

July 27, 2021

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 27th day of July at 7:00 P.M Secaucus Municipal Government Center, 1203 Paterson Plank Road, Secaucus, NJ in Chamber II.

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 May 27, 2021.

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 John Gerbasio Orietta Tringali
Absent:		Mark Dehnert

Pledge of Allegiance

The police dog Strob, of the Canine Unit, was presented with a bullet proof vest.

ORDINANCES FOR PUBLIC HEARING

The following ordinance was read for public hearing: No. 2021-20

BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF A NEW PUMPER FIRE ENGINE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWN OF SECAUCUS, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$870,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION
NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

BE IT ORDAINED by the Town Council of the Town of Secaucus, in the County of Hudson, State of New Jersey, as follows:

Section 1. The Town of Secaucus, in the County of Hudson, State of New Jersey (the "Town"), is hereby authorized to acquire a new pumper fire engine, including original apparatus and equipment, in, by and for the Town. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$870,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of the Town, and (2) it is necessary to finance said purpose by the issuance of obligations of the Town pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$870,000, and (4) \$42,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$828,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$19,500, which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

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Section 4. It is hereby determined and stated that moneys exceeding \$42,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for the Town, are now available to finance said purpose. The sum of \$42,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of the Town of an aggregate principal amount not exceeding \$828,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of the Town of an aggregate principal amount not exceeding \$828,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance, shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within the limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of the Town and attested by the Town Clerk or Deputy Town Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance, and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Town Clerk of the Town, and that such statement so filed shows that the gross debt of the Town, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$828,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Hudson, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Town Clerk and is available for public inspection.

Section 12. The Town intends to issue bonds or notes to finance the cost of the improvement described in Section 1 of this ordinance. If the Town incurs such costs prior to the issuance of such bonds or notes, the Town hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this ordinance.

Section 13. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Town, and the Town shall levy ad valorem taxes upon all the taxable real property within the Town for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

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

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

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

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

The following ordinance was read for public hearing: No. 2021-22

AN ORDINANCE AUTHORIZING A TRANSFER TAX ON
MEDICAL CANNABIS DISPENSED BY A DISPENSARY AS AUTHORIZED BY THE JAKE HONIG
COMPASSIONATE USE MEDICAL CANNABIS ACT, N.J.S.A. 24:6I-1 ET SEQ.

WHEREAS, the Jake Honig Compassionate Use Medical Cannabis Act, N.J.S.A. 24:6I-1 et seq. (the "Act") permits Medical Cannabis Dispensaries, Alternative Treatment Centers ("ATC") and Clinical Registrants to cultivate, manufacture, and dispense medicinal cannabis as well as permits authorized use of medicinal cannabis to qualifying patients with qualifying conditions, that include multiple sclerosis, chronic pain, cancer, anxiety, Opioid Use Disorder as an adjunct to Medication Assisted Therapy, Tourette's syndrome, epilepsy, HIV, and Crohn's disease; and

WHEREAS, the Act authorizes municipalities to adopt a 2% transfer tax by ordinance for the purchase price on any medical cannabis dispensed by the dispensary, including medical cannabis that is furnished by the dispensary to a medical cannabis handler for delivery to a registered qualifying patient or the patient's caregiver, and the Town of Secaucus wishes to adopt such a tax; and

WHEREAS, it is the Town's best interest to begin imposing a transfer tax for the sale of medical cannabis.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey that the following provisions be added to the Code of the Town of Secaucus:

1. Title

This article shall be known and may be cited as the "Medical Cannabis Transfer Tax."

2. Definitions

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To effectuate the purposes of this article, these terms shall have the following meanings:

"CANNABIS" means all parts of the plant genus Cannabis. whether growing or not; the seeds thereof; and every compound, manufacture, salt, derivative, mixture. preparation of the plant or its seeds, except those containing resin extracted from the plant: but shall not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound. manufacture, salt. derivative. mixture, or preparation of such mature stalks, fiber, oil, or cake or the sterilized seed of the plant which is incapable of germination. "Cannabis" shall not mean hemp or a hemp product cultivated, handled, processed, transported, or sold pursuant to the "New Jersey Hemp Farming Act." N.J.S.A. 4:28-6 et seq.

"DESIGNATED CAREGIVER" means a resident of the State who:

(1) is at least 18 years old;

(2) has agreed to assist with a registered qualifying patient's medical use of cannabis, is not currently serving as designated caregiver for more than one other qualifying patient, and is not the qualifying patient's health care practitioner;

(3) subject to the provisions of N.J.S.A. 24:6I-4c(2), has never been convicted of possession or sale of a controlled dangerous substance, unless such conviction occurred after the effective date of N.J.S.A. 24:6I-1 et seq. and was for a violation of federal law related to possession or sale of cannabis that is authorized under N.J.S.A. 24:6I-1 et seq. or N.J.S.A. 18A:40-12.22 et seq.;

(4) has registered with the Cannabis Regulatory Commission ("Commission") pursuant to section 4 of N.J.S.A. 24:6I-4, and, except in the case of a designated caregiver who is an immediate family member of the patient, has satisfied the criminal history record background check requirement of N.J.S.A. 24:6I-4: and

(5) has been identified as designated caregiver by the patient when registering or renewing a registration with the Commission or in other written notification to the Commission.

"DISPENSE" means the furnishing of medical cannabis to a registered qualifying patient, designated caregiver, or institutional caregiver by a medical cannabis dispensary or clinical registrant pursuant to written instructions issued by a health care practitioner pursuant to the requirements of N.J.S.A. 24:6I-1 et seq. The term shall include the act of furnishing medical cannabis to a medical cannabis handler for delivery to a registered qualifying patient, designated caregiver, or institutional caregiver, consistent with the requirements of N.J.S.A. 24:6I-20.

"INSTITUTIONAL CAREGIVER" means a resident of the State who:

(1) is at least 18 years old;

(2) is an employee of a health care facility;

(3) is authorized, within the scope of the individual's professional duties, to possess and administer controlled dangerous substances in connection with the care and treatment of patients and residents pursuant to applicable State and federal laws;

(4) is authorized by the health care facility employing the person to assist registered qualifying patients who are patients or residents of the facility with the medical use of cannabis, including, but not limited to, obtaining medical cannabis for registered qualifying patients and assisting registered qualifying patients with the administration of medical cannabis;

(5) subject to the provisions of N.J.S.A. 24:6I-4c(2) has never been convicted of possession or sale of a controlled dangerous substance, unless such conviction occurred after the effective date of N.J.S.A. 24:6I-1 et seq. and was for a violation of federal law related to possession or sale of cannabis that is authorized under N.J.S.A. 24:6I-1 et seq. or N.J.S.A. 18A:40-12.22 et seq.; and

(6) has registered with the Commission pursuant to N.J.S. A. 24:6I-4.

