

April 13, 2010

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 13th day of April, 2010 at 7:00 P.M. in the Council Chambers of the Municipal Government Center, Secaucus, NJ.

Present: Mayor Michael Gonnelli
Councilmembers: Gary Jeffas
Robert Costantino
William Mc Keever
James Clancy
John Bueckner
Absent: John Shinnick

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 31, 2009."

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.

In the event of a fire or other emergency, please note that there are two exits in the rear of the Council Chamber which may be used."

Mayor Gonnelli explained that Councilman Shinnick's mother passed away and that is why he is not in attendances. He also introduced Anthony D'Elia as the new Town Attorney. He explained the process of hiring the Town Attorney and gave a brief overview of Mr. D'Elia's credentials.

The following ordinance was read for public hearing: No. 2010-14

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>
Centre Avenue	North	On the north side of Centre Avenue directly in front of 132 Centre Avenue 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.

April 13, 2010

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

AYES: Jeffas, Costantino, McKeever, Clancy, Bueckner, Gonnelli
NAYS: None
ABSENT: Shinnick Motion carried.

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

AYES: Jeffas, Costantino, McKeever, Clancy, Bueckner, Gonnelli
NAYS: None
ABSENT: Shinnick Motion carried.

The following ordinance was read for introduction: No. 2010-15

AN ORDINANCE TO AUTHORIZE IMPROVEMENTS TO VARIOUS STREETS AND PROVIDING THE NECESSARY FUNDS TO PAY COSTS THEREOF

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

AYES: Jeffas, Costantino, McKeever, Clancy, Bueckner, Gonnelli
NAYS: None
ABSENT: Shinnick Motion carried.

Mayor Gonnelli explained that this will represent a grant from DOT for the repaving of Centre Avenue from 10th Street to County Ave.

The following ordinance was read for introduction: No. 2010-16

AN ORDINANCE TO AUTHORIZE IMPROVEMENTS TO VARIOUS STREETS AND PROVIDING THE NECESSARY FUNDS TO PAY COSTS THEREOF

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

AYES: Jeffas, Costantino, McKeever, Clancy, Bueckner, Gonnelli
NAYS: None
ABSENT: Shinnick Motion carried.

Mayor Gonnelli explained that this is stimulus money for resurfacing of Paterson Plank Road from County Avenue to Dorigo Lane.

The following ordinance was read for introduction: No. 2010-17

AN ORDINANCE AMENDING THE CODE OF THE TOWN OF SECAUCUS

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

AYES: Jeffas, Costantino, McKeever, Clancy, Bueckner, Gonnelli
NAYS: None
ABSENT: Shinnick Motion carried.

Town Administrator David Drumeler gave a brief explanation of the

proposed ordinance.

April 13, 2010

The following ordinance was read for introduction: No. 2010-18

AN ORDINANCE AMENDING THE CODE OF THE TOWN OF SECAUCUS

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

AYES: Jeffas, Costantino, McKeever, Clancy, Bueckner, Gonnelli
NAYS: None
ABSENT: Shinnick Motion carried.

Mr. Drumeler gave a brief explanation of the proposed ordinance.

Michael Marra announced that the public hearing for all introduced ordinance will be on May 11, 2010.

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.

The following resolution was read: No. 2010-66

TOWN OF SECAUCUS,
COUNTY OF HUDSON
RESOLUTION

WHEREAS, every human life has matchless value, and we must reaffirm our commitment to raising awareness about the importance of organ and tissue donation; and

WHEREAS, we also wish to express our appreciation to those who have donated organs, tissue and bone marrow; and

WHEREAS, over 106,000 Americans are currently on the waiting list for an organ transplant and thousands more need life enhancing tissue transplants; and

WHEREAS, all New Jersey residents are urged to register with the state's donor registry, say yes to organ and tissue donation on their driver's license and share their decision with family and friends, thus saving lives; and

WHEREAS, this administration is committed to strengthening organ and tissue donation programs and to increase the number of organs available for transplantation in order to save lives; and

WHEREAS, the kindness and generosity of donors reflect the compassionate spirit of our state; and

WHEREAS, we celebrate the life-saving work of medical professionals and researchers and the many others whose actions reflect our commitment to a brighter tomorrow; and

WHEREAS, individuals can visit www.DonateLifeNJ.org to register to become a donor, to learn the facts, and to understand how their decision to give the gift of life can make a difference in the world of so many who are in need.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Secaucus do hereby resolve our community's support of organ and tissue donation.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Town of Secaucus call upon health care professionals, volunteers, educators, government agencies, faith-based and community groups, and private organizations to help raise awareness of the urgent need for organ and tissue donors throughout our state.

