

April 9, 2019

MINUTES of the Regular Meeting of the Mayor and Board of Council of the Town of Secaucus, County of Hudson, State of New Jersey held on the 9th day of April at 7:00 P.M Secaucus Municipal Government Center, 1203 Paterson Plank Road, Secaucus, NJ in Chamber II.

PLEDGE OF ALLEGIANCE

Adequate notice for this meeting, as required by the Open Public Meetings Act, has been provided by the filing of the notice of Meetings with the Municipal Clerk, the posting of said notice on the official bulletin board in the Municipal Building, and the delivery of same to the Jersey Journal on December 27, 2018.

This body wishes to advise you that in accordance with N.J.A.C.5:23-11.1, et seq. of the Indoor Air Quality Standards and Procedures for Buildings Occupied by Public Employees, smoking anywhere in this public building is prohibited by law.

Present: Councilmembers: Michael Gonnelli  
Robert Costantino  
William McKeever  
James Clancy  
Mark Dehnert  
John Gerbasio  
Orietta Tringali

Students from Huber Street SGO had a dress down day and raised \$250.00 for the Secaucus Animal Shelter.

ORDINANCE FOR INTRODUCTION

The following ordinance was read for introduction: No. 2019-11

AN ORDINANCE AMENDING SECTION 127-58B OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED  
"DESIGNATION OF LOCATIONS AT OR NEAR PRIVATE RESIDENCES"

Councilman Costantino moved to accept the first reading of the foregoing ordinance, seconded by Councilman McKeever.

AYES: Costantino, McKeever, Clancy, Dehnert, Gerbasio, Tringali, Gonnelli  
NAYS: None  
ABSENT: None Motion carried.

Public hearing on the aforementioned ordinance will be on May 14, 2019.

CONSENT AGENDA

All matters listed under Consent Agenda are considered to be routine by the Mayor and Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

The following resolution was read: No. 2019-86

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS  
AUTHORIZING A CHANGE OF COMMISSIONERS TO THE  
SUBURBAN ESSEX JOINT INSURANCE FUND

WHEREAS, Resident Charles Voorhees, who recently passed, served as the Alternate Commissioner for the Town of Secaucus on the Suburban Essex Joint Insurance Fund; and

WHEREAS, the Mayor and Council would like to honor Mr. Voorhees and express their gratitude for his service, knowledge and dedication over the years in his role. He will never be forgotten; and

WHEREAS, an Alternate Commissioner is required to be named by the Town to serve with the current Commissioner, Keri Ann Eglentowicz.

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, in the State of New Jersey, hereby appoint Gary M. Jeffas as the Alternate Commissioner to the Suburban Essex Joint Insurance Fund.

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Councilman Costantino moved that the foregoing resolutions on the Consent Agenda be finally adopted, seconded by Councilman Dehnert.  
The following resolution was reads:

No. 2019-87

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, and State of New Jersey, pursuant to the recommendation of Mike Pero Superintendent Recreation the following employees are appointed to replacement positions in the Teen Center Department (#81011) effective April 10, 2019 as follows:

<u>Counselors</u>	<u>Rate</u>
Joseph Cipriano (increase/replacement)	\$13.00 / Hour
Arushi Singh (replacement/rehire #5160)	\$8.85 / Hour

The following resolution as read:

No. 2019-88

RESOLUTION AUTHORIZING CANCELLATION OF PROPERTY TAXES

WHEREAS, the Tax Collector of the Town of Secaucus has determined that action is required as a result of a certain property not reflected in the 2019 Tax Duplicate; and

WHEREAS, Tax Assessor has confirmed Block 126 Lot 13, also known as 853 Sixth Street, was subdivided into Lots A & B.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the Tax Collector is authorized to cancel 2018 billing for Block 126 Lot 13 and transfer 2018 payments to newly formed Block 126 Lot 13 Q: C000A in the amount of \$1,855.97 and Block 126, Lot 13 Q: C000B in the amount of \$1,325.43.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Town Tax Collector, Town Tax Assessor, and Chief Financial Officer.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Tax Collector is hereby authorized to execute any documents or take any other action necessary to effectuate the spirit and purpose of this resolution.

