

January 7, 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 7th day of January 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

Mayor Gonnelli offered his comments and gratitude to all those to be sworn in.

John Gerbasio, James Clancy and Orietta Tringali were sworn in as First, Second and Third Ward Councilpersons, respectively, for the Town of Secaucus.

Each Councilperson offered comments and thanks.

Carl Leppin III, Joseph Schoendorf and Fred Schneider were sworn in as Fire Chief, Deputy Chief and Battalion Chief, respectively, for the Secaucus Volunteer Fire Department.

Chief Leppin offered comments and thanks, as well as Deputy Chief Schoendorf and Battalion Chief Schneider.

Philip Caruso, Justin Pardo and Angelo Aligo were sworn in as Probationary Police Officers for the Secaucus Police Department.

On behalf of the People to People and the Hygiene Group, the Mayor and Council of the Town of Secaucus was presented with over 1,000 pounds of food to be given to the Secaucus Emergency Pantry.

ORDINANCE FOR INTRODUCTION

The following ordinance was read for introduction: No. 2019-1

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

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

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

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The following ordinance was read for introduction: No. 2019-2

AN ORDINANCE AMENDING 127 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED "VEHICLES AND
TRAFFIC" TO DESIGNATE FIRE ZONES ON WEIGNADS LANE

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

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

Public meeting on the foregoing ordinances will be on January 22, 2019.

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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. 2019-1

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, that Mayor Michael Gonnelli and/or the Town Administrator are hereby authorized to sign all contracts on behalf of the Town of Secaucus.

The following resolution was read: No. 2019-2

RESOLUTION AUTHORIZING INTEREST
RATE/GRACE PERIOD/YEAR-END PENALTY

WHEREAS, N.J.S.A. 54:4-67 et seq., permits the Mayor and Council to fix the rate of interest to be charged for the nonpayment of taxes, assessments, or other municipal charges.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the rate of interest on unpaid taxes shall be eight percent (8%) per annum for the first One Thousand Five Hundred Dollars (\$1,500.00) of delinquency and eighteen percent (18%) per annum on any amount in excess of One Thousand Five Hundred Dollars (\$1,500.00) to be calculated from the date the tax was payable until the date of actual payment, provided that no interest shall be charged if payment of any installment is made on or before the tenth (10th) calendar day following the date upon which the same became payable; and,

BE IT FURTHER RESOLVED, that in addition to the interest provided above, on all delinquencies in excess of Ten Thousand Dollars (\$10,000.00) and which are not paid prior to the end of the year, the Tax Collector shall also collect a penalty of six percent (6%) of the amount of the delinquency in excess of Ten Thousand Dollars (\$10,000.00).

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Town Tax Collector.

The following resolution was read: No. 2019-3

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
FOR THE CONTINUING APPOINTMENT OF COURT ATTENDANTS

WHEREAS, upon recommendation of the Secaucus Municipal Court Judge and in accordance with police accreditation procedures, the Town of Secaucus Municipal Court shall continue to utilize Court Attendants in their official capacities for the year 2019.

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey that the following individuals shall continue to serve as appointed Court Attendants for the year 2019 for the Secaucus Municipal Court:

George Fonseca
Joseph Kickey
Thomas Lawlor
Mario Taboada

The following resolution was read: No. 2019-4

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

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, in the County of Hudson and the State of New Jersey that the following banking institutions are hereby designated as official depositories for the funds of the Town of Secaucus in the year 2019.

Capital One Bank
TD Bank NA

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BE IT FURTHER RESOLVED, that this resolution shall take effect on January 1, 2019.

The following resolution was read:

No. 2019-5

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

WHEREAS, it is occasionally necessary for manual checks to be written for the purposes of insurance, postage, lease agreements, permit and license fees, payroll fees, office supplies, contingency expenses in the immediate interest of health, safety and welfare, replenishment of petty cash and other essential town expenses; and

WHEREAS, it is desirable that the Chief Financial Officer notify the Governing Body of all manual checks written in the form of a report included with the monthly bill list.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Secaucus hereby authorize the Chief Financial Officer to issue relevant manual payments and report them to the governing body on a monthly basis.

The following resolution was read:

No. 2019-6

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

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that Councilman William McKeever is hereby authorized to serve as Acting Mayor for any absence of Mayor Michael Gonnelli, during the year 2019.

The following resolution was read:

No. 2019-7

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that The Jersey Journal, a newspaper published and circulated in the County of Hudson, State of New Jersey, is designated as the official newspaper of the Town of Secaucus, in the County of Hudson, New Jersey.

The following resolution was read:

No. 2019-8

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that Nicholas Goldsack is hereby designated as the Public Agency Compliance Officer (P.A.C.O.) for the Town of Secaucus.

