

June 6, 2017

MINUTES of the a Special Meeting of the Mayor and Board of Council of the Town of Secaucus, County of Hudson, State of New Jersey held on the 6th day of June at 4:30 pm at Secaucus Municipal Government Center, 1203 Paterson Plank Road, Secaucus, NJ in Chamber II.

PLEDGE OF ALLEGIANCE

Adequate notice for this meeting, as required by the Open Public Meetings Act, has been provided by the filing of the notice of Meetings with the Municipal Clerk, the posting of said notice on the official bulletin board in the Municipal Building, and the delivery of same to the Secaucus Home News and Jersey Journal on June 1, 2017.

This body wishes to advise you that in accordance with N.J.A.C.5:23-11.1, et seq. of the Indoor Air Quality Standards and Procedures for Buildings Occupied by Public Employees, smoking anywhere in this public building is prohibited by law.

Present: Councilmembers: Michael Gonnelli
Robert Costantino
William McKeever
Susan Pirro
James Clancy
Mark Dehnert (via Telephone)
John Gerbasio

A presentation was given by planner Brian Slauch and Cindy Vogelmann, Esq. regarding the Settlement Agreement with the Fair Share Housing Center.

Councilman Gerbasio moved to go into closed session at 5:00pm, seconded by Councilman Costantino.

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

Councilman Costantino moved to go into open session at 5:21pm, seconded by Councilman Costantino.

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

The following resolution was read: No. 2017-194

RESOLUTION FOR EXECUTION OF SETTLEMENT AGREEMENT
WITH FAIR SHARE HOUSING CENTER

WHEREAS, the Town of Secaucus ("Town") filed a lawsuit entitled In the Matter of the Determination of the Affordable Housing Obligation of the Town of Secaucus, New Jersey in the Superior Court of New Jersey, Law Division, Hudson County, under Docket No. HUD-L-2911-15, on July 6, 2015, seeking temporary immunity, along with all of its applicable Boards and subsidiary entities, from the filing and service of any third party or builder's remedy lawsuits with respect to the Town's satisfaction of its Mount Laurel obligations and an ultimate declaration of its compliance with the Mount Laurel doctrine and Fair Housing Act of 1985 ("FHA"), N.J.S.A. 53:27D-301 et seq.; and

WHEREAS, over the course of the litigation, Fair Share Housing Center ("FSHC") and the Town met directly and also appeared before the Hon. Joseph A. Turula in a series of Case Management Conferences, resulting in the entry of various Case Management Orders, with temporary immunity currently granted through June 15, 2017, and the appointment of a Special Master, Christine Nazzaro-Cofone, AICP/PP; and

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WHEREAS, through that process, the Town and FSHC, with the consent and approval of the Special Master, have negotiated a settlement of the litigation and intend to present that settlement to the trial court with jurisdiction over this matter for review on June 15, 2017 in a Fairness Hearing; and

WHEREAS, the Town recognizes that the settlement of Mount Laurel litigation is favored because it avoids the delay and expense of a trial and promotes certainty of result; and

WHEREAS, the Town and FSHC have memorialized the resolution of the pending litigation in a Settlement Agreement attached hereto as Exhibit A.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council hereby authorize and direct their counsel, Cindy Nan Vogelman of the law firm of Chasan Lamparello Mallon & Cappuzzo, PC, to sign the Settlement Agreement attached hereto as Exhibit A to memorialize the settlement of the pending litigation and to seek approval of that settlement by the Superior Court of New Jersey at a Fairness Hearing, scheduled on June 15, 2017.

There was discussion regarding compliance to the settlement.

Councilman Clancy moved to adopt the foregoing resolution, seconded by Councilwoman Pirro.

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

Councilman Clancy moved to go into closed session at 5:22pm, seconded by Councilman Gerbasio.

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

Councilman Gerbasio moved to go into open session at 5:56pm, seconded by Councilwoman Pirro.

