

March 25, 2014

MINUTES of the a Regular Meeting of the Mayor and Board of Council of the Town of Secaucus, County of Hudson, State of New Jersey held on the 25th day of March, 2014 at 7:00 P.M. in the Council Chambers of the Municipal Government Center, Secaucus, NJ.

Present:	Councilmembers:	Michael Gonnelli Robert Costantino William McKeever Susan Pirro James Clancy Mark Dehnert Gary Jeffas
Absent:		

PLEDGE OF ALLEGIANCE

The following statement was read by Town Clerk Michael Marra:

"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 on December 26, 2013".

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.

Cathy Wolf and several students from the Wrap 4 Smile organization spoke about their experiences working with the homeless.

The Secaucus Emergency Fund presented checks to Unico, the Secaucus Fire Department, Spectrum Works and K & S with funds raised at the Winter Blast.

Steve Papa received the first Hometown Hero Award for saving the life of a teenager.

The first item on the agenda is as follows:

INTRODUCTION OF THE 2014 MUNICIPAL BUDGET FOR THE TOWN OF SECAUCUS

The following resolution was read: NO. 2014-101

MUNICIPAL BUDGET NOTICE

Section 1. Municipal Budget of the Town of Secaucus, County of Hudson, for the Calendar year 2014.

BE IT RESOLVED, that the following statements of revenue and appropriations shall constitute the Municipal Budget for the year 2014.

BE IT FURHTER RESOLVED, that said budget be published in the Secaucus Home News in the issue of April 3, 2014.

The governing body of the Town of Secaucus does hereby approve the following as the budget for the year 2014.

AYES: Jeffas, Costantino, McKeever, Pirro, Clancy, Dehnert, Gonnelli
NAYS: None
ABSENT: None

Notice is hereby given that the Budget and Tax Resolution was approved by the Town Council of the Town of Secaucus, County of Hudson on March 25, 2014.

A hearing on the Budget and Tax Resolution will be held at the Municipal Government Center on April 22, 2014 7:00 o'clock p.m. at which time and place objections to said Budget and Tax Resolution for the year 2014 may be presented by tax payers or other interested persons.

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Councilman Jeffas moved to introduce the 2014 Municipal Budget, seconded by Councilman Costantino.

Councilman Costantino offered comments on the budget and how the Town has come to a zero increase of taxes. He noted that the Public Hearing will be on April 22, 2014 at which time the public can speak and there will be a presentation on spending.

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

The following ordinance was read for public hearing: No. 2014-2

"AN ORDINANCE AUTHORIZING AND APPROVING A FINANCIAL AGREEMENT BETWEEN THE TOWN OF SECAUCUS AND THE LEASED HOUSING CORPORATION OF THE TOWN OF SECAUCUS"

WHEREAS, the Leased Housing Corporation of the Town of Secaucus (the "Corporation") and the Town of Secaucus (the "Town") has acquired and constructed eight (8) units of new affordable rental housing described as Block 34, Lot 3 ("Colonial Court"); and

WHEREAS, pursuant to N.J.S.A. 55:14K-37b, Colonial Court shall be exempt from real property taxation, and is eligible to enter into an agreement with the Town for payments to the Town in lieu of taxes for municipal services; and

WHEREAS, the Corporation has presented the Town with "PILOT" Agreement for Colonial Court, a copy of which is attached hereto as Exhibit A, and that Agreement has been recommended for adoption by the Town Administrator and Town Counsel; and

WHEREAS, the Town's Mayor and Council deem it in the Town's best interest to approve the attached financial agreement for Colonial Court;

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town as follows:

ARTICLE 1.

- A. The Town's Mayor and Council approve the financial agreement attached hereto as Exhibit A and made a part hereof; and
- B. It is further ORDAINED that the Mayor and Town Administrator are authorized to execute the financial agreement attached hereto as Exhibit A and made a part hereof on behalf of the Town; and
- C. The Town Clerk is hereby authorized to forward a certified true copy of this Ordinance to the Corporation; and
- D. The Town Clerk is hereby authorized to forward a certified true copy of this Ordinance, and the financial agreement implementing it, to the Town Tax Assessor and the Director of the Division of Local Government Services.

ARTICLE II.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

ARTICLE III.

This Ordinance shall take effect upon passage and publication according to law.

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

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

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

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

The following ordinance was read for public hearing: No. 2014-3

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

SECTION 1

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Town of Secaucus that Section 127-58B - "Designation of Locations at or Near Private Residences" shall be amended by deleting the following location:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Eighth Street	East	On the east side of Eighth Street directly in front of 858-860 Eighth Street for a distance of 22 feet

SECTION 2

SEVERABILITY

BE IT FURTHER ORDAINED, that the provisions of this ordinance are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of the regulation or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such persons or circumstances, to which the ordinance or part thereof is held inapplicable, had been specifically exempted therefrom.

