

September 11, 2018

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 11h day of September 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 28, 2017

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 held a moment of silence for the victims of the terrorist attack of September 11, 2001.

**ORDINANCE FOR PUBLIC HEARING**

The following ordinance was read for public hearing: No. 2018-31

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 135 OF THE CODE OF THE TOWN OF SECAUCUS, "ZONING" BY ADDING § 135-6  
PROHIBITING USES/ACTIVITIES OF RECREATIONAL MARIJUANA PRODUCTS**

WHEREAS, the Town of Secaucus desires to amend and supplement the provisions of Chapter 135-6 "Zoning" of §135-6 "Use Regulations"; and

WHEREAS, there is current legislation pending in the State of New Jersey which includes provisions to legalize the recreational use of marijuana; and

WHEREAS, pursuant to N.J.S.A. 40:55D-8, the Mayor and Council have determined that the Zoning Code of the Town of Secaucus shall be amended to include the prohibition of the sale, growth and distribution of recreational marijuana in the interest of public safety and in furtherance of the Town's ongoing efforts to create a drug-free environment for the community.

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

§ 135-6(G). Use regulations.

1. §135-6 of the Code of the Town of Secaucus entitled "Use regulations" be and is hereby amended to include and read as follows:

G. The cultivation, growing, extraction, manufacturing, processing, laboratory testing, labeling, dispensing, warehousing, distributing and selling of recreational marijuana and/or associated paraphernalia are expressly prohibited uses/activities within the zones of the Town of Secaucus.

This provision shall not be construed to limit any privileges or rights of a qualifying patient, primary caregiver, physician, registered dispensary or other person acting in accordance with the New Jersey Compassionate Use Medical Marijuana Act, N.J.S.A. 24:6I-1.

September 11, 2018

3. This Ordinance shall be subject to review and recommendation by the Town Planning Board in accordance with N.J.S.A. 40:55D-26.
4. The County Planning Board shall be provided notice of this proposed ordinance in accordance with N.J.S.A. 40:27-6.10.
5. There are no other changes to this Chapter of the Code of the Town of Secaucus.
6. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
7. 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.
8. This Ordinance shall take effect immediately upon passage and publication in accordance with law.

IT IS FURTHER ORDAINED that the remainder of this Chapter 135-6(G) of the Code of the Town of Secaucus shall remain in full force and effect.

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

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

Motion carried.

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

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

Motion carried.

The following ordinance was read for public hearing: No. 2018-32

A REVISED ORDINANCE AMENDING OF CHAPTER 115A OF THE CODE OF  
THE TOWN OF SECAUCUS ENTITLED "TOWING AND STORAGE"  
FOR THE PROMULGATION OF RULES FOR THE TOWN'S TOWING REGULATIONS

WHEREAS, pursuant to N.J.S.A. 40:48-2.49 and 2.54, the Town of Secaucus is authorized to enact an ordinance setting forth regulations for the removal of motor vehicles from private or public property, including the fees charged for such removal and storage and the notice requirements therefore; and

WHEREAS, the Mayor and Council are revising Chapter 115A "Towing and Storage" of the Code of the Town of Secaucus as set forth below to address the needs of the Town in the interest of public safety, health and welfare; and.

WHEREAS, the Council initially took action to approve the introduction of a similar Ordinance, number 2018-20, on May 8, 2018 with adoption of such on June 26, 2018; However due to an administrative error, Ordinance 2018-20 was not initially published in accordance with N.J.S.A. 40:49-2(a) and this revised Ordinance is being re-introduced in accordance with N.J.S.A. 40:49-2 to cure any possible procedural deficiencies and to further fair and open public bidding. NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey as follows:

September 11, 2018

1. Chapter 115A of the Code of the Town of Secaucus entitled "Towing and Storage" with initial adoption in March 3, 2007 under Ordinance Number 2007-10, amended in its entirety April 26, 2011 under Ordinance Number 2011-13 and subsequent amendments to sections, is to be repealed in its entirety and replaced with the following:

§ 115A-1 Definitions.

As used in this section, the following terms shall have the meanings indicated:

**BASIC TOWING SERVICE** - Shall mean when a tow truck and/or hydraulic flatbed car carrier takes in its possession the care, control and custody of a motor vehicle by the removal and transportation of a motor vehicle from a highway, street or other public or private road or a parking area or from a storage facility and other service normally incident thereto.

**BULK TOWING SERVICE** - Shall mean the removal of a group or bulk of vehicles from a highway, street or other public or private road or a parking area or from a storage facility and other services normally incident thereto.

**TOW TRUCK** - Commercial motor vehicle designed exclusively to lift motor vehicles that have become disabled, wrecked, recovered stolen and impounded by means of lifting from the front or rear by the following methods:

1. Sling type: mechanical or hydraulic
2. Wheel lift type: mechanical or hydraulic

**HYDRAULIC FLATBED CAR CARRIER** - Commercial motor vehicle designed exclusively to transport motor vehicles that have become disabled, wrecked, recovered, stolen and impounded by removing vehicles from roadway level up onto a hydraulic bed for transporting purposes.

**DECOUPLING FEE** - Shall mean a charge by a towing company for releasing a motor vehicle to its owner or operator when the vehicle has been or is about to be, hooked or lifted by a tower, but prior to the vehicle actually having been moved or removed from the property.

**DEBRIS** - Shall mean fragmentation at the scene of a towing assignment, the removal of which will require no additional personnel nor specialized equipment as is exclusive of vehicle contents and/or cargo, both of which, will be classified as "spillage."

**EXTRA TOWING SERVICE (WINCHING)** - Shall mean recovery of a motor vehicle from a position:

1. Either partially or completely overturned;
2. Beyond the right of way or berm;
3. Where it is impaled upon any other object within the right of way.

Extra Towing Service shall also be known as.

**MINOR SPILLAGE** - Shall mean release of vehicle cargo and/or contents at the scene of a towing assignment, the removal of which, shall not require the need for additional personnel and/or specialized equipment.

**MOTOR VEHICLE** - Shall include all vehicles propelled otherwise by muscular power, excepting such vehicles as run only upon rails or tracks and motorized bicycles, motorized scooters, motorized wheelchairs and motorized skateboards.

**TOW OPERATORS OR TOWERS** - Any person, persons, partnership, corporation or

§ 115A-2 Requirements.

