

April 12, 2016

MINUTES of the a Regular Meeting of the Mayor and Board of Council of the Town of Secaucus, County of Hudson, State of New Jersey held on the 12th day of April, 2016 at 7:00 P.M Secaucus Municipal Government Center, 1203 Paterson Plank Road, Secaucus, NJ in Chamber II.

PLEDGE OF ALLEGIANCE

A moment of silence was held for Jack Sallustio.

Sweatshirts were presented to the Under 12 Soccer Team.

Tania Guaman recognized the businesses in Town that participated in the TAM (Techniques for Alcohol Management) Training that took place on April 7, 2016.

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 Secaucus Home News on December 31, 2015.

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: Gary Jeffas
Robert Costantino
William McKeever
James Clancy
Susan Pirro
Mark Dehnert
Absent: Michael Gonnelli

The first item on the agenda is as follows:

The following ordinance was read for Public Hearing: No. 2016-7

AN ORDINANCE AMENDING CHAPTER 127 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED "VEHICLES AND TRAFFIC" UPDATING FIRE ZONES IN HARMON COVE

WHEREAS, the Mayor and Council recognize that the safety of all residents, visitors, and guests of the Town is of utmost concern, particularly in fire or other emergency situations; and

WHEREAS, the Town wants to ensure that vehicles are not parked, blocking or standing at any time in locations critical to the entrance, passage and parking of emergency apparatus; and

WHEREAS, the Town has previously adopted an Ordinance designating fire zones and prohibiting parking in such zones in the Harmon Cove complex; and

WHEREAS, the Mayor and Council, upon recommendation of the Fire Official, have determined that §127-61 should be amended to designate additional fire zones within the Harmon Cove Complex in the interest of safety;

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, as follows:

1. Chapter 127 entitled "Vehicles and Traffic," Article XVI entitled "Fire Zones," §127-61 of the Code of the Town of Secaucus be, and is hereby amended and supplemented to read as follows: (additions are indicated in bold):

§ 127-61. Descriptions...

I. Harmon Boulevard...

(8) Full length of both the east and west curb lines of Harmon Boulevard beginning at the entrance to Harmon Cove and ending at the entrance of Harbor Key.

AA. Lower Roadway, Harmon Cove IV. ...

(3) The southern curb line, adjacent to the creek, from the permanent storage sheds in a westerly direction to the first speed bump.

2. There are no other changes to this Chapter of the Code of the Town of Secaucus.

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3. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
4. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed to be valid and effective.
5. This Ordinance shall take effect immediately upon passage and publication in accordance with law.

IT IS FURTHER ORDAINED that the remainder of this Chapter 127 of the Code of the Town of Secaucus shall remain in full force and effect.

Acting Mayor Jeffas asked if anyone wished to be heard regarding the foregoing proposed ordinance. There being no one requesting the floor, Councilman Clancy moved that the public hearing be closed, seconded by Councilman Costantino.

AYES: Costantino, McKeever, Clancy, Pirro, Dehnert, Jeffas
 NAYS: None
 ABSENT: Gonnelli

Motion carried.

Councilman Clancy moved that the foregoing ordinance be finally adopted, seconded by Councilman McKeever.

AYES: Costantino, McKeever, Clancy, Pirro, Dehnert, Jeffas
 NAYS: None
 ABSENT: Gonnelli

Motion carried.

The following ordinance was read for Public Hearing: No. 2016-8

AN ORDINANCE AMENDING SECTION 135-3 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED "NONCONFORMING USES, LOTS AND STRUCTURES" TO ADDRESS DISCONTIUED OR ABANDONED USES WITHIN A ZONE

WHEREAS, the Town of Secaucus has established a Zoning Ordinance pursuant to the Municipal Land Use Law designed to regulate buildings and uses as to their extent and impact upon the landscape; and

WHEREAS, the Mayor and Council have determined that changes, recommended by the Construction Official, to clarify and update the nonconforming use requirements are needed to Town Ordinance §135-3.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, as follows:

Chapter 135, §135-3(A) of the Code of the Town of Secaucus be and is hereby amended include the following (additions are indicated in bold):

For nonconforming structures or uses that are abandoned or discontinued for twelve (12) continuous months, any subsequent use or occupancy of the land or structure in which the nonconforming use was located shall comply with the regulations of the zone in which it is located. No use that is an accessory to a principal nonconforming use shall continue after such principal use has ceased or terminated unless otherwise permitted by the applicable zoning regulation.