SECTION 3

REPEALER

BE IT FURTHER ORDAINED, that all other ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed, to the extent of such inconsistency.

SECTION 4

EFFECTIVE DATE

BE IT FURTHER ORDAINED, that this ordinance shall take effect upon passage and publication as provided by law.

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

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

Councilwoman Pirro moved that the foregoing ordinance be finally adopted, seconded by Councilman Dehnert.

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

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The following ordinance was read for public hearing: No. 2014-4

**AN ORDINANCE TO AMEND CHAPTER 104 §23 OF THE CODE OF THE
TOWN OF SECAUCUS ENTITLED "PROPERTY MAINTENANCE"**

WHEREAS, Chapter 104 of the Code of the Town of Secaucus is entitled "Property Maintenance"; and

WHEREAS, the Mayor and Council of the Town of Secaucus have determined that there is a need to amend Chapter 104 §23 of the Code as follows: (deletions indicated by "----" and additions in bold):

§ 104-23. Signs.

A. General provisions.

(1) No signs shall be erected, placed on or attached to a structure or erected independently for any purpose unless specifically permitted herein.

(2) Infrastructure traffic control devices or any sign approved by the properly constituted governmental body may be erected within the public street right-of-way. No sign shall be placed upon any private property without the consent of the property owner. No sign can measure greater than ~~thirty-two (32)~~ seventy-two (72) square feet.

(3) No sign of any type shall be permitted to obstruct driving vision, traffic control devices or other adjacent property.

(4) No sign shall be attached to trees, fence posts, stumps, utility poles, water towers, storage tanks, smoke stacks, radio towers or similar to structures, but shall be either free standing or attached to a building in an approved manner.

(5) No sign shall be erected so as to project over the property line or emit any sound, odor or other nuisance beyond the property line.

(6) Two signs (only one of which may be freestanding) may be allowed except:

(a) An additional street frontage (e.g., a corner) may qualify for an additional freestanding sign;

(b) For multiple tenants; each tenant is entitled to one sign. All locations, including building complexes and shopping centers are limited to one freestanding sign per street frontage;

(c) A logo may be a sign. If it is used separately from the main identification, it will be counted as a second sign.

B. Every person or entity seeking to place a sign on property shall apply to the Zoning Officer for a permit and shall pay an application fee of fifty dollars (\$50.) Any such permit issued pursuant to this section shall entitle the applicant to place up to three (3) signs on the property for a maximum of two (2) consecutive days. Permission of the property owner, if different from the applicant, to place the sign at that location shall be included with the application. The Zoning Officer shall prepare an application for these signs which shall include information concerning location of the sign, size and content of the sign and any other information required by the Zoning Officer. [Amended 3-23-10 by Ord. No. 2010-11]

(1) Should a sign be made of durable materials that is intended to be erected for more than ten (10) days, the application shall be accompanied by a fee of \$1,000. Any permit for such a sign shall entitle the applicant to maintain the sign for 365 consecutive days and the applicant will, thereafter, be required to reapply for a permit and pay the necessary fee.

C. Exemptions. The following signs are exempt from the provisions of this ordinance:

(1) Flags, emblems or signs of a government or of a political, civic, philanthropic, education or religious organization, displayed on private property, provided no sign exceeds forty (40) square feet;

(2) Signs of a duly constituted governmental body including traffic or

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similar regulatory devices, legal notices, warnings at railroad crossings and other instructional or regulatory signs having to do with health, hazards, parking, swimming, dumping and so forth;

- (3) Memorial signs and tablets displayed on private property;
- (4) Address numerals and other signs required to be maintained by law or governmental order, rule or regulation, provided that the content and size of the sign do not exceed the requirements of such law, order, rule or regulations;
- (5) Signs not exceeding five (5) square feet in area displayed on private property for the convenience of the public, including signs to identify entrance and exit drives, parking areas, one-way drives, rest rooms, freight entrances, recycling areas, and the like.
- (6) Real estate signs, one (1) per lot, not exceeding forty (40) square feet per side or a total of eighty (80) square feet. On property which exceeds one thousand (1,000) feet of frontage, an additional sign of forty (40) square feet is permitted per each additional one thousand (1,000) feet of frontage.

WHEREAS, the Mayor and Council have determined to amend Chapter 104 §23 of the Code of the Town of Secaucus;

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

Chapter 104 §23 shall be amended to read as follows:

§ 104-23. Signs.