- (1) In compliance with N.J.S.A. 40:48-2.49, no person, persons, partnership, corporation or business entity shall offer to perform or engage or attempt to engage in the business of towing within the Town of Secaucus, unless that company complies with the provisions of this Ordinance, without first obtaining a license as provided herein.
- (2) Tow operators must be registered with the Division of Consumer Affairs in the State of New Jersey Department of Law and Public Safety, and maintain this status.

§ 115A-3 Application process; review; licensing.

A. An application for inclusion on the official towers list shall be submitted to the Town Clerk in duplicate upon a form prepared by the Chief of Police or their designee, and shall contain all of the following information:

- (1) Full name, address and contact information for the applicant. This shall include the name, residence and business addresses, and telephone number of any person or corporation with ownership interest. All will be considered applicants under this chapter.
- (2) Details which may be required by the Town concerning applicant's personnel, vehicles (including, but not limited to, type, vehicle identification number, license plate and registration information), equipment and storage facilities, showing that the applicant meets the minimum standards of performance as set forth in this chapter.
- (3) A certificate or certificates of insurance evidencing insurance coverage as hereinafter provided.
- (4) Certification that the applicant will provide towing services anywhere in the Town of Secaucus with a maximum response time of twenty (20) minutes, except when extraordinary circumstances occur.
- (5) Certification that the applicant will be available for services by phone twenty-four (24) hours per day for police calls, and that the applicant will abide by the fees contained in this chapter.
- (6) Address(es) of the garage(s), storage area(s) and other facilities, the number of cars that can be stored and the total square footage of each area.
- (7) Non-refundable application fee of fifty dollars (\$50.).

B. Each applicant shall execute an Indemnification/Hold Harmless Agreement in the form provided by the Town Clerk. The licensee is required to defend and hold harmless the Town of Secaucus for liability from any and all obligations, liabilities, judgments, claims and demands for personal injuries and damages to property which may arise out of the performance of municipal police towing exclusive of the negligent acts of the Town.

C. Any applicant must have a maintained a towing business for a minimum period of one (1) year.

D. In addition to the foregoing, upon submission of an application, all applicants are consenting to and agreeing to meet the following for the protection of public health, safety and welfare:

- (1) A federal and state background check to determine if the applicant and all persons employed by the applicant, including but not limited to operators, drivers, supervisors, management and employees, supervisors and managers, have been convicted of a crime of moral turpitude or have had

authorize the Chief of Police to be the recipient of the affirmation or negative response of the background check from the Federal Bureau of Investigation, Identification Division, the State Police or other entity.

- (2) An inspection by the Chief of Police or their designee of the personnel, vehicles, equipment and storage area proposed to be utilized by the applicant to verify the accuracy of the information contained in the application.
- (3) Each applicant shall produce such information, documentation and assurances as may be required to establish the financial stability, integrity and responsibility of the applicant, including but not limited to bank references, business and personal income and disbursements schedules, tax returns and other reports filed with governmental agencies, and business and personal accounting and check records and ledgers, if necessary and requested by the Town. In addition, each applicant shall, in writing, authorize the examination of all bank accounts and records as may be deemed necessary by the Town.
- (4) A review by the Chief of Police or their designee of the applicant's professional and business history with the Town and other municipalities and/or entities, including but not limited to, adherence with the necessary requirements, complaints lodged against applicant in the course of towing services and response reports, or by way of a check of applicant references for new applications.
- (5) All towing operators and drivers shall partake in the New Jersey Traffic Incident Management (TIM) Training. All towing operators and drivers employed with the company at the time of license application shall agree to attend and complete the New Jersey Traffic Incident Management (TIM) Training within six (6) months of licensure with the Town or within a time period approved by the Chief of Police in their sole discretion.

E. Review of Qualifications: Disapproval

If, as a result of such investigation, the applicant's qualifications are found to be unsatisfactory, or if it is found that the issuance of a license to the applicant would present a danger to the public health, welfare or safety, the Chief of Police shall indicate their disapproval on such application with the reasons and shall return the application to the Town Clerk. The applicant shall be notified in writing that their application is disapproved, the reasons for said disapproval and the applicant's right to a hearing. Any applicant aggrieved by a rejected application is entitled to be heard by the Town Administrator upon written notice to the Town Clerk within fourteen (14) days of the disapproval.

F. Review of Qualifications: Approval

- (1) If, as a result of such investigation, the qualifications of the applicant are found to be satisfactory, and it is found that the issuance of a license to the applicant will not present a danger to the public health, welfare and safety, the Chief of Police shall endorse their approval on the application and return the application to the Town Clerk.
- (2) An applicant may be included on the official towers list by the Mayor and Council by resolution adopted at a public meeting, when, from consideration of the application and from such other information as may otherwise be obtained, it finds that all of the following circumstances exist:
  - (a) The applicant has not knowingly and with intent to deceive, made any

September 11, 2018

- (3) Upon approval of the application as herein provided and payment of the fee, the Town Clerk shall issue the applicant an official towers license pursuant to this chapter.
- (4) Said license shall be prominently displayed in the licensee's primary place of business at all times.
- (5) The license shall be nontransferable and subject to suspension and/or revocation as set forth in this chapter.

§ 115A-4 Term of license; fee.

Each license shall be for a period of two (2) years. All applications shall be received between the date publicized and at least thirty (30) days prior to the start date of the period. The fee for said license shall be One thousand dollars (\$1,000.) per two-year license period.

The license issuing authority shall be the Town Clerk. Such additional rules and regulations, as may be promulgated by the Mayor and Council pursuant to this chapter, shall take effect after notification of such upon all licensees in writing at the address contained in the most current application. The licensee shall be given a reasonable opportunity to be heard on such changes if requested in writing.

§ 115A-5 Implementation.

Upon the adoption of this Ordinance, the Town Clerk shall provide public notice for receipt of any license applications for the initial license period in compliance with 115A-4. The initial license period shall be from January 1, 2019 through December 31, 2020.

§ 115A-6 Equipment.