1. There are no other changes to this Chapter of the Code of the Town of Secaucus.
3. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
4. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed to be valid and effective.
5. This Ordinance shall take effect immediately upon passage and publication in accordance with law.

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IT IS FURTHER ORDAINED that the remainder of this Chapter of the Code of the Town of Secaucus shall remain in full force and effect.

Acting Mayor Jeffas asked if anyone wished to be heard regarding the foregoing proposed ordinance. There being no one requesting the floor, Councilman Clancy moved that the public hearing be closed, seconded by Councilman Dehnert.

AYES: Costantino, McKeever, Clancy, Pirro, Dehnert, Jeffas
NAYS: None
ABSENT: Gonnelli

Motion carried.

Councilman Clancy moved that the foregoing ordinance be finally adopted, seconded by Councilman Costantino.

AYES: Costantino, McKeever, Clancy, Pirro, Dehnert, Jeffas
NAYS: None
ABSENT: Gonnelli

Motion carried.

The following ordinance was read for Public Hearing: No. 2016-9

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

SECTION 1

BE IT ORDAINED, by the Mayor and Council of the Town of Secaucus that Section 127-58B - "Designation of Locations at or Near Private Residences" shall be amended by deleting the following location:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Sixth Street	West	On the west side of Sixth Street directly in front of 823 Sixth Street for a distance of 22 feet

SECTION 2

BE IT FURTHER ORDAINED, by the Mayor and Council of the Town of Secaucus that Section 127-58B - "Designation of Locations at or Near Private Residences" shall be amended by adding the following location:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Moller Street	East	On the east side of Moller Street, beginning at a point 25 feet north of the northeast corner of Lincoln Avenue and Moller Street continuing north for a distance of 22 feet in front of 225 Moller Street

That the parking space designated for 225 Moller Street adopted by Ordinance is to be personalized for Placard No. P975761.

If the license plate for the person utilizing the parking space at the above listed address changes, then the parking space designation shall be changed to the new plate with proof from the resident that it is for the same person that the person is still entitled to handicapped parking.

SECTION 3

SEVERABILITY

BE IT FURTHER ORDAINED, that the provisions of this ordinance are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional, or inapplicable to any person or circumstance,

such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of the regulation or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal,

invalid, or unconstitutional provision, clause, sentence,

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subsection, word or part had not been included therein, and if such persons or circumstances, to which the ordinance or part thereof is held inapplicable, had been specifically exempted therefrom.

SECTION 4

EFFECTIVE DATE

BE IT FURTHER ORDAINED, that this ordinance shall take effect upon passage and publication as provided by law.

Acting Mayor Jeffas asked if anyone wished to be heard regarding the foregoing proposed ordinance. There being no one requesting the floor, Councilman Costantino moved that the public hearing be closed, seconded by Councilwoman Pirro.

AYES: Costantino, McKeever, Clancy, Pirro, Dehnert, Jeffas
NAYS: None
ABSENT: Gonnelli

Motion carried.

Councilwoman Pirro moved that the foregoing ordinance be finally adopted, seconded by Councilman McKeever.

AYES: Costantino, McKeever, Clancy, Pirro, Dehnert, Jeffas
NAYS: None
ABSENT: Gonnelli

Motion carried.

The following ordinance was read for introduction: No. 2016-10

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK

Councilwoman Pirro moved that the foregoing ordinance be introduced and passed on first reading, seconded by Councilman Costantino.

AYES: Costantino, McKeever, Clancy, Pirro, Dehnert, Jeffas
NAYS: None
ABSENT: Gonnelli

Motion
carried.

