

October 11, 2023

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 11th day of October 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 29, 2022.

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: Mayor: Michael Gonnelli
Councilmembers: Robert Costantino
William McKeever
James Clancy
Mark Dehnert
John Gerbasio
Orietta Tringali

Pledge of Allegiance

First item on the agenda:

APPROVAL OF MINUTES

The following resolution was read:

No. 2023-273

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, that the minutes of the Regular Meetings of July 25, 2023 and August 22, 2023 are hereby approved.

The foregoing was adopted by the following roll call vote:

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

NAYS: None

ABSENT: None

Motion carried.

Attest: Town Clerk

ORDINANCE FOR PUBLIC HEARING

The following ordinance was read for public hearing:

No. 2023-24

AN ORDINANCE AMENDING CHAPTER 143 OF THE CODE TO
UPDATE FEES FOR RETAIL FOOD ESTABLISHMENTS

WHEREAS, Chapter 143 of the Code of the Town of Secaucus has previously been adopted to regulate retail food establishments that provide, sample or sell consumables to the public and are licensed through the Board of Health; and

WHEREAS, upon the review and recommendation of the Board of Health, the Mayor and Council have determined that changes to this Chapter are needed to reflect updated fees for annual licenses and temporary vendors.

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

- 1. The following provision of Chapter 143 of the Code entitled "Food Establishments, Retail" "\$143-7 Fees" shall be amended as follows (deletions are reflected by ~~crossouts~~; additions are in bold):

§ 143-7 Fees.

A. The annual fees for licensure of retail food establishments are hereby fixed as follows:

~~A.~~

~~(1)~~

~~Establishments having a total square footage of less than 5,000 square feet:
\$125.~~

~~(2)~~

~~Establishments having a total square footage of 5,000 square feet or over:
\$250.~~

(1) Establishments with Seating

Group 1:	0-50 seats	\$200
Group 2:	51-100 seats	\$300
Group 3:	102-200 seats	\$500
Group 4:	201 seats or more	\$600

(2) Supermarkets

Up to 5,000 sq. feet	\$1,000
Over 5,000 sq. feet	\$2,000

(3) Establishments without Seating

Vending Machine	machine	\$25 per
Bakery/Deli		\$200
Mobile Retail Food (Food Truck)		\$150
Frozen Mobile Retail Food (Ice Cream Truck)		\$75
Non-profit Organization		\$60
Farmer's Market (outdoor)		\$85
Other		\$100 B.

~~Retail food establishments engaged in the sale of food or food products not requiring preparation, including, but not limited to candy stores and dealers in~~

~~raw agricultural products having a square footage of 1,500 square feet or less:
\$50.~~

~~C.~~

~~Retail food establishments engaged in the preparation and/or sale of food and
which operate from a nonpermanent location: \$300.~~

~~D.~~

~~Vendors of raw agricultural products from a nonpermanent location: \$100.~~

~~E.~~

~~Mobile ice cream trucks: \$150.~~

~~[Added 3-22-93]~~

~~F.—B.~~

Temporary event fees:

Individual vendors (up to 9 vendors at one event): \$25.00 per vendor

Flat Fees for Temporary Extensive Events:

Event with 10-25 vendors	\$300.00
Event with 26-50 vendors	\$650.00
\$600.00	
Event with 51-100 vendors	\$950.00
Event with 101 vendors or more	\$1000.00
Event with 101-150 vendors	\$1,000.00
Event with 151-200 vendors	\$2,000.00
Event with 201-400 vendors	\$3,000.00

Temporary event late fees: Any vendor or event coordinator, in the case of an extensive event, who applies for a temporary event permit after the two (2) week deadline shall pay a late fee of twenty-five dollars (\$25.00) per vendor in addition to any regular fees to the Board of Health. Acceptance of the late application is at the sole discretion of the Board of Health.

Town of Secaucus sponsored events will be exempt from fee requirements.

~~G.~~

~~Farmer's market vendors:~~

~~[Added 8-24-10 by Ord. No. 2010-35]~~

~~(1)~~

~~One time registration fee: \$50 (per season).~~

~~(2)~~

~~Weekly fee: \$20.~~

(4) All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

(5) If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed to be valid and effective.