The following resolution was read: No. 2010-67

RESOLUTION AUTHORIZING THE SETTLEMENT OF THE TAX APPEAL REGARDING LOT 3
IN BLOCK 141 AS SET FORTH ON THE OFFICIAL TAX MAPS OF THE TOWN OF
SECAUCUS FOR PROPERTY OWNED BY SOVEREIGN BANK
(FORMERLY KNOWN AS INDEPENDENCE COMMUNITY BANK)

April 13, 2010

WHEREAS, Sovereign Bank (Formerly known as Independence Community Bank), the owner of property located at 1322 A Paterson Plank road, designated as Lot 3 in Block 141 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 tax years 2008, 2009 and 2010; and

WHEREAS, the parties have agreed to a reduction in the property's assessment from a total of \$880,000.00 to a total of \$748,000.00 for tax year 2008 and \$700,000.00 for tax year 2009 and that the provisions of N.J.S.A. 54:51a:8 (Freeze Act) will apply for tax year 2010; and

WHEREAS, the property owner has further agreed to waive statutory pre-judgement interest on the tax refund; and

WHEREAS, the Town tax Assessor has agreed to the reduction in the value on the property for the 2008, 2009 and 2010 tax years in accordance with the settlement; and

WHEREAS, the settlement results in the approximate aggregate total tax refund of \$4,264.00 for tax year 2008 and \$5,814.00 for tax year 2009 (based on the 2009 tax rate); and

WHEREAS, the Town Council of the Town of Secaucus has determined that it is in the best interests of the Town to adjust the assessment on the aforesaid property for the 2008, 2009 and 2010 tax years in accordance with the settlement.

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

1. Tax assessment on the property located at 1322A Paterson Plank Road and designated as Lot 3 in Block 141 on the official tax maps of the Town of Secaucus shall be reduced from a total of \$880,000.00 to a total of \$748,000.00 for tax year 2008 and \$700,000.00 for tax year 2009 and the provisions of the Freeze Act will apply for the tax year 2010.
2. The Town Tax Collector is hereby authorized to pay the tax refund attributable to the reduction in the assessment for the 2008, 2009 and 2010 tax years upon receipt of the Tax Court Judgement.
3. This resolution shall take effect immediately or as otherwise provided by law.

The following resolution was read: No. 2010-68

RESOLUTION AMENDING AND INCREASING THE 2010 TEMPORARY BUDGET

WHEREAS, it is necessary to provide additional appropriation in the 2010 Temporary Budget to make available the money necessary for the continuance of the Town services during the Temporary Budget period, and

WHEREAS, no adequate provision has been made in the 2010 Temporary Budget for the aforesaid purpose and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary budget for the purpose abovementioned; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, (not less than two thirds of all members thereof concurring) in accordance with N.J.S.A.40A:4-20.

1. An emergency temporary appropriation be and the same is hereby created for:

GENERAL GOVERNMENT:	From	To
Administrative & Exec.		
Salaries & Wages	61,500	109,375
Other Expenses	72,000	126,224
 Town Clerk's Office		
Salaries & Wages	40,000	67,218
Other Expenses	20,000	33,266

