed the Mayor that they intended to go ahead, and on March 10, 1983, opened the basement of St. John's to the homeless poor supported by donations from member churches. This temporary emergency shelter remained open until the end of April, 1983. It fed 30-50 persons a meal at 7:30 P.M. in the evening and provided sleeping accommodations for an average of 40 persons per night. The following morning, these people were given breakfast at 6:30 A.M. and returned to the streets.

9. On August 15, 1983, the needs of the homeless still not being met, they determined it was their moral duty to reopen.

10. Sheltering the homeless and caring for the poor has consistently been a Church function, carried out for centuries by religious persons. It is among one of the basic mandates in the Judeo-Christian heritage.

11. Isaiah, Chapter 58, verses 6-8 commands "This rather is the fasting that I wish:...Sharing your bread with the hungry, sheltering the oppressed and the homeless, clothing the naked when you see them, and not turning your back on your own."

12. For Christians, this concern for the poor and homeless is even made the condition of eternal salvation at the last judgment.

"For I was hungry and you gave Me food, I was thirsty and you gave Me drink, I was a stranger and you welcomed Me, naked and you clothed me"...  
"I assure you, as long as you did it for one of my least brothers, you did it for Me." Matthew, Chapter 25 verses 35-36, 40.

13. Alfred Davis and Walter Rissland are homeless residents of the City of Hoboken who come to the Church each evening and avail themselves of this temporary emergency shelter in accordance with the tenets of their religious beliefs.

14. Alfred Davis is 57 years old and has resided in Hoboken since 1948. He is presently in a state of homelessness. His religion is Protestant.

15. He served in the United States Navy from 1943-1946 and received an Honorable Discharge.

16. Walter Rissland is 63 years old and has resided in Hoboken since 1955. He is presently in a state of homelessness. His religion is Lutheran.

17. On or about September 21, 1983 an inspection of the premises was conducted by John Grego, Chief Sanitarian and Patricia Mitten, Health Officer, both of the Board of Health of the City of Hoboken. (See letter Attached dated September 21, 1983--3 pages).

18. Several suggestions were made and the establishment was permitted to continue operating provided other City agencies allowed occupancy.

19. On or about September 22, 1983 St. John Evangelical Lutheran Church received a letter from Alfred Arezzo, Construction Official, Building Subcode Official, Zoning Officer, Historic District Officer in which he Ordered the Church "to vacate reference use within forty-eight (48) hours upon receipt of this notice." The reasons cited are "that as per section

4.5202 of the Zoning Ordinance of the City of Hoboken said use is not of a permitted use, nor was any approvals given by this Department for State Occupancy requirements." (See copy of Ordinance attached).

20. The letter further provided that "if no action is taken within the prescribed time, Summonses will be issued on a per diem basis." (See letter attached dated September 22, 1983--1 page).

21. By Ordering the Temporary Emergency Shelter closed the Defendants, City of Hoboken and Alfred Arezzo, acting under color of State law are unlawfully depriving the Plaintiffs of their freedom to exercise their religion under the Free Exercise Clause of the First Amendment to the United States Constitution made applicable to the States by the Fourteenth Amendment and the Civil Rights Act of 1871, 42 U.S.C. sec. 1983.

WHEREFORE, Plaintiffs demand Judgment on Count I:

a) Declaring the Defendants have unlawfully deprived the Plaintiffs of their freedom to exercise their religion under the United States Constitution and the Civil Rights Act of 1871.

b) Enjoining the Defendants from unlawfully interfering with, or engaging in any unlawful activities to hinder the operation of the Temporary Emergency Shelter.

c) Awarding compensatory and punitive damages.

d) Awarding reasonable attorneys' fees and costs of this action.

e) Awarding such other relief as the Court deems appropriate.

## COUNT II

1. Plaintiffs repeat and reallege each of the allegations of Count I of the Complaint.

2. By Ordering the Temporary Emergency Shelter closed, the Defendants, City of Hoboken and Alfred Arezzo, are unlawfully depriving the Plaintiffs of their freedom to exercise their religion under the Free Exercise Clause of Article I paragraph 3 of the New Jersey Constitution.