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

IT IS FURTHER ORDAINED, that the remainder of this Chapter 143 of the Code of the Town of Secaucus shall remain in full force and effect.

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

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

Motion carried.

Attest: Town Clerk

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

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

Motion carried.

Attest: Town Clerk

The following ordinance was read for public hearing: No. 2023-25

ORDINANCE NO. 2023-25

BOND ORDINANCE TO AMEND SECTION 4.I OF THE BOND ORDINANCE (ORD. NO. 2020-13) ENTITLED: "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 \$7,825,000 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," ADOPTED ON AUGUST 25, 2020.

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. Section 4.I of Ordinance No. 2020-13 entitled:

"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 \$7,825,000 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"

adopted by the Town Council of the Town of Secaucus, in the County of Hudson, New Jersey (the "Town") on August 25, 2020 is hereby amended to add the installation of a synthetic turf athletic field at Shetik Field to the purposes authorized, and shall hereafter read as follows:

"[Section 4.]I. (i) reconstruction of the top parking lot at Kane Stadium and (ii) installation of a synthetic turf athletic field at Shetik Field.

Appropriation and Estimated Cost \$ 275,000

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Down Payment Appropriated	\$ 13,100
Bonds and Notes Authorized	\$ 261,900
Period of Usefulness	10 years."

Section 2. The capital budget is hereby amended to conform with the provisions of this amendatory bond 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 3. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Mayor Gonnelli asked Town Administrator Gary Jeffas to clarify the meaning of the foregoing ordinance to the public.

Town Administration Gary Jeffas clarified the foregoing ordinance to the public.

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

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

Motion carried.

Attest: Town Clerk

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

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

Motion carried.

Attest: Town Clerk

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. 2023-274

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

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A RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR SIDEWALK REPAIRS TO ADAMO BROTHERS CONSTRUCTION, INC.

WHEREAS, the Town of Secaucus' Department of Public Works has determined the need for the Provision of Sidewalk Repairs to Various Streets (Sidewalk Program); and

WHEREAS, the Town of Secaucus' Department of Public Works has obtained three (3) quotes for said work; and

WHEREAS, Adamo Brothers Construction, Inc. of Ridgefield, NJ has submitted a Proposal dated June 30, 2023, for the Provision of Sidewalk Repairs to Various Streets at an amount not to exceed Twenty-Two Dollars and 00/100 (\$22.00) per square foot; and

WHEREAS, Adamo Brothers Construction, Inc. has submitted the lowest responsible quote; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds to award this contract are available under line item 10-2150-55-70609-021.

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 Sidewalk Repairs for Various Town Streets to Adamo Brothers Construction, Inc., in an amount not to exceed Twenty-One Thousand Six Hundred Dollars and 00/100 (\$21,600.00), in accordance with the proposal submitted; and

BE IT FURTHER RESOLVED, that Adamo Brothers Construction, Inc. has submitted a Pay to Play Disclosure Form which certifies that Adamo Brothers Construction, 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 Adamo Brothers Construction, 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 foregoing was adopted by the following roll call vote:

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

NAYS: None

ABSENT: None

Motion carried.

Attest: Town Clerk

The following resolution was read:

No. 2023-275

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

October 11, 2023

A RESOLUTION TO APPROVE CHANGE ORDER #2 TO A CONTRACT
WITH BROCKWELL & CARRINGTON CONTRACTORS, INC. FOR
THE CONSTRUCTION OF THE SENIOR CENTER

WHEREAS, the Town of Secaucus has a contract with Brockwell & Carrington Contractors, Inc. for the Construction of the Senior Center, authorized under Resolution 2023-100, in the amount of \$6,097,000.00; and

WHEREAS, Change Order #1 in the amount of \$16,081.00 was approved under Resolution 2023-258; and

WHEREAS, it has been determined that unforeseen additional work is required, included excavation/removal of a foundation wall, which will increase the total contract cost by Thirty-Six Thousand Four Hundred Sixty-Three Dollars and 35/100 (\$36,463.35); and

WHEREAS, there is a need for a Change Order #2 to increase the contract with Brockwell & Carrington Contractors, Inc. in the amount of Thirty-Six Thousand Four Hundred Sixty-Three Dollars and 35/100 (\$36,463.35), which will increase the overall contract amount to Six Million One Hundred Forty-Nine Thousand Five Hundred Forty-Four Dollars and 35/100 (\$6,149,544.35), representing a .86% increase; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds to award this contract are available under line item 10-2150-55-70611-011.