"MEDICAL USE OF CANNABIS" means the acquisition, possession, transport, or use of cannabis or paraphernalia by a registered qualifying patient as authorized by N.J.S.A. 24:6I-1 et seq. and N.J.S.A 18A:40-12.22 et seq.

"QUALIFYING PATIENT" or "PATIENT" means a resident of the State who has been authorized for the medical use of cannabis by a health care practitioner.

"REGISTRATION WITH THE COMMISSION" means a person has met the qualification requirements for, and has been registered by the Commission as, a registered qualifying patient, designated caregiver, or institutional caregiver. The Commission shall establish

appropriate means for health care practitioners, health care facilities, medical cannabis dispensaries, law enforcement, schools, facilities providing behavioral health services or services for persons with developmental disabilities, and other appropriate entities to verify an individual's status as a registrant with the Commission.

3. Tax imposed

A. As authorized by N.J.S.A. 24:6I-10(i), there is hereby imposed a two percent (2%) transfer tax on any medical cannabis dispensed by the dispensary located within Secaucus, including medical cannabis that is furnished by the dispensary to a medical cannabis handler for delivery to a purchaser or to a registered qualifying patient or the patient's caregiver.

B. All taxes imposed by this section shall be collected on behalf of the Town of Secaucus by the person dispensing cannabis to the patient, the patient's designated caregiver, or cannabis handler.

C. The Division of Finance and/or their designee is hereby designated as collector of the Medical Cannabis Transfer Tax. The methods for reporting taxes due shall be on forms and in accordance with procedures prescribed by the Town Administrator from time to time.

D. Every person required to collect any taxes imposed by this article shall be personally liable for the tax imposed, collected or required to be collected. Any such person shall have the same right with respect to collecting the tax from his customer; provided, however, that the Town Administrator of the Town of Secaucus shall be joined as a party in any action brought to collect the tax.

E. No person required to collect any tax hereunder shall advertise or hold out to any person or to the public in general in any manner, directly or indirectly, that the tax is not considered as an element in the fee payable by the customer, that he will pay the tax, that the tax will not be separately charged and stated to the customer or that the tax will be refunded to the customer.

F. If for any reason the tax imposed by this article is not paid when due, interest at a rate of twelve percent (12%) per annum on the amount of the tax due and an additional penalty of one-half of one percent (.5%) of the amount of the unpaid tax for each month or fraction thereof during which the tax remains unpaid shall be added and collected or a minimum of fifty dollars (\$50), whichever is greater. Where action is brought for the recovery of any tax hereunder, the person liable shall, in addition, be liable for the cost of collection and the interest and penalties imposed.

G. The Medical Cannabis Transfer Tax shall be in addition to any other fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon the Medical Cannabis Dispensary.

4. Payment of tax; records to be kept

A. Taxes due under this article shall be paid quarterly. Returns for each quarter are due on or before the 15th of the month following the end of the quarter, that is, April 15, July 15, October 15, and January 15.

B. A quarterly cannabis tax return is required to be filed by every person responsible for the collection of the Medical Cannabis Transfer Tax whether or not any tax is due for that quarter. Payment of the tax due shall be made with the filed return.

C. Every person responsible for the collection of the Medical Cannabis Transfer Tax shall maintain books and/or records to substantiate the quarterly tax returns, even if no tax is due.

D. Pursuant to state law, any person who fails or refuses to file any return required under this article, any person who refuses to permit an officer or agent designated by the Town of Secaucus to examine their books, records and papers and any person who knowingly files an incomplete, false or fraudulent return or attempts to do anything whatsoever to avoid the full disclosure of the tax due under this article to avoid the payment of the whole or any part thereof is a disorderly person.

E. The failure of any person to receive or procure the forms required for filing returns required under this article shall not excuse them from filing a return.

5. Repealer

All ordinances or parts of ordinances inconsistent or in conflict with this article are hereby repealed as to said inconsistencies or conflicts.

6. Severability

If any provision or portion of a provision of this article is held to be unconstitutional, preempted by federal or state law or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the article and chapter shall not be

invalidated.

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

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 the Ordinance shall be deemed valid and effective.

7. Effective Date

This Ordinance shall take effect immediately upon passage and publication in accordance with law.

Town Administrator explained what this ordinance represented and the taxes that the Town will be receiving.

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 McKeever.

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

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

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

ORDINANCES FOR INTRODUCTION

The following ordinance was read for introduction: No: 2021-23

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS EQUIPMENT, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWN OF SECAUCUS, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$9,644,000 TO PAY THE COST THEREOF, TO APPROPRIATE TOWN RESERVE FUNDS, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

AYES: Costantino, McKeever, Clancy, Gerbasio, Tringali Gonnelli
NAYS: None
ABSENT: Dehnert 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. 2021-172

A RESOLUTION CLARIFYING RESOLUTION 2021-165 FOR THE EXECUTION OF A CONTRACT FOR THE PURCHASE OF A KME FIRE APPARATUS FOR THE SECAUCUS VOLUNTEER FIRE DEPARTMENT

WHEREAS, pursuant to Resolution 2021-165, the Town of Secaucus authorized the acquisition of a KME Custom Chassis 2000 GPM Pump, 750 Gallon Tank truck as set forth in the specifications and worksheet provided by KME REV Group in Bid # FS 12-19 for the Secaucus Volunteer Fire Department through the HGACBuy Cooperative Program; and

WHEREAS, Resolution 2021-165 noted Engine Company 1 as the receiver, which should have reflected Engine Company 2, and did not specify that First Priority Emergency Vehicles, Inc. of 2444 Ridgeway Blvd., #500, Manchester, New Jersey 08759, will be the seller utilized through the HGACBuy Cooperative Program; and

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WHEREAS, the Chief Financial Officer has determined that sufficient funds to award this contract are available under line item _____.

