

January 5, 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 5<sup>th</sup> day of January 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 December 28, 2020.

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

Pledge of Allegiance

Lawrence Marciano, Fred Schneider and Joseph Schoendorf were sworn in respectively as Battalion Chief, Deputy Chief and Fire Chief of the Secaucus Volunteer Fire Department.

Chief Schoendorf thanked all for their guidance and help in getting to this point in his career.

The following ordinance was read for introduction: No. 2021-1

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

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

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

The public hearing for the aforementioned ordinance will be on January 26, 2021.

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. 2021-1

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

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

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

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

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six percent (6%) of the amount of the delinquency in excess of Ten Thousand Dollars (\$10,000.00); and

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

The following resolution was read:

No.2021-2

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

WHEREAS, upon recommendation of the Secaucus Municipal Court Judge and in accordance with police accreditation procedures, the Town of Secaucus' Municipal Court shall continue to utilize Court Attendants in their official capacities for the year 2021.

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that the following individuals shall continue to serve as appointed Court Attendants for the year 2021 for the Secaucus Municipal Court:

1. George Fonseca
2. Joseph Kickey
3. Thomas Lawler
4. Mario Taboada
5. Damon Pein

The following resolution was read:

No. 2021-3

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS AUTHORIZING  
THE AWARD OF A CONTRACT FOR THE FURNISHING AND INSTALLATION OF DUTCH DOORS TO HOGAN  
SECURITY GROUP THROUGH THE HCECS COOPERATIVE

WHEREAS, the Town of Secaucus has the need to purchase additional Dutch Doors & related services in multiple Town buildings to assist with the prevention of the spread of Covid-19; and

WHEREAS, Hogan Security Group, located at 1589 Rood Road, Pennington, NJ 08534, has submitted Invoice #3469 in the amount of Twenty-Four Thousand One Hundred Eighteen Dollars and 00/100 (\$24,118.00), that was presented to the Qualified Purchasing Agent, providing for the furnishing and installation of Dutch Doors; and

WHEREAS, the services as set forth in the Proposal submitted by Hogan Security Group will be procured through HCECS Cooperative via Contract No. 203 Mechanical & Electronic Door Locking Systems, Doors & Related Products; and

WHEREAS, the Town of Secaucus is a member of the HCECS Cooperative previously authorized by Resolution 2014-271; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds to award this contract are available under line item 12-2830-00-02900; 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 contract for the Furnishing and Installation of Dutch Doors to Hogan Security Group at an amount not to exceed Twenty-Four Thousand One Hundred Eighteen Dollars and 00/100 (\$24,118.00); and

BE IT FURTHER RESOLVED, that Hogan Security Group 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 Hogan Security Group for the furnishing and installation of automatic door operators 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.

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The following resolution was read:

No.2021-4

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, pursuant to the recommendation of Kevin O'Connor Superintendent Public Works that the below person(s) are hereby appointed to the replacement part time Laborer position in DPW (#50000), pending the completion of a drug screen, as follows:

Marchitto, Carmine (start / retro 12/20/20) \$11.00 / hour

The following resolution was read:

No.2021-5

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 Recreation, the below staff members are hereby reappointed to the seasonal relief part-time positions at the Rec Center (#83000) retro to December 16, 2020 as follows:

Lifeguards

Lee, Serena - #5148 \$12.00 / Hour  
Son, David - #5146 \$12.00 / Hour

BE IT FURTHER RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, the below person is hereby increase hourly rate / upgraded to the regular part time position at the Rec Center (#83000) as follows:

Head Lifeguard

Cabrera, Anne \$13.00 / Hour

The following resolution was read:

No. 2021-6

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 Recreation, the below staff member is hereby transferred to the seasonal part-time position of Assistant Manager at the Ice Rink (#83000) retro to November 5<sup>th</sup> 2020 and granted increase to hourly rate as follows:

Assistant Manager

Joseph Ferrara - #4786 \$15.00 / Hour

The following resolution was read:

No. 2021-7

A RESOLUTION OF THE TOWN OF SECAUCUS REJECTING ALL PROPOSALS FOR THE PROFESSIONAL SERVICE OF BOARD OF HEALTH ATTORNEY

WHEREAS, the Town of Secaucus advertised for the submission of proposals for the professional service of the Board of Health Attorney; and

