

April 26, 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 26th 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 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.

Present: Councilmembers: Michael Gonnelli
Gary Jeffas
Robert Costantino
William McKeever
James Clancy
Susan Pirro
Mark Dehnert
Absent: None

Mayor Gonnelli thanked Mr. Gehm and the JSA for the work that they do. Councilman Jeffas read the following Proclamation.

The following proclamation was read:

PROCLAMATION
Town of Secaucus

WHEREAS, the Secaucus High School Junior State of America Chapter received the Ernest Andrew Rogers Award for Outstanding Junior State Chapter of the Year; and

WHEREAS, this award, named in honor of JSA's founder, Professor Ernest Andrew Rogers, affectionately known as "Prof. Rogers", recognizes the Secaucus High School Chapter as the Mid-Atlantic State Chapter of the Year, placing it among the top 10 chapters in the United States and making it eligible for the Junior State of America's National Civic Impact Award; and

WHEREAS, Prof. Rogers long maintained that one of the primary needs of a democracy is to educate its youth in the essentials of good government, for without an informed populace, a democracy is worthless; and

WHEREAS, the ideal JSA chapter is a hub of nonpartisan political activity and awareness on campus; and a chapter that is doing the best possible job of educating, involving, and representing the youth of their school and community is achieving the goals of the Junior State of America; and

WHEREAS, members of the Secaucus JSA chapter diligently plan, regularly attend, and actively participate in local, regional, and state activities such as student debates, guest lectures, mock trials, candidate debates, voter education and registration drives, as well as fundraisers, mini-conventions, conferences, and conventions in Washington, D.C.;

NOW, THEREFORE, On this day, Tuesday, April 26th, 2016, I, Michael J. Gonnelli, Mayor, and the Town Council of Secaucus, County of Hudson, State of New Jersey, do hereby urge all the people of Secaucus to join in congratulating the Secaucus High School Junior State Chapter upon receipt of The Ernest Andrew Rogers Award for Outstanding Junior State Chapter of the Year.

A Check was presented to the Shade Tree Committee by Donald Evanson of the Rotary Club.

Councilman Clancy thanked The Rotary Club for their donation.

First item on the agenda is as follows:

PUBLIC HEARING ON THE MUNICIPAL BUDGET OF THE TOWN OF SECAUCUS FOR THE YEAR 2016

THE HEARING WAS CONTINUED UNTIL THE NEXT REGULAR MEETING OF MAY 10, 2016.

Mayor Gonnelli explained why there is a delay on the budget.

Councilman Costantino read a report regarding the budget and it also explained why there is a delay.

Mayor Gonnelli explained how the Town came have a zero tax rate increase.

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

CALENDAR YEAR 2016
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 0% unless authorized by ordinance to increase it to 3.5% over the previous year=s final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Mayor and Council of the Town of Secaucus, in the County of Hudson, finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year=s final appropriations, in the interest of promoting the health, safety and welfare of the citizen=s; and

WHEREAS, the Mayor and Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$1,290,293.90 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Mayor and Council hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Council of the Town of Secaucus, in the County of Hudson, a majority of the full authorized membership of this governing body affirmatively concurring that, in the CY 2016 budget year, the final appropriations of the Town of Secaucus shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$1,290,293.90, and that the CY 2016 municipal budget for the Town of Secaucus be approved and adopted in accordance with this ordinance.

BE IT FURTHER ORDAINED, that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction.

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mayor Gonnelli 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.

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

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

Motion carried.

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The following ordinance was read for introduction: No. 2016-12

AN ORDINANCE AMENDING CHAPTER 127 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED
"VEHICLES AND TRAFFIC" TO UPDATE AND ADD PARKING LOCATIONS WHERE TIME IS
RESTRICTED

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

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

Motion carried.

The following ordinance was read for introduction: No. 2016-13

AN ORDINANCE AMENDING CHAPTER 127 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED
"VEHICLES AND TRAFFIC" TO UPDATE STREET SWEEPER LOCATIONS

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

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

Motion carried.

Public hearing on the foregoing ordinances will be May 24, 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 as read: No. 2016-152

RESOLUTION TO APPROVE ENTERING INTO
AGREEMENT WITH ECONSULT SOLUTIONS, INC.