A. General provisions.

- (1) No signs shall be erected, placed on or attached to a structure or erected independently for any purpose unless specifically permitted herein.
- (2) Infrastructure, traffic control devices or any sign approved by the properly constituted governmental body may be erected within the public street right-of-way. No sign shall be placed upon any private property without the consent of the property owner. No sign can measure greater than seventy-two (72) square feet.
- (3) No sign of any type shall be permitted to obstruct driving vision, traffic control devices or other adjacent property.
- (4) No sign shall be attached to trees, fence posts, stumps, utility poles, water towers, storage tanks, smoke stacks, radio towers or similar to structures, but shall be either free standing or attached to a building in an approved manner.
- (5) No sign shall be erected so as to project over the property line or emit any sound, odor or other nuisance beyond the property line.

B. Every person or entity seeking to place a sign on property shall apply to the Zoning Officer for a permit and shall pay an application fee of fifty dollars (\$50.) Any such permit issued pursuant to this section shall entitle the applicant to place up to three (3) signs on the property for a maximum of two (2) consecutive days. Permission of the property owner, if different from the applicant, to place the sign at that location shall be included with the application. The Zoning Officer shall prepare an application for these signs which shall include information concerning location of the sign, size and content of the sign and any other information required by the Zoning Officer. [Amended 3-23-10 by Ord. No. 2010-11]

- (1) Should a sign be made of durable materials that is intended to be erected for more than ten (10) days, the application shall be accompanied by a fee of \$1,000. Any permit for such a sign shall entitle the applicant to maintain the sign for 365 consecutive days and the applicant will, thereafter, be required to reapply for a permit and pay the necessary fee.

C. Exemptions. The following signs are exempt from the provisions of this ordinance:

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(1) Flags, emblems or signs of a government or of a political, civic, philanthropic, education or religious organization, displayed on private property, provided no sign exceeds forty (40) square feet;

(2) Signs of a duly constituted governmental body including traffic or similar regulatory devices, legal notices, warnings at railroad crossings and other instructional or regulatory signs having to do with health, hazards, parking, swimming, dumping and so forth;

(3) Memorial signs and tablets displayed on private property;

(4) Address numerals and other signs required to be maintained by law or governmental order, rule or regulation, provided that the content and size of the sign do not exceed the requirements of such law, order, rule or regulations;

(5) Signs not exceeding five (5) square feet in area displayed on private property for the convenience of the public, including signs to identify entrance and exit drives, parking areas, one-way drives, rest rooms, freight entrances, recycling areas, and the like.

(6) Real estate signs, one (1) per lot, not exceeding forty (40) square feet per side or a total of eighty (80) square feet. On property which exceeds one thousand (1,000) feet of frontage, an additional sign of forty (40) square feet is permitted per each additional one thousand (1,000) feet of frontage.

IT IS FURTHER ORDAINED that the remainder of Chapter 104 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.

Mayor Gonnelli called on Donald Evanson.

Mr. Evanson spoke of temporary signs along Meadowlands Parkway.

Mayor Gonnelli explained that this will be discontinued and if they are used there are fees in place.

There being no one else requesting the floor, Councilman Jeffas moved that the public hearing be closed, seconded by Councilman Clancy.

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

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

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

The following ordinance was read for public hearing: No. 2014-5

AN ORDINANCE OF THE TOWN OF SECAUCUS, RELEASING,
EXTINGUISHING, AND VACATING THE RIGHTS OF THE PUBLIC
IN A PORTION OF FRONT STREET

("HARTZ-34 MEADOWLANDS - FRONT STREET")

WHEREAS, the Council of the Town of Secaucus ("Town") is of the opinion that the public interest would be best served by abandoning, vacating, releasing, and extinguishing any and all public rights in and to a portion of Front Street denominated "Hartz-34 Meadowlands - Front Street" which is no longer needed for a public street or right of way purposes; and

WHEREAS the aforementioned area is more particularly identified by the Deed Description prepared by Alfred R. Coco, Professional Engineer/Land Surveyor dated November 13, 2013 and the Vacation Map identifying the referenced area dated November 13, 2013 and prepared by Menlo Engineering Associates, Inc.,

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which documents are attached hereto as Exhibits "A" and "B", respectively, and incorporated herein by reference;

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

SECTION 1: All public easements, rights, and interests in and to the approximately 6,551 square feet (0.15 acres) area identified in the attached documents annexed hereto as Exhibit "A" and "B" and made a part hereof, be and is hereby vacated, abandoned, and released for street or right of way purposes.

SECTION 2: Any and all rights and privileges possessed by public utilities and by any cable television company on, over, and across the described portion of the vacated area are hereby expressly reserved and excepted from this vacation.

SECTION 3: The Official Tax Map of the Town of Secaucus be and is hereby amended and revised to reflect: (a) the vacation of the said area as described in Exhibit "A" and depicted on Exhibit "B"; (b) the elimination of any limit line so that hereafter the vacated portions of the area merge with the remainder of the street which had been previously vacated.