The following resolution was read:

No. 2019-89

TOWN OF SECAUCUS  
COUNTY OF HUDSON, STATE OF NEW JERSEY  
RESOLUTION

WHEREAS, Mack Affiliates is the record owner of property situated at Block 155, Lot 4 on the Tax Map, with a street address of 850 Paterson Plank Road in the Town of Secaucus, New Jersey, and

WHEREAS, Mack Affiliates is the Plaintiff in legal actions against the Town of Secaucus in the Tax Court of New Jersey, specifically Docket Nos.: 002803-2012, 002546-2013, 005554-2014, 007334-2015 and 006646-2016 challenging the actions of the Town and the Hudson County Board of Taxation with respect to the assessment of its properties, and

WHEREAS, the parties now wish to amicably resolve the outstanding issues regarding the assessment of the property and settle the lawsuits between them pending in the Tax Court of New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that Florio Kenny Raval, L.L.P., Tax Appeal Counsel for the Town of Secaucus in the above matters, is hereby authorized to execute on behalf of the Town of Secaucus, a Stipulation of Settlement resolving the Complaints filed by:

1) Mack Affiliates for a property situated at Block 155, Lot 4, with a street address of 850 Paterson Plank Road in the Town of Secaucus, New Jersey 07094;

2) For tax years 2012 through 2016

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Assessment Affirmed:

Year: 2012

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
Land	\$992,000	DIRECT	\$992,000
Impvts	<u>\$1,639,900</u>	<u>APPEAL</u>	<u>\$1,639,900</u>
Total	\$2,631,900		\$2,631,900

Year: 2013

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
Land	\$992,000	DIRECT	\$992,000
Impvts	<u>\$1,639,900</u>	<u>APPEAL</u>	<u>\$1,639,900</u>
Total	\$2,631,900		\$2,631,900

Assessment Reduced:

Year: 2014

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
Land	\$992,000	DIRECT	\$992,000
Impvts	<u>\$1,639,900</u>	<u>APPEAL</u>	<u>\$1,539,900</u>
Total	\$2,631,900		\$2,531,900

Year: 2015

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
Land	\$992,000	DIRECT	\$992,000
Impvts	<u>\$1,639,900</u>	<u>APPEAL</u>	<u>\$1,539,900</u>
Total \$	2,631,900		\$2,531,900

Year: 2016

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
Land	\$992,000	DIRECT	\$992,000
Impvts	<u>\$1,639,900</u>	<u>APPEAL</u>	<u>\$1,408,000</u>
Total	\$2,631,900		\$2,400,000

BE IT FURTHER RESOLVED, that the overall refund for tax year 2014, 2015 and 2016 will be \$16,065.00; and

BE IT FURTHER RESOLVED, that interest on any refund due is waived, provided the refund is made within sixty (60) days of the date of the Tax Court judgments.

All in accordance with the discussions held at a certain meeting of the Town Council on \_\_\_ April 9, 2019.

The following resolution was read:

No. 2019-90

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

WHEREAS, Mack Affiliates is the record owner of property situated at Block 58, Lot 4 on the Town's Tax Map, with a street address of 500 Secaucus Road in the Town of Secaucus, New Jersey, and

WHEREAS, Mack Affiliates is the Plaintiff in legal actions against the Town of Secaucus in the Tax Court of New Jersey, specifically Docket Nos.: 002802-2012, 002552-2013, 007332-2015 and 006728-2016 challenging the actions of the Town and the Hudson County Board of Taxation with respect to the assessment of its properties, and

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WHEREAS, the parties now wish to amicably resolve the outstanding issues regarding the assessment of the property and settle the lawsuits between them pending in the Tax Court of New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that Florio Kenny Raval, L.L.P., Tax Appeal Counsel for the Town of Secaucus in the above matters, is hereby authorized to execute on behalf of the Town of Secaucus, a Stipulation of Settlement resolving the Complaints filed by:

1) Mack Affiliates for a property situated at Block 58, Lot 4, with a street address of 500 Secaucus Road in the Town of Secaucus, New Jersey 07094;

2) For tax years 2012, 2013, 2015, and 2016

Assessment Affirmed:

Year: 2012

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
Land	\$1,232,000	DIRECT	\$1,232,000
Impvts	<u>\$2,868,000</u>	<u>APPEAL</u>	<u>\$2,868,000</u>
Total	\$4,100,000		\$4,100,000

Year: 2013

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
Land	\$1,232,000	DIRECT	\$1,232,000
Impvts	<u>\$2,868,000</u>	<u>APPEAL</u>	<u>\$2,868,000</u>
Total	\$4,100,000		\$4,100,000

Year: 2015

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
Land	\$1,232,000	DIRECT	\$1,232,000
Impvts	<u>\$2,868,000</u>	<u>APPEAL</u>	<u>\$2,868,000</u>
Total	\$4,100,000		\$4,100,000

Assessment Reduced:

Year: 2016

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
Land	\$1,232,000	DIRECT	\$1,232,000
Impvts	<u>\$2,868,000</u>	<u>APPEAL</u>	<u>\$2,768,000</u>
Total	\$4,100,000		\$4,000,000

BE IT FURTHER RESOLVED, that the overall refund for tax year 2016 will be \$3707.00; and

BE IT FURTHER RESOLVED, that interest on any refund due is waived, provided the refund is made within sixty (60) days of the date of the Tax Court judgments.