WHEREAS, the Town of Secaucus entered into the Municipal Shared Services Defense Agreement ("MSSDA") for the purpose as set forth therein, which included retaining a common expert in the Declaratory Judgment action ("Litigation") that was filed in accordance with In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) ("Decision"); and

WHEREAS, the MSSDA identified Dr. Robert Burchell, a distinguished professor at Rutgers University, as the expert to be retained to prepare an expert report; and

WHEREAS, the Town of Secaucus contributed \$2,000 to become a member of a consortium of municipalities (hereinafter "Municipal Group") so that the Municipal Group could enter into an agreement with Rutgers University (hereinafter "Research Agreement") for the purpose of having Dr. Burchell prepare a fair share report; and

WHEREAS, Dr. Burchell became ill and was unable to complete the obligations under the Research Agreement as set forth in the MSSDA; and

WHEREAS, as a result, Rutgers University exercised its right to terminate the Research Agreement as permitted under its terms; and

WHEREAS, the MSSDA required a modification to allow the Municipal Group
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to retain one or more alternative experts, consultants and/or other professionals for the Litigation; and

WHEREAS, an Amendment to the MSSDA ("Amendment") was prepared to effectuate the modification, and said Amendment was entered into by the Town of Secaucus; and

WHEREAS, the Amendment authorized the execution of an agreement with Econsult Solutions, Inc. ("ESI") to replace Dr. Burchell and Rutgers, and to prepared its own report; and

WHEREAS, ESI prepared a report entitled "New Jersey Affordable Housing Need and Obligations", dated December 30, 2015 (the "Solutions Report"), for the Municipal Group; and

WHEREAS, ESI prepared an amended report, dated March 24, 2016, for the Municipal Group (the "Amended Solutions Report"); and

WHEREAS, the MSSDA as amended, entitled Members of the Municipal Group to retain ESI to testify about the Solutions Report, the Amended Solutions Report and for related issues; and

WHEREAS, any Member of the Municipal Group could retain ESI (i) individually, (ii) as part of a local consortium consisting of other municipalities under the vicinage of any particular judge presiding over Mount Laurel matters or (iii) both individually and as part of a local consortium; and

WHEREAS, the purpose of this resolution is to retain ESI individually; and

WHEREAS, the proposed individual agreement, attached hereto, envisions that ESI will split its work if it prepares a report that benefits multiple municipalities; and

WHEREAS, it appears that the Town of Secaucus is the sole municipality in Hudson County which will retain ESI individually.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, as follows:

1. The Town of Secaucus hereby authorizes its attorney to sign the agreement, attached hereto, on its behalf.
2. This Resolution shall take effect immediately.

The following resolution was read:

No. 2016-153

RESOLUTION AUTHORIZING SECOND PAYMENT OF \$2,000 TO THE AFFORDABLE HOUSING MUNICIPAL GROUP

WHEREAS, the Town of Secaucus entered into the Municipal Shared Services

Defense Agreement ("MSSDA") for the purpose as set forth therein, which included retaining a common expert in the Declaratory Judgment action ("Litigation") that was filed in accordance with In the Matter of the Adoption of N.J.A.C. 5:96 and

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5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) ("Decision"); and

WHEREAS, the MSSDA identified Dr. Robert Burchell, a distinguished professor at Rutgers University, as the expert to be retained to prepare an expert report; and

WHEREAS, the Town of Secaucus contributed \$2,000 in July 2015 to become a member of a consortium of municipalities (hereinafter "Municipal Group") so that the Municipal Group could enter into an agreement with Rutgers University (hereinafter "Research Agreement") for the purpose of having Dr. Burchell prepare a fair share report; and

WHEREAS, Dr. Burchell became ill and was unable to complete the obligations under the Research Agreement as set forth in the MSSDA; and

WHEREAS, as a result, Rutgers University exercised its right to terminate the Research Agreement as permitted under its terms; and

WHEREAS, the MSSDA required a modification to allow the Municipal Group to retain one or more alternative experts, consultants and/or other professionals for the Litigation; and

WHEREAS, an Amendment to the MSSDA ("Amendment") was prepared to effectuate the modification, and said Amendment was entered into by the Town of Secaucus; and

WHEREAS, the Amendment authorized the execution of an agreement with Econsult Solutions, Inc. ("ESI") to replace Dr. Burchell and Rutgers, and to prepared its own report; and

WHEREAS, ESI prepared a report entitled "New Jersey Affordable Housing Need and Obligations", dated December 30, 2015 (the "Solutions Report"), for the Municipal Group; and

WHEREAS, ESI prepared an amended report, dated March 24, 2016, for the Municipal Group (the "Amended Solutions Report"); and

WHEREAS, the Municipal Group continues to provide services to each of the constituent municipalities, including the Town of Secaucus; and

WHEREAS, the Municipal Group has requested that each of its members make a second payment of \$2,000 to the Municipal Group, payable to "Jeffrey R. Surenian and Associates, LLC - Attorney Trust Account" as the coordinator of the Municipal Group; and

WHEREAS, the Mayor and Council of the Town of Secaucus have determined

that it is in the best interests of the citizens of the Town to approve this payment to permit the Town of Secaucus to remain in the Municipal Group.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, as follows:

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1. The amount of \$2,000.00 is hereby authorized to be expended by the Town of Secaucus as a second payment for continued participation in the Municipal Group.