The following resolution was read:

No. 2019-9

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 Raymond Ciecuch, Assistant Superintendent, Buildings & Grounds (#190000) the following person(s) are hereby rehired to the seasonal part time worker positions effective as follows:

Sergio Castillo (start date 12/24/18)	\$10.00 / Hour
Charles Brucaliere (start date 1/3/19)	\$10.00 / Hour

The following resolution was read:

No. 2019-10

TOWN OF SECAUCUS
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 Flaherty, Chief of the Police, the following persons are hereby appointed to the position of Probationary Police Officer for the Police Department (#31003). The salary is based on the

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collective bargaining agreement at step 1, with a base salary of \$35,000.00 per annum, plus any contractual stipends effective January 7, 2019 as follows:

- Caruso, Philip
- Pardo, Justin
- Aligo, Angelo

The following resolution was read:

No. 2019-11

TOWN OF SECAUCUS, COUNTY
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 Chris Conte, Manager Animal Shelter (#50000) the following person is hereby rehired to the seasonal part time worker position effective December 24, 2018 as follows:

Catherine Brucaliere \$10.00 / Hour

The following resolution was read:

No. 2019-12

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, that pursuant to the recommendations of Kevin Flaherty, Police Chief, the below person is hereby appointed as seasonal part time Intern position in the Police Records Bureau (#31002) as follows:

Petruzzelli, Jennifer (start date 1/16/2019) \$10.00 / Hour

The following resolution was read:

No. 2019-13

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, that pursuant to the recommendations of Mike Pero, Superintendent Recreation, the below person is hereby filling a replacement regular part time Custodian (5:00 am shift) position at the Recreation Center Department (#85000) effective January 8, 2019 as follows:

Fernando, Rajiv \$10.00 / Hour

The following resolution was read:

No. 2019-14

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 Flaherty, Chief of the Police the following person(s) is hereby appointed to the full-time position of Dispatcher for the Police Department (#31002). The salary is effective January 7, 2019 as follows:

- Bienkowski, Matthew \$42,000.00 / annum
-

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The following resolution was read:

No. 2019-15

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
FOR APPROVAL OF THE USE OF CONTRACTS AUTHORIZED UNDER THE STATE OF NEW JERSEY
COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Town of Secaucus wishes to purchase the commodities of a variety of vendors on the attached list from authorized vendors under the State of New Jersey Cooperative Purchasing Program N.J.S.A. 40A:11-12a; and;

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.A.C 5:34-7.29 (c); and;

WHEREAS, the Town of Secaucus authorized the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and:

WHEREAS, that the duration of the contracts between the Town of Secaucus and the referenced State Contract Vendors shall be from January 2, 2019 to December 31, 2019

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Secaucus, County of Hudson, in the State of New Jersey, approve the use of contracts with authorized vendors under the State of New Jersey Cooperative Purchasing Program.

The following resolutionw as read:

No. 2019-16

TOWN OF SECAUCUS, HUDSON COUNTY
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that the attached Rules and Regulations which are available for public inspection in the office of the Town Clerk are hereby approved.

RULES AND REGULATIONS

1. At the hour appointed for the meeting, the members present will be called to order by the Mayor, who shall immediately proceed to have the Town Clerk call the roll and note the absentees.
2. In the absence of the Mayor and the Senior Council Member, the members of the Council may appoint one of its members as chairperson.
3. The order of business shall be as follows:
 1. Roll Call
 2. Opening Statement - Open Public Meetings Law Statement
 3. Approval of Minutes
 4. Receipt Open and Reading of Bids - the Mayor and Council have the option of opening bids during a public meeting of the Mayor and Council or during the regular business day in the presence of the Purchasing Agent, Town Clerk, Town Administrator and Town Attorney.
 5. Ordinances - Introduction and Hearing
 6. Consent Agenda Resolutions
 - Payment of Claims
 7. Bingo & Raffle Applications
 8. Communications Requiring Action by Mayor & Council
 9. Committee Reports
 10. Unfinished Business
 11. New Business
 12. Remarks of Citizens
 13. Adjournment

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4. The order in which the roll call and votes shall take place shall be as follows: The Mayor shall be called last. The Council Members shall be called in order of seniority. In the case of Council Members with the same seniority, the first member to be called will be determined by the alphabetical order of the surnames.

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5. No motion shall be stated from the Chair, unless moved by one member, and seconded by another.

6. When a question is before the meeting, no motion shall be received except:

- 1st: To adjourn
- 2nd: To lay on the table
- 3rd: Ordering the previous question
- 4th: To postpone for a specific time
- 5th: To commit or amend
- 6th: To postpone indefinitely

All of these motions to have preference in the foregoing order. More than two amendments shall not be appended to a single question at the same time, the last amendment being denominated as an amendment to an amendment.

7. If the mover of a question accepts an amendment and no one objects thereto, it shall become part of the original motion without further form.

8. Prior to the vote on any questions, with the exception of Privileged Motions as defined in Robert's Rules of Order Revised, the chair shall ask if there are any questions or discussion regarding the motion. During this period, the Council Members may solicit any additional information or make a clarification of their feelings on the motion. Further discussion of the motion during roll call shall be restricted.

9. When a Member is about to speak in debate or communicate any matter to the Board, he/she shall respectfully address the Mayor and shall avoid all passionate language, personal or unparliamentary words. Every member of the Council shall have the privilege of speaking twice on any question but not again without permission of the Mayor.