WHEREFORE, Plaintiffs demand Judgment on Count II:

a) Declaring the Defendants have unlawfully deprived the Plaintiffs of their freedom to exercise their religion under the New Jersey Constitution.

b) Enjoining the Defendants from unlawfully interfering with, or engaging in any unlawful activities to hinder the operation of the temporary emergency shelter.

c) Awarding compensatory and punitive damages.

d) Awarding reasonable attorneys' fees and costs of this action.

e) Awarding such other relief as the Court deems appropriate.

## COUNT III

1. Plaintiffs repeat and reallege each of the allegations of Count I of the Complaint.

2. By Ordering the Temporary Emergency Shelter closed, the Defendants, City of Hoboken and Alfred Arezzo, reached a result which is arbitrary, capricious, and without basis of law.



WHEREFORE, Plaintiffs demand Judgment on Count III:

a) Declaring and setting aside the decision of the Defendants to close the Temporary Emergency Shelter.

b) Enjoining the Defendants from unlawfully interfering with, or engaging in any unlawful activities to hinder the operation of the Temporary Emergency Shelter.

c) Awarding compensatory and punitive damages.

d) Awarding reasonable attorneys' fees and costs of this action.

e) Awarding such other relief as the Court deems appropriate.

Dated:

10/3/83

/s/ Margaret M. Welch  
MARGARET M. WELCH, ESQ.

/s/ Jorge Aviles  
JORGE AVILES, ESQ.

VERIFICATION

I am the Plaintiff in foregoing complaint. I have read the complaint. The allegations of the Complaint are true to the best of my knowledge, information and belief.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: 10/3/83

/s/ Rev. Triffel L. Felske

REVEREND TRIFFEL L. FELSKE

Subscribed and sworn to before me this

3rdday of October, 1983.

/s/ Jorge Aviles

JORGE AVILES, ESQ.  
AN ATTORNEY AT LAW OF  
THE STATE OF NEW JERSEY


VERIFICATION

I am the plaintiff in the foregoing complaint. I have read the complaint. The allegations of the Complaint are true to the best of my knowledge, information, and belief.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated:

10/1/83

  
ALFRED DAVIS

Subscribed and sworn to before me this  
1st day of October, 1983.



JORGE AVILES  
AN ATTORNEY AT LAW OF  
THE STATE OF NEW JERSEY

VERIFICATION

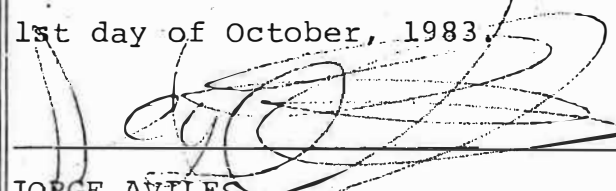
I am the plaintiff in the foregoing complaint. I have read the complaint. The allegations of the complaint are true to the best of my knowledge, information, and belief.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: 10/1/83

  
WALTER RISSLAND

Subscribed and sworn to before me this  
1st day of October, 1983.

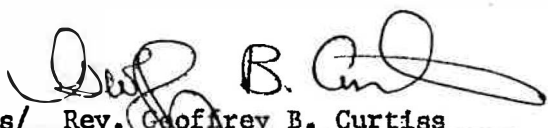
  
JORGE AVILES  
AN ATTORNEY AT LAW OF  
THE STATE OF NEW JERSEY

VERIFICATION

I am the Plaintiff in foregoing complaint. I have read the complaint. The allegations of the Complaint are true to the best of my knowledge, information and belief.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

DATED: 10/5/83

  
/s/ Rev. Geoffrey B. Curtiss  
REVEREND GEOFFREY B. CURTISS

Subscribed and sworn to before me this

5th day of October, 1983.