2. This Resolution shall take effect immediately.

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

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

Motion carried.

The following resolution was read:

No. 2016-155

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 the Local Emergency Planning Council (LEPC) is hereby approved with the following individuals, their responsibilities and Group Representation Keys:

<u>Name</u>	<u>Duties</u>	<u>Group</u>
Michael Gonnelli	Mayor	1
David Drumeler	Town Administrator	1
Nicholas Goldsack	Director of Revenue and Finance	1
Michael Marra	Town Clerk	1
Vincent Massaro, Sr.	OEM Coordinator	2
Vincent Massaro, Jr.	Fire Official	2
Glenn Berchtold	Director of EMS, Meadowlands	2
Bryan Schoch	Haz-Mat Coordinator	2
Bryan Schoch	Fire Chief	2
Kevin Flaherty	Police Chief	2
Wayne Sabella	Communications, Alert & Warning	2
Kevin O= Connor	Department of Public Works	2
Vincent Rivelli	Public Health	2
Charles Schumacher	Public Information	3
Sam Maffei	American Red Cross	4
Joe Morano	Shelter Coordinator, ARC	4
Vincent Prieto	Dept. of Inspections	2
Carl Leppin	Construction Dept.	2
Carlos Goyenechea	Evacuation	2
Lisa Snedeker	Transportation	2

Group Representation Key

1. Elected Officials
2. Police, Fire, Emergency Management, EMS, Health, Environmental, Hospital and Public Works
3. Broadcast and Print Media
4. Community Groups, Owner/Operators of facilities subject to Sara Title III

The following resolution was read:

No. 2016-156

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, that the Town clerk is hereby authorized to advertise for and receive bids for the 2016 Paterson Plank Toad Streetscape Project.

The following resolution was read:

No.2016-157

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the Town Clerk is hereby authorized to advertise for and receive bids for the "2016 Road Program-North" Project.

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The following resolution was read:

No. 2016-158

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, that the Town Clerk is hereby authorized to advertise for and receive bids for the "7th Street and Central Lane Improvements" project.

The following resolution was read:

No. 2016-159

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the Town Clerk is hereby authorized to advertise for and receive bids for the Secaucus Marina Dredging and Coastal Resiliency Project.

The following resolution was read:

No. 2016-160

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS AUTHORIZING THE TRANSFER OF
PAYMENT FROM A TAX SALE CERTIFICATE FROM THE TRUST PREMIUMS ACCOUNT TO THE
CURRENT FUND FOR BLOCK 76, LOT 6

WHEREAS, the Tax Collector for the Town of Secaucus certifies that a Certificate of Sale for an unpaid municipal lien, #2008-5, lienholder Pam Investors, on Block 76 Lot 6 was issued at the Tax Sale on December 19, 2008; and

WHEREAS, a premium of \$ 300.00 was paid, a condition of the sale at which time the Certificate of Sale, #2008-5 was issued; and

WHEREAS, N.J.S.A. 54:5-33 states that any premium payment shall be held by the Town of Secaucus and returned to the purchaser of the fee, if and when the redemption is made, if redemption is not made within five (5) years from the date of sale, the premium payment shall be turned over to the Treasurer of the municipality and become part of the fund of the municipality.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Secaucus that authorization to transfer payment from the Trust-Premiums Account for the tax sale premium of \$300.00 to the Current Fund is hereby given.

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Town of Secaucus shall accept the premium of the Certificate of Sale #2008-5 and adjust his records accordingly.