NOW, THEREFORE, BE IT RESOLVED, that the above statements are incorporated for clarification to Resolution 2021-165, and it remains that the Mayor and/or the Town Administrator for the Town of Secaucus, County of Hudson, State of New Jersey, is authorized to sign an agreement/contract for the purchase of a KME Custom Chassis 2000 GPM Pump, 750 Gallon Tank truck as set forth in the specifications and worksheet provided by the KME REV Group Bid # FS 12-19 dated January 27, 2021, with HGACBuy, a cooperative purchasing unit based in the State of Texas, through seller First Priority Emergency Vehicles, Inc. of 2444 Ridgeway Blvd., #500, Manchester, New Jersey 08759, for an amount not to exceed Seven Hundred Fifty Thousand Five Hundred Dollars (\$750,500.00); and

BE IT FURTHER RESOLVED, that the Mayor and/or the Town Administrator are 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: No. 2021-173

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR
FENCE REPAIR SERVICES TO ABACO FENCE

WHEREAS, the Town of Secaucus has the need for Fence Repair Services on Town owned properties; and

WHEREAS, the total value of these services has not exceeded the bidding threshold of \$44,000.00 in past years: and

WHEREAS, the Town of Secaucus' Buildings and Grounds Department obtains three (3) quotes for each project; and

WHEREAS, Abaco Fence LLC of 723 Hudson Avenue, Secaucus NJ 07094 was the lowest quote for each project awarded them.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, authorize the award a Non-Fair and Open contract for Fence Repair to Abaco Fence for a one (1) year term at an amount not to exceed Forty Thousand Dollars 00/100 (\$40,000.00); and

BE IT FURTHER RESOLVED, that Abaco Fence, LLC has submitted a Pay to Play disclosure form which certifies that Abaco Fence, LLC has not made any reportable contributions to a political or candidate committee in the Town of Secaucus in the previous year, and that the contract will prohibit them from making any reportable contributions through the term of the contract, in compliance with necessary regulations and measure of the State of New Jersey under N.J.S.A. 19-44A-20.27; and

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

BE IT FURTHER RESOLVED, that the Mayor, Town Administrator, or their designee are hereby authorized to execute any documents regarding the awarding of the contract; and

BE IT FURTHER RESOLVED, that the Finance Director certifies that funds are available for these services under line item 01-2010-00-11092-082; and

BE IT FURTHER RESOLVED, that the Mayor, Town Administrator, or their designee 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. 2021-174

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS AUTHORIZING
THE AWARD OF A CONTRACT FOR SERVICE WORK ON ZERO ZONE CHILL

WHEREAS, the Town of Secaucus Recreation Department has the need for Service Work on the Zero Zone Chiller for the Secaucus Ice Rink, a facility utilized by Secaucus residents: and

WHEREAS, the Town of Secaucus Recreation Department has obtained three (3) quotes for said services; and

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WHEREAS, Industrial Cooling Corp. (ICC), located at 70 Liberty Street, Metuchen, NJ 08840, has submitted Proposal # 21-0428, that was presented to the qualified purchasing agent, providing for the Service Work on the Zero Zone Chiller for an contract price not to exceed Twelve Thousand Nine Hundred Eighty-Nine Dollars and 00/100 (\$12,989.00); and

WHEREAS, Industrial Cooling Corp. was the lowest responsible quote; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds to award this contract are available under line item 01-2010-00-51832-027

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey award the contract for Service Work on the Zero Zone Chiller to Industrial Cooling Corp. at an amount not to Twelve Thousand Nine Hundred Eighty-Nine Dollars and 00/100 (\$12,989.00); and

BE IT FURTHER RESOLVED, that Industrial Cooling Corp. shall provide any and all compliance information requested by the Town of Secaucus Office of Purchasing; and

BE IT FURTHER RESOLVED, that the Mayor, Town Administrator, or their designee are hereby authorized to execute any documents regarding the awarding of the contract with Industrial Cooling Corp. for the Service Work on the Zero Zone Chiller as described herein; and

BE IT FURTHER RESOLVED, that the Mayor, Town Administrator, or their designee 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. 2021-175

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PAVING SERVICES TO SECAUCUS
PAVING, INC.

WHEREAS, the Town of Secaucus has the ongoing need for the provision of Paving Services to repair local roadways; and

WHEREAS, the Secaucus Department of Public Works obtains three (3) quotes for each Paving Service needed; and

WHEREAS, Secaucus Paving, Inc. of Secaucus, NJ has provided the lowest responsible quote for each purchase made with them; and

WHEREAS, the total amount of these services has not exceeded the bidding threshold of Forty-Four Thousand Dollars and 00/100 (\$44,000.00) .

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, authorize the award a Non-Fair and Open contract for the provision of Paving Services for a one (1) year period to Secaucus Paving, Inc. for an amount not to exceed Forty Thousand Dollars and 00/100 (\$40,000.00); and

BE IT FURTHER RESOLVED, that Secaucus Paving, Inc. has submitted a Pay to Play disclosure form which certifies that Secaucus Paving, Inc. has not made any reportable contributions to a political or candidate committee in the Town of Secaucus in the previous year, and that the contract will prohibit them from making any reportable contributions through the term of the contract, in compliance with necessary regulations and measure of the State of New Jersey under N.J.S.A. 19-44A-20.27; and

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

BE IT FURTHER RESOLVED, that the Finance Director certifies that funds are available for these services under line item 01-2010-00-31502-069; and

BE IT FURTHER RESOLVED, that the Mayor, Town Administrator, or their designee are hereby authorized to execute any documents regarding the awarding of the contract; and

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

Financial officers
Certification attached.

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The following resolution was read:

No. 2021-176

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT
FOR THE PROVISION OF TREE PURCHASES TO TIDBURY

WHEREAS, the Town of Secaucus has the ongoing need for the provision of Trees for placement within the Town; and

WHEREAS, the Secaucus Department of Public Works obtains three (3) quotes for each Tree Purchase; and

WHEREAS, Tidbury of Monroe Township, NJ has provided the lowest responsible quote for each purchase made with them; and

WHEREAS, the total amount of these services has not exceeded the bidding threshold of Forty-Four Thousand Dollars and 00/100 (\$44,000.00) .

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, authorize the award a Non-Fair and Open contract for the provision of Trees for a one (1) year period to Tidbury for an amount not to exceed Forty Thousand Dollars and 00/100 (\$40,000.00); and

BE IT FURTHER RESOLVED, that Tidbury has submitted a Pay to Play disclosure form which certifies that Tidbury has not made any reportable contributions to a political or candidate committee in the Town of Secaucus in the previous year, and that the contract will prohibit them from making any reportable contributions through the term of the contract, in compliance with necessary regulations and measure of the State of New Jersey under N.J.S.A. 19-44A-20.27; and

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

BE IT FURTHER RESOLVED, that the Finance Director certifies that funds are available for these services under line item 01-2010-00-31502-069; and

BE IT FURTHER RESOLVED, that the Mayor, Town Administrator, or their designee are hereby authorized to execute any documents regarding the awarding of the contract; and

BE IT FURTHER RESOLVED, that the Mayor, Town Administrator, or their designee 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. 2021-177

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
AUTHORIZING THE USE OF TREE SERVICING COMPANIES AS
NON-FAIR AND OPEN CONTRACTS

WHEREAS, the Town of Secaucus has the ongoing need for Tree Services to service the Town; and

WHEREAS, the Secaucus Department of Public Works obtains three (3) quotes for each project requiring these services to obtain competitive pricing; and

WHEREAS, quotes are solicited form the following vendors for these services:

Reliable Tree Service
Uncle Matty's Tree Service
RMM Tree Service Corp.
Matera's Nursery and Garden Center

WHEREAS, the total amount of these services has not exceeded the bidding threshold of Forty-Four Thousand Dollars and 00/100 (\$44,000.00) .