April 13, 2010

Office of the Mayor		
Salaries & Wages	40,000	67,391
Other Expenses	2,835	1,733
Treasurer's Office		
Salaries & Wages	116,000	210,182
Other Expenses	20,000	26,264
Assessment of Taxes		
Salaries & Wages	38,000	65,689
Other Expenses	4,500	12,330
Collection of Taxes		
Salaries & Wages	34,000	68,662
Other Expenses	6,400	13,815
Legal Services & Costs		
Salaries & Wages	17,000	30,284
Other Expenses	150,000	237,375
Public Buildings & Grounds		
Salaries & Wages	190,000	340,119
Other Expenses	70,000	122,490
Tax Litigation		
Other Expenses	85,000	123,750
Planning Board		
Salaries & Wages	3,000	3,375
Other Expenses	675	1,125
Zoning Costs		
Other Expenses	270	270
Board of Adjustments		
Salaries & Wages	2,000	3,600
Other Expenses	1,350	1,811
Insurance:		
Group Ins. Plan for Emplo	1,150,000	1,934,100
Other Insurance	130,000	500,000
Municipal Court:		
Salaries & Wages	100,000	174,574
Other Expenses	18,000	28,953
Public Defender		
Salaries & Wages	8,000	11,250
Other Expenses		1,125
Engineering Services and Costs		
Salaries & Wages	2,400	2,400
Other Expenses	50,000	84,375
PUBLIC SAFETY:		
Fire Dept.		
Other Expenses	100,000	171,180
Police		
Salaries & Wages	1,840,000	3,075,487
Other Expenses	35,000	50,000
Communications & Security:		
Salaries & Wages	24,000	41,433
Other Expenses	3,000	4,905
School Crossing Guards:		
Salaries & Wages	45,000	96,750
Other Expenses	900	1,125
Emergency Medical Service		
Other Expenses	120,000	209,250
Emergency Management Services:		
Salaries & Wages	4,300	7,571
Other Expenses	2,750	4,478

Fire Inspector:		
Salaries & Wages	31,000	52,993
Other Expenses	950	1,890
STREETS AND ROADS:		
Road Repair & Maintenance:		
Salaries & Wages	690,000	1,184,222
Other Expenses	95,000	191,745
Sewer System:		
Salaries & Wages	5,000	10,125
Other Expenses		9,000
Solid Waste management Recycling:		
Salaries & Wages	68,000	123,013
Other Expenses	6,000	11,565
Garbage & Trash Removal		
Contractual	250,000	450,000
HEALTH & WELFARE		
Department of Social Services		
Salaries & Wages	58,000	115,751
Other Expenses	4,000	9,405
Board of Health:		
Salaries & Wages	5,500	9,945
Other Expenses	750	1,350
Mosquito Control:		
Salaries & Wages	0	0
Community Shuttle Bus:		
Salaries & Wages	24,000	42,682
Other Expenses	2,500	4,073
RECREATION & EDUCATION		
Parks & Playgrounds		
Salaries & Wages	5,000	10,575
Other Expenses	15,000	28,913
Supervision of Playgrounds Activities		
Salaries & Wages	325,000	601,004
Other Expenses	85,000	224,967
Recreation Activities:		
Salaries & Wages	25,000	46,450
Other Expenses	7,500	2,500
STATE UNIFORM CONSTRUCTION		
Construction Official		
Salaries & Wages	61,000	114,447
Other Expenses	20,000	37,350
Office of Inspections		
Salaries & Wages	35,000	72,908
Other Expenses	17,750	4,298
Unclassified;		
Street Lighting	90,000	162,000
Fire Hydrant Service	50,000	103,500
Council of Mayor's Contribution	15,000	28,890
Electricity-All Dept	150,000	272,250
Municipal Water Serv.	12,000	21,150
Postage All Depts	12,000	22,275
Telephone All Depts	50,000	96,750
Gasoline All Depts	55,000	114,750
Statutory Expenditures		
Social Security	176,000	331,650
Secaucus Municipal Utilities Authority	900,000	1,827,493
NJ Meadowlands Commission	1,000,000	921,381

Secaucus Free Public Library	450,000	800,000
Unemployment Insurance	20,000	38,250
PFRS (Police & Firemen's Retirement Sys)	0	1,532,975
PERS (Public Employees Retirement Sys)	0	689,000
Pension Adjustment	0	24,596
State and Federal Programs		
Offset by Revenues		
Cops-Other Technology Grant	100,000	100,000
Payments of Tax Appeals	341,000	341,000
Municipal Debt Service		
Interest on Bonds	176,250	306,000
Interest on Notes	235,000	235,000
Hazardous Discharge Loan principal	31,901	31,901
Hazardous Discharge Interest	16,797	16,797
Green Trust Loan Principal	14,182	14,182
Green Trust Loan Interest	5,515	5,515
Bond Principal	1,050,000	1,050,000
Total	11,379,475	20,513,779
Totals:		
Operations	9,849,830	18,854,384
Debt Service	1,529,645	1,659,395