Public hearing for the abovementioned ordinance will be on April 26, 2016

The following ordinance was read for introduction: No. 2016-11

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE
ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW
COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY
EQUIPMENT AND NEW AUTOMOTIVE VEHICLES AND A NEW FIRE TRUCK, INCLUDING
ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWN OF SECAUCUS, IN THE
COUNTY OF HUDSON, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$3,986,200 TO
PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF
BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND
ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Councilman Clancy moved that the foregoing ordinance be introduced and passed on first reading, seconded by Councilman McKeever.

AYES: Costantino, McKeever, Clancy, Pirro, Dehnert, Gonnelli
NAYS: None
ABSENT: Jeffas

Motion carried.

Public hearing for the aforementioned ordinance will be on May 10, 2016

CONSENT AGENDA-RESOLUTIONS

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. 2016-134

RESOLUTION TO AVERAGE TAN COLLECTYION

RATE FOR USE IN THE 2016 TOWN BUDGET

WHEREAS, the Town of Secaucus experienced a decline in the tax collection rate for the year 2015; and

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WHEREAS, the use of the lower collection rate in arriving at the budget appropriation Reserve for Uncollected Taxes in the 2016 Town Budget would result in an unfair tax burden to the taxpayers of the Town of Secaucus; and

WHEREAS, the Division of Local Government Services, Department of Community Affairs, will allow the Town of Secaucus to use the average of the prior three years' collection rates in calculating the budget appropriation Reserve for Uncollected Taxes in the 2016 Town Budget; and

WHEREAS, the prior three years' collection rates are 99.06% for 2013, 99.14% for 2014 and 98.79% per 2015; and

WHEREAS, the averaging of the prior three years' collection rates result in a collection rate of 99.00%;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Secaucus will use the collection rate of 99.00% in calculating the budget appropriation Reserve for Uncollected Taxes in the 2016 Town Budget.

The following resolution was read:

No. 2016-135

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

WHEREAS, the Town of Secaucus wishes to acquire Computers, and Related Products and Accessories; and

WHEREAS, the Town of Secaucus Police Department recommends utilizing the Proposal of the New Jersey State Vendor CSM (Computer Systems and Methods) located in Somerville, New Jersey; and

WHEREAS, the Vendor CSM proposes (18) Eighteen Panasonic Tough Books CF-31 at the unit price of \$3373.44, which are available for purchase as an Authorized Panasonic Dealer; on New Jersey State Contract No. 89980, for the needs of the Police Department; and

WHEREAS, the Finance Director certifies the total amount of the purchase \$60,721.88 to be available on line item No. 01-2010-00-21312-095; and

WHEREAS, the Town of Secaucus may purchase off the New Jersey State Cooperative Program under N.J.S.A. 40A:11; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus to award the purchase to CSM (Computer Systems and Methods) for the use of the Secaucus Police Department.

The following resolution was read:

No. 2016-136

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, that Anthony Gerbasio is hereby appointed to the Secaucus Social Services Department, effective April 4, 2016 at the hourly rate of \$12.00.

The following resolution was read:

No. 2016-137

RESOLUTION RE: SECAUCUS OUTDOOR POOL REFINISHING PROJECT

WHEREAS, the Town of Secaucus advertised for qualified bidders regarding a project identified as "Secaucus Outdoor Pool Refinishing Project" and

WHEREAS, the Town of Secaucus provided Specification and Addenda numbers 1 and 2, which were received by all potential bidders; and

WHEREAS, the base bid proposal of \$236,400.00 submitted by CFM Construction, Inc., has been reviewed by the Town's General Counsel and constitutes the lowest responsible bid; and

WHEREAS, the Chief Financial Officer certifies that there are sufficient funds for said contract;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Secaucus ratifies the award of

the contract to CFM Construction, Inc., for the Secaucus Outdoor Pool Refinishing Project in accordance with CFM Construction, Inc.'s base bid totaling \$236,400.00; which documents (proposal and specifications, include Addenda Nos. 1 and 2) constitute a contract for such services in accordance with the documents maintained on file with the Town Clerk.

Financial officers
Certification attached.

The following resolution was read: No. 2016-138

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 Peter J. Zipp, Esq., Special Tax Attorney for the Town of Secaucus, is hereby authorized to execute on behalf of the Town of Secaucus, Stipulations of Settlement resolving the Complaints filed by Secaucus Town for property situated at Block 62, Lot 13 and located at 310 Secaucus Road for tax years 2011 through 2014 (Docket Nos.: 007738-2011, 001828-2012, 003379-2013 and 001612-2014).