A. Tow operators shall maintain and have, but not be limited to, the following equipment:

- (1) Four (4) light duty wheel lift wreckers with hydraulic booms with a rating of no less than four (4) tons.
- (2) Two (2) light duty flatbed type vehicles with wheel lift. They should have a GVW of a least twenty-four thousand (24,000) pounds and be equipped with a snatch block.
- (3) One (1) heavy duty flatbed capable of towing an oversized limo or any extra long vehicle. This vehicle should have a GVW of no less than thirty-five thousand (35,000) pounds and be equipped with a snatch block.
- (4) One (1) heavy duty rotating wrecker/crane with a rating of no less than forty-five (45) tons. The boom must have extendable and rotating capabilities. This equipment shall be equipped with snatch blocks.
- (5) Three (3) heavy duty wreckers capable of towing trucks, tractor trailers and buses. These trucks should be capable of lifting no less than twenty-five (25) tons and must have snatch blocks.
- (6) One (1) tandem axle tractor with a GVW of eighty thousand (80,000) pounds.
- (7) One (1) landoll type tandem axle hydraulic tilt flatbed trailer with traveling hydraulic axles and a minimum deck length of no less than forty-eight (48) feet long. Such trailer shall have a winch of sufficient capacity to support pulling up heavily damaged trucks and buses.
- (8) One (1) dry freight type trailer of a length of no less than forty (40) feet long.
- (9) One (1) full set of air cushion recovery systems with compressor and hoses.
- (10) One (1) liquid transfer pump.

- (13) One (1) tandem axle dump truck or roll off truck with a GVW of no less than fifty thousand (50,000) pounds.
- (14) One (1) medium duty wrecker wheel lift with a twin cable boom and wheel lift with a minimum boom rating of eight (8) tons.
- (15) One (1) articulated 4x4 loader of sufficient capacity and size which would allow the loading of high side walking floor type trailers and dump trailers.
- (16) One (1) fork lift capable of unloading a trailer.
- (17) One (1) set of heavy duty wheel grids. These wheel grids are required for the towing and removal of fire apparatus vehicles and low profile trucks and buses. These wheel grids must have the capacity to tow and transport heavy duty commercial trucks, buses and tractor trailers.
- (18) One (1) back hoe with the capacity to dig around an overturned trailer or one (1) bob cat type loader to clean up dirt or such due to an overturned or spilled trailer.
- (19) Safety equipment. Each tow truck shall contain and maintain, but not be limited to, the following:

Chains and tie down

One (1) snatch box

One (1) auxiliary safety light kit to be placed on the rear of a towed vehicle that does not have functioning taillight flashers

Rotating amber emergency lights mounted on top of truck

Two (2) white work lights facing the rear of the truck

Jumper cables or a jump box

One (1) steering wheel tie down

Toolbox containing assorted hand tools normally used to conduct emergency roadwork and towing

ANSI-approved safety vests (One (1) per driver/employee which shall be worn at all times)

One (1) five-pound ABC rated powder fire extinguisher

One (1) flashlight

Five (5) pounds of speedy dry or equivalent

One (1) box of flashers

One (1) shovel

One (1) heavy duty broom

Large plastic bags

- B. Every tow vehicle or flatbed shall comply with any and all state, federal and local laws, regulations and ordinances pertaining to safety, lighting and towing equipment.
- C. Every tow vehicle and flatbed shall have the name of the official tower displayed on the vehicle in such a manner and of such lettering as conforms to the provision of N.J.S.A. 39:4-46.
- D. All equipment must be owned and in the applicant's business name at the time that the application is submitted.
- E. All trucks must have two-way radios or cellular service for communication.

§ 115A-7 Insurance.

- A. The official tower shall secure, pay the premium for, and keep in force adequate insurance as provided below, including any renewal thereof, and name the Town of Secaucus, their officers, officials, agents, employees and consultants as additional insureds:

- (3) Workers' compensation insurance as required by the laws of the State of New Jersey and applicable federal laws.
- (4) Automobile and garage liability insurance coverage with limits in an amount of not less than one million dollars (\$1,000,000.) per occurrence.
- (5) Garage keepers legal liability coverage in the amount of one hundred thousand dollars (\$100,000.) per vehicle.
- (6) On hook liability coverage in the amount of one hundred thousand dollars (\$100,000.) per vehicle.
- (7) The licensee shall file with the Town Clerk for the Town of Secaucus for approval, one (1) copy of each of the required insurance certificates.
- (8) Each insurance policy shall carry an endorsement to the effect that the insurance company shall give at least thirty (30) days notice to the Town of Secaucus by certified mail, return receipt requested, of any modification or cancellation of any policies required.

§ 115A-8 Minimum personnel requirements; qualifications.

- A. Official towers shall have available, at all times, four (4) towing operators and one (1) dispatcher. All towing operators and/or drivers must meet the following requirements:
  - (1) All towing operators and drivers must have a valid driver's license.
  - (2) All towing operators must submit to a federal and state background check, which may be conducted by a designated third party entity at a location outside of the Town.
  - (3) All towing operators and drivers must obey all traffic laws and regulations, in compliance with Title 39 of the New Jersey Revised Statutes, and present a neat appearance at all times.
  - (4) All towing operators and drivers shall partake in the New Jersey Traffic Incident Management (TIM) Training.
- B. Compliance periods for requirements. Licensee is responsible for ensuring that all operators, drivers, supervisors, management and employees remain qualified pursuant this chapter for the duration of the license. Information on new operators, drivers, supervisors, management and employees shall be provided as an amendment to the license application to the Town Clerk within thirty (30) days of any hire. Background checks shall be completed on all new hires and receive a satisfactory determination from the Secaucus Chief of Police prior to their response for a call within the Town of Secaucus pursuant to this chapter. New hires shall attend and complete the New Jersey Traffic Incident Management (TIM) Training within six (6) months of hire or within a time period approved by the Chief of Police in their sole discretion. Failure to comply may be cause for suspension or revocation of the license.

§ 115A-9 Storage facilities; business locations; requirements.

- A. Every official tower shall maintain a secured storage facility and business operation that meets the requirements set forth below. The official tower must be prepared upon request to show written evidence of its ability to meet these requirements for the duration of their license.
  - (1) For the convenience of the Secaucus Police Department and the convenience of the residents of Secaucus, the official tower's staffed location must be located within the Town of Secaucus or no further than two (2) miles from a road in the Town of Secaucus. Note that the Town of Secaucus does not dispatch tow trucks to the New Jersey Turnpike.
  - (2) The storage area must be secured with a fence, proper lighting from dusk to dawn, security cameras with recording and storage capabilities and must be properly marked with the official tower's name.
  - (3) A person retrieving their vehicle shall be able to transact all business, including the pickup of any motor vehicle and the payment of fees, at the