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

The following resolution was read: No. 2017-195

A RESOLUTION AUTHORIZING A MAINTENANCE CONTRACT FOR
THE PUBLIC SAFETY VIDEO SURVEILLANCE SYSTEM (PSVVS)
BY VIPERBOX™ AT BUCHMULLER PARK

WHEREAS, the Town of Secaucus' IT Department in conjunction with the Secaucus Police Department, utilizes proprietary computer hardware and software equipment for investigative and surveillance tasks in the interest of public safety which includes the Public Safety Video Surveillance System (PSVVS) at Buchmuller Park (the "System"); and

WHEREAS, the System requires regular maintenance and support; and

WHEREAS, ViperBox™, located at 11A Commerce Way in Totowa, New Jersey, has submitted a quote to supply the necessary maintenance and support of the System at Buchmuller Park for the period from June 15 to August 31, 2017; and

WHEREAS, contracts for the support of existing proprietary computer hardware and software are exempt from public bidding, in accordance with N.J.S.A. 40A:11-5(1) (dd); and

WHEREAS, the Town of Secaucus' IT Department has verified that the System is proprietary in nature has been installed and monitored by ViperBox™; and

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WHEREAS, the Town of Secaucus is permitted by law (N.J.S.A. 19:44A-20.2, et seq.) to authorize a contract without publicly advertised competition if the contract

is likely to exceed \$17,500.00 or if the contract, when combined with other contracts entered into during the year with the same contractor, is likely to exceed \$17,500.00 in the aggregate, so long as (a) the contract is exempt from public bidding under the Local Public Contracts Law and (b) the contractor, as defined in the law, (i) has not made certain political contributions for one (1) year preceding the award of a contract, (ii) will not make any such political contributions during the term of the contract and (iii) has filed a disclosure of certain political contributions made during the past twelve (12) months; and

WHEREAS, ViperBox™ has provided a written certification that it has not made and will not make any prohibited political contributions and it has also filed the required forms.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council for the Town of Secaucus, County of Hudson, that the Mayor and/or Town Administrator or his designee is hereby authorized to execute a contract with ViperBox™ to provide software maintenance and support of the System for the necessary maintenance and support of the System at Buchmuller Park, at a cost not to exceed One Thousand Seven Hundred and Fifty Dollars (\$1,750.00) (\$350.00 prorated for June and \$700.00 per month for July and August 2017) for the period from June 15 to August 31, 2017.

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

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

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in the 2017 Municipal Budget; and

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

Councilman Gerbasio moved to adopt the foregoing resolution, seconded by Councilwoman Pirro.

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

The following resolution was read: No. 2017-196

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that pursuant to the recommendation of the Superintendent of Recreation of the Town of Secaucus, the following persons are hereby appointed to the various positions noted below to the Secaucus Swim Center, and Rec Center effective June 6, 2017, at the following hourly wages and rates:

<u>Café</u>	<u>Hourly Rate</u>
Taylor Kelly	\$8.50
<u>Clerical</u>	<u>Hourly Rate</u>
Franchesica Caliguire	\$8.50
Sophia Acomata	\$8.50
Madison Sedell	\$8.50
Omelly Dominguez	\$8.50
Carolina Quinones	\$8.50
<u>Lifeguards</u>	<u>Hourly Rate</u>
Michelle Ngo	\$10.00
Kayla Nicolich	\$10.00
Michael Alfararo	\$10.00

Councilwoman Pirro moved to adopt the foregoing resolution, seconded by Councilman Dehnert.

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

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The following resolution was read: No. 2017-197

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, that the Closed Session Council Meeting Minutes for January 10, 24 and 31, 2017 and February 10, 2017 are hereby approved.

Councilman Gerbasio moved to adopt the foregoing resolution, seconded by Councilman Clancy.

AYES: Costantino, McKeever, Clancy, Gerbasio, Gonnelli

NAYS: None

ABSTAIN: Pirro, Dehnert

ABSENT: None

Motion carried

Councilman Gerbasio moved to adjourn the meeting at 6:00 pm, seconded by Councilman Clancy.

Michael Marra, Town Clerk