/s/ Jorge Aviles -  
JORGE AVILES, ESQ.  
AN ATTORNEY AT LAW OF  
THE STATE OF NEW JERSEY

STATE OF NEW JERSEY:

COUNTY OF HUDSON : SS:  
:

A F F I D A V I T

Rev. Triffel Felske, being duly sworn upon his oath,  
according to law, deposes and says:

1. I am the pastor of St. John's Evangelical Lutheran Church, located at 300 Bloomfield Avenue in Hoboken, New Jersey.

2. I have been pastor of St. John's since September, 1977. St. John's has been serving the people of Hoboken continuously since 1891.

3. I am also a member of the Board of Directors of the Hoboken Clergy Coalition which is operating a temporary shelter for the homeless in the basement of St. John Evangelical Lutheran Church.

4. The Hoboken Clergy Coalition is an ecumenical group consisting of pastors, rabbi and representatives of approximately 22 churches and schools in Hoboken.

Last winter the members of the Coalition determined that the plight of the homeless was one of the most pressing needs in our city.

The members of the Coalition met with Mayor Steve Cappelletto and other city officials/and on numerous other occasions on four occasions smaller groups of individuals met to attempt to work out a solution to this problem. We sought to have the City of Hoboken provide us with an abandoned school or other building which could have been rehabilitated and used to feed and provide shelter for homeless persons who were exposed to the freezing elements.

5. No building was provided. After city officials failed to return our calls, we informed the mayor that we intended to go ahead and on March 10, 1983, opened the basement of St. John's to the homeless poor supported by donations from member churches. This shelter remained open until the end of April. It fed 30-50 persons a meal at 7:30 p.m. in the evening and provided sleeping accommodations for an average of 40 persons per night. The following morning these people were given breakfast at 6:30 a.m. and returned to the streets.

6. On August 15, 1983, the needs of the homeless still not being met, we determined it was our moral duty to reopen.

7. Sheltering the homeless and caring for the poor has consistently been a church function, carried out for centuries by religious persons. It is among one of the basic mandates in the Judeo-Christian heritage.

8. Isaiah, Chapter 58, verses 6-8 commands "This rather is the fasting that I wish:...Sharing your bread with the hungry, sheltering the oppressed and the homeless, clothing the naked when you see them, and not turning your back on your own."

9. For Christians, this concern for the poor and homeless is even made the condition of eternal salvation at the last judgment.

"For I was hungry and you gave Me food, I was thirsty and you gave Me drink, I was a stranger and you welcomed Me, naked and you clothed me"...  
"I assure you, as long as you did it for one of my least brothers, you did it for Me." Matthew, Chapter 25, verses 35-36, 40.

10. Sanctuary has been a strong element of our religious tradition. Moses was commanded to set up places of refuge for the Israelites and the sojourner and stranger among them. (Numbers 35:13). Leviticus 25:35-38 orders support of a brother who is unable to support himself as does Deutonomy 15:11. Abraham's hospitality to three homeless men turned out to be given to angels. Genesis 18:1-15.

11. The New Testament contains numerous references to the obligation of religious persons: the parable of the rich man and Lazarus (Luke 16:19-31); "Invite in the poor, the crippled, the lame and the blind. They cannot repay you and you will be repaid at the resurrection of the just." - Luke 14:12-14, "If any of your neighbors are in need, you must share with them." (Romans 12:13).

12. Throughout history the churches have carried out this biblical mandate to aid the poor and the helpless. Sanctuary became such a strong religious tradition it was recognized in Roman, medieval, and English common law. During the middle ages every church was a potential sanctuary.

13. The American colonies, particularly those with strong religious leadership and affiliation, e.g. Rhode Island, Pennsylvania and Maryland were seen as refuges from the political and religious persecutions of seventeenth century Europe. After the passage of the Fugitive Slave Act, churches and religious persons became stations along the Underground Railroad providing



food and shelter for escaping slaves.

14. More recently churches and synagogues throughout this country have opened their doors to the homeless and oppressed. Although precise statistics are not available on the number of homeless shelters, these include hundreds from coast to coast. Over 50 churches and synagogues in New York City sheltered the homeless this past winter. Congregations in San Francisco, Atlanta, Minneapolis-St. Paul, Hartford, Jersey City and Chicago opened their doors to the poor.