SECTION 4: The Town Clerk is hereby authorized and directed to record a certified copy of this Vacation Ordinance (and attached Exhibits) directly with the Office of the Hudson County Clerk.

SECTION 5: The Mayor and Council are hereby authorized and directed to execute any and all documents to perfect the vacation of the aforementioned area recited herein in order to perfect the vacation of the specified area.

SECTION 6: This Ordinance shall take effect immediately after final passage and publication in accordance with law.

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 Councilwoman Pirro.

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

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

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

The following ordinance was read for introduction: No. 2014-7

CALENDAR YEAR 2014 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A 40A: 4-45.14)

Councilman Costantino moved that the foregoing ordinance be introduced and passed on first reading, seconded by Councilman Clancy.

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

The following ordinance was read for introduction: No. 2014-8

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY EQUIPMENT AND NEW AUTOMOTIVE VEHICLES AND A NEW FIRE TRUCK, 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 \$2,859,500 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

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Councilman Jeffas moved that the foregoing ordinance be introduced and passed on first reading, seconded by Councilwoman Pirro.

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

The following ordinance was read for introduction: No. 2014-9

CAPITAL ORDINANCE OF THE TOWN OF SECAUCUS, IN THE COUNTY OF HUDSON, NEW JERSEY AUTHORIZING VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE TOWN, APPROPRIATING THEREFOR THE SUM OF \$1,200,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE TOWN.

Councilman Costantino moved that the foregoing ordinance be introduced and passed on first reading, seconded by Councilman Clancy.

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

The following ordinance was read for introduction: No. 2014-10

BOND ORDINANCE TO AUTORIZE THE RENOVATION OF THE ICE RINK AND THE ACQUISITION OF A ZAMBONI MACHINE FOR USE THEREIN IN, BY AND FOR THE TOWN OF SECAUCUS, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,000,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUUC APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTERS IN ANTICIPATION OF THE ISSUANCE SUCH BONDS

Councilman Dehnert moved that the foregoing ordinance be introduced and passed on first reading, seconded by Councilwoman Pirro.

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

The following ordinance was read for introduction: No. 2014-11

AN ORDINANCE AMENDING CHAPTER 30 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED "RECREATION, DEPARTMENT OF" TO ADDRESS SIBLING ENROLLMENT IN THE AFTER SCHOOL PROGRAM

Councilman Clancy moved that the foregoing ordinance be introduced and passed on first reading, seconded by Councilwoman Pirro.

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

The following ordinance was read for introduction: No. 2014-12

AN ORDINANCE REPEALING AND REPLACING CHAPTER 135 OF THE CODE THE TOWN OF SECAUCUS ENTITLED "ZONING"

councilman Jeffas moved that the foregoing ordinance be introduced and passed on first reading, seconded by Councilman Clancy.

AYES: Jeffas, Costantino, McKeever, Pirro, Clancy, Dehnert, Gonnelli
NAYS: None

CONSENT AGENDA-RESOLUTIONS

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.

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The following resolution was read:

No. 2014-102

RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION OF CERTIFICATES AND ASSURANCES FOR NEW JERSEY TRNASIT AND THE FEDERAL TRANSIT ADMINISTRATION RELTED TO THE NEW JERSY TRANSIT COMMUNITY SHUTTLE BUSES

WHEREAS, the Town operates vehicles through NJ Transit from a Federal Transit Administration ("FTA") grant; and

WHEREAS, NJ Transit must certify annually to the FTA that various applicable statues, rules and regulations are being complied with by both NJ Transit and its grant sub recipients, such as the Town; and

WHEREAS, in order for NJ Transit to its certification, and in order for the Town to continue to operate vehicles provided by NJ Transit, the Town must provide annual certifications and assurances to NJ Transit.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Secaucus authorizes the Town Administrator and the Town Attorney to make all necessary certifications and assurances and to bind the Town's compliance with all relevant Federal statutes, regulations and directives.

The following resolution was read:

No. 2014-103

**1TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION**

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that Jonathan E. Rubio is hereby appointed as a Part-Time Worker in the Secaucus Food Pantry, effective March 19, 2014, at the hourly rate of \$12.00.