September 11, 2018

- (5) The official tower will be prohibited from placing a vehicle in storage at any other location without permission from the Town of Secaucus.
  - (6) No impounded vehicle shall be parked on any public street or sidewalk but must be stored by the official tower in the secured storage area. The entire location must be level and clear of all debris. There shall be no piling of vehicles. The official tower shall store all vehicles in such a manner to prevent any damage to vehicles.
  - (7) The official tower shall provide a waiting room with a public rest room. The waiting room must have a public phone for use by motorists/owners.
  - (8) The official tower must accept at least two (2) major credit cards.
  - (9) The official tower shall ensure that the public, after securing the proper release from the Secaucus Police Department, can recover a towed vehicle from the storage facility on weekdays between the hours of 8:00 a.m. and 8:00 p.m. and on Saturdays from 9:00 a.m. to 5:00 p.m. excluding holidays. The office of the official tower must be open and properly staffed during these times.
  - (10) The Secaucus Police Department shall have access twenty-four (24) hours, seven (7) days a week to any towed vehicle. The official tower must maintain a telephone number where a representative can be reached by the Secaucus Police Department twenty-four (24) hours per day, seven (7) days per week.
  - (11) The official tower shall keep a computerized up-to-date inventory of all cars towed and stored, locations and fees charged. Records shall be kept and maintained for at least eighteen (18) months and shall be available for review by the Chief of Police or their designee.
  - (12)
- § 115A-10 Rotational shifts, tow procedures.
- A. The Chief of Police shall maintain a revolving list of licensed towers to provide service where needed and shall instruct all on-duty officers to call those listed in alphabetical order on a weekly rotational basis. Each rotational shift, as referenced above, shall commence on Sunday at 12:00 a.m. and end on the following Saturday at 11:59 p.m.
  - B. The Chief of Police or their designee reserves the right, under extenuating or emergent circumstances, to deviate from the rotational list of licensees due to a specific type of equipment and/or expertise required, and in addition, to contact more than one (1) licensed tower to respond to the scene due to a large volume of required vehicles to be towed.
  - C. Nothing in this section shall prevent the owner or the operator of vehicle from contacting a tower or roadside assistance provider of their own choice to remove their vehicle from the public streets or roadways of the Town after it has become disabled or otherwise inoperable due to an accident or other reason. Said owner or operator shall have reasonable time within which to select a tower or roadside assistance provider of their choice and contact them to remove the vehicle from the public roadways of the Town. The Secaucus Police Department may also contact the appropriate tow operator for routine response. The first tower or roadside assistance provider to arrive on scene and begin to handle the removal of the car shall be permitted to remove the motor vehicle. If the Town's tow operator arrives on the scene after the tower or roadside assistance provider of the owner or operator's choice, the tow operator shall not charge the owner or driver of the vehicle nor the Town of Secaucus for response.
  - D. In the absence of emergent or hazardous conditions, "reasonable time" shall be

September 11, 2018

Police Department or his designee or upon request of the driver or owner of the vehicle involved.

§ 115A-11 Towing and storage services fee schedule; payments

A. The maximum allowable fees for towing and storage are set forth below and shall apply to licensees and tow operators providing services for Secaucus Police Department directed tows:

CLASS 1: LIGHT TOW: AUTOMOBILES, MOTORCYCLES AND MOTOR SCOOTERS

Towing ..... \$125.00
Storage ..... \$35.00 per 24 hour period or part thereof

CLASS 2: LIGHT TOW: SUV, VANS, PICKUPS UP TO 10,000 LBS.

Towing ..... \$ 135.00
Storage ..... \$45.00 per 24 hour period or part thereof

CLASS 3: HEAVY TOW: TRUCKS, BUSES AND VEHICLES OVER 10,000 LBS

Towing ..... \$250.00/hour per truck (2 hr. minimum)
Storage ..... \$85.00 per 24 hour period or part thereof

B. While an official tower may not charge a service fee for towing and storage services ancillary to basic services, under certain circumstances official towers shall be allowed to charge for extra services that may be required above the basic towing charge. Any such services and charges shall be in accordance with the fee schedule below:

Table with 2 columns: Service Description and Fee. Rows include Decoupling, Jump Start, Flat Tire, Lock Out, Road Service, Gasoline/Fuel Service, Crash or window wrap, Site Clean up, Winching, Snow locked vehicles, Rotator/Crane Recovery Unit Service, and Tarp.

C. Licensees shall tow and make minor roadside service repairs to vehicles owned

Storage	\$3.00 per day for the first thirty (30) days of storage per vehicle; and \$2.00 per day for the 31 <sup>st</sup> day of storage and each day thereafter with a \$400.00 limit per vehicle for storage regardless of the duration of the storage.
Mileage	\$3.00 per mile for any transport of a Town vehicle outside of the County of Hudson. No mileage/time compensation will be provided for travel to/from the vehicle.

- D. If the owner of an unattended vehicle appears on the scene and the vehicle does not need to be towed or impounded, the licensee shall not charge for the service call, unless the vehicle has been hooked up to the tow truck, in which event a decoupling fee not to exceed twenty-five dollars (\$25.) for light tow vehicles (up to 10,000 lbs) or one hundred (\$100.) for heavy tow vehicles (over 10,000 lbs) may be assessed against the owner of the vehicle. The tow operator is not required to wait more than five (5) minutes on scene to receive payment; Any bill for the service shall be sent directly to the vehicle owner.
  
- E. Towing service to a location other than the licensee's storage area, when requested by the vehicle owner or driver, shall be at a reasonable and customary rate as negotiated between the tow operator and the vehicle owner or driver.
  
- F. If a vehicle is moved during snow events, other weather events or other emergency situations at the direction of the Secaucus Police Department due to an emergent circumstance to a municipal lot within the Town of Secaucus, the Town of Secaucus shall be charged a flat fee of fifty dollars (\$50.) per vehicle moved, regardless of size. No other charges shall be assessed against the Town or the owner of the vehicle.
  
- G. On any occasion that the highest-ranking officer on duty deems an incident to be a hazard or emergent in nature, said officer is empowered to direct the licensee to respond to the scene of said incident and to take the appropriate action to ensure the public safety and welfare. The owner/operator of the involved vehicle will be advised at the time of the incident that the vehicle will be impounded at the scene at police direction, and stored until the appropriate payment for the directed services are paid to the licensee.
  
- H. Fee schedules, indicating the set rates for towing and storage in addition to fees for tow service to locations other than those for the Town of Secaucus, shall be posted in the tow operator's place of business and kept in the possession of the drivers of all tow trucks/wreckers and presented to any vehicle driver/owner upon request.
  