All in accordance with the discussions held at a certain meeting of the Town Council on      April 9, 2019.

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The following resolution was read:

No. 2019-91

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS AWARDING  
A CONTRACT FOR THE HVAC SYSTEM AT 145 FRONT STREET

WHEREAS, the Mayor and Town Council advertised for and received nine (9) bids for the HVAC system at 145 Front Street, Secaucus, New Jersey; and

WHEREAS, the bids submitted were as follows:

	<u>VENDOR</u>	<u>AMOUNT</u>
1.	F&G Mechanical, 348 New County Road, Secaucus, New Jersey 07094	\$ 57,900.00
2.	Envirocon, LLC, 490 Schooley's Mountain Road, Hackettstown, New Jersey 07840	\$ 107,900.00
3.	First Goal Heating and Cooling, 30 Huff Street, Wharton, New Jersey 07885	\$ 45,000.00
4.	WHL Enterprises, Inc. t/a Bill Leary A/C & HTG, 6 Green Street, Metuchen, New Jersey 08840	\$ 114,000.00
5.	Ranco Mechanical, LLC, 2 Melba Drive, Newton, New Jersey 07860	\$ 66,700.00
6.	Steve Wajda, LLC, 139 Schraalenburgh Road, Haworth, New Jersey 07641	\$ 122,500.00
7.	EACM Corp., 1070 Ocean Avenue, Sea Bright, New Jersey 07760	\$ 116,000.00
8.	AMCO Enterprises, Inc., 600 Swenson Drive, Kenilworth, New Jersey 07033	\$ 131,000.00
9.	Pow-R-Sav, 15 Somerset Place, Clifton, New Jersey 07012	\$ 45,750.00

WHEREAS, the Town Administrator and the Town Attorney have determined that the bid of Pow-R-Sav is the lowest responsible bid, as it complies fully with the bid specifications and thereby, represents the most responsible bidders at the lowest price; and

WHEREAS, the technical lowest bidder violated the bid's express prohibition of unbalanced bidding, as well as its overall bid contained arithmetic errors and thereby, was rejected.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, in the State of New Jersey, that the contract for the HVAC system at 145 Front Street, Secaucus, New Jersey be awarded to Pow-R-Sav in the amount of Forty-five Thousand Seven Hundred Fifty Dollars (\$ 45,750.00); and

BE IT FURTHER RESOLVED, that the Mayor and Town Clerk shall be authorized to execute a contract for such services with Pow-R-Sav.

Financial officers  
Certification attached.

The following resolution was read:

No. 2019-92

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS FOR APPROVAL OF CHANGE ORDER #1 TO A  
CONTRACT WITH AMERICAN ASPHALT & MILLING SERVICES  
FOR 2017 NJDOT ROAD PROJECT LUHMANN AND GARRY TERRACE, FILE 0909-T-184

WHEREAS, the Town of Secaucus has a contract with American Asphalt & Milling Services, for 2017 NJDOT Road Project for Luhmann and Garry Terrace, File 0909-T-184 under resolution 2017-300 in the amount of Two Hundred Forty Thousand Seven Hundred Fifty-Seven Dollars and 62/100 (\$240,757.62); and

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WHEREAS, it has been determined that additional work is needed, including additional asphalt and concrete, stone removal, tree removal and landscape restoration, which will increase the cost by Thirty-Six Thousand Four Hundred Sixty-Nine Dollars and 23/100 (\$36,469.23); and

WHEREAS, there is a need for a Change Order #1 to increase the contract with American Asphalt & Milling Services, in the amount of \$36,469.23 for the work set forth, which will increase the overall contract amount to Two Hundred Seventy-Seven Thousand Two Hundred Twenty-Six Dollars and 85/100 (\$277,226.85); and

WHEREAS, the Chief Financial Officer certifies that there are sufficient funds under account 08-3000-00-92300-021 for said contract.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, in the State of New Jersey, that the above statements are incorporated herein and Change Order #1 for American Asphalt & Milling Services for the 2017 NJDOT Road Project for Luhmann and Garry Terrace, File 0909-T-184 in the amount of Thirty-Six Thousand Four Hundred Sixty-Nine Dollars and 23/100 (\$36,469.23) is hereby approved.

Financial officers  
Certification attached.

The following resolution was read:

No. 2019-93

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS  
TO AWARD THE CONTRACT FOR THE BID FOR IMPROVEMENTS TO MUNICIPAL COMPLEX PARKING LOTS  
TO D & L PAVING CONTRACTORS, INC.