The following resolution was read:

No. 2014-104

**TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION**

WHEREAS, Prologis Trust is the record owner of property situated at Block 5, Lot 7.02 with a street address of 1000 New County Road, in the Town of Secaucus, New Jersey; and

WHEREAS, Prologis Trust is the Plaintiff in legal actions against the Town of Secaucus in the Tax Court of New Jersey, with Docket Nos. 003563-2010, 005648-2011, 005302-2012 and 005202-2013 challenging the action of the Town of Secaucus with respect to the assessment of its property; and

WHEREAS, the parties now wish to amicably resolve the outstanding issues regarding the assessment of the property and settle the lawsuits between them pending in the Tax Court of New Jersey.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey that Florio and Kenny, L.L.P., Special Tax Counsel for the Town of Secaucus in these cases, is hereby authorized to execute on behalf of the Town of Secaucus, a Stipulation of Settlement resolving the Complaints filed by:

- 1) Prologis Trust, for property situated at 1000 New County Road, in the Town of Secaucus, New Jersey;
- 2) For tax years 2010, 2011, 2012 and 2013:

Assessment reduced:

<u>Tax year</u>	<u>Assessment</u>	<u>Proposed Assessment</u>
2010	Land \$6,149,300.00	\$6,149,300.00
	<u>Imp. \$11,392,100.00</u>	<u>\$9,519,200.00</u>
	Total \$17,541,400.00	\$15,668,500.00
2011	Land \$6,149,300.00	\$6,149,300.00
	<u>Imp. \$11,392,100.00</u>	<u>\$8,803,800.00</u>
	Total \$17,541,400.00	\$14,953,100.00

2012	Land \$6,149,300.00	\$6,149,300.00	
	<u>Imp. \$11,392,100.00</u>	<u>\$8,947,200.00</u>	
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	Total \$17,541,400.00	\$15,096,500.00
2013	Land \$6,149,300.00	\$6,149,300.00
	<u>Imp. \$11,392,100.00</u>	<u>\$8,808,500.00</u>
	Total \$17,541,400.00	\$14,957,800.00

Interest on any refund due is waived, provided the refund is made within 60 days of the date judgment is issued by the Court.

All in accordance with the discussions held at a certain meeting of the Town Council on March 23, 2014.

The following resolution was read: No. 2014-105

**TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION**

WHEREAS, KTR Meadowlands LLC, %KTR PART % RE DEPT is the record owner of property situated at Block 10, Lot 2 with a street address of 1125 Castle Road and sometimes identified as 600 Meadowlands Parkway in the Town of Secaucus, New Jersey; and

WHEREAS, KTR Meadowlands LLC, %KTR PART % RE DEPT is the Plaintiff in legal actions against the Town of Secaucus in the Tax Court of New Jersey, with Docket Nos. 009547-2009, 003570-2010, 005629-2011 and 005299-2012 and 005209-2013, challenging the action of the Town of Secaucus with respect to the assessment of its property; and

WHEREAS, the parties now wish to amicably resolve the outstanding issues regarding the assessment of the property and settle the lawsuits between them pending in the Tax Court of New Jersey.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey that Florio and Kenny, L.L.P., Special Tax Counsel for the Town of Secaucus in these cases, is hereby authorized to execute on behalf of the Town of Secaucus, a Stipulation of Settlement resolving the Complaints filed by:

- 1) KTR Meadowlands LLC, %KTR PART % RE DEPT for property situated at 1125 Castle Road in the Town of Secaucus, New Jersey; and
- 2) For tax years 2009, 2010, 2011, 2012 and 2013:

Assessment Affirmed:

<u>Tax year</u>	<u>Assessment</u>	<u>Proposed Assessment</u>
2009	Land \$3,165,300.00	\$3,165,300.00
	<u>Imp. \$3,351,400.00</u>	<u>\$3,351,400.00</u>
	Total \$6,516,700.00	\$6,516,700.00
2010	Land \$3,165,300.00	\$3,165,300.00
	<u>Imp. \$3,351,400.00</u>	<u>\$2,738,000.00</u>
	Total \$6,516,700.00	\$5,903,300.00
2011	Land \$3,165,300.00	\$3,165,300.00
	<u>Imp. \$3,351,400.00</u>	<u>\$2,400,600.00</u>
	Total \$6,516,700.00	\$5,565,900.00
2012	Land \$3,165,300.00	\$3,165,300.00
	<u>Imp. \$3,180,400.00</u>	<u>\$2,815,300.00</u>
	Total \$6,345,700.00	\$5,980,600.00

2013

Land	\$3,165,300.00	\$3,165,300.00
Imp.	\$3,180,400.00	\$2,760,400.00
Total	\$6,345,700.00	\$5,925,700.00

March 25, 2014

Interest on any refund due is waived; provided the refund is made within 60 days of the date judgment is issued by the Court.

All in accordance with the discussions held at a certain meeting of the Town Council on March 23, 2014.

The following resolution was read:

No. 2014-106

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

WHEREAS, the Town of Secaucus has the need for Improvements to the Municipal Swim Complex; and

WHEREAS, the Town of Secaucus Recreation Complex wishes to upgrade the Turf for the proper surface, in order to add a GT-H2O Sprayground; and

WHEREAS, the State Contract Vendor Gametime c/o MRC has prepared the Quotes for the Turf Surfacing, the Sprayground, and Pirate Ship; and

WHEREAS, the vendor Gametime c/o MRC is on New Jersey State Contract A81411.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus to award the total amount of \$128,075.31 to Gametime c/o MRC.