- I. There shall be no charge for towing, storage and/or impoundment if it is determined by the Chief of Police that such vehicle has been towed, stored or impounded due to an error by the tow operator or the Town of Secaucus Police Department. This determination shall be in the sole discretion of the Chief of Police and is binding upon the licensee, who shall make no claims against the Town of Secaucus or the owner of the vehicle. If payment has been received by the licensee, reimbursement in the full amount shall be made.
  
- J. There shall be no charge for towing to a location designated by the Chief of Police or the highest-ranking officer on duty of the Town of Secaucus

September 11, 2018

that location by the Town of Secaucus Police Department would be subject to the fees set forth in this section.

K. Payment. The above fees are chargeable once services are rendered. All charges made by any licensee shall be paid by the owner or operator or any person, firm or corporation claiming the right to possession of any vehicle towed or stored by the licensee as provided for herein. The Town shall not be liable for the payment of any sum to the licensee which may be due on account of towing or storage.

A towing company must accept all forms of payment, such as a credit card or debit card, for payment in lieu of cash for towing, storage and other fees if the tow operator ordinarily accepts such payments at the place of business.

§ 115A-12 Duties of a licensed tow operator; response time; prohibited practices.

A. Tow operators shall abide by the following while performing services pursuant to this chapter:

- (1) The tow operator, upon receiving a call for service from the Secaucus Police Department, must respond to the scene within twenty (20) minutes. If there is no response within twenty (20) minutes, the Secaucus Police Department may notify another licensed tow operator to respond to the scene and cancel the original tower. The Secaucus Police Department will have the discretion to lessen the twenty (20) minute time period in the event of exigent circumstances at the time of the incident. In the event another licensed tower is called under this subsection, neither the Town nor the vehicle owner or the operator will be responsible for any damages incurred by the original tow operator that failed to or could not respond in time.
- (2) Under appropriate circumstances and with due consideration for safety, the tow operator shall transport the owner or the operator of the vehicle to be towed to the site where the vehicle is being towed or to another point of safety within the Town of Secaucus, at the discretion of the police officer at the scene, at no additional cost to the owner or the operator of the vehicle being towed.
- (3) The tow operator, during snow events, other weather events or other emergency situations at the discretion of the Chief of Police and upon receiving a call from the Secaucus Police Department, shall provide and make available a tow truck and driver at police headquarters or at a specified location within the Town of Secaucus to handle any tow needs that arise. The Town of Secaucus shall not be charged for this standby service regardless if the tow operator is utilized or not during the time period requested.
- (4) All tow trucks and equipment used and employed in the towing of vehicles shall be kept in clean and good working condition.
- (5) The tow operator shall, when performing under this license, follow the lawful directions of the officers, agents or representatives of the Secaucus Police Department.
- (6) No tow operator shall refuse to render towing and storage services to a vehicle when duly summoned by the Secaucus Police Department

September 11, 2018

(8) the tow operator may be subject to a fine of not less than twenty-five (\$25.) dollars nor more than fifty (\$50.) dollars, pursuant to N.J.S.A. 39:4-56.8.

(9) Tow operators nor their drivers, employees or agents shall make, give or cause any undue or unreasonable preference or advantage, or undue or unreasonable prejudice or disadvantage, to any person, with respect to providing towing services.

(10) Tow operators nor their drivers, employees or agents shall give any benefit or advantage, including a pecuniary benefit, to any person for providing information about vehicles parked for unauthorized purposes on privately owned property or otherwise in connection with towing from privately owned property motor vehicles parked without authorization.

B. Any violation of this section shall be grounds for suspension or revocation after hearing pursuant to the procedures set forth herein.

§ 115A-13 Towing of a vehicle intended to be impounded; seized vehicles; sale of abandoned vehicles; fees.

A. When a tow operator is directed by the Secaucus Police Department to tow a vehicle intended to be impounded, the tow operator shall abide by the following:

(1) Release no vehicle to the vehicle owner without written authorization from the Secaucus Police Department or a court of competent jurisdiction.

(2) Allow no person to gain entry to or remove any property from the impounded vehicle.

(3) Assume full responsibility for any impounded vehicle released or disposed of without the written authorization from the Secaucus Police Department or a court of competent jurisdiction.

B. For matters concerning impounded vehicles in accordance with subsection (A), upon authorization for release of a vehicle from the Secaucus Police Department or a court of competent jurisdiction, the tow operator shall deem the vehicle released and available for removal by the owner. Fees for storage shall be in accordance with the storage fees set forth in this chapter from the date of impoundment or in accordance with applicable statutory provisions.

C. For matters involving impounded vehicles for possible seizure or forfeiture, upon authorization for release of a vehicle from the Secaucus Police Department or a court of competent jurisdiction, the tow operator shall deem the vehicle released and available for removal by the owner. For calculation purposes, fees for storage shall begin on the date of release by the Secaucus Police Department or a court of competent jurisdiction, whichever is earlier, in accordance with the fees set forth in this chapter or the applicable statutory provisions.

D. Procedures and fees for the auction of junk or abandoned vehicles shall be in accordance with N.J.S.A. 39:10A-1 et seq. and other applicable state statutes and regulations.

E. The tow operator shall provide the Secaucus Police Department with the following information on vehicles unclaimed over thirty (30) days: vehicle year, make and color; vehicle identification number; state of registration and registration number; name and address of owner (if available); and the Secaucus Police Department case number associated with the tow. Such information shall be provided at least quarterly or more frequently upon request by the Secaucus Police Department.

§ 115A-14 Complaints.

In the event that a complaint is received by the Town of Secaucus involving the improper or unsatisfactory performance of services by a qualified tow operator, the Town representative shall advise the complainant of their right to file a formal

September 11, 2018

A. The Town of Secaucus may suspend or revoke any approval or license issued by it, upon the recommendation of the Secaucus Police Department for good cause, including but not limited to, the following circumstances:

- (1) Has failed to comply with any of the provisions of this chapter;
- (2) Has obtained a registration through fraud, deception or misrepresentation;
- (3) Has engaged in the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense;
- (4) Has engaged in gross negligence or gross incompetence;
- (5) Has engaged in repeated acts of negligence or incompetence;
- (6) Has provided unsatisfactory service provided pursuant to this chapter;
- (7) Has had a towing operation registration or license revoked or suspended by any other state, agency or authority for reasons consistent with this section;
- (8) Has violated or failed to comply with the fee schedule in this chapter;
- (9) Has failed to respond to calls in a timely manner pursuant to this chapter;
- (10) Has failed to maintain the required insurance pursuant to this chapter; or
- (11) Has been convicted of: A crime under Chapter 11, 12, 13, 14 or 15 of the Title 2C of the New Jersey Statutes; motor vehicle theft or any crime involving a motor vehicle under Chapter 20 of Title 2C of the New Jersey Statutes; or any other crime under Title 2C of the New Jersey Statutes relating adversely to the performance of towing services or the storage of motor vehicles as determined by the Town.