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, authorize the use of Tree Services from Reliable Tree Service, Uncle Matty's Tree Service, RMM Tree Service Corp, and Matera's Nursery and Garden Center, as Non-Fair and Open contracts; and

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BE IT FURTHER RESOLVED, that should the above listed vendors reach a threshold of \$17,500.00, the vendor shall submit a Pay to Play disclosure form which certifies that they has not made any reportable contributions to a political or candidate committee in the Town of Secaucus in the previous year, and that the contract will prohibit them from making any reportable contributions through the term of the contract, in compliance with necessary regulations and measure of the State of New Jersey under N.J.S.A. 19-44A-20.27, prior to preforming any additional work; and

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

BE IT FURTHER RESOLVED, that the Finance Director certifies that funds are available for these services under line item 01-2010-00-31502-069; and

BE IT FURTHER RESOLVED, that the Mayor, Town Administrator or their designee are hereby authorized to execute any documents regarding the awarding of the contract; and

BE IT FURTHER RESOLVED, that the Mayor, Town Administrator or their designee 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. 2021-178

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS AUTHORIZING
THE PURCHASE OF FIREFIGHTER PROTECTIVE GEAR FROM WITMER PUBLIC SAFETY GROUP, INC

WHEREAS, the Town of Secaucus' Fire Department has the need to purchase Protective Gear and Equipment; and

WHEREAS, the Town of Secaucus Fire Department has obtained a quote from Witmer Public Safety Group, Inc. of 104 Independence Way, Coatesville, PA in the amount of Twenty-Eight Thousand Two Hundred Ninety-Six Dollars and 93/100 (\$28,296.93); and

WHEREAS, Witmer Public Safety Group, Inc. holds New Jersey State Contract #17-FLEET-00805 and #17-FLEET-00810; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds to award this contract are available under line item 01-2010-00-21302-089.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, authorize the purchase of Protective Gear and Equipment from Witmer Public Safety Group, Inc. at an amount not to exceed Twenty-Eight Thousand Two Hundred Ninety-Six Dollars and 93/100 (\$28,296.93); and

BE IT FURTHER RESOLVED, that Witmer Public Safety Group, Inc. shall provide any and all compliance information requested by the Town of Secaucus' Office of Purchasing; and

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

Financial officers
Certification attached.

The following resolution was read:

No. 2021-178

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS TO EXTEND THE CONTRACT WITH AJM
CONTRACTORS, INC.
FOR THE 2020 MILL/OVERLAY PROGRAM

WHEREAS, the Town of Secaucus received responses to its Fair and Open Solicitation Process for the 2020 Mill/Overlay Program on June 18, 2020 pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Town awarded a contract to AJM Contractors, Inc. for the 2020 Mill/Overlay Program under resolution 2020-145 for a one (1) year term, with a one (1) year extension option; and

WHEREAS, the Town has the continued need for these services and wishes to extend this contract for an additional one (1) year term; and

July 27, 2021

WHEREAS, the Chief Financial Officer certifies that there are sufficient funds under account 10-2150-55-70611-013 for said contract.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, that the contract for the 2020 Mill/Overlay Program with AJM Contractors, Inc. of 300 Kuller Road, Clifton, NJ is extended for a one (1) year term, at an amount not to exceed Two Hundred Fifty Thousand Dollars 00/100 (\$250,000.00); and

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

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

Financial officers
Certification attached.

The following resolution was read:

No. 2021-180

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS AUTHORIZING
THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR THE
PROVISION AND INSTALLATION OF FIRE ALARM SYSTEMS
TO CITY FIRE EQUIPMENT COMPANY

WHEREAS, the Town of Secaucus has the need for the Provision and Installation of Fire Alarm Systems for the Secaucus Fire Department Tower 2, located at 764 7th Street and Secaucus Fire Department Engine 2/Rescue 1, located at 1561 Paterson Plank Road; and

WHEREAS, the Town of Secaucus Buildings and Grounds Department obtained three (3) quotes for the Provision and Installation of Fire Alarm Systems; and

WHEREAS, Resolution 2020-205, which was adopted by the Town Council on September 9, 2020, authorizing a contract with Rapid Fire and Security for this service is hereby rescinded due to non-compliance of required documentation by the Town of Secaucus' Office of Purchasing; and

WHEREAS, City Fire Equipment Company, located at 733 Ridgedale Avenue, East Hanover, New Jersey 07936 has submitted Quotes 8159 and 7884, which were presented to the Qualified Purchasing Agent, , providing for the provision and installation of fire alarm systems for the Secaucus Fire Department Tower 2, located at 764 7th Street and Secaucus Fire Department Engine 2/Rescue 1 located at 1561 Paterson Plank Road for an amount not to exceed Forty-Nine Thousand Seven Hundred Ninety-Six Dollars 99/100 (\$49,796.99) combined; and

WHEREAS, in accordance with N.J.A.C. 5:34-9.6, a contracting unit may procure materials, supplies, or equipment for at least 10 percent (10%) less than the State cooperative contract price, pursuant to N.J.S.A. 40A:11-5(4), without public bidding; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds to award this contract are available under line item 10-2150-55-70609-003 at an amount of \$32,000.00 and 10-2150-55-70608-007 at an amount of \$18,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, hereby incorporate the above statements and award the Non-Fair and Open Contract for the provision and installation of fire alarm systems to City Fire Equipment Company at an amount not to exceed Forty-Nine Thousand Seven Hundred Ninety-Six Dollars 99/100 (\$49,796.99.00) combined; and

BE IT FURTHER RESOLVED, that City Fire Equipment Co. shall provide any and all compliance information requested by the Town of Secaucus' Office of Purchasing; and

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

July 27, 2021

The following resolution was read:

No. 2021-181

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
FOR APPROVAL OF CHANGE ORDER #1 TO THE CONTRACT WITH CLARKE MOYNIHAN LANDSCAPING &
CONSTRUCTION, LLC FOR DUCK POND REVITALIZATION AND PRESERVATION

WHEREAS, the Town of Secaucus has a contract with Clarke Moynihan Landscaping & Construction, LLC for the Duck Pond Revitalization and Preservation project, under Resolution 2020-175, in the amount of \$240,040.00; and