WHEREAS, two (2) sealed proposals for Board of Health Attorney were received by the Town, which proposals were opened on October 30, 2020; and

WHEREAS, the two (2) proposals were received from: Karyn Corso Luskin, Esq. and Eric M. Bernstein & Associates; and

WHEREAS, the Town Council is choosing to reject said proposals, as permitted under the express terms of the bid documents that the Town had reserved its right to reject any and all proposals, based upon cost and a reevaluation of the services needed for 2021; and

WHEREAS, the Town Council believes it to be in the best interest of the Town to

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reject all proposals and to utilize the in-house Town Attorney at this time with consultation with outside counsel as needed.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that the above statements are incorporated herein and that the two (2) proposals identified above are hereby rejected for the professional service of Board of Health Attorney; and

BE IT FURTHER RESOLVED that the Mayor, the 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.

The following resolution was read:

No. 2021-8

RESOLUTION AUTHORIZING THE WITHDRAWAL OF THE TOWN'S COUNTERCLAIM IN THE  
TAX APPEAL REGARDING LOT 21 IN BLOCK 6 AS SET FORTH ON THE  
OFFICIAL TAX MAPS OF THE TOWN OF SECAUCUS OWNED  
BY MHR INVESTMENTS LP

WHEREAS, MHR Investments LP, the owner of property located at 55 Meadowlands Parkway, otherwise designated as Lot 6 in Block 21 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 property for the Tax Years 2015, 2017 and 2018 (Docket Nos.: 006173-2015, 001361-2017 and 000986-2018; and

WHEREAS, the owner of the Property has agreed to withdraw its appeals filed for Tax Years 2015, 2017 and 2018; and

WHEREAS, the Town has been asked to consider the respective withdrawals of its Counterclaims filed for each of the subject Tax Years; and

WHEREAS, the Governing Body of the Town of Secaucus has determined that it is in the best interests of the Town to withdraw the Counterclaims for Tax Years 2015, 2017 and 2018.

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

1. The Town's Tax Appeal counsel is hereby directed and authorized to withdraw the respective Counterclaims filed in connection with the Taxpayer's 2015, 2017 and 2018 Tax Appeals.
2. This resolution shall take effect immediately or as otherwise provided by law.

The following resolution was read:

No. 2021-9

RESOLUTION AUTHORIZING THE WITHDRAWAL OF THE TOWN'S COUNTERCLAIM IN THE  
TAX APPEAL REGARDING LOT 21 IN BLOCK 6 AS SET FORTH ON THE  
OFFICIAL TAX MAPS OF THE TOWN OF SECAUCUS OWNED BY 55  
MEADOW HOLDING LLC

WHEREAS, 55 Meadow Holding LLC, the owner of property located at 55 Meadowlands Parkway, otherwise designated as Lot 6 in Block 21 on the official tax maps of the Town of Secaucus, has taken an appeal to the Tax Court of the State of New Jersey from the Assessed Value of said property for the Tax Year 2019 (Docket No.: 006028-2019; and

WHEREAS, the owner of the Property has agreed to withdraw its appeal filed for Tax Year 2019; and

WHEREAS, the Town has been asked to consider the withdrawal of its Counterclaim filed for the 2019 Tax Year; and

WHEREAS, the Governing Body of the Town of Secaucus has determined that it is in the best interests of the Town to withdraw the Counterclaim for Tax Year 2019.

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

1. The Town's Tax Appeal counsel is hereby directed and authorized to withdraw the Counterclaims filed in connection with the Taxpayer's 2019 Tax Appeals.
2. This resolution shall take effect immediately or as otherwise provided by law.

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The following resolution was read:

No. 2021-10

RESOLUTION AUTHORIZING THE USE OF MANUAL CHECKS

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

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

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

The following resolution was read:

No. 2021-11

RESOLUTION DESIGNATING THE JERSEY JOURNAL AS  
THE AUTHORIZED NEWSPAPER FOR THE TOWN OF SECAUCUS

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

The following resolution was read:

No. 2021-12

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 varitey 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.

The following resolution was read:

No. 2021-13

RESOLUTION AUTHORIZING APPROVING RULES AND REGULATIONS FOR THE YEAR OF 2021

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that the attached Rules and Regulations which are available for public inspection in the office of the Town Clerk for the year 2021 are hereby approved.