Assessment to remain the same for 2015 in consideration of an agreement to increase the assessment for 2016, all as follows:

<u>Tax Year</u>	<u>Original Assessment</u>	<u>Proposed Assessment</u>
2011	\$1,776,400	\$1,576,400
2012	\$1,776,400	\$1,776,400
2013	\$1,776,400	\$1,776,400
2014	\$1,776,400	\$1,776,400

All in accordance with the discussions held at certain caucus meeting of the Town Council on this 12 day of April 2016.

The following resolution was read: No. 2016-139

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 Peter J. Zipp, Esq., Special Tax Attorney for the Town of Secaucus, is hereby authorized to execute on behalf of the Town of Secaucus, Stipulation of Settlement resolving the Complaint filed by:

Harmon Plaza Corporation for property situated at Block 21, Lot 1.01, located at 45 Meadowlands Parkway, for tax year 2013.

Assessment as follows:

<u>Tax Year</u>	<u>Original Assessment</u>	<u>Proposed Assessment</u>
2013	\$12,330,800	\$12,330,800

The counterclaim filed in this matter is withdrawn contingent upon the complaint being withdrawn and/or dismissed.

All in accordance with the discussions held at certain caucus meeting of the Town Council on this 12 day of April, 2016.

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The following resolution was read:

No. 2016-140

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 Peter J. Zipp, Esq., Special Tax Attorney for the Town of Secaucus, is hereby authorized to execute on behalf of the Town of Secaucus, Stipulations of Settlement resolving the Complaints filed by Secaucus Town for property situated at Block 62, Lot 11 HM and located at 290 Secaucus Road for tax years 2012 through 2014 (Docket Nos.: 019212-2012, 003768-2013 and 001612-2014).

Assessment to remain the same for 2015 in consideration of an agreement to increase the assessment for 2016, all as follows:

<u>Tax Year</u>	<u>Original Assessment</u>	<u>Proposed Assessment</u>
2012	\$4,637,300	\$4,637,300
2013	\$4,637,300	\$4,637,300
2014	\$4,637,300	\$4,637,300

All in accordance with the discussions held at certain caucus meeting of the Town Council on this 12 day of April 2016.

The following resolution was read:

No. 2016-141

RESOLUTION AUTHORIZING A
PROFESSIONAL SERVICE CONTRACT WITH
McNERNEY & ASSOCIATES, INC.

WHEREAS, the Mayor and Council of the Town of Secaucus ("Secaucus") require appraisal valuation and consulting services in connection with an appraisal report to be administered to the Tax Court of New Jersey concerning certain pending tax appeal matters for Lighting Way, LLC, for Block 185.01, Lot 1.04; 350 Route 3 West, for tax years 2012, 2013 and 2014 under Docket Nos.: 009582-2012, 002658-2013 and 002182-2014 (hereinafter the "Appraisal Report"); and

WHEREAS, this type of work constitutes a professional service is defined by N.J.S.A. 40A:11-2(6) and as such is exempted from the bidding requirements pursuant to N.J.S.A.40A:11-5; and

WHEREAS, the Town has received a proposal from McNerney & Associates, Inc. to perform the proposed work; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the Mayor and Town Clerk are hereby authorized to execute a contract with McNerney & Associates, Inc. for appraisal, valuation and consulting services in regards to the Appraisal Report.

BE IT FURTHER RESOLVED, that McNerney & Associates, Inc. shall be paid an amount not to exceed \$5,000 for a trial ready appraisal report (inclusive of all out-of-pocket expenses), and additional compensation in the amount of \$100.00 per hour with respect to additional litigation support services including trial preparation and appearances at depositions and trial.

Financial officers
Certification attached.

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The following resolution was read:

No. 2016-142

RESOLUTION AUTHORIZING A
PROFESSIONAL SERVICE CONTRACT WITH
McNERNEY & ASSOCIATES, INC.