The following resolution was read:

No. 2014-107

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

WHEREAS, the Town of Secaucus has the need for various Goods and Services; and

WHEREAS, the contracts on the following services will expire in or about April 2014; and

WHEREAS, the Town Clerk is hereby authorized to advertise and receive bids for : Sports Uniforms; HVAC Services; Court Collection Services; Concessions; Court Interpretation Services; Printing Services; Internet Development and Maintenance Services; Tree Planting Services.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council to authorize the Town Clerk to advertise and receive Bids for these required Goods and Services.

The following resolution was read:

No. 2014-108

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, that Ruby Kish and Abigail Gonzalez of the Secaucus Special Education Parent Advisory Committee are appointed to administer the Town of Secaucus' grant.

The following resolution was read:

No. 2014-109

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

WHEREAS, the Town Clerk advertised for and received bids for the Golden Avenue Drainage Improvements project; and

WHEREAS, there was one bid received by J.A. Alexander, Inc. of 130 John F. Kennedy Drive North, Bloomfield, NJ 07003 in the amount of \$285,143.30; and

WHEREAS, the Town Attorney and Town Engineer have reviewed the bid and have found J.A. Alexander, Inc. to be a responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Secaucus hereby award the contract for the Golden Avenue Drainage Improvements project to J.A. Alexander, Inc. in an amount not to exceed \$285,143.30.

BE IT FURTHER RESOLVED, that the Mayor and Town Clerk are hereby authorized to execute any and all documents connected with the Golden Avenue Drainage Improvements project.

March 25, 2014

The following resolution was read:

No. 2014-110

**A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS AUTHORIZING OFFICE OF INSPECTIONS
ALARM DIVISION SETTLEMENT PURSUANT TO CHAPTER 45**

WHEREAS, the regulation and control of the operation and maintenance of private alarm systems within the Town of Secaucus is addressed in the Code of the Town of Secaucus Chapter 45; and

WHEREAS, false alarms are considered a violation of the Code and subject to penalties set forth in the Code for repeat violations; and

WHEREAS, as part of the penalty provision for repeat false alarms, the Office of Inspections is granted the authority to authorize a settlement of the penalty amount, beyond a reduction of the fourth and fifth alarms, subject to the approval of Council; and

WHEREAS, the Director of the Office of Inspections has recommended and authorized a Settlement for the false alarms associated with the property located at 709 Ninth Street, Secaucus, New Jersey based on the extraordinary factors involved, including but not limited to, a first time settlement for the property, situation surrounding the alarms and the responsiveness of the property owner; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council for the Town of Secaucus that approval is given for the stipulation of Settlement pertaining to the penalty amounts assessed for false alarms at the property located at 709 Ninth Street, Secaucus, New Jersey as recommended and authorized by the Director of t

BE IT FURTHER RESOLVED, that the terms of Settlement adequately address the amount of the penalty, due date and method of payment for the violation dates specified and this Settlement is approved based on the extraordinary factors pertaining to this specific matter.

The following resolution was read:

No. 2014-111

**RESOLUTION ENTERING INTO AN EXTENSION SERVICE PARTNERSHIP AGREEMENT WITH
RUTGERS, THE STATE UNIVERSITY OF NEW JERSEY**

WHEREAS, Rutgers University, through its Water Resource Program, has submitted a proposal to develop a restoration and enhancement plan for the Secaucus Memorial Duck Pond; and

WHEREAS, this project will include a site evaluation, preliminary restoration and enhancement plan, and a recommendations and action plan; and

WHEREAS, by developing these plans, the Town of Secaucus will be able to further the ecological and recreational opportunities at the Secaucus Municipal Duck Pond;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and/or Town Administrator is hereby authorized to execute an agreement between the Town of Secaucus and Rutgers University for the services as described more fully in their proposal in the amount of \$6,000; and

BE IT FURTHER RESOLVED, that the Mayor and/or Town Administrator is hereby authorized to execute any additional documents or take any other necessary action in order to fulfill the purpose and intent of this Resolution.

Financial Officers

Certification attached.