15. The Hoboken Clergy and their churches are fulfilling their religious obligations and exercising a traditional religious function in utilizing the basement of St. John's to shelter the homeless poor.

*Rev. Triffel L. Felske*  
REV. TRIFFEL FELSKE

Dated: *30 September 1983*

Sworn & Subscribed to  
before me this *30<sup>th</sup>* day  
of *September*, 1983.

*Linda T. Romano*

LINDA T. ROMANO  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires May 18, 1986

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION:  
HUDSON COUNTY

ST. JOHN EVANGELICAL LUTHERAN CHURCH,  
REVEREND TRIFFEL FELSKE, in his  
capacity as Pastor, THE HOBOKEN  
CLERGY COALITION, ALFRED DAVIS AND  
WALTER RISSLAND.

Plaintiffs

Docket No. L-

VS.

CITY OF HOBOKEN and ALFRED N. AREZZO  
Construction Official, Building Sub-  
Code Official, Zoning Officer,  
Historic District Officer.

## Civil Action

Defendants.

BRIEF IN SUPPORT OF APPLICATION  
FOR TEMPORARY RESTRAINING ORDER

Margaret M. Welch, Esq.  
7 South Street  
Newark, New Jersey 07102  
(201) 622-7325  
Attorney for Plaintiffs  
Reverend Triffel Felske,  
St. John Evangelical Lutheran Church,  
and The Hoboken Clergy Coalition

Hudson County Legal Services Corp.  
Timothy K. Madden, Director  
By: Jorge Aviles, Esq.  
(201) 792-6363

~~Attorneys for Plaintiffs~~  
Alfred Davis and Walter Rissland

## LEGAL ARGUMENT

5 SINCE THE CLOSING OF THE TEMPORARY  
EMERGENCY SHELTER WILL CAUSE IRRE-  
PARABLE INJURY TO THE PLAINTIFFS,  
THE COURT MUST ENTER A TEMPORARY  
RESTRAINING ORDER ENJOINING THE DE-  
FENDANTS FROM ATTEMPTING TO CLOSE IT.

10 A temporary restraining order is an extraordinary  
remedy utilized primarily to forbid and prevent irreparable  
injury. It must be administered with sound discretion and al-  
ways upon considerations of the justice, equity and morality  
involved in the given case. New Jersey State Bar Association  
v. Northern New Jersey Mortgage Association, 22 N.J. 184, 194  
(1956); Suenram v. The Society of the Valley Hospital, 155 N.J.  
Super 593, 596-597 (Law Div., 1977). To obtain a temporary  
15 restraining order, there must be imminence of irreparable  
damage to the rights of the plaintiff, or in proper cases to the  
class on behalf of which the plaintiff sues. State Bar Associa-  
tion, Supra at 194.

20 Case law suggests a three-pronged analysis in de-  
ciding when a temporary restraining order should generally be  
granted in a suit. In Suenram, Supra at 597, the Court stated  
the examination should consider:

- 25
- (a) whether the issue presented is  
grave and difficult;
  - (b) whether the injury to the moving  
party will be irreparable if the  
relief is denied;
  - (c) whether the inconvenience or loss  
to the opposing party will be minimal  
if the relief is obtained.

In the present action, the issue involved is the vindication by plaintiffs of their constitutional liberty rights under the Free Exercise of Religion clauses of the New Jersey and the United States Constitution.

Constitutionally protected liberty rights are basic civil rights which enjoy the extraordinary and special protection by the Courts.

As Justice Stewart noted in Sherbert v. Verner, 83 S.Ct. 1790, 1799(1966) (concurring):

"I am convinced that no liberty is more essential to the continued vitality of the free society which our Constitution guarantees than is the religious liberty protected by the Free Exercise Clause explicit in the First Amendment and imbedded in the Fourteenth."

The plaintiffs submit that the vindication of their constitutionally protected liberty interests of free exercise of their religion presents a grave and difficult issue.