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 for Brockwell & Carrington Contractors, Inc. in the amount of Thirty-Six Thousand Four Hundred Sixty-Three Dollars and 35/100 (\$36,463.35) is hereby approved.

The foregoing was adopted by the following roll call vote:

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

NAYS: None

ABSENT: None

Motion carried.

Attest: Town Clerk

The following resolution was read:

No. 2023-276

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

A RESOLUTION AUTHORIZING THE CONTRACT FOR THE PROVISION REPAIRS FOR AN ELGIN PELICAN
DUAL SWEEPER TO W.E. TIMMERMAN CO.

WHEREAS, the Town of Secaucus' Department of Public Works has the need for Repairs to an existing Elgin Pelican Dual Sweeper that services the Town of Secaucus; and

WHEREAS, W.E. Timmerman Co. of Whitehouse, New Jersey is an authorized dealer of Elgin and is the sole provider of these services in the State of New Jersey; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds to award this contract are available under line item 01-2010-00-31502-159.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, authorize the Contract for the Provision of Repairs to an Elgin Pelican Dual Sweeper to W.E. Timmerman Co. in an amount not to exceed Fifty-Five Thousand Five Hundred Four Dollars and 76/100 (\$55,504.76); and

BE IT FURTHER RESOLVED, that W.E. Timmerman 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.

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The foregoing was adopted by the following roll call vote:

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

NAYS: None

ABSENT: None

Motion carried.

Attest: Town Clerk

The following resolution was read:

No. 2023-277

TOWN OF SECAUCUS, COUNTY OF HUDSON

RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that the below full-time employee is hereby granted an extended unpaid leave of absence while on state disability for pension and continued life insurance purposes through November 1, 2023.

Degenhardt, Herbert (Rec Center)

The foregoing was adopted by the following roll call vote:

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

NAYS: None

ABSENT: None

Motion carried.

Attest: Town Clerk

The following resolution was read:

No. 2023-278

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, the Superintendent of Public Works, the below person is hereby transferred to a regular part-time position of Bus Aide in the Public Works Department (#50000), effective October 9, 2023, as follows:

Carcamo, Maritza (#4785)

\$16.00 /Hour

The foregoing was adopted by the following roll call vote:

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

NAYS: None

ABSENT: None

Motion carried.

Attest: Town Clerk

The following resolution was read:

No. 2023-279

TOWN OF SECAUCUS, COUNTY OF HUDSON

RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, pursuant to the recommendation of Kevin O'Connor, the Superintendent of Public Works, the below persons are hereby transferred to a regular part-time position of Laborer in the Public Works Department (#50000) as follows:

Garcia, Kyle (#5720 - Start Date: 10/2/2023)

\$15.00 /Hour

Worthington, Kris J. (#5938 - Start Date:10/16/2023)

\$15.00/Hour

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The foregoing was adopted by the following roll call vote:

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

NAYS: None

ABSENT: None

Motion carried.

Attest: Town Clerk

The following resolution was read:

No. 2023-280

TOWN OF SECAUCUS, HUDSON COUNTY

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 of Recreations, that pending the successful completion of the background check and drug screening, the below persons are hereby appointed and transferred to the regular part time position of Counselor in the Before and Aftercare Programs Department (#81082) retroactive, October 3, 2023.

Mendez, Miryam	(1-1 Counselor)	\$16.00/Hour
Caceres, Melany	(#6050)	\$14.13/Hour

The foregoing was adopted by the following roll call vote:

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

NAYS: None

ABSENT: None

Motion carried.