The following resolution was read:

No. 2016-161

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS AUTHORIZING THE TRANSFER OF
PAYMENT FROM A TAX SALE CERTIFICATE FROM THE TRUST PREMIUMS ACCOUNT TO THE
CURRENT FUND FOR BLOCK 21, LOT 15, QUALIFIER C0803

WHEREAS, the Tax Collector for the Town of Secaucus certifies that a Certificate of Sale for an unpaid municipal lien, #2010-4, lienholder R. Rothman, on Block 21 Lot 15 Qualifier: C0803 was issued at the Tax Sale on December 15, 2010; and

WHEREAS, a premium of \$3,100.00 was paid, a condition of the sale at which time the Certificate of Sale, #2010-4 was issued; and

WHEREAS, N.J.S.A. 54:5-33 states that any premium payment shall be held by the Town of Secaucus and returned to the purchaser of the fee, if and when the redemption is made, if redemption is not made within five (5) years from the date of sale, the premium payment shall be turned over to the Treasurer of the municipality and become part of the fund of the municipality.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Secaucus that authorization to transfer payment from the Trust-Premiums Account for the tax sale premium of \$3,100.00 to the Current Fund is hereby given.

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Town of Secaucus shall accept the premium of the Certificate of Sale #2010-4 and adjust his records accordingly.

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The following resolution was read:

No. 2016-162

RESOLUTION AUTHORIZING THE AWARD OF PROFESSIONAL SERVICES BY THE ALTERNATE
PROCESS FOR ELLAS ENVIRONMENTAL SERVICES, LLC FOR SOIL BORINGS

WHEREAS, the Town of Secaucus, County of Hudson must perform investigative services to perform a soil investigation; and

WHEREAS, the Town of Secaucus wishes to appoint a licensed environmental firm to submit said reporting as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Town of Secaucus wishes to hire a firm the appropriate license and the skill and expertise to perform this work; and

WHEREAS, Ellas Environmental, LLC is a firm that possesses these attributes as set forth on the attached proposal for a fee not to exceed \$4,450.00 for Soil Borings at the Recreation Center located at 1200 Koelle Boulevard, Secaucus, New Jersey; and

WHEREAS, Ellas Environmental, LLC, of Secaucus, New Jersey is in compliance with the State of New Jersey regulations and measures and meets the requirements of the alternate non-fair and open process; and

WHEREAS, Ellas Environmental, LLC, of Secaucus, New Jersey has completed and submitted a Business Entity Certification which certifies that Ellas Environmental, LLC has not made any reportable contributions to a political or candidate committee in the Town of Secaucus, County of Hudson, in the previous one (1) year, and that the contract will prohibit Ellas Environmental, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, after review and discussion by the Mayor and Council of the Town of Secaucus, County of Hudson, has determined to whom a contract should be awarded.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, that a contract for professional services be awarded, subject to approval of funds in the 2016 Municipal Budget, through the non-fair and open process as set forth.

BE IT FURTHER RESOLVED, that the Town Administrator and/or Town Clerk shall be authorized to execute a contract for Professional Services and execute any other documents or take any action to fulfill this resolution as follows:

Ellas Environmental, LLC in an amount not to exceed \$4,450.00 for the above referenced work, pursuant to the proposal.

The following resolution was read:

No. 2016-163

RESOLUTION AUTHORIZING THE AWARD OF PROFESSIONAL SERVICES BY THE ALTERNATE
PROCESS FOR ELLAS ENVIRONMENTAL
SERVICES, LLC FOR ENVIRONMENTAL SERVICES FOR 101 CENTRE AVENUE

WHEREAS, the Town of Secaucus, County of Hudson must perform investigative services for the property located at 101 Centre Avenue, The Senior Center; and

WHEREAS, the Town of Secaucus wishes to appoint a licensed environmental firm to submit said reporting as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Town of Secaucus wishes to hire a firm the appropriate license and the skill and expertise to perform this work; and

WHEREAS, Ellas Environmental, LLC is a firm that possesses these attributes as set forth on the attached proposal for a fee not to exceed \$24,035.00 for environmental services at 101 Centre Avenue, Secaucus, New Jersey; and

WHEREAS, Ellas Environmental, LLC, of Secaucus, New Jersey is in compliance with the State of New Jersey regulations and measures and meets the requirements of the alternate non-fair and open process; and

WHEREAS, Ellas Environmental, LLC, of Secaucus, New Jersey has completed and submitted a Business Entity Certification which certifies that Ellas Environmental, LLC has not made any reportable contributions to a political or candidate committee in the Town of Secaucus, County of Hudson, in the previous one (1) year, and that the contract will prohibit Ellas Environmental, LLC from April 26, 2016

making any reportable contributions through the term of the contract; and

WHEREAS, after review and discussion by the Mayor and Council of the Town of Secaucus, County of Hudson, has determined to whom a contract should be awarded.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, that a contract for professional services be awarded, subject to approval of funds in the 2016 Municipal Budget, through the non-fair and open process as set forth.