10. Any citizen shall have the privilege of addressing the chair under Remarks of Citizens. A citizen shall have the privilege of speaking twice on the same subject but not again without permission of the Chair. However, no citizen shall speak more than five minutes on the same subject without permission of the Mayor. A citizen who has held the floor for five minutes or more shall yield the floor to any citizen who, having not been previously heard, requests permission to address the Chair. The Mayor shall have the right to determine when any citizen has abused the privilege under Remarks of Citizens and shall order such person to relinquish the floor.

11. If any member transgresses the rules, the Mayor and Council Members so called to order shall immediately sit down. The Mayor and Board of Council, if appealed to by the transgressor, shall decide the case by a majority vote, but without debate. If the appeal shall be in favor of the appealing member, then he shall be at liberty to proceed; if otherwise, he shall not be permitted to proceed. If the case requires it, the member who transgresses the rules shall, by a majority vote of the Mayor and Board of Council, be liable to censure of the Council, ejection, or be brought to the bar upon charges.

12. Any member may appeal from the Mayor's decision on a question of order, when without debate the Council Members shall demand it. Said question of order shall be decided by a majority vote of the Mayor and Board of Council.

13. The ayes and nays when taken shall be recorded in the minutes.

14. Minutes of meetings of the Mayor and Board of Council shall be approved no later than every two months.

15. Robert's Rules of Order Revised shall, in all cases, when not in conflict with the Statutes and Laws of New Jersey, or the Rules of the Town Council, be considered and held as standard authority regulating the parliamentary procedure of the Town Council.

16. 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.

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The following resolution was read:

No. 2019-17

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

WHEREAS, the Town of Secaucus ("Secaucus") having brought a civil action before the Tax Court of New Jersey to invalidate the New Jersey Division of Taxation Director's Ratio calculation for the tax year 2019; and

WHEREAS, Kenneth A. Porro, Esq., of Chasan Lamparello Mallon & Cappuzzo, PC, attorneys for Plaintiff, Town of Secaucus filed suit with notice to Defendants, New Jersey Division of Taxation; Hudson County Board of Taxation, by their attorney, Michelline Capistrano Foster, Deputy Attorney General appearing; and

WHEREAS, discovery having been exchanged between the parties; and

WHEREAS, the New Jersey Division of Taxation Director's ratio by agreement of the parties shall move from 46.44% to 51.82%, for a 5.38% increase; and

WHEREAS, Secaucus' Tax Assessor, Deputy Tax Assessor, Appraisal Expert and Town Tax Appeal Attorney support the proposed settlement.

NOW THEREFORE, BE IT RESOLVED, by the Town of Secaucus:

1. Plaintiff, Town of Secaucus, agrees to the proposed settlement increasing the Secaucus ratio from 46.44% to 51.82%.

2. Moreover, there shall be no admissions of fault or error by any party.

3. The Town Administrator and Special Tax Appeal Counsel are authorized to execute the necessary settlement documents to effectuate the same.

Councilman Dehnert moved that the foregoing resolutions on the Consent Agenda be finally adopted, seconded by Councilman Costantino.

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

NAYS: None

ABSTAIN: McKeever ON 2019-6 only

ABSENT: None

Motion carried.

BINGO/RAFFLE APPLICATIONS

R-1528 PTA Huber Street School On Premise Draw Raffle

R-1529 PTA Huber Street School On Premise 50/50

R-1530 Immaculate Conception Church Off Premise 50/50

R-1531 American Legion Post 118 Sec Memorial On Premise 50/50

R-1532 Guma Foundation Casino Night

Councilman Gerbasio moved that the foregoing applications be approved, seconded By Councilwoman Tringali.

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

NAYS: None

ABSENT: None

Motion carried.

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COMMITTEE REPORTS

Councilman Gerbasio spoke about an ongoing issue of mailboxes being broken into and told residents to aware and ask that they use the post offices.

Councilman Clancy reminded residents about an upcoming Blood Drive. He added information regarding the calls that came into the Fire Department.

Councilwoman Tringali gave details on Kids Nights.

Councilman Denhert spoke about revenue that was received by the construction department.

Councilman McKeever spoke about an upcoming event for senior citizens.

Councilman Costantino spoke about upcoming events. He also offered congratulations to all of the Council people.

Councilman Dehnert spoke about an upcoming recreation event.

UNFINISHED BUSINESS

NEW BUSINESS

Councilman Gerbasio spoke of an upcoming fund raiser to be held at Ice Rink. He also announced the winner of the Christmas Light contest.

Councilman Clancy moved to appoint Dominic Manderano to the Secaucus Municipal Utilities Authority, seconded by Councilman Dehnert.

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

Mayor Gonnelli spoke of the American Dream being built on Route 3. He explained some things happening there and stated that there will be a meeting there and asked if anyone wants to attend with him he welcomes them.

Town Administrator, Gary Jeffas, stated that any money that is due the Town will not be paid until the project becomes active.

REMARKS OF CITIZENS

Tom Troyer

Councilman Clancy moved to adjourn the meeting at 7:58pm, seconded by Councilman Dehnert.

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

Michael Marra, Town Clerk