WHEREAS, the Mayor and Council of the Town of Secaucus ("Secaucus") require appraisal valuation and consulting services in connection with an appraisal report to be administered to the Tax Court of New Jersey concerning certain pending tax appeal matters for 120 Seaview Drive LLC, for Block 19, Lot 9.04; 120 Seaview Drive, for tax years 2012, 2013 and 2014 under Docket Nos.: 005349-2012, 003035-2013 and 003413-2014 (hereinafter the "Appraisal Report"); and

WHEREAS, this type of work constitutes a professional service is defined by *N.J.S.A. 40A:11-2(6)* and as such is exempted from the bidding requirements pursuant to *N.J.S.A.40A:11-5*; and

WHEREAS, the Town has received a proposal from McNerney & Associates, Inc. to perform the proposed work; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the Mayor and Town Clerk are hereby authorized to execute a contract with McNerney & Associates, Inc. for appraisal, valuation and consulting services in regards to the Appraisal Report.

BE IT FURTHER RESOLVED, that McNerney & Associates, Inc. shall be paid an amount not to exceed \$5,000 for a trial ready appraisal report (inclusive of all out-of-pocket expenses), and additional compensation in the amount of \$100.00 per hour with respect to additional litigation support services including trial preparation and appearances at depositions and trial.

Financial officers
Certification attached.

The following resolution was read:

No. 2016-143

RESOLUTION AUTHORIZING A
PROFESSIONAL SERVICE CONTRACT WITH
McNERNEY & ASSOCIATES, INC.

WHEREAS, the Mayor and Council of the Town of Secaucus ("Secaucus") require appraisal valuation and consulting services in connection with an appraisal report to be administered to the Tax Court of New Jersey concerning certain pending tax appeal matters for Lakeshore Secaucus, LLC for Block 5, Lot 7.01; 1500 County Road Extension, for tax years 2012, 2013, 2014 and 2015 under Docket Nos.: 002950-2012, 002661-2013, 000857-2014 and 003204-2015 (hereinafter the "Appraisal Report"); and

WHEREAS, this type of work constitutes a professional service is defined by *N.J.S.A. 40A:11-2(6)* and as such is exempted from the bidding requirements pursuant to *N.J.S.A.40A:11-5*; and

WHEREAS, the Town has received a proposal from McNerney & Associates, Inc. to perform the proposed work; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the Mayor and Town Clerk are hereby authorized to execute a contract with McNerney & Associates, Inc. for appraisal, valuation and consulting services in regards to the Appraisal Report.

BE IT FURTHER RESOLVED, that McNerney & Associates, Inc. shall be paid an amount not to exceed \$5,000 for a trial ready appraisal report (inclusive of all out-of-pocket expenses), and additional compensation in the amount of \$100.00 per hour with respect to additional litigation support services including trial preparation and appearances at depositions and trial.

Financial officers
Certification attached.

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The following resolution was read:

No. 2016-144

RESOLUTION AUTHORIZING A
PROFESSIONAL SERVICE CONTRACT WITH
McNERNEY & ASSOCIATES, INC.

WHEREAS, the Mayor and Council of the Town of Secaucus ("Secaucus") require appraisal valuation and consulting services in connection with an appraisal

report to be administered to the Tax Court of New Jersey concerning certain pending tax appeal matters for 140 Seaview Drive Associates, for Block 19, Lot

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9.05; 140 Seaview Drive, for tax years 2012, 2013 and 2014 under Docket Nos.: 013960-2012, 007728-2013 and 000858-2014 (hereinafter the "Appraisal Report"); and

WHEREAS, this type of work constitutes a professional service is defined by N.J.S.A. 40A:11-2(6) and as such is exempted from the bidding requirements pursuant to N.J.S.A.40A:11-5; and

WHEREAS, the Town has received a proposal from McNerney & Associates, Inc. to perform the proposed work; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the Mayor and Town Clerk are hereby authorized to execute a contract with McNerney & Associates, Inc. for appraisal, valuation and consulting services in regards to the Appraisal Report.

BE IT FURTHER RESOLVED, that McNerney & Associates, Inc. shall be paid an amount not to exceed \$5,000 for a trial ready appraisal report (inclusive of all out-of-pocket expenses), and additional compensation in the amount of \$100.00 per hour with respect to additional litigation support services including trial preparation and appearances at depositions and trial.