BE IT FURTHER RESOLVED, that the Town Administrator and/or Town Clerk shall be authorized to execute a contract for Professional Services and execute any other documents or take any action to fulfill this resolution as follows:

Ellas Environmental, LLC in an amount not to exceed \$24,035.00 for the above referenced work, pursuant to the proposal.

The following resolution was read:

No. 2016-164

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS EXTENDING THE CONTRACT FOR HVAC MAINTENANCE AND REPAIR CONTRACT
TO POW-R-SAV, INC.

WHEREAS, Resolution No. 2014-175, dated May 13, 2014, awarded an initial one (1) year contract to Pow-R-Sav, Inc. to provide HVAC maintenance and repair services to the Town of Secaucus; and

WHEREAS, Resolution No. 2014-303 dated August 26, 2014 and Resolution No. 2014-394 dated October 8, 2014, increased the contract amount with Pow-R-Sav; and

WHEREAS, the Town of Secaucus would like to continue the existing contract as set forth in the specifications, bid and this Resolution for a one (1) year period, constituting the third and final year of this contract from the date of original award.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus that the Town's contract with Pow-R-Sav to provide HVAC maintenance and repair services pursuant to N.J.S.A. 40A:11-1 et. seq. be continued for a one (1) year period, constituting the third and final year of this contract from the date of original award; and

BE IT FURTHER RESOLVED, that the Town's initial Contract, as reflected in Resolution No. 2014-175, setting forth specific items and pricing shall continue in this extension period, not to exceed \$75,000; and

BE IT FURTHER RESOLVED, that the specifications, bid and Resolution shall constitute the requisite contract in this matter and be kept on file with the Town Clerk; and

BE IT FURTHER RESOLVED, that Pow-R-Sav shall provide any and all updated compliance information requested by the Town of Secaucus Office of Purchasing, which may include but is not limited to, proof of continued insurance coverage; and

BE IT FURTHER RESOLVED, the Finance Director certifies that funds are available for these services under line item 01-2010-00-11092-069.

The following resolution was read:

No. 2016-165

RESOLUTION AUTHORIZING THE AWARD OF PROFESSIONAL SERVICES BY THE ALTERNATE PROCESS FOR RICHARD D. TRENK, ESQ.
FOR SPECIALIZED LEGAL SERVICES PERTAINING TO BANKRUPTCY PROCEEDINGS

WHEREAS, the Town of Secaucus wishes to appoint an attorney to provide specialized legal services pertaining to bankruptcy proceedings as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Town of Secaucus wishes to hire a legal firm with the appropriate training, skill and expertise to perform this work; and

WHEREAS, Richard D. Trenk, Esq. of Trenk, DiPasquale, Della Fera & Sodono, P.C., located at 347 Mount Pleasant Avenue, Suite 300, West Orange, New Jersey is an attorney that possesses these attributes for a fee of \$175.00 per hour, not to exceed \$6,000.00, for legal services on behalf of the Town of
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Secaucus as it pertains to proceedings involving Meadowlands Development, LLC, with property located within the Town of Secaucus, New Jersey; and

WHEREAS, Richard D. Trenk, Esq. of Trenk, DiPasquale, Della Fera & Sodono, P.C., is in compliance with the State of New Jersey regulations and measures and meets the requirements of the alternate non-fair and open process; and

WHEREAS, Richard D. Trenk, Esq. of Trenk, DiPasquale, Della Fera & Sodono, P.C., will submit all necessary documents, including but not limited to, a Business Entity Certification which certifies that Richard D. Trenk, Esq. of Trenk, DiPasquale, Della Fera & Sodono, P.C., has not made any reportable contributions to a political or candidate committee in the Town of Secaucus, County of Hudson, in the previous one (1) year, and that the contract will prohibit Richard D. Trenk, Esq. of Trenk, DiPasquale, Della Fera & Sodono, P.C., from making any reportable contributions through the term of the contract; and

WHEREAS, after review and discussion by the Mayor and Council of the Town of Secaucus, County of Hudson, has determined to whom a contract should be awarded.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, that a contract for legal services be awarded, subject to approval of funds in the 2016 Municipal Budget, through the non-fair and open process as set forth.

BE IT FURTHER RESOLVED, that the Town Administrator and/or Town Clerk shall be authorized to execute a contract for Professional Services and execute any other documents or take any action to fulfill the spirit and intent of this resolution as follows:

Richard D. Trenk, Esq. of Trenk, DiPasquale, Della Fera & Sodono, P.C., in an amount not to exceed \$6,000.00 for the above referenced work, pursuant to the proposal.