WHEREAS, the Town of Secaucus has determined the need for the reconstruction and improvements to the municipal complex parking lots located at Town Hall at 1203 Paterson Plank Road, Secaucus; and

WHEREAS, A Fair and Open Solicitation Process for Improvements to Municipal Complex Parking Lots was held pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Town duly advertised for bids on March 14, 2019; and

WHEREAS, on Wednesday April 3, 2019, the following four (4) bids were received for the Bid for Improvements to Municipal Complex Parking Lots:

<u>BIDDER</u>	<u>BID AMOUNT</u>
1) D & L Paving Contractors, Inc. 675 Franklin Avenue, Nutley NJ 07110	\$176,212.80
2) Reivax Contracting Corp. 356 Thomas Street, Newark NJ 07114	\$211,860.00
3) AJM Contractors, Inc. 300 Kuller Road, Clifton, NJ 07011	\$212,077.50
4) Adamo Brothers Construction 1033 Alexander Avenue, Ridgefield, NJ 07657	\$232,740.00

WHEREAS, it has been determined that D & L Paving Contractors, Inc. of 675 Franklin Avenue, Nutley, NJ 07110 is the lowest apparent responsive and responsible bidder; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds to award this contract are available under line item 01-1610;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey award the contract for Improvements to Municipal Complex Parking Lots to D & L Paving Contractors, Inc. in an amount not to exceed One Hundred Seventy-Six Thousand Two Hundred Twelve Dollars and 80/100 (\$176,212.80) in accordance with the specifications utilized in connection with the bidding process; and

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BE IT FURTHER RESOLVED, that D & L Paving Contractors, Inc. shall provide any and all compliance information requested by the Town of Secaucus Office of Purchasing; and

BE IT FURTHER RESOLVED, that the Mayor, Town Administrator, or their designee are hereby authorized to execute any documents regarding the awarding of this contract, or take any action necessary to effectuate the spirit and purpose of this resolution.

Financial officers  
Certification attached.

The following resolution was read: NO. 2019-94

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS  
TO AWARD THE CONTRACT FOR  
ELEVATOR SUB-CODE OFFICIAL SERVICES TO MUNICIPAL INSPECTION CORPORATION

WHEREAS, the Town of Secaucus has determined the continued need for Elevator Sub-Code Official Services; and

WHEREAS, a Fair and Open Solicitation Process for Elevator Sub-Code Official Services was held pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Town duly advertised for bids on March 22, 2019 for a three (3) year term; and

WHEREAS, on April 5, 2019, the following two (2) bids were received for Elevator Sub-Code Official Services:

<u>BIDDER</u>	<u>BID AMOUNT</u>
Municipal Inspection Corporation 183 West 4 <sup>th</sup> Street, Bayonne, NJ 07002	54% of the scheduled New Jersey Department of Community Affairs fees
New Jersey Elevator Inspection Agency LLC 30 Amherst Place, Livingston, NJ 07039	55% of the schedule New Jersey Department of Community Affairs

WHEREAS, it has been determined that Municipal Inspection Corporation of 183 West 4<sup>th</sup> Street, Bayonne, NJ 07002 is the lowest apparent responsive and responsible bidder; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds to award this contract are available under line item 01-2010-00-11322-069.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey award the contract for Elevator Sub-Code Official Services to Municipal Inspection Corporation at a rate of 54% of the scheduled New Jersey Department of Community Affairs fees for a three (3) year term, in accordance with the specifications utilized in connection with the bidding process; and

BE IT FURTHER RESOLVED, that Municipal Inspection Corporation shall provide any and all compliance information requested by the Town of Secaucus Office of Purchasing; and

BE IT FURTHER RESOLVED, that the Mayor, Town Administrator or their designee are hereby authorized to execute any documents regarding the awarding of this contract, or take any action necessary to effectuate the spirit and purpose of this resolution.

The following resolution was read: No. 2019-95

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, pursuant to the recommendation of Kevin O'Connor, Superintendent Public Works Department (#50000) the following person is hereby appointed to the replacement full time Asst. Superintendent position effective April 10<sup>th</sup>, 2019 as follows:





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Councilman Clancy spoke of an upcoming Town wide Garage Sale. He added information regarding a grant received by the Town to repair Franklin Street.

Town Administrator, Gary Jeffas gave an overview of the work being done in the Town by PSEG. He also spoke about the work being done on the Paterson Plank Road bridge that will last approximately 2 years.

Councilman McKeever spoke about an upcoming Art Exhibit to be held the Brennan Court House in Jersey City.

REMARKS OF CITIZENS

None

Councilman Clancy moved to adjourn the meeting at 7:23 pm, seconded by Councilman Gerbasio.

AYES: Costantino, McKeever, Clancy, Dehnert, Gerbasio, Tringali, Gonnelli

NAYS: None

ABSENT: None

Motion carried.

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Michael Marra, Town Clerk