B. Notice and opportunity of hearing for suspension or revocation of a license shall be given in writing, setting forth the grounds of the complaint and the time and place of hearing with the Town Administrator and appropriate Town representatives. Such notice shall be served personally upon the licensee or mailed by registered letter to the licensee at their last known address at least five (5) days prior to the date set for the hearing.

C. In the event of a suspension or revocation of a license, the Chief of Police or Town Administrator shall report their findings and reasons to the Mayor and Council.

D. Any licensee aggrieved by the action of the Chief of Police or the Town Administrator in the suspension or revocation of an application for a license as provided in this section shall have the right of appeal to the Town Council. Such appeal shall be taken by filing with the Town Council within fourteen (14) days after notice of the action has been mailed to the licensee's last known address, a written statement setting forth fully all the facts why the action of the Chief of Police or the Town Administrator was improper. The Town Council shall set a time and place for hearing on such appeal and notice of such hearing shall be given to the appellant in writing. The decision and order of the Town Council on such appeal shall be final and conclusive.

E. A tow operator is subject to warnings, suspension and/or revocation of their license as set forth above in addition to or separate from any monetary penalties set forth in the subsequent section.

§ 115A-16 Enforcement.

The Chief of Police and the Secaucus Police Department, as agents of the Chief, shall supervise the enforcement of the terms and provisions of this chapter.

§ 115A-17 Violations; penalties.

A. Any person or corporation who shall violate any of the provisions of this chapter shall upon conviction be subject to a fine not less than five hundred dollars (\$500 ) and not more than two thousand dollars (\$2 000 )

September 11, 2018

motor vehicle stored with the tow operator, and may be ordered to make restitution equal to any monies overpaid by the victim.

D. In addition to or separate from any fines imposed pursuant to this section, a tow operator is subject to warnings, suspension and/or revocation of their license as set forth in the provisions of this Chapter.

§ 115A-18 Repealer.

All ordinances or parts of ordinances inconsistent herewith are repealed as to such inconsistencies.

§ 115A-19 Severability.

If any section, subsection, sentence, clause, phrase or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

§ 115A-20 Effective Date.

This chapter shall take effect upon passage and publication as provided by law and shall be applicable to any new or renewal applications as set forth herein.

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

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

Motion carried.

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

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

Motion carried.

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. 2018-277

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 Director of Human Resources the following person(s) is hereby appointed to the regular part time Clerk (Floater) position in the Administration Department (#1000) effective September 11, 2018 as follows:

Desiree Gomez

\$11.00 / Hour

The following resolution was read:

No. 2018-278

September 11, 2018

Public Works the following persons are hereby appointed to the part time laborer position effective September 11, 2018 as follows:

Cieciuch, Donald (#19000/regular)	\$10.00 / Hour
Cipriano, Giacomo (#19000/regular)	\$10.00 / Hour
Comacho, Richard (#50000/regular)	\$10.00 / Hour
Ohanian, Kirk (#50000/regular)	\$10.00 / Hour
Shutte, William (#50000/regular)	\$10.00 / Hour

The following resolution was read: No. 2018-279

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 recommendation of the Superintendent of Recreation of the Town of Secaucus, the below person is hereby reappointed to the position of regular part time staff at the Recreation Center effective September 11, 2018 as follows:

<u>Clerical Front Desk</u>	<u>Hourly Rate</u>
Colavito, Raymond	\$10.00 / Hour

The following resolution was read: No. 2018-280

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS AUTHORIZING THE USE OF BIFF DUNCAN ASSOCIATES, INC. FOR OVERNIGHT IT  
SUPPORT AS MAY BE NEEDED BY THE SECAUCUS POLICE DEPARTMENT

WHEREAS, the Town of Secaucus Police Department has a need for overnight IT support to monitor and maintain their systems, as needed; and

WHEREAS, Biff Duncan Associates, Inc. ("Biff Duncan") of 3301 State Highway 665, Building A, Suite 101, Neptune, NJ has been doing work for the Police Department and was instrumental in the setup of their computer systems and programs; and

WHEREAS, Biff Duncan has the manpower and ability to be on call overnight in the event a technology issue arises that needs to be fixed on an emergent basis.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, authorize Biff Duncan Associates, Inc. to provide on-call IT support services for the Town of Secaucus for a one (1) year period, effective February 21, 2018, at a monthly fee of \$600.00, plus \$135.00 per hour for any work performed; and

BE IT FURTHER RESOLVED, that Biff Duncan 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, 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.

Financial officers  
Certification attached.

The following resolution was read: No. 2018-281

A RESOLUTION AUTHORIZING A PROPRIETARY CONTRACT TO PURCHASE A RAPID ENTRY SECURITY SYSTEM FOR THE TOWN OF SECAUCUS FIRE DEPARTMENT  
TO KNOX ASSOCIATES, INC. PER ORDINANCE #2018-28

WHEREAS, the Mayor and Council recognize that the safety of all residents and the protection of human life, buildings and structures is of great concern; and

WHEREAS, the Town of Secaucus locally enforces the provisions of the New Jersey Uniform Fire Code, N.J.A.C. 5:70-1 et seq.; and

September 11, 2018

WHEREAS, N.J.A.C. 5:34-9.1(a)(1)(ii) identifies Proprietary as "Specialized in Nature" and "The good or service is patented and the patented feature is essential for operational performance"; and

WHEREAS, the purchase of KnoxBox Rapid Entry Security Systems is of a Proprietary nature as the sole source manufacturer, inventor, supplier, and distributor of this system, a procurement governed by N.J.S.A. 40A:11-13(d) and regulated by N.J.A.C. 5:34-9.1; and

WHEREAS, Ordinance #2018-28 was adopted on August 28, 2018, requiring the installation of a KnoxBox rapid entry security system in all commercial and certain multifamily residential buildings; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds to award this contract are available under line item 01-2010-00-11112-069; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, award the purchase of the mandatory fire safety items from Knox Associates, Inc., in an amount not to exceed Seven Thousand Seven Hundred and Eleven Dollars (\$7,711.00) as set forth in Quote 301913; and

BE IT FURTHER RESOLVED, that Knox Associates, Inc. shall provide any and all compliance information requested by the Town of Secaucus Office of Purchasing; and

BE IT FURTHER RESOLVED, that the Mayor and Town Council are hereby authorized to take any action necessary to effectuate the spirit and purpose of this resolution.