The following resolution was read:

No. 2016-167

AUTHORIZING RESOLUTION:
FLOOD HAZARD RISK REDUCTION AND RESILIENCY GRANT PROGRAM

WHEREAS, the local economy, public infrastructure, private residences, and commercial and industrial properties within the Town of Secaucus incurred damages during Hurricane Sandy; and

WHEREAS, town officials, residents and environmental professionals have observed that the town is still vulnerable to coastal storm impacts; and

WHEREAS, the Mayor and Council of the Town of Secaucus believe that constructing the Valley Court and Gail Place Flood Containment Wall would mitigate significant hazards from coastal storms; and

WHEREAS, the Flood Hazard Risk Reduction and Resiliency Program supports projects that reduce storm surge or flood risk;

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Secaucus authorizes Mayor Michael Gonnelli and/or Town Administrator David Drumeler to submit the necessary application materials to the New Jersey Department of Environmental Protection in request of funding under the Flood Hazard Risk Reduction and Resiliency Program; and

BE IT FURTHER RESOLVED, that the Town Council of the Town of Secaucus authorizes Mayor Michael Gonnelli and/or Town Administrator David Drumeler to sign a grant agreement on behalf of the Town of Secaucus; and

BE IT FURTHER RESOLVED, that the Town of Secaucus will provide supplementary funding for this project should the need arise.

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The following resolution was read:

No. 2016-168

RESOLUTION RE: ROOSEVELT AVENUE IMPROVEMENTS

WHEREAS, the Town advertised for qualified bidders regarding a project identified as "Roosevelt Avenue Improvements"; and

WHEREAS, on April 21, 2016, five (5) sealed bids were received pursuant to New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and;

WHEREAS, the base bid proposal of \$205,690.40 by AJM Contractors, Inc., 300 Kuller Road, Clifton, NJ 07011 has been reviewed by the Town Engineer, Town Administrator and 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 awards a contract to AJM Contractors, Inc. for the Roosevelt Avenue Improvements project in accordance with the AJM Contracting, Inc. base bid totaling \$205,690.40; which documents (proposal and specifications) constitute a contract for such services in accordance with the documents maintained on file with the Town Clerk's Office.

The following resolution was read:

No. 2016-169

RESOLUTION RE: 2016 MILL/OVERLAY PROGRAM

WHEREAS, the Town advertised for qualified bidders regarding a project identified as "2016 Mill/Overlay Program"; and

WHEREAS, on April 21, 2016, seven (7) sealed bids were received pursuant to New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and;

WHEREAS, the base bid proposal of \$230,873 by AJM Contractors, Inc., 300 Kuller Road, Clifton, NJ 07011 has been reviewed by the Town Engineer, Town Administrator and 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 awards a contract to AJM Contractors, Inc. for the 2016 Mill/Overlay Program project in accordance with the AJM Contracting, Inc. base bid totaling \$230,873; which documents (proposal and specifications) constitute a contract for such services in accordance with the documents maintained on file with the Town Clerk's Office.

April 26, 2016

The following resolution was read:

No. 2016-170

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

WHEREAS, THE Town of Secaucus, wishes to acquire Playground Equipment and Surfacing at various Town Park and Playground locations; and

WHEREAS, the Town of Secaucus wishes to utilize the New Jersey State Cooperative Purchasing Contract No. 81411, for the Goods and Services of Park and Playground Equipment and Surfacing from this Contract; and

WHEREAS, the Vendor: MRC, INC., OF Spring Lake, New Jersey is able to supply the Town with necessary Goods and Services on New Jersey State Contract No. 81411; and

WHEREAS, the dollar amount for the above mentioned vendor is \$260,780.48 and does not exceed the threshold of the Qualified Purchasing Agent; and

WHEREAS, N.J.S.A. 40:A-11 authorizes Local Government to purchase such commodities; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, to award Playground Equipment and Surfacing to various Park and Playground locations, within the Town, to MRC, INC, in the amount of \$260,781.48.

Financial officers
Certification attached.