WHEREAS, it has been determined that additional work is needed, including additional landscaping, which will increase the total cost by Seven Thousand Eight Hundred Twenty-Seven Dollars 78/100 (\$7,827.78); and

WHEREAS, there is a need for a Change Order #1 to increase the contract with Clarke Moynihan Landscaping & Construction, LLC in the amount of Seven Thousand Eight Hundred Twenty-Seven Dollars 78/100 (\$7,827.78) for the work set forth, which will increase the overall contract amount to Two Hundred Forty-Seven Thousand Eight Hundred Sixty-Seven Dollars 78/100 (\$247,867.78), a 3.3% increase; and

WHEREAS, the Chief Financial Officer certifies that there are sufficient funds under account 10-2150-55-70609-007 for said change order to the contract.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, that the above statements are incorporated herein and Change Order #1 Clarke Moynihan Landscaping & Construction, LLC for the Duck Pond Revitalization and Preservation project in the amount of Seven Thousand Eight Hundred Twenty-Seven Dollars 78/100 (\$7,827.78) is hereby approved; and

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

Financial officers
Certification attached.

The following resolution was read:

No. 2021-182

RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT
WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE CENTRE AVENUE
ROADWAY IMPROVEMENT PROJECT FISCAL YEAR 2022

WHEREAS, the New Jersey Department of Transportation is making available grant funding for transportation infrastructure improvements through the fiscal year 2022 Municipal Aid Program; and,

WHEREAS, the Town of Secaucus wishes to apply for and obtain funding from the New Jersey Department of Transportation for the completion of improvements to Centre Avenue from 10th Street to County Avenue.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Secaucus formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor or Town Administrator and Clerk are hereby authorized to submit an electronic grant application identified as [MA-2022-Centre Avenue Roadway Improvement Pr-00493](#) to the New Jersey Department of Transportation on behalf of the Town of Secaucus.

BE IT FURTHER RESOLVED that the Mayor or Town Administrator and Clerk are hereby authorized to sign the grant agreement on behalf of the Town of Secaucus and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council on this 27th day of July, 2021

Marie Eck, Deputy
Town Clerk

July 27, 2021

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

Marie Eck. Deputy
Town Clerk

Michael Gonnelli
Mayor

The following resolution was read:

No. 2021-183

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

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

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

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

WHEREAS, that the duration of the contracts between the Town of Secaucus and the referenced State Contract Vendors shall be from January 4, 2021 to December 31, 2021.

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

Financial officers
Certification attached.

The following resolution was read:

No. 201-184

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS TO EXTEND THE CONTRACT TO J.A.A.
ENTERPRISES, INC. FOR THE CONCESSION OF
VENDING MACHINE SUPPLY, MAINTENANCE AND REPAIR SERVICES

WHEREAS, the Town of Secaucus has the continued need for a contract for Vending Machine Supply, Maintenance, and Repair Services; and

WHEREAS, the Town of Secaucus awarded a contract to J.A.A. Enterprises Inc. for Vending Machine Supply, Maintenance and Repair Services, under Resolution 2020-134, for a one-year period, with two (2) optional one (1) year extensions; and

WHEREAS, the Town of Secaucus wishes to extend said contract for an additional one (1) year term pursuant to the bid documents; Said extension is the first of two (2) one (1) year renewal options of this contract.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, that the contract for Vending Machine Supply, Maintenance, and Repair Services with J.A.A. Enterprises Inc. of 6005 Adams Street, West New York, NJ is extended for a one (1) year period at the rate specified for year two in the pricing submitted with the bid; and

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

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

The following resolution was read:

No. 2021-185

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS TO EXTEND THE CONTRACT TO J.A.A.
ENTERPRISES, INC. FOR THE CONCESSION OF
VENDING MACHINE SUPPLY, MAINTENANCE AND REPAIR SERVICES

WHEREAS, the Town of Secaucus has the continued need for a contract for Vending Machine Supply, Maintenance, and Repair Services; and

July 27, 2021

WHEREAS, the Town of Secaucus awarded a contract to J.A.A. Enterprises Inc. for Vending Machine Supply, Maintenance and Repair Services, under Resolution 2020-134, for a one-year period, with two (2) optional one (1) year extensions; and

WHEREAS, the Town of Secaucus wishes to extend said contract for an additional one (1) year term pursuant to the bid documents; Said extension is the first of two (2) one (1) year renewal options of this contract.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, that the contract for Vending Machine Supply, Maintenance, and Repair Services with J.A.A. Enterprises Inc. of 6005 Adams Street, West New York, NJ is extended for a one (1) year period at the rate specified for year two in the pricing submitted with the bid; and

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

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

The following resolution was read:

No. 2021-186

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, the below person is hereby appointed to the seasonal part time Laborer position in the Public Works Department #50000 as follows:

Sukesh-Kumar, Yuvraj (start 6/30/21) \$11.10 / Hour
(Effective 7/14/2021 transferred to Social Services Dept #74000)

BE IT FURTHER RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that the below persons are hereby appointed to the regular part time Laborer positions in the Public Works Department #50000 effective July 18, 2021, as follows:

Borrelli, Keith \$12.00 / Hour
Gavasci, Anthony (start 7/27/2021) \$12.00 / Hour
Terrana, Thomas \$12.00 / Hour
Wolf, Richard (start 7/28/2021) \$12.00 / Hour

The following resolution was read:

No. 2021-187

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 Lisa Snedeker, Director Senior and Social Services that the below person is hereby appointed to the seasonal replacement part time Meals on Wheels worker position in Department (#74000), effective June 23rd, 2021, as follows:

Bartletta, Nicholas \$11.10 / hour

The following resolution was read:

No. 2021-188

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 Dennis Miller, Police Chief the below person is hereby appointed to the seasonal part time Intern position in the Records Bureau Department (#31002), effective July 14th, 2021, as follows:

Gaccione, John (rehire) \$11.10 / Hour

July 27, 2021

The following resolution was read:

No. 2021-189

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, and State of New Jersey, that pursuant to the recommendation of the Michael Pero, Superintendent of Recreation that the below person(s) is hereby appointed as seasonal part time Counselors to the Summer Day Camp Program, effective 7/6/2021 as follows:

<u>Counselors (#81083)</u>	<u>Hourly Rate</u>
Echeverry, Alyson	\$11.10
Mei, Matthew	\$11.10
Wohlrab, Alex	\$11.10
Trieu, Vicky	\$11.10
Zbib, Mohammed	\$11.10

The following resolution was read:

No. 2021-190

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 Department the below persons are hereby appointed to seasonal part time positions at the Swim Club (#87000), effective as follows:

<u>Lifeguards</u>	<u>Hourly Rate</u>
Borbe, Denise (start 07/01/2021)	13.00
Mahadev, Megna (start 07/01/201)	13.00
Martinez, Nigel (start 7/16/2021)	13.00
Rodriguez, Nissin (start 26/2021)	13.00