Plaintiffs also submit they will suffer irreparable injury if the temporary restraining order is denied.

If the defendants are not prevented from closing the temporary emergency shelter, it would gravely endanger, if not destroy, the free exercise of the plaintiffs' religious beliefs, and, plaintiffs Davis and Rissland will have no place to live.

The life sustaining importance of a place to live was underscored by the New Jersey Supreme Court in Southern Burlington County N.A.A.C.P. v. Township of Mount Laurel, 67 N.J. 151,

178 (1975): "There cannot be the slightest doubt that shelter, along with food, are the most basic human needs."

5 The plaintiffs further assert that the inconvenience or loss to the opposing parties will be minimal if the restraining order is granted. There does not appear to be any legitimately discernable economic drain to the City.

10 Moreover, it is the defendants legal obligation to provide public assistance for the homeless and they actually stand to realize some economic gain if the restraining order is granted.

15 Since the criteria which must be considered in determining the appropriateness of the issuance of the temporary restraining order weigh heavily in the plaintiffs' favor, this Court should issue the temporary restraining order sought herein.

20

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CONCLUSION

For the reasons outlined herein, Plaintiffs request  
the Court to issue a Temporary Restraining Order enjoining  
the Defendants from attempting to close the Temporary  
Emergency Shelter.

Respectfully submitted,

Dated:

10/3/83

/s/ Margaret M. Welch  
MARGARET M. WELCH, ESQ.

Hudson County Legal Services Corp.  
Timothy K. Madden, Director

Dated:

10/3/83

By: /s/ Jorge Aviles  
JORGE AVILES, ESQ.



STEVE CAPIELLO  
MAYOR

*Members of the Board*

THOMAS PESCATORE, PRESIDENT  
ANN EARDLY, SECY.  
MICHAEL LITZAS  
MAURICE DEGENNARO  
JAMES RONGA

# Board of Health

916 Garden Street  
HOBOKEN, NEW JERSEY

07030

Tel. 420-2365

JAMES J. FARINA  
DIRECTOR

PATRICIA M. MITTEN, R.N.  
HEALTH OFFICER

JOSEPHINE LATIN  
CLERK TO THE BOARD

September 21, 1983

Rev. Geoffrey Curtis  
President of the Hoboken Clergy Coalition  
P. O. M. B.  
Hoboken, New Jersey 07030

Dear Rev. Curtis:

In response to the Council's request that an inspection be made of the establishment located at 300 Bloomfield Street, Hoboken, N. J. (the lower floor of St. John's Lutheran Church) which is being operated as a free soup kitchen and overnight shelter for the homeless.

The following conditions were noted at the time of inspection on the above date. We were informed that from 30 to 50 persons eat there and that the food is donated by 14 churches from this City. All persons that work in this establishment are volunteers from this City.

Dining Room Area

The ceiling and floor area are in need of some repair and painting.

Kitchen Area

A double compartment sink is being utilized to wash and sanitize the equipment. The code specifies that within two years, 3 compartments must be provided for washing, rinsing and sanitizing.

The storage and handling of clean equipment could be improved. Utensils shall be stored in a self-draining partition and the pots, pans to be stored inverted on racks or clean shelves.

The lights over the food contact and preparation area are to be shielded and at least 30 foot candles of light shall be provided.

All the standing refrigerators to be provided with an indicating thermometer to assure the maintenance of all food at required temperatures during storage, preparation, transportation, display or service.

#### Toilets

Both toilet doors entering into the Ladies and Men are not self-closing and both have only 1 faucet in the sinks (cold water only). One water closet in each toilet.

Hand washing signs are to be posted over the sinks stating to "Wash Hands Before Leaving". A waste receptacle with a lid to be provided in both toilets.

The openings in the floor and wall of both toilets are to be kept in good repair and free of any objectionable odors. A fresh air vent needed in both toilets.

#### Garbage and Rubbish Disposal

All unnecessary rubbish or old material in and about the area to be remove. All garbage and rubbish containing food waste shall be kept in a leak proof non absorbent container constructed of durable metal.