Attest: Town Clerk

The following resolution was read:

No. 2023-281

TOWN OF SECAUCUS, HUDSON COUNTY

RESOLUTION

A RESOLUTION TO AWARD A PROFESSIONAL SERVICE CONTRACT FOR ANIMAL CONTROL SERVICES WITH THE NEW JERSEY HUMANE SOCIETY

WHEREAS, the Town of Secaucus Animal Shelter has the need for Animal Control and Sheltering Services on a month-to-month basis; and

WHEREAS, in accordance with N.J.S.A. 40A:11-5(a) (i) Any contact for Professional Services may be negotiated and awarded by the governing body without public advertising, and shall be awarded by resolution of the governing body; and

WHEREAS, the New Jersey Humane Society has submitted a proposal for said services for a price of \$2,500.00 per month, on a month-to-month basis; and

WHEREAS, the term of this contract shall not exceed a one-year period; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds to award this contract are available under line item 01-2010-00-11092-078

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey award the Professional Service contract for Animal Control and Sheltering Services to the New Jersey Humane Society at an amount not to exceed Thirty Thousand Dollars and 00/100 (\$30,000.00) for a one (1) year term limit, to begin on September 13, 2022; and

BE IT FURTHER RESOLVED, that the New Jersey Humane Society 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.

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The foregoing was adopted by the following roll call vote:
AYES: Costantino, McKeever, Clancy, Dehnert, Gerbasio, Tringali, Gonnelli
NAYS: None
ABSENT: None Motion carried.

Attest: Town Clerk

The following resolution was read: No. 2023-282

TOWN OF SECAUCUS, HUDSON COUNTY
RESOLUTION

BE IT RESOLVED, this resolution will serve as a correction to Resolution No. 2023-251, which incorrectly stated the hourly rate of 1 on 1 After Care Counselors at \$15.13; and be it

BE IT FURTHER RESOLVED, that in connection to the 1 on 1 Counselors hourly rate, the resolution should have reflected their hourly rate as follows:

<u>Counselors</u>	<u>Hourly Rate</u>
Fearon, Justyn A.	\$16.00/Hour
Maurin, Amber M.	\$16.00/Hour
Miller, Ann T.	\$16.00/Hour
Pacheco, Mary	\$16.00/Hour
Soler, Rebecca L.	\$16.00/Hour
Taylor, Steven J.	\$16.00/Hour

The foregoing was adopted by the following roll call vote:
AYES: Costantino, McKeever, Clancy, Dehnert, Gerbasio, Tringali, Gonnelli
NAYS: None
ABSENT: None Motion carried.

Attest: Town Clerk

The following resolution was read: No. 2023-283

TOWN OF SECAUCUS, HUDSON COUNTY
RESOLUTION

BE IT RESOLVED, by the Mayor and Town Council of Secaucus, County of Hudson, State of New Jersey, pursuant to the recommendation of the Police Chief and Police Committee the person listed below is hereby appointed to the position of Probationary Police Officer for the Secaucus Police Department (#31003). This position is based on the collective bargaining contractual agreement step #1 with a base salary of \$35,000.00 per annum, plus any contractual stipends, effective October 11, 2023, as follows:

Diaz, Jose

The foregoing was adopted by the following roll call vote:
AYES: Costantino, McKeever, Clancy, Dehnert, Gerbasio, Tringali, Gonnelli
NAYS: None
ABSENT: None Motion carried.

Attest: Town Clerk

The following resolution was read: No. 2023-284

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

October 11, 2023

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 is hereby granted an unpaid leave of absence while on temporary disability with continued life insurance and for pension purpose, effective September 18, 2023, as follows:

Iglesias, Rebecca through 01/16/2024

The foregoing was adopted by the following roll call vote:

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

NAYS: None

ABSENT: None

Motion carried.

Attest: Town Clerk

The following resolution was read:

No. 2023-285

TOWN OF SECAUCUS, HUDSON COUNTY
RESOLUTION

RESOLUTION APPROVING AUTHORIZING SETTLEMENT
OF MUNICIPAL TAX OBLIGATION DUE FROM 600 PENHORN AVENUE PROPERTY AS SET FORTH IN LOCAL
IMPROVEMENT ORDINANCE 2008-21

WHEREAS, the Town of Secaucus ("Town" or "Secaucus") is desirous of collecting all unpaid municipal tax obligations from those properties which directly benefitted from local roadway improvement services which were undertaken by the municipality and completed on or about July 30, 2010; and

WHEREAS, with the cost of said local improvement services having been apportioned as per the municipal tax obligations set forth in the language of the Town's Improvement Ordinance No. 2008-21; and

WHEREAS, the property owner at 600 Penhorn Avenue, disputed the municipal tax obligation set forth in the language of the Town's Improvement Ordinance No. 2008-21; and