Financial officers
Certification attached.

The following resolution was read:

No. 2016-145

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

WHEREAS, the Mayor and Council of the Town of Secaucus desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$30,000 to fund the following project: Community Stewardship Incentive Program.

NOW, THEREFORE, BE IT RESOLVED, That Mayor Gonnelli or the successor to the office of the Mayor is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$30,000.00 and not more than \$30,000.00, and (c) to execute any amendments thereto.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Town of Secaucus authorizes and hereby agrees to match 100% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services or property, is hereby certified 100% of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement)

BE IT FURTHER RESOLVED, the Grantee agrees to comply with all applicable Federal, State and Municipal laws, rules and regulations in its performance pursuant to the agreement.

The following resolution was read:

No. 2016-146

RESOLUTION RE: ACCESS AGREEMENT

WHEREAS, the Town of Secaucus is in need of acquiring Access Agreement for access to the ESA P Portfolio, LLC a/k/a Extended Stay America parking lot for the purposes of completing the ditch dredging project along Meadowlands Parkway; and

WHEREAS, the Town of Secaucus and ESA P Portfolio, LLC have agreed to enter into the attached Access Agreement in condition of \$1.00; and

WHEREAS, the purposes of said Access Agreement are more fully described in the attached Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Secaucus is authorized to execute and enter into the attached Access Agreement.

The following resolution was read:

No. 2016-147

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS AUTHORIZING
THE SALE OF ABANDONED VEHICLES BY THE SECAUCUS POLICE DEPARTMENT

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WHEREAS, the Town of Secaucus Police Department has acquired certain property, namely vehicles through impoundment and abandonment, which have not been claimed and their required waiting period has expired for the owner to claim the property; and

WHEREAS, N.J.S.A. 40A:11-36 provides authorization for a sale of personal property at public auction; and

WHEREAS, N.J.S.A. 39:10A-1 et seq. sets forth the procedure for disposition of abandoned vehicles in the possession of a municipality and provides that when such vehicles remain unclaimed by the owner for a period of 30 days, they may be sold at public auction in a public place. The public agency must give notice of the sale by certified mail, to the owner, if his name and address are known and to the holder of any security interest filed with the director of the Division of Motor Vehicles and by publication; and

WHEREAS, the Town of Secaucus Police Department has requested that the attached vehicles be auctioned and the services of Caspert Management Co. be utilized for the provision of auctioneer services for vehicles; and

WHEREAS, the Town of Secaucus has authorized Caspert Management Co. to provide said services pursuant to Resolution 2016-68 dated February 9, 2016; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Secaucus in the County of Hudson, State of New Jersey, hereby declare that the personal property, namely vehicles, set forth in the attached schedule have not been claimed nor determined stolen, and should be sold in accordance with the appropriate statutes of the State of New Jersey, N.J.S.A. 39:10A-1 et seq. and N.J.S.A. 40A:14-157; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes and directs the Town Clerk or his designee to offer for sale to the highest bidder at a Public Auction, the property/vehicles on the attached schedule.

BE IT FURTHER RESOLVED, that the public auction and sale shall take place at the parking lot at the entrance to Laurel Hill Park, map address of 1 Dinosaur Way, Secaucus, on May 5, 2016 at 11:00 a.m. Property/Vehicles may be inspected at 1 Dinosaur Way, Secaucus beginning at 9:00 a.m. on the morning of the auction and sale on May 5, 2016.

BE IT FURTHER RESOLVED, that the Town of Secaucus has authorized Caspert Management Co. to provide the services for public auction and sale pursuant to Resolution 2016-68 dated February 9, 2016.

BE IT FURTHER RESOLVED, that the Town reserves the right to accept or reject any and all bids at the public sale.

BE IT FURTHER RESOLVED, that this resolution shall be published in the Jersey Journal with the final publication at least ten (10) days prior to the date of the auction.

BE IT FURTHER RESOLVED, that a bank check, money order or cash for the total bid is payable and required at the time of the auction.