#### Vermin Control

Effective control measures are to be utilized to minimize and eliminate any problems that arise concerning rodents, flies and roaches.. A Licensed Exterminator should be engaged on a monthly basis to prevent the occurrence of such a condition.

A register should be kept of all persons that come to eat and sleep there. We would also like to see an approval from the Municipality for the fire protection, housing and building departments stating that the premises conforms to their standards.

Those volunteers who deal with the immediate preparation of food should be questioned and inspected daily by a supervising person. Anyone having an upper respiratory infection (cold), diarrhea, vomiting, sore throat or eruption (rash) on skin should not be permitted to serve or prepare the food.

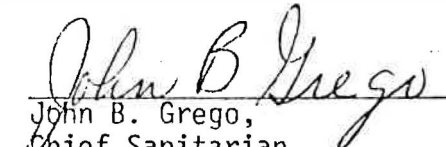
Those volunteers who actually cook and handle the food should have a statement from a physician that they are free of any communicable disease. Upon submission of this statement a food handlers permit will be issued by this Department.



This establishment may operate pending correction of these violations and provided the building and fire inspectors allows occupancy for this purpose.

If you have any questions on this or need further assistance from this Office, please feel free to contact me by phoning 420-2375 or Health Officer at 420-2364.

Very truly yours,

  
John B. Grego,  
Chief Sanitarian

  
Patricia M. Mitten,  
Health Officer

JBG:PM:j1

cc: Al Arezzo, Building Inspector  
Capt. Falco, Fire Code Official  
Jude Fitzgibbons, Housing Inspector



# CITY OF HOBOKEN

## OFFICE OF CONSTRUCTION OFFICIAL

HOBOKEN, NEW JERSEY

ALFRED N. AREZZO  
CONSTRUCTION OFFICIAL

September 22, 1983

STEVE CAPIELLO  
MAYOR

St. John's Lutheran Church  
300 Bloomfield Street  
Hoboken, New Jersey

Re: 300 Bloomfield Street  
"Overnight Shelter"  
Block #190 Lot #42

Dear Sir;

Please be advised that it has come to the attention of this office that a overnight shelter has been installed at reference location. Be further advised that as per section 4.5202 of the Zoning Ordinance of the City of Hoboken said use is not of a permitted use, nor was any approvals given by this Department for State Occupancy requirements.

You are hereby ordered to vacate reference use within forty-eight (48) hours upon receipt of this notice.

If no action is taken within the prescribed time, summonses will be issued on a per diem basis.

If this office can be of any further assistance, please do not hesitate to call 420-2066.

cc:  
Law Department  
Director of Health & Welfare  
Housing Department  
Board of Health  
State Department of Community Affairs

*Alfred N. Arezzo*  
Alfred N. Arezzo  
Construction Official  
Building Subcode Official  
Zoning Officer  
Historic District Officer

ANA:fb

4.5200	R-2	Residential Stabilization District
4.5201	Purpose	The purpose of this district is to encourage neighborhood stability through conservation and rehabilitation of residential structures; to facilitate conversion of non-residential to residential space; and to otherwise reinforce the residential characteristics of this district by restricting uses and structures not compatible with district objectives.
4.5202	Principal Permitted Uses:	Residential buildings Hospitals and clinics Place of worship, associated residences, meeting places and schools Public buildings and uses such as schools, libraries, parks and playgrounds Retail businesses and services in accordance with section 6.800 of this ordinance
4.5203	Accessory Uses:	Garages Home occupations Signs (see section 6.600) Other uses customarily incident to principal uses and on the same lot
4.5204	Conditional Uses:	Educational use not mentioned above Essential utility or public services Funeral homes Licensed clinics and nursing homes Mixed use buildings Non-profit club or recreation use Nursery schools Office buildings Professional or business offices, other than home occupations, when located above street level Public parking facilities Restaurants Sidewalk cafes Accessory uses customarily incident to principal permitted use but not on the same lot
4.5205	Lot Area, Minimum:	2,000 square feet
4.5206	Lot Width, Minimum:	20 feet