The following resolution was read:

No. 2021-191

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, the below person is hereby appointed to the regular full time Custodian position in the Buildings and Grounds Department #19000, pending the completion of a background check, and physical including drug screen as follows:

Dulzaides, Fransicso #5031(start 8/02/21) \$35,000.00 / annum

The following resolution was read:

No. 2021-192

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, and State of New Jersey, that the below full-time employee in the Administration Department is hereby granted an unpaid leave of absence (LOA) while on disability with continued life insurance, medical and pension as follows:

Guillen, Lisa effective 06/29/2021 to 08/10/2021

The following resolution was read:

No. 2021-193

RESOLUTION AUTHORIZING THE SETTLEMENT OF THE TAX APPEAL REGARDING LOT 5.04 IN BLOCK 277 AS SET FORTH ON THE OFFICIAL TAX MAPS OF THE TOWN OF SECAUCUS OWNED BY HMGL LLC c/o HARTZ MTN IND. c/o EXTENDED STAY

July 27, 2021

WHEREAS, HMGL LLC c/o Hartz Mtn. Ind. c/o Extended Stay, the owner of real property located at 50 Plaza Drive, otherwise designated as Lot 5.04 in Block 277 on the official tax maps of the Town of Secaucus, has taken appeals to the Tax Court of the State of New Jersey from the Assessed Value of said real property for the Tax Years 2019, 2020 and 2021; and

WHEREAS, the Taxpayer has agreed to withdraw its Complaints for Tax Years 2019, 2020 and 2021; and

WHEREAS, the Parties have agreed to adjust the Assessment Values for Tax Year 2022, as follows:

Original Assessment	Adjusted Assessment
Tax Year 2022 \$8,369,000	\$6,650,000

WHEREAS, in exchange for the Taxpayer agreeing to accept the Town's Original Assessment Values for the subject Tax Years the Town agrees that the Total Assessed Value for Tax Year 2022 shall be \$6,650,000; and

WHEREAS, the Town Tax Assessor has agreed to this adjustment in the Total Assessment Value on the real property for the subject Tax Year 2022 in accordance with the settlement; and,

WHEREAS, the Governing Body has determined that it is in the best interests of the Town of Secaucus to consent to the terms of settlement set forth herein.

NOW, THEREFORE, be it resolved by the Town Council of the Town of Secaucus in the County of Hudson and State of New Jersey, as follows:

1. The Total Assessment Value of the property located at 50 Plaza Drive (Lot 5.04, Block 277) (together with the other terms of settlement) shall be as follows:

- Tax Year 2019 withdrawn
- Tax Year 2020 withdrawn
- Tax Year 2021 withdrawn

2. The adjusted tax assessment for the 2022 Tax Year shall be Six Million Six Hundred Fifty Thousand (\$6,650,000) Dollars. The Town Tax Assessor shall amend its records.

3. The Town Tax Appeal attorney is hereby authorized to withdraw the Town's counterclaims filed in these tax appeal matters for each of the years in which Counterclaims were filed.

4. This Resolution shall take effect immediately or as otherwise provided by law.

The following resolution was read:

No. 2021-194

RESOLUTION AUTHORIZING THE SETTLEMENT OF THE TAX APPEAL REGARDING LOT 2
IN BLOCK 159 AS SET FORTH ON THE OFFICIAL TAX MAPS OF THE TOWN
OF SECAUCUS OWNED BY BRE/ESA PROPERTIES, LLC/EXTENDED STAY

WHEREAS, BRE/ESA Properties, LLC/Extended Stay, the owner of real property located at 1 Meadowland Parkway, otherwise designated as Lot 2 in Block 159 on the official tax maps of the Town of Secaucus, has taken appeals to the Tax Court of the State of New Jersey from the Assessed Value of said real property for the Tax Years 2018, 2019, 2020 and 2021; and

WHEREAS, the Town's assessment for 2018-2020 was:

Land:	\$2,118,800
Improvement:	<u>\$5,713,200</u>
Total:	\$7,832,000

WHEREAS, the Taxpayer has agreed to withdraw its Complaints for Tax Years 2018, 2019, 2020 and 2021; and

WHEREAS, the Parties have agreed to adjust the Assessment Value for Tax Year 2022, as follows:

Original Assessment	Adjusted Assessment
Tax Year 2022 \$7,832,000	\$6,900,000

WHEREAS, in exchange for the Taxpayer agreeing to accept the Town's Original Assessment Values for the subject Tax Years the Town agrees that the Total Assessed Value for Tax Year 2022 shall be Six Million Nine Hundred Thousand (\$6,900,000) Dollars; and

July 27, 2021

WHEREAS, the Town Tax Assessor has agreed to this adjustment in the Total Assessment Value on the real property for the subject Tax Year 2022 in accordance with the settlement; and,

WHEREAS, the Governing Body has determined that it is in the best interests of the Town of Secaucus to consent to the terms of settlement set forth herein.

NOW, THEREFORE, be it resolved by the Town Council of the Town of Secaucus in the County of Hudson and State of New Jersey, as follows:

1. The Total Assessment Value of the property located at 1 Meadowland Parkway (Lot 2, Block 159) (together with the other terms of settlement) shall be as follows:
Tax Year 2019 withdrawn
Tax Year 2020 withdrawn
Tax Year 2021 withdrawn
2. The adjusted tax assessment for the 2022 Tax Year shall be Six Million Nine Hundred Thousand (\$6,900,000) Dollars. The Town Tax Assessor shall amend its records.
3. The Town Tax Appeal attorney is hereby authorized to withdraw the Town's counterclaims filed in these tax appeal matters for each of the years in which Counterclaims were filed.
4. This Resolution shall take effect immediately or as otherwise provided by law.

The following resolution was read:

No. 2021-195

REQUESTING APPROVAL OF INSERTION OF \$1,145,754.33 FOR THE 2021 BUDGET REVENUE AVAILABLE FROM THE AMERICAN RESCUE PLAN ACT OF 2021.

WHEREAS, N.J.S. 40:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

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

NOW, THEREFORE, BE IT RESOLVED that the Town of Secaucus hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of \$1,145,754.33 which item is now available as a revenue from the American Rescue Plan Act of 2021.

BE IT FURTHER RESOLVED that a like sum of \$1,145,754.33 be and the same is hereby appropriated under the caption of:
American Rescue Plan Act of 2021.