BE IT FURTHER RESOLVED, that all property/vehicles will be sold in an "as is" condition with no warranty, express or implied. The buyer is solely and fully responsible for the removal of the property/vehicle and all costs associated with such. All sales are final.

BE IT FURTHER RESOLVED, that all items/vehicles are subject to the rules set forth by the auctioneer, including but not limited to, the removal of all property/vehicles from the auction lot within twenty-four (24) hours.

The following resolution was read:

No. 2016-148

RESOLUTION AUTHORIZING SALE OF VEHICLES AND EQUIPMENT

WHEREAS, the Town wishes to auction off vehicles and/or equipment that are no longer needed for public use; and

WHEREAS, the sale is being conducted pursuant to Local Finance Notice 2008-9.

NOW, THEREFORE, BE IT RESOLVED, that the following vehicles and equipment shall be put up for auction at the following minimum bid prices:

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<u>Equipment</u>	<u>Minimum Bid</u>
1) 2007 Mitsubishi Truck VIN# JW6AGE1H11LOO0526	\$500.00
2) 2000 Ford SUV VIN# 1FMRU1666YLA38772	\$500.00

BE IT FURTHER RESOLVED, that the auction of these items shall occur online on the auction site govdeals.com.

BE IT FURTHER RESOLVED, that the auction for the above listed items will start on Tuesday, April 19, 2016 and end on Tuesday, May 3, 2016, at 6:00pm.

BE IT FURTHER RESOLVED, that all property will be sold in an "as-is" condition.

The following resolution was read: No. 2016-149

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS AUTHORIZING THE SECAUCUS POLICE DEPARTMENT TO EXECUTE A MEMORANDUM OF UNDERSTANDING FOR THE RESCUE TASK FORCE WITH MEADOWLANDS HOSPITAL EMERGENCY MEDICAL SERVICES

WHEREAS, the Town of Secaucus Police Department has recommended the formation of a Rescue Task Force to join Law Enforcement and EMS for the protection of the citizens of the Town of Secaucus against terrorist related mass casualty incidents, including active shooter incidents; and

WHEREAS, first responders regularly respond to a variety of incidents, and these incidents can include terrorist attacks involving firearms, explosives, fire as a weapon, and other highly destructive weapons; and

WHEREAS, as these incidents are becoming increasingly more common, the Town of Secaucus recognizes the need to integrate the local Law Enforcement and EMS response organizations into a single, cohesive team (Rescue Task Force) capable of operating in highly volatile situations with a goal of increasing pre-hospital patient survivability; and

WHEREAS, participants in the Rescue Task Force will have standardized training, tactics and equipment with initial funding for training and equipment for the Rescue Task Force provided by the Northern New Jersey Urban Area Security Initiative.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus that approval is given for the Town Administrator, Secaucus Police Chief or their designee to execute the Memorandum of Understanding for a period of five (5) years between the Secaucus Police Department and Meadowlands Hospital Medical Center Emergency Medical Services to provide response support to the Town's Rescue Task Force; and

BE IT FURTHER RESOLVED, that the Mayor and Council support this collaborative and integrated Law Enforcement and EMS rapid response initiative in the interest of the safety, health and welfare of all members of the community; and

BE IT FURTHER RESOLVED, that initial funding for training and equipment for the Rescue Task Force will be provided by the Northern New Jersey Urban Area Security Initiative with ongoing training and equipment updates contained in the budget of the Secaucus Police Department; and

BE IT FURTHER RESOLVED, that the Town Administrator, Secaucus Police Chief or their designee is hereby authorized to take any action or execute any Agreements necessary to effectuate the purpose and intent of said Memorandum of Understanding.

The following resolution was read: No. 2016-150

RESOLUTION RE: ELEVATOR SUB-CODE SERVICES

WHEREAS, the Town of Secaucus advertised for bids for Elevator Sub-Code Services; and

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WHEREAS, two bids were received from EIC Inspection Agency Corp. and NJ Elevator Inspection Agency; and

WHEREAS, NJ Elevator Inspection Agency was lowest responsible bidder at 44% of the scheduled New Jersey Department of Community Affairs fees, not to exceed \$50,000 for year one, \$55,000 for year two, and \$60,000 for year three; and

WHEREAS, the Chief Financial Officer certifies that there are sufficient funds for said contract;

NOW THEREFORE BE IT RESOLVED, that a contract for Elevator Sub-Code Services be awarded to NJ Elevator Inspection Agency; and

IT IS FURTHER RESOLVED that the specifications, bid and this Resolution shall constitute the requisite contract in this matter.