The following resolution was read:

No. 2016-171

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE PURCHASE OF THE
PROPERTY LOCATED AT BLOCK 119, LOT 3

WHEREAS, the Town of Secaucus has an interest in acquiring the property located at Block 119, Lot 3, otherwise known as 762 7th Street, in an effort to improve the health, safety and welfare of the residents of the Town; and

WHEREAS, this parcel is located in a residential neighborhood abutting the Town of Secaucus Hose Company #2 with growing emergency response calls; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and/or Town Administrator is hereby authorized to sign an agreement for the purchase of Block 119, Lot 3, otherwise known as 762 7th Street, for a price not to exceed \$360,000.00; and

BE IT FURTHER RESOLVED, that the Mayor and/or Town Administrator is hereby authorized to execute any other documents or take any other necessary action to effectuate the spirit and intent of this Resolution.

The following resolution was read was read separately:

No. 2016-166

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
ENCOURAGING NJ TRANSIT TO ADDRESS
RESIDENT CONCERNS CONCERNING NJ TRANSIT TRAINS

WHEREAS, NJ Transit has made substantial efforts over the past few years to address some of the commuter conditions encounter by the Town's residents, including but not limited to, conditions in the Port Authority Bus Terminal, overcrowding and scheduling of local buses, locations of bus stops and transportation to the Frank R. Lautenberg Rail Station; and

WHEREAS, the Town of Secaucus sincerely appreciates the efforts of NJ Transit in resolving these issue; and

WHEREAS, the Town of Secaucus, based on the feedback and direct efforts of local residents, has reached out to NJ Transit in the past to express upset at reoccurring noise complains for residents who border the tracks along Meadowlands Parkway into the Frank R. Lautenberg Rail Station; and

WHEREAS, the Town has had meetings with NJ Transit's senior staff members regarding this continuing issue; and

WHEREAS, the noise issue continues unabated and without a solution.

NOW THEREFORE, BE IT RESOLVED, the Town of Secaucus is encouraging NJ Transit to listen and respond to the needs of the Town's residents who live adjacent to NJ Transit tracks; and

April 26, 2016

BE IT FURTHER RESOLVED, that the Mayor and Council will continue to welcome opportunities for its commuters and residents to be heard by NJ Transit, and will facilitate open communications to the extent practicable with NJ Transit in an effort improve the quality of life for residents, visitors and commuters alike.

Richard Fairman and Marilyn Berkowitz spoke of the difficulties regarding noise pollution coming from NJ Transit Trains.

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

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

Motion carried.

PAYMENT OF CLAIMS

Councilman Clancy moved that the following Salary Vouchers and Claims Fund Register be approved, seconded by Councilman Costantino.

Town of Secaucus Payroll Acct. w/ending 4/8/16		\$437,922.40
Adm. & Exec	17,512.97	
Mayor & Council	12,294.43	
Municipal Clerk	6,374.04	
Community Shuttle Bus	2,770.52	
Legal Dept.	5,844.23	
Environmental	1,836.73	
Municipal Court	15,086.59	
Engineering	6,081.23	
Pub. Bldgs. & Grds.	38,242.10	
Off. Of Inspect.	7,377.16	
Planning Board	65.59	
Bd. Of Adjustments	60.38	
Public Defender	00.00	
Comm. & Security Adm	3,440.48	
Construction	18,751.80	
Treasurer	19,786.24	
Tax Assessor	6,179.44	
Tax Collector	5,365.39	
Police Dept.	311,943.03	
School Cross Grds.	6,993.98	
Office of Emergency Man.	576.92	
Unif. Fire Safety Off.	4,364.78	
Rd. Repair & Maint.	117,316.70	
Sewer System	522.51	
Recycling Coord.	8,741.54	
Bd. of Health	5,579.55	
Mosquito Control	00.00	
Social Services	27,004.67	
Fire Dept. Incentives	000.00	
Pks. & Play Grds.	000.00	
Supv. Of Play Act.	27,349.57	
Rec. Activities	7,841.47	
Social Security	34,538.22	
Pool Social Security	26.00	
Pool Oper.	000.00	
Grant Fund (OEM)	000.00	
CDBG	000.00	
Town of Secaucus Tax Escrow Acct. w/ending 4/8/16		\$247,717.63
Town of Secaucus Payroll Acct. w/ending 4/22/2016		\$417,829.78
Adm. & Exec	17,263.14	
Mayor & Council	1,571.15	
Municipal Clerk	6,374.04	
Community Shuttle Bus	3,069.53	
Legal Dept.	5,769.23	
Environmental	2,039.23	
Municipal Court	15,834.85	
Engineering	6,576.53	
Pub. Bldgs. & Grds.	39,734.35	
Off. Of Inspect.	8,618.66	
Planning Board	65.59	
Bd. Of Adjustments	160.38	
Public Defender	00.00	
Comm. & Security Adm	3,365.48	
Construction	17,863.40	
Treasurer	19,328.22	
Tax Assessor	6,179.44	