Financial officers  
Certification attached.

The following resolution was read:

No. 2018-282

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS  
AWARDING THE COLLECTION SERVICES CONTRACT TO PENN CREDIT CORPORATION

WHEREAS, the Municipal Court of the Town of Secaucus has determined the continuous need for Collection Services; and

WHEREAS, Penn Credit Corporation, located in Harrisburg, PA, is State of New Jersey approved under the Small Business Set Aside Act; and

WHEREAS, Penn Credit Corporation is a State of New Jersey contract vendor, under contract #89904; and

WHEREAS, Contract #89904 was approved for use by Resolution 2018-34;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, to award Penn Credit Corporation the Collection Services as detailed above for a one (1) year term beginning September 25, 2018; and

BE IT FURTHER RESOLVED that the state contract 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 Penn Credit Corporation 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.

The following resolution was read:

No. 2018-283

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS  
REGARDING AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS FOR THE PROVISION OF ROOF  
REPLACEMENT/REPAIR AT 101 CENTRE AVENUE

WHEREAS, the Town of Secaucus requires the provision of replacement/repairs to the existing roof for the Town's Senior Center located at 101 Centre Avenue.

The following resolution was read:

No. 2018-284

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 Michael Pero, Superintendent of Recreations, the following persons are hereby appointed as seasonal part time at Ice Rink in various positions effective September 11, 2018 as follows:

<u>Assistant Managers</u>	<u>Hourly Rate</u>
Ducusin, Michael	\$13.00 / Hour
Flanagan, John	\$12.00 / Hour
Liccardo, Robert	\$12.00 / Hour

<u>Zamboni Driver</u>	<u>Hourly Rate</u>
VanEs, Greg (Maintenance)	\$14.00 / Hour
Ferrara, Joseph	\$10.00 / Hour
Bartlett, John	\$10.00 / Hour
Buckel, Arthur	\$10.00 / Hour
Francis, Walter	\$10.00 / Hour
Mastropietro, John	\$10.00 / Hour
Woekner, John	\$10.00 / Hour

<u>Custodians</u>	<u>Hourly Rate</u>
Patel, Neel	\$8.75 / Hour
Fragliossi, James	\$8.75 / Hour
Kirvin, AJ	\$8.75 / Hour
Paone, Victor	\$8.75 / Hour
Tobasca, Brandon	\$8.75 / Hour

<u>Skateguards</u>	<u>Hourly Rate</u>
Andriani, Noah	\$8.60 / Hour
Costantino, Anthony	\$8.60 / Hour
D'Avanzo, Victoria	\$8.60 / Hour
Delello, Samantha	\$8.60 / Hour
Deleo, Matthew	\$8.60 / Hour
Devany, Tom	\$8.60 / Hour
Devany, Brian	\$8.60 / Hour
Feyed, Bella	\$8.60 / Hour
Garcia, Michael	\$8.60 / Hour
Gil, Jhackson	\$8.60 / Hour
Eccles, Skyler	\$8.60 / Hour
Ianuale, Alex	\$8.60 / Hour
Isabella, Guilia	\$8.60 / Hour
Langhrer, Dylan	\$8.60 / Hour

<u>Skateguards continued...</u>	<u>Hourly Rate</u>
Leon, Alex	\$8.60 / Hour
Logan, Jonathan	\$8.60 / Hour
Maurin, John	\$8.60 / Hour
Moloughney, Ryan	\$8.60 / Hour
Morales, Joseph	\$8.60 / Hour
Pini, Steven	\$8.60 / Hour
Ramirez, Olivia	\$8.60 / Hour
Ramirez, Rhoy	\$8.60 / Hour
Raymond, Tyler	\$8.60 / Hour

<u>Clerical</u>	<u>Hourly Rate</u>
Calara, Gabrielle	\$8.60 / Hour
Deluccio, Melissa	\$8.60 / Hour
Ducusin, Kayla	\$8.60 / Hour
Ducusin, Nick	\$8.60 / Hour
Dunning, Emily	\$8.60 / Hour
Ghode, Jessica	\$8.60 / Hour
Kirvin, Jenna	\$8.60 / Hour
Pascarello, Nick	\$8.60 / Hour
Preschetti, Jenna	\$8.60 / Hour
Preschetti, Gianna	\$8.60 / Hour

Septemebr 11, 2018

The following resolution was read:

No. 2018-285

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT FURTHER RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that pending the successfully completion of background checks and physical examinations, the below persons are hereby newly appointed to the positions of regular Relief Crossing Guards in the Traffic Department (#34000) for the 2018 - 2019 school year as follows:

<u>Crossing Guards (new hires)</u>	<u>Hourly Rate</u>
Patel, Babubahai	\$20.00 / Hour

The following resolution was read:

No. 2018-286

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 recommendation of the Superintendent of Recreation Programs for the Town of Secaucus, the below person is taking over responsible for overseeing the 2018 / 2019 school year at the Pre-K Before and After Care Program effective September 5<sup>th</sup>, 2018;

Testa, Robert (Coordinator Pre-K)      \$12.00 / Hour (adjusted)

BE IT FURTHER RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that pending the successfully completion of background checks and physical examinations, the below person(s) is hereby newly appointed to the position of regular Part Time Counselor for 2018 / 2019 school year in the Before and After Care programs:

<u>Counselors (new hires)</u>	<u>Hourly Rate</u>
Fernandez, Elia	\$9.00 / Hour
Rodriguez, Mayra (1 on 1)	\$10.00 / Hour
Vega, Jasmine (1 on 1)	\$10.00 / Hour

The following resolution was read:

No. 2018-287

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS  
AUTHORIZING THE PURCHASE OF A USED ELECTRIC VEHICLE FROM PARK AVENUE BMW

WHEREAS, the Town of Secaucus had previously leased two (2) electric cars, which leases have recently expired and the cars were returned; and

WHEREAS, the Town of Secaucus wishes to continue to utilize electric vehicles as part of their fleet as these vehicles advanced the Town's environmental initiatives and limit their carbon footprint; and

WHEREAS, Park Avenue BMW located at 204 Route 17 North, Maywood New Jersey 07607, had a used 2015 BMW i3 4 door electric vehicle available for sale; and

WHEREAS, the total cost of the vehicle with all licensing and rebates was Fifteen Thousand Eight Hundred Ninety One Dollars and Thirty Five Cents (\$15,891.35); and

WHEREAS, the Town Administrator executed documents to complete the purchase of the vehicle on August 31, 2018 on which date the vehicle was delivered.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, to approve the purchase of a 2015 BMW i3 electric car from Park Avenue BMW, as detailed above, for the total amount of Fifteen Thousand Eight Hundred Ninety One Dollars and Thirty Five cents (\$15,891.35); and

September 11, 2018

action necessary to effectuate the spirit and intent of this Resolution.