The following resolution was read:

No. 2016-151

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, that the job position formerly titled 'Court Officer' is now 'Court Attendant' effective Tuesday, April 12, 2016.

BE IT FURTHER RESOLVED, that this change is necessitated as a result of Court Security Committee recommendations as well as adherence to recommended procedures for Police Department accreditation.

Councilwoman Pirro moved that the foregoing resolutions on the Consent Agenda be approved, seconded by Councilman Dehnert.

AYES: Costantino, McKeever, Clancy, Pirro, Dehnert, Gonnelli
NAYS: None
ABSENT: Jeffas

Motion carried.

BINGO/RAFFLE APPLICATIONS

R-1397 Friends of the Secaucus Animal Shelter on Premise 50/50
R-1398 Friends of the Secaucus Animal Shelter On Premise Draw Raffle
R-1399 Unico National Secaucus On Premise 50/50

Councilman Clancy moved that the foregoing application be approved, seconded by Councilman Dehnert.

AYES: Costantino, McKeever, Clancy, Pirro, Dehnert, Gonnelli
NAYS: None
ABSTAIN: Pirro on Friends of the Secaucus Animal Shelter only.
ABSENT: Jeffas

Motion carried.

COMMUNICATIONS REQUIRING ACTION BY MAYOR AND COUNCIL

- 1) Request from Manhattan Country School for use of the Secaucus Swim Center.
- 2) Request by Big Fly Cares for use of Schmidt's Woods
- 3) Request By Miss Yvonne's Swim School to use the Secaucus Swim Center
- 4) Request by Sheetal Nagpal to move the Holi celebration to April 24 at Mill Creek Park area.
- 5) Request by Sachin Trivedi to use of the Secaucus Recreation Center
- 6) Request by the NBA to use the Secaucus Recreation Center
- 7) Victor Rodrigues was changed from Probationary Firefighter to a Firefighter for Engine Co. 3

April 12, 2016

Councilwoman Pirro moved to accept the foregoing request, seconded by Councilman Dehnert.

AYES: Costantino, McKeever, Clancy, Pirro, Dehnert, Gonnelli
NAYS: None
ABSENT: Jeffas

Motion carried.

COMMITTEE REPORTS

Councilman McKeever reported on various upcoming meeting and events for the residents.

Councilman Dehnert reported on the upcoming Swim Center season. He also spoke about other recreation related events.

Councilwoman Pirro spoke about upcoming events. She stated that the Town will sponsor the U-Shred event at the Recreation Center parking lot. She also spoke about the upcoming mosquito season and gave recommendations to help residents avoid mosquito infestation on their property.

Councilman Clancy offered information on the Shade Tree Committee. He also added information on a Fire Department Fund Raiser.

Councilman Costantino stated that there will be a Small Business Meeting next week. He also spoke about other events.

Councilman Jeffas spoke about issues from the Police Committee.

UNFINISHED BUSINESS

None

NEW BUSINESS

Councilman Clancy reported that all residents are invited to the Arbor Day Celebration at Clarendon School.

Councilman McKeever said that Caroline Petz has been elected "Outstanding Senior Resident of the Year".

Councilman Costantino gave information on an upcoming event of the Sons of Italy.

Councilman Jeffas gave details on upcoming events. He also remarked on the change in the voting district of The Exchange that has been moved to Washington Hook of Ladder district. That was a move from Ward 3 to Ward 1.

REMARKS OF CITIZENS

Councilman Clancy moved to adjourn the meeting at 7:40pm, seconded by Councilwoman Pirro.

AYES: Costantino, McKeever, Clancy, Pirro, Dehnert, Jeffas
NAYS: None
ABSENT: Gonnelli

Motion carried.

Michael Marra, Town Clerk