The following resolution was read:

No. 2019-197

RESOLUTION AUTHORIZING THE SETTLEMENT OF THE TAX APPEAL REGARDING LOT 7.25 IN BLOCK 227 AS SET FORTH ON THE OFFICIAL TAX MAPS OF THE TOWN OF SECAUCUS OWNED BY LSREF3/AH CHICAGO LLC HYATT PLACE

WHEREAS, LSREF3/AH Chicago LLC Hyatt Place, the owner of real property located at 575 Plaza Drive, otherwise designated as Lot 7.25 in Block 227 on the official tax maps of the Town of Secaucus, has taken appeals to the Tax Court of the State of New Jersey from the Assessed Value of said real property for the Tax Years 2016 and 2018; and

WHEREAS, the Town's assessment for the subject years was Nine Million Seven Hundred Fifty-Two Thousand (\$9,725,000) Dollars.

WHEREAS, in exchange for the Taxpayer agreeing to accept the Town's Original Assessment Values for the 2016 and 2018 Tax Years by voluntarily dismissing its Complaints. The Town agrees that the Total Assessed Value for Tax Year 2022 shall be Six Million Three Hundred Sixty Thousand (\$6,360,000) Dollars; and

WHEREAS, the Taxpayer has agreed to withdraw its Complaints for Tax Years 2016 and 2018; and

WHEREAS, the Town Tax Assessor has agreed to this adjustment in the Total Assessment Value on the real property for the subject Tax Year 2022 in accordance with the settlement; and,

WHEREAS, the Governing Body has determined that it is in the best interests of the Town of Secaucus to consent to the proposed terms of settlement set forth herein.

July 27, 2021

NOW, THEREFORE, be it resolved by the Town Council of the Town of Secaucus in the County of Hudson and State of New Jersey, as follows:

1. The Total Assessment Value of the property located at 575 Plaza Drive (Lot 7.25, Block 227) (together with the other terms of settlement) shall be as follows:
Tax Year 2016 withdrawn
Tax Year 2018 withdrawn
2. Upon the Taxpayer's voluntarily dismissal of its 2016 and 2018 complaints, the Adjusted Assessment for the 2022 Tax Year shall be Six Million Three Hundred Sixty Thousand (\$6,360,000) Dollars. The Town Tax Assessor shall amend its records accordingly.
3. The Town Tax Appeal attorney is hereby authorized to withdraw the Town's counterclaims filed in these tax appeal matters for each of the years in which Counterclaims were filed.
4. This Resolution shall take effect immediately or as otherwise provided by law.

The following resolution was read: No. 2021-198

A RESOLUTION AUTHORIZING THE TOWN OF SECAUCUS TO APPLY FOR, ACCEPT AND PARTICIPATE IN THE STATE GRANT PROGRAM FOR BODY WORN CAMERAS ADMINISTERED BY THE STATE OF NEW JERSEY, DEPARTMENT OF LAW & PUBLIC SAFETY

WHEREAS, the Town of Secaucus Police Department has submitted an application for the Grant Award SFY21 Body-Worn Camera Grant Program, Award # 21-BWC-398, by the State of New Jersey Department of Law & Public Safety for the award period of January 1, 2021 through December 31, 2025; and

WHEREAS, the Secaucus Police Department has been awarded the SFY21 Body-Worn Camera Grant Program, Award # 21-BWC-398 from the State of New Jersey Department of Law & Public Safety for the award period from January 1, 2021 through December 31, 2025; and

WHEREAS, the Grant consists of a total of One Hundred Eighty-Three Thousand Four Hundred Twenty Dollars and Zero Cents (\$183,420.00) from the State, with no in-kind or cash matching funds required from the municipality; and

WHEREAS, the Grant Award incorporates all conditions and representations contained in or made in the application and the Notice of Award.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, does accept and authorizes the Secaucus Police Department to accept the Award of SFY21-Body-Worn Camera Grant Program, Award # 21-BWC-398, for the purposes described in the application in the amount of One Hundred Eighty-Three Thousand Four Hundred Twenty Dollars and Zero Cents (\$183,420.00) from the State, with no in-kind or cash matching funds required from the municipality; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer and the Chief of Police are authorized to sign the appropriate Grant Award documents; and

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

The following resolution was read: No. 2021-198

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 Lorraine Carr, Tax Collector the below person is hereby appointed to the regular full time Tax Clerk position in the Tax Department #15000, pending the completion of a background check, and physical including drug screen as follows:

Gaffney, Noelle #4719 (start TBD) \$35,000.00 / annum

July 27, 2021

The following resolution was read:

No. 2021-199

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PLUMBING SUPPLIES TO
FERGUSON ENTERPRISES, INC.

WHEREAS, the Town of Secaucus has the need for Plumbing Supplies for Town owned properties; and

WHEREAS, the total value of these services has not exceeded the bidding threshold of \$44,000.00 in past years: and

WHEREAS, the Town of Secaucus Buildings and Grounds Department obtains three (3) quotes for each project; and

WHEREAS, Ferguson Enterprises, Inc. of 190 Oberlin Avenue North, Lakewood, NJ 08701 was the lowest quote for each project awarded them; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds to award this contract are available under line item 01-2010-00-11092-029

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey authorize the award a Non-Fair and Open contract for Plumbing Supplies to Ferguson Enterprises, Inc. for a one (1) year term, beginning on January 1, 2021, at an amount not to exceed Forty Thousand Dollars 00/100 (\$40,000.00); and

BE IT FURTHER RESOLVED, that Ferguson Enterprises, Inc. has submitted a Pay to Play disclosure form which certifies that Ferguson Enterprises, Inc. has not made any reportable contributions to a political or candidate committee in the Town of Secaucus in the previous year, and that the contract will prohibit them from making any reportable contributions through the term of the contract, in compliance with necessary regulations and measure of the State of New Jersey under N.J.S.A. 19-44A-20.27; and

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

BE IT FURTHER RESOLVED, that the Mayor, Town Administrator, or their designee are hereby authorized to execute any documents regarding the awarding of the contract; and

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

Financial officers
Certification attached.

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

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

PAYMENT OF CLAIMS

Councilman McKeever moved that the following Salary Vouchers and Claims Fund Register be approved, seconded by Councilwoman Tringali.