The following resolution was read:

No. 2014-112

RESOLUTION RE: 2014 MILL OVERLAY PROGRAM

WHEREAS, the Town advertised for qualified bidders regarding a project identified as "2014 Mill Overlay Program";

WHEREAS, on march 11, 2014, Five (5) sealed bids were received pursuant to New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, THE BASE BID PROPOSAL OF \$79,880.60 BY Top Line Construction has been reviewed by the Town Engineer, Town Administrator and General Counsel and constitutes the lowest responsible bid; and

March 25, 2014

WHEREAS, the Chief Financial Officer certified that there are sufficient funds for said contract;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Secaucus award a contract to Top Line construction for the 2014 Mill Overlay Program project in accordance with the Top Line Construction's base bid of \$79,880.60; which documents (proposal and specifications) constitute a contract for such services in accordance with the documents maintained on file with the Town Clerk's Office.

The following resolution was read:

No. 2014-113

RESOLUTION RE: ZONING ORDINANCE

WHEREAS, the Mayor and Council of the Town of Secaucus have determined that there is a need to revise Chapter 135 of the Town's Code entitled "Zoning"; and

WHEREAS, since the revisions are so voluminous and detailed, the Mayor and Council have decided that the most effective manner is to repeal Chapter 135 of the Town's Code in its entirety and to replace it with a new Chapter 135;

NOW, THEREFORE BE IT RESOLVED, that new Zoning Ordinance (Chapter 135) is hereby adopted on first reading; and

BE IT FURTHER RESOLVED should the Planning Board fail to transmit said report within the 35 day period provided for in said statute, then the governing body shall be relieved from the requirements of N.J.S.A.40:55 D-26; and

BE IT FURTHER RESOLVED, that after completion of the second reading the new Zoning Ordinance (Chapter 135) be adopted by the Town of Secaucus.

The following resolution was read:

No. 2014-114

RESOLUTION IN SUPPORT OF MIT CAU+ZUS+URBANISTEN TEAM SUBMISSION OF THE "NEW MEADOWLANDS' PROJECT IN THE REBUILD BY DESIGN COMPETITION

WHEREAS, Hurricane Sandy hit Secaucus and the Meadowlands region in October 2012 and created considerable damage; and

WHEREAS, the Town of Secaucus had taken on several projects from rebuilding and reinforcing the berm to adding and updating several pump stations; and

WHEREAS, the Town of Secaucus continues to be deeply concerned about the continuing vulnerabilities and risks for our area; and

WHEREAS, the well-being of our ecosystem, stability of our fabric and our economic growth and dependent upon these vulnerabilities being addresses; and

WHEREAS, the "New Meadowlands' Project addresses these issues but does not limit its scope of flood protection; as it also makes a considerable effort to multiply the effects of resiliency measures by addressing issues of economic development and growth, infrastructure and utility improvement, as well as ecological and recreational aspects of the area; and

WHEREAS, the Town of Secaucus and the Rebuild by Design team hosted a workshop at the Secaucus Public Library that included participation by more than 140 residents and stakeholders; and

WHEREAS, the Mayor and Council wholeheartedly support the "New Meadowlands" Project which is being submitted as an entry in the Rebuild by Design competition; and

NOW, THEREFORE, BE IT RESOLVED, that copy of this resolution be submitted to the Rebuild by Design jury in an effort advance the Rebuild by Design submission of the MIT CAU + ZUS + Urbanisten team for the Meadowlands basin, including its pilot projects such as the one on Secaucus, for federal funding and support.

The following resolution was read:

No. 2014-115

TOWN OF SECAUCUS, COUNTY OF HUDSON

RESOLUTION

BE IT RESOLVED, that the Mayor and Council of the Town of Secaucus hereby approve the employee Mobile Communication Device Allowance Policy and authorize the Town Administrator to implement same.

March 25, 2014

The following resolution was read:

No. 2014-116

**RESOLUTION REJECTING BIDS FOR 2014 MAINTENANCE AND STORMWATER
MANAGEMENT PROGRAM AND AUTHORIZING REBID**

WHEREAS, the Town Clerk advertised for and received bids for the 2014 Maintenance and Storm water Management Program; and

WHEREAS, on March 11, 2014, the four following bids were received:

1.	J. Fletcher Creamer & Son	\$25,452.00
2.	Persistent Construction	\$260,814.00
3.	4 Clean-Up	\$73,524.00
4.	J.A. Alexander	\$85,207.99

WHEREAS, a fundamental flaw in the specifications resulted in unreliable bid figures being submitted.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby reject the bids for the 2014 Maintenance and Stormwater Management Program that were submitted on March 11, 2014

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize the Town Clerk to rebid this project.

Councilwoman Pirro moved that the foregoing resolutions on the Consent Agenda be approved, seconded by Councilman Dehnert.

AYES: Jeffas, Costantino, McKeever, Pirro, Clancy, Dehnert, Gonnelli

NAYS: None

ABSENT: None

Motion carried.

PAYMENT OF CLAIMS

Councilman Jeffas moved that the following Salary Vouchers and Claims Fund Register be approved, seconded by Councilman Clancy.