RULES AND REGULATIONS

1. At the hour appointed for the meeting, the members present will be called to order by the Mayor, who shall immediately proceed to have the Town Clerk call the roll and note the absentees.
2. In the absence of the Mayor and the Senior Council Member, the members of the Council may appoint one of its members as chairperson.
3. The order of business shall be as follows:
  1. Roll Call
  2. Opening Statement - Open Public Meetings Law Statement
  3. Approval of Minutes

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4. Receipt Open and Reading of Bids - the Mayor and Council have the option of opening bids during a public meeting of the Mayor and Council or during the regular business day in the presence of the Purchasing Agent, Town Clerk, Town Administrator and Town Attorney.
5. Ordinances - Introduction and Hearing
6. Consent Agenda
  - Resolutions
  - Payment of Claims
7. Bingo & Raffle Applications
8. Communications Requiring Action by Mayor & Council
9. Committee Reports
10. Unfinished Business
11. New Business
12. Remarks of Citizens
13. Adjournment

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

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

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

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

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

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

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

9. When a Member is about to speak in debate or communicate any matter to the Board, he/she shall respectfully address the Mayor and shall avoid all passionate language, personal or unparliamentary words. Every member of the Council shall have the privilege of speaking twice on any question but not again without permission of the Mayor. 10. Any citizen shall have the privilege of addressing the chair under Remarks of Citizens. A citizen shall have the privilege of speaking twice on the same subject but not again without permission of the Chair. However, no citizen shall speak more than five minutes on the same subject without permission of the Mayor. A citizen who has held the floor for five minutes or more shall yield the floor to any citizen who, having not been previously heard, requests permission to address the Chair. The Mayor shall have the right to determine when any citizen has abused the privilege under Remarks of Citizens and shall order such person to relinquish the floor.

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

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

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

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

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

16. Consent Agenda - all matters listed under Consent Agenda are considered to be routine by the Mayor and Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

The following resolution was read:

No. 2021-14

RESOLUTION AUTHORIZING THE SIGNING OF CONTRACTS

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

The following resolution was read:

No. 2021-15

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 Councilman William McKeever is hereby authorized to serve as Acting Mayor for any absence of Mayor Michael Gonnelli, during the year 2021.

Councilman Gerbasio moved to approve the resolutions on the Consent Agenda, seconded by Councilman Costantino.

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

NAYS: None

ABSENT: None

Motion carried.

BINGO /RAFFLE APPLICATIONS

R-1594 PTSA SECAUCUS HIGH SCHOO OFF PREMISE 50/50  
R-1595 PTSA SECAUCUS HIGH SCHOOL ON PREMISE DRAW RAFFLE

Councilman Dehnert moved to approve the forgoing applications, seconded by Councilman McKeever.

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

NAYS: None

ABSENT: None

Motion carried.

COMMUNICATION REQUIRING ACTION MY MAYOR AND COUNCIL

Request by NJ Play Sports to use Kane Stadium for various dates in January and February for adult sports.

Request by Vin Almeida of Kearney High School to use the ice rink for various dates.

Councilman Costantino moved to approve the forgoing requests, seconded by Councilman McKeever.

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

NAYS: None

ABSENT: None

Motion carried.

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COMMITTEE REPORTS

Councilman Gerbasio stated that the Police Department received 2 grants to purchase body armor. He also gave details on a drug take back day.

Councilman Costantino announced that the first Covid Vaccine was administered at the Towns POD. He stated that the details are still being determined and will let all know as soon as the Town receives that information.

Town Administrator, Gary Jeffas offered more details on the administration and distribution of the vaccine.

Councilman Gerbasio noted that residents can check the website for more information and updates.

Councilwoman Tringali announced the winners of the Holiday Light Contest.

UNFINISHED BUSINESS

None

NEW BUSINESS

Councilman Clancy spoke about the statistics of fire department calls. He also spoke about the Environmental Department and work that they are doing.

Councilman Dehnert noted that the January community calendar is available and is hopeful that in February there will be more activities.

Gary Jeffas stated that the Town purchased another electric vehicle.

REMARKS OF CITIZENS

None

Councilman Gerbasio moved to adjourn the meeting 7:37 pm seconded by Councilwoman Tringali.

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

Motion carried

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Michael Marra, Town Clerk