WHEREAS, the Town having solicited a resolution of Ordinance No. 2008-21's unpaid municipal tax obligations related to and/or arising from the local roadway improvements made directly benefitting the property commonly identified as 600 Penhorn Avenue and otherwise designated as Block 46, Lot 3.01 on the Tax Assessment Map of the Town of Secaucus; and

WHEREAS, the Town and the property owner of 600 Penhorn Avenue have agreed to amicably resolve the payment of said property's municipal tax obligation set forth in Improvement Ordinance No. 2008-21 without the uncertainty and cost of litigation; and

WHEREAS, it is upon the advice and recommendation of the Town Counsel, and Town Special General Counsel and Town Administrator to approve the proposed settlement; and

WHEREAS, the property owner of 600 Penhorn Avenue, Mr. John Markovitch, and the Town have agreed to respectively provide and receive \$33,887.86, to be paid in monthly payments of \$2,750.00 on or about the first (1st) of every month beginning November 1, 2023 until the \$33,887.86 principal balance of the municipal tax obligation due from 600 Penhorn Avenue is entirely satisfied; and

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WHEREAS, the Town will forgo any past, present or future monetary interest, penalties, fines or fees which have or may become due on said municipal tax obligation, so long as timely monthly payments are forthwith made by the property owner of 600 Penhorn Avenue upon the municipal tax obligation's \$33,887.86 payment.

NOW THEREFORE BE IT RESOLVED, that the Mayor & Council of the Town of Secaucus hereby affirms, ratifies and authorizes the law firm of Chasan Lamparello, Mallon & Cappuzzo, PC to settle the collection activity as specified above regarding the unpaid municipal tax obligation for 600 Penhorn Avenue as set forth above.

The Town further agrees to provide the property owner of 600 Penhorn Avenue with a ten (10) day grace period to cure any monthly deficiency arising over the course of payment.

In case of default, the full local improvement apportioned cost applicable to 600 Penhorn Avenue shall remain in place plus interest and penalty less credit for any payments made.

The foregoing was adopted by the following roll call vote:

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

NAYS: None

ABSENT: None

Motion carried.

Attest: Town Clerk

Councilman Dehnert 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.

Attest: Town Clerk

RAFFLE APPLICATION

1. Application R1675 for an Off-Premise 50/50 to be held on December 17, 2023, sponsored by St. Matthew Evangelical Lutheran Church.
2. Application R1676 for an Off-Premise 50/50 to be held on January 27, 2024, sponsored by the Secaucus High School PTSA.

Councilwoman Tringali moved to approve the foregoing raffle application, seconded by Councilman Costantino.

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

NAYS: None

ABSENT: None

Motion carried.

Attest: Town Clerk

COMMUNICATION REQUIRING ACTION BY MAYOR AND COUNCIL

- 1) Request by Cathy Wolf of the Hygiene Project to use Buchmuller Park on November 18 from 4pm to Midnight for a Walk-A-Thon & Box City in order to educate and raise awareness of youth homelessness issue
- 2) Acceptance of Nelson I. Pichardo as a Probationary Firefighter for the Secaucus Volunteer Fire Department, pending the successful completion of a physical and stress test
- 3) Acceptance of Raymond Ortiz, Jr. as a Probationary Firefighter for the Secaucus Volunteer Fire Department, pending the successful completion of a physical and stress test

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Councilman Costantino moved to approve the foregoing communications, seconded by Councilman Dehnert.

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

NAYS: None

ABSENT: None

Motion carried.

Attest: Town Clerk

1. Mayor Gonnelli abstained on Communication Items two and three.
2. All Councilmembers voted yes on communication items two and three.

COMMITTEE REPORTS

Councilmembers read upcoming event flyer

UNFINISHED BUSINESS

NEW BUSINESS

Town Administrator Gary Jeffas spoke about the formal groundbreaking of the new Senior Center

Town Clerk Michael Marra spoke about Late Night Voter Registration on October 17th.

REMARKS OF CITIZENS

Councilman Gerbasio moved to adjourn the meeting 7:19 pm seconded by Councilman Clancy.

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

NAYS: None

ABSENT: None

Motion carried.

Attest: Town Clerk

Michael Marra, Town Clerk

October 11, 2023