Financial officers  
Certification attached.

The following resolution was read:

No. 2018-288

RESOLUTION

New Jersey Department of Community Affairs  
Recreation Opportunities for Individuals with Disabilities Grant 2018  
Town of Secaucus

Whereas, the Town of Secaucus desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$20,000.00 to carry out a project that involves the creation of an all-inclusive after-school art and social skills program, an adaptive swim class, and enhancements to current projects that service disabled youths in Secaucus.

Be it therefore RESOLVED, that;

1. the Town of Secaucus does hereby authorize the application for such a grant; and,
2. recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Town of Secaucus and the New Jersey Department of Community Affairs.

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

1. The Town of Secaucus authorizes the submission of the grant for funding; and,
2. These funds will be used by the Secaucus Department of Recreation to provide services for individuals with disabilities; and,
3. The Municipal Council approves the allocation of matching funds equivalent to 20% of the requested grant funds, or \$20,000.00.

Be it further RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
Michael J.  
Gonnelli

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
Gary M. Jeffas

\_\_\_\_\_  
Town  
Administrator

CERTIFICATION:

I, Michael Marra, the Clerk of the Town of Secaucus hereby certify that a meeting of the Governing Body held on September 11, 2018. The above resolution was adopted.

AFFIX GOVERNMENT  
CORPORATE OR,  
NOTARY SEAL

\_\_\_\_\_  
Michael Marra, Town Clerk

The following resolution was read:

No. 2018-289

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS  
AUTHORIZING THE AWARD OF A CONTRACT FOR MAINTENANCE OF THE TOWN'S ELEVATORS TO

September 11, 2018

Boulevard and 145 Front Street which, in the interest of public safety and welfare, need to be properly maintained; and

WHEREAS, the Town of Secaucus needs to appoint a qualified company with the skill and expertise to perform elevator maintenance; and

WHEREAS, three (3) quotes were acquired for these services from Elevator Maintenance Corp, (EMCO), Atlas Elevator and Schindler Elevator; and

WHEREAS, Elevator Maintenance Corp. (EMCO), Kearny, New Jersey, is a company that possesses needed skills as set forth on the attached proposal and will perform elevator maintenance at the required locations for an annual fee of Seven Thousand Two Hundred Dollars (\$7,200.00) (billed monthly at \$600.00).

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, award the contract between the Town of Secaucus and EMCO, to supply elevator maintenance service as described herein for a one (1) year term, with an annual fee of Seven Thousand Two Hundred Dollars (\$7,200.00) (billed monthly at \$600.); and

BE IT FURTHER RESOLVED, that EMCO shall provide any and all updated compliance information requested by the Town of Secaucus' Purchasing Office; and

BE IT FURTHER RESOLVED, that said award is subject to availability of funds in the 2018 and 2019 Municipal Budget; and

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

Financial officers  
Certification attached.

The following resolution was read:

No. 2018-290

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 Michael Pero, Superintendent, Recreation the following additional staff is hereby appointed to the regular part time position noted below in the Recreation Center effective September 11, 2018, as follows:

<u>Life Guard #87000</u>		<u>Hourly Rate</u>
Turner, Robert	(5:30 am /shift)	\$10.50 / hour

The following resolution was read:

No. 2018-291

RESOLUTION AUTHORIZING THE INSERTION OF A SPECIAL ITEM OF REVENUE AND AN APPROPRIATION OF EQUAL AMOUNT

Council offered and moved adoption of the following resolution:

WHEREAS. THE N.J.S.A. 40A-4-87 PROVIDES THAT THE Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of

any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount.

NOW THEREFORE, BE IT RESOLVED that the Town Council of the Town of Secaucus hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of \$2,030,000.00 which item is now available as revenue from:

September 11, 2018

2018 NJDOT TTF- LFIF PROGRAM  
Meadowlands Parkway Rehabilitation

RESOLVED that two certified copies of this resolution be filed with the Division of Local Government Services.

Councilman Dehnert moved to approve the foregoing resolutions on the Consent Agenda, seconded by Councilwoman Tringali.

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

NAYS: None

ABSENT: None Motion carried.

A consensus vote was taken to pay an invoice for the artist who painted a mural at the Capitol Bank. All were in favor.

BINGO/RAFFLE APPLICATIONS

R-1519 Unico National Secaucus Off Premise Draw Raffle

Councilman Gerbasio moved to approve the foregoing applications, seconded by Councilman Clancy.

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

NAYS: None

ABSENT: None Motion carried.

COMMUNICATIONS REQUIRING ACTION BY MAYOR AND COUNCIL

Request by the Indian Caucus to use Buchmuller Park on October 13, 2018.

Request by Angela Cinciarelli of ACS to use the Bocce Courts for a fundraiser.

Councilman Gerbasio moved to approve the forgoing request, seconded by Councilman Costantino.

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

NAYS: None

ABSENT: None Motion carried.

COMMITTEE REPORTS

Councilman Gerbasio reported on the Police Committee and spoke about an auction that was held and the amount raised. He continued speaking about the Police Department and the ability to be reaccredited.

Councilman Costantino stated that there will be a meeting with the auditors to discuss any corrective action plan.

Councilman Clancy spoke about upcoming event regarding voting.

Councilman McKeever offered information on upcoming events.

UNFINISHED BUSINESS

Councilman Costantino spoke of upcoming events.

Councilwoman Tringali spoke of upcoming events. She also mentioned some upcoming concerts.

Councilman Dehnert spoke about the of Flu Shots.

Councilman McKeever spoke about an event at the Secaucus High School.

NEW BUSINESS

Councilman Gerbasio add more information on the flu season.

September 11, 2018

Councilman Gerbasio moved to adjourn the meeting at 7:35 pm, seconded by Councilman Costantino.

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

NAYS: None

ABSENT: None

Motion carried.

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Michael Marra, Town Clerk