Town of Secaucus Payroll Acct. w/ending 7/09/2021	\$ 997,596.73
Adm. & Exec	19,952.63
Mayor & Council	18,240.30
Municipal Clerk	7,130.48
Community Shuttle Bus	2,733.08
Legal Dept.	7,289.31
Municipal Court	24,142.91
Engineering	7,562.52
Pub. Bldgs. & Grds.	55,818.43
Off. Of Inspect.	11,506.69
Planning Board	000.00
Bd. Of Adjustments	00.00
Comm. & Security Adm	6,107.65
Environmental	3,412.08
Construction	25,537.64
Treasurer	49,191.72

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Tax Assessor	7,310.48	
Tax Collector	5,208.56	
Police Dept.	400,175.19	
School Cross Grds.	12,314.06	
Office of Emergency Man.	000.00	
Unif. Fire Safety Off.	000.00	
Rd. Repair & Maint.	144,196.07	
Sewer System	000.00	
Recycling Coord.	6,309.78	
Bd.of Health	9,450.97	
Mosquito	000.00	
Social Services	24,346.60	
Fire Dept. Incentives	000	
Pks. & Play Grds.	000.00	
Retiress Health	000.00	
Eyeglasses except police	000.00	
Supv. Of Play Act.	000.00	
Rec. Activities	67,119.76	
Social Security	50,816.20	
Pool Social Security	000.00	
Pool Oper.	31,732.62	
Grant Fund (OEM)	00.00	
CDBG	00.00	
Town of Secaucus Tax Escrow Acct. weekending 07/09/2021		\$99,950.81
Town of Secaucus Payroll Acct. w/ending 07/23/2021		\$ 1,046,660.74
Adm. & Exec	19,437.44	
Mayor & Council	1,955.78	
Municipal Clerk	7,111.73	
Community Shuttle Bus	2,360.75	
Legal Dept.	7,214.31	
Municipal Court	20,731.53	
Engineering	7,671.27	
Pub. Bldgs. & Grds.	57,308.91	
Off. Of Inspect.	11,584.37	
Planning Board	000.00	
Bd. Of Adjustments	200.00	
Comm. & Security Adm	6,035.86	
Environmental	3,392.58	
Construction	25,676.61	
Treasurer	22,053.69	
Tax Assessor	7,310.48	
Tax Collector	5,387.98	
Police Dept.	447,904.32	
School Cross Grds.	372.41	
Office of Emergency Man.	000.00	
Road Repair/Maintenance	142,317.71	
Unif. Fire Safety Off.	00.00	
Sewer System	00.00	
Recycling Coord.	6,217.53	
Bd.of Health	4,278.05	
Mosquito Control	00.00	
Social Services	23,110.19	
Fire Department	000.00	
SHBP Waiver	000.00	
Eyeglass/except police	000.00	
Supv. Of Play Act.	000.00	
Rec. Activities	128,002.37	
Rec. Activities Parttime	000.00	
Social Security	51,486.52	
Pool Social Security	000.00	
Pool Oper	37,537.85	
Town of Secaucus Tax Escrow Acct. weekending 0723/2021		\$100,120.47
Total Amount Claims	Check No. 65163-65434	\$ 2,402,015.88
Recreation Acct	None written	
Recreation On-Line	None	

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

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

NAYS: None

ABSTAIN: Gonnelli on all Fire Department bills only

ABSENT: Dehnert5

Motion carried.

BINGO/RAFFLE APPLICATIONS

- R-1604 Friends of the Secaucus Public Library Off-Premise 50/50
- R-1605 St. Ann's Guild Off-Premise 50/50
- R-1606 St. Ann's Guild On-Premise 50/50
- R-1607 PTSA Secaucus High School On-Premise 50/5
- R-1608 PTSA Secaucus High School On-Premise Draw Raffle
- R-1609 PTSA Secaucus High School Off-Premise 50/50
- R-1610 Friends of Secaucus Public Library On-Premise Draw Raffle
- R-1611 Rotary Club of Secaucus Casino Night

Councilman Gerbasio moved to approve all applications, seconded by Councilman Constantino.

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

COMMUNICATION REQUIRING ACTION BY MAYOR AND COUNCIL

Request by Casey Scheiner to use Buchmuller Park on August 14, 2021

Request by Ocasia Soccer LLC to use Shetik field for various dates in August.

Request by Joseph Baccola to use Kane Stadium for Adult softball.

Request by Jenifer May of the Secaucus Library to use Buchmuller Park Bandshell on July 28, 2021 and September 15, 2021.

Request by Jim Pilla to use Mill Ridge Fields #2 and #3 for various dates in August thru October. For adult softball.

Request by Jim Pilla to use Mill Ridge Field #2 and #3 for various dates from August to October for coed softball.

Request by Jim Pilla to use Kane Stadium for various dates from August through October for adult softball.

Request by Jim Pilla to use Mill Ridge Field #2 and #3 for various dates in August through October for adult softball.

Request by Collective @ Lair to use Buchmuller Field on July 28, 2021 for MLB rental.

Councilman Clancy moved to approve the foregoing requests, seconded by Councilwoman Tringali.

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

Request by Washington Hook and Ladder to accept Robert Zemak, Jr. as a member of the Secaucus Volunteer Fire Department.

Request by Engine Co. 1 to accept the removal of Kevin Rodrigo from the Secaucus Volunteer Fire Department.

Request by Rescue 1/Engine 2 to accept the reinstatement of Jared Wetter to the Secaucus Volunteer Fire Department.

Request by Rescue 1 Captain, to accept the removal of Jamaal Ford as a member of the Secaucus Fire Department.

Acceptance of Zarrar Nawaz as a member of Washington Hook & Ladder as a member of the Secaucus Volunteer Fire Department.

Councilman Costantino moved to approve the foregoing requests, seconded by Councilman Clancy.

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

COMMITTEE REPORTS

Councilman Gerbasio spoke about activity that has occurred throughout the town. He added information on events conducted by the Police for the community.

July 27, 2021

Councilman Costantino gave details on the third quarter taxes and the due date.

Councilman Clancy reported on Fire Department activity.

Councilwoman Tringali gave details on upcoming events.

Councilman McKeever gave details on activities and events for the senior citizens. He also gave details on other events. He also spoke about an upcoming food drive and the necessity of the residence.

UNFINISHED BUSINESS

Councilman Costantino gave details on many upcoming events.

Councilman Clancy spoke about a resident in need of a kidney and asked the public to consider donating. He also spoke about the necessity to place garbage into plastic bags and in garbage cans.

Councilwoman Tringali gave details on events at the Library.

Councilman McKeever gave details on an upcoming event.

NEW BUSINESS

Councilman Gerbasio spoke about an upcoming event sponsored by the Police Department for National Night Out.

Councilman Costantino gave details on a church event.

Councilman Clancy gave details on a shuttle bus available to residents of Exchange.

Councilwoman Tringali spoke about an upcoming event at the Public Library at the outdoor library area.

Councilman McKeever announced that the Fireworks have been rescheduled for August 25, 2021.

REMARKS OF CITIZENS

Hugh Giordano
Don Evanson

Councilman Clancy moved to adjourn the meeting 7:46pm seconded by Councilman Costantino.

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

NAYS: None

ABSENT: Dehnert

Motion carried.

Marie Eck, Deputy Town Clerk