Town of Secaucus Payroll Acct. w/ending 03/14/14		\$429,977.01
Adm.& Exec	10,080.54	
Mayor & Council	11,654.71	
Municipal Clerk	7,886.71	
Legal Dept.	000.00	
Treasurer	18,169.70	
Tax Assessor	6,092.36	
Tax Collector	5,196.16	
Municipal Court	15,359.11	
Engineering	000.00	
Community Shuttle Bus	2,551.01	
Pub. Bldgs. & Grds.	32,309.52	
Off. Of Inspect.	8,812.57	
Planning Board	58.71	
Bd. Of Adjustments	158.91	
Public Defender	000.00	
Comm. & Security Adm	6,766.53	
Fire Department	000.00	
Police Dept.	319,379.13	
Construction	14,485.68	
School Cross Grds.	13,895.42	
Office of Emergency Man.	576.92	
Unif. Fire Safety Off.	4,262.16	
Rd. Repair & Maint.	121,528.00	
Sewer System	759.55	

Councilwoman Pirro moved to approve the foregoing Raffle Applications, seconded by Councilman McKeever.

R-1305 Secaucus Emergency Fund Inc On-Premise 50/50
R-1306 Secaucus Emergency Fund On-Premise Draw Raffle

March 25, 2014

R-1307 Friends of Secaucus Public Library Off-Premise 50/50
R-1308 Friends of Secaucus Public Library On-Premise Draw Raffle
R-1309 Friends of Secaucus Public Library On-Premise Draw Raffle

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

COMMUNICATIONS REQUIRING ACTION BY MAYOR AND COUNCIL

- 1) Use of Secaucus Swim Center for Cub Scout Pack #87 on April 3, 2014
- 2) Use of Buchmuller Park for Katie Mayer for a MS Fundraiser on August 2, 2014

Councilman Dehnert moved to approve the aforementioned uses, seconded by Councilwoman Pirro.

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

REPORTS AND CORRESPONDENCE REGISTER

Councilman Costantino approved the Correspondence Register, seconded by Councilman Jeffas.

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

COMMITTEE REPORTS

Councilman Clancy reported on two fund raisers for the Secaucus Volunteer Fire Department.

Councilwoman Pirro reported on an upcoming meeting for parents of children with special needs.

Mayor Gonnelli noted that there are two members who are in attendance.

Councilman Dehnert spoke about the use of AED's and the training that is being conducted in order to use the system.

Councilman McKeever announced that tax preparation is available for senior citizens.

Mayor Gonnelli announced that on April 2, 2014 there will a forum with the High School JSA.

UNFINISHED BUSINESS

Councilman Jeffas gave an update on the testing being conducted at the Keystone Property.

Councilman Costantino offered some announcement regarding the Fishing Derby.

Mayor Gonnelli spoke about the agreement with Rutgers University and studies that will be done at the Duck Pond.

Councilwoman Pirro spoke about the upcoming Green Festival. She also mentioned that the Environmental Committee has received a \$500.00 grant.

Councilman Dehnert spoke about upgrades being done at the Town Pool. He also spoke about an upcoming basketball event being held at the Recreation Center.

Mayor Gonnelli stated that the pool will be residents only this season and there will be additional amenities for public use.

Councilman McKeever offered updates on the senior events.

Mayor Gonnelli spoke about an award contract for storm water improvements in the Golden Avenue.

March 25, 2014

Councilman Clancy spoke about the sponsorship of the center of Town clock. He also announced that the completion date on the Washington Hook and Ladder Firehouse will be July 234, 2014.

Councilman Jeffas spoke about an upcoming fundraiser for Typhoon Haiyan at Immaculate Conception Church.

NEW BUSINESS

Councilman Costantino reported on mobile communication resolution and explained how it will become a savings for the Town.

Councilwoman Pirro reported on the United Way store and the new available hours. She also spoke about another event at the Senior Center. She also spoke about Epilepsy Awareness Day which is tomorrow.

Councilman McKeever spoke about a ceremony to honor veteran at the County Court House in Jersey City.

Mayor Gonnelli spoke the new Waterfront Promenade that will be taking place at Laurel Hill Park.

Councilwoman Pirro reminded residents of an event to held at Mill Creek Point Park called Holi.

Mayor Gonnelli stated that Florence Tarantino was named Senior Citizen of the year and will be going to the County and will be honored with a luncheon.

REMARKS OF CITIZENS

Donald Evanson

Councilman Clancy moved to adjourn the meeting at 8:18 pm, seconded by Councilman Costantino.

AYES: Costantino, McKeever, Pirro, Clancy, Dehnert, Gonnelli

NAYS: None

ABSENT: Jeffas

Motion carried

Michael Marra, Town Clerk