April 26, 2016

Tax Collector	5,365.39	
Police Dept.	285,545.55	
School Cross Grds.	16,652.29	
Office of Emergency Man.	576.92	
Unif. Fire Safety Off.	000.00	
Rd. Repair & Maint.	121,135.45	
Sewer System	578.26	
Recycling Coord.	9,001.39	
Bd.of Health	5,632.55	
Mosquito Control	00.00	
Social Services	29,899.07	
Fire Department	000.00	
Retirees Health	000.00	
Pks. & Play Grds.	000.00	
Supv. Of Play Act.	27,341.14	
Rec. Activities	7,069.09	
Social Security	34,047.39	
Pool Social Security	000.00	
Pool Oper.	000.00	
Grant Fund (OEM)	000.00	
Town of Secaucus Tax Escrow Acct. w/ending 4/22/16		\$244,780.64
Total Amount Claims	Check No.48069-48443	\$1,774,957.83
Recreation Acct	Check # 1025	\$75,648.31
Recreation On-Line	No checks written	

Note: Current and Trust Account checks are now part of the Total amount of Claims.

AYES: Jeffas, Costantino, McKeever, Clancy, Pirro, Dehnert, Gonnelli
 NAYS: None
 ABSTAIN: Gonnelli on Fire only
 ABSENT: None

Motion
 carried.

BINGO/RAFFLE APPLICATIONS

R-1400 Secaucus Emergency Fund On-Premise 50/50

Councilman Jeffas moved that the foregoing application be approved, seconded by Councilman Costantino.

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

Motion
 carried.

COMMUNICATIONS REQUIRING ACTION BY MAYOR AND COUNCIL

Request by Adele Harris to use Mill Creek Park for a meditation.

Request by FilAid Foundation to use the Buchmuller Pavilion area after the Memorial Day Parade

Request to use the County Avenue soccer field for the Senior Day Camp.

Request from Sheila Witrock of Cub Scout Pack # 87 to utilize various locations in the Town on various dates

Councilman Clancy moved to accept the foregoing request, seconded by Councilman Jeffas.

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

Motion carried.

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

Engine Co. # asked to remove Shannon Casey from the Volunteer Fire Department.

AYES: Jeffas, Costantino, McKeever, Clancy, Pirro, Dehnert

NAYS: None
ABSTAIN: Gonnelli
ABSENT: None

Motion carried.

April 26, 2016

COMMITTEE REPORTS

Councilman Jeffas offered an update from the Police Department regarding new officers. He also talked about two upcoming Police events.

Councilman Costantino spoke about the increase revenue at the ice rink.

Mayor Gonnelli also offered comments on the costs.

Councilman Clancy congratulated Mr. Gehm for his many year and work with the JSA. He added information on the Shade Tree Committee and the effort to plant 100 new trees this year.

Councilman Pirro spoke about some upcoming events for the Secaucus Animal Shelter.

Councilman Dehnert offered information about upcoming events.

Councilman McKeever talked about a JSA event and complimented Mr. Gehm on his great work. He continued with announcements regarding upcoming events.

UNFINISHED BUSINESS

Councilman Jeffas gave details on upcoming events.

Councilman Costantino complimented Mr. Gehm and thanked him for his efforts with this group.

Councilwoman Pirro asked for food donations for the food pantry and also gave details about the town wide garage sale.

Councilman Dehnert gave details on upcoming offerings through the Recreation Department.

Mayor Gonnelli gave details on the after school programs.

NEW BUSINESS

Councilman Jeffas gave details on an upcoming event for the Boy Scouts. He added information on an event of which Mayor Gonnelli will be honored.

Councilman Costantino offered information on upcoming events.

Councilman Clancy stated that the Town was affected by the Verizon strike and are concerned with residents that have Life Line systems that are connected to Verizon.

Councilwoman Pirro stated that April is Child Abuse Prevention Month and offered details on this subject.

Councilman McKeever offered information on upcoming events for the senior citizens.

Mayor Gonnelli explained how the Consent Agenda works and talked about some of the items that are listed on the Consent Agenda.

REMARKS OF CITIZENS

Michael Gehm
John Gerbasio

Councilman Clancy moved to adjourn the meeting at 8:21 pm, seconded by Councilman Jeffas.

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

Motion carried.

Michael Marra, Town Clerk