The following resolution was read: No. 2010-69

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

WHEREAS, the Town of Secaucus is desirous of obtaining expert professional services to serve the Town in both statutory and operationally required functions; and

WHEREAS, the Town Attorney has prepared a Fair & Open solicitation therefore.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby authorized to post and accept proposals for Associate Town Attorney

BE IT FURTHER RESOLVED, that proposals for such services shall be received on April 27, 2010 at 11:30am.

The following resolution was read: No. 2010-70

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

WHEREAS, the Town of Secaucus, via ordinance Section 49-9A has the ability to impose fines for false alarm violations; and

WHEREAS, there has been accrued an enormous amount of fines due and owing to the Town of Secaucus; and

WHEREAS, the Director of the Office of Inspections is authorized to negotiate settlements with the various property owners regarding those fines.

NOW, THEREFORE, BE IT RESOLVED, that the Director of the Office of Inspections is delegated the authority to settle any and all outstanding fines due and owing to the Town of Secaucus in an amount of 50% of the fines that are due and owing, so long as the fines are paid within 30 days.

BE IT FURHTER RESOLVED, that no payment will be accepted via cash; all payments must be made by check, certified funds or bank teller account.

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

AYES: Jeffas, Costantino, McKeever, Clancy, Bueckner, Gonnelli

NAYS: None

ABSENT: Shinnick

Motion carried.

April 13, 2010

BINGO/RAFFLE APPLICATION

Councilman Jeffas moved that the following application for Raffle/Bingo License be approved, seconded by Councilman Clancy.

- R-1115 Friends of the Secaucus Public Library On Premise Draw Raffle
- R-1116 Friends of the Secaucus Public Library On Premise 50/50
- R-1117 Hawthorne Caballeros Drum and Bugle Off Premise Draw Raffle
- R-1118 Unico National Secaucus Night at the Races
- R-1119 Unico National Secaucus On Premise 50/50

AYES: Jeffas, Costantino, McKeever, Clancy, Bueckner, Gonnelli

NAYS: None

ABSENT: Shinnick

Motion carried.

COMMUNICATIONS REQUIRING ACTION BY MAYOR AND COUNCIL

The following correspondences were received:

Dear Mayor Gonnelli,

I am writing to ask permission for Hackensack Riverkeeper to hold a River Camp at Mill Creek Point park on Saturday, October 9, 2010 from 10:00am-2pm. As you know, many of our environmental education programs such as eco-cruises and guided paddling yours take place in Secaucus, and we take great pride in keeping its riverbanks clean.

Our cleanups are voluntary efforts of local citizens and Hackensack Riverkeeper supporters and all are welcome to participate. We expect the volunteers to be mostly adults. We expect to have 50 to 100 volunteers at this cleanup who will pick up trash from the riverbanks on foot as well as from the river and the Mill Creek by canoe. Hackensack Riverkeeper will provide equipment, lunch and refreshments for all participants.

We are asking the Township to supply us with a large dumpster for this cleanup if possible. We will forward a certificate of insurance covering the event as soon as we receive it. If there is anything else that I need to do to procure the necessary permits for this event, please don't hesitate to contract me. We hope to see you at the cleanup!

Lisa Ryan
Operations Director

To: Mayor Michael Gonnelli and Council Members

Re: Kane Stadium

The Kiwanis Club of Secaucus would like the use of Kane Stadium for the purpose of sponsoring a Drum & Bugle competition on Sunday, August 22, 2010. Our first annual Kiwanis Open last August was a success and we plan to make this year's event even better. We are inviting four or five competing corps from Drum Corps Associates as well as soon exhibition drum corps.

The show will start about 2:00pm and should be completed by 6:00pm. Last year we invited the Secaucus Band Parents to run the concession stand. They made a profit of over \$1,200.00. We are going to invite them back this year so that they can have the opportunity to raise funds once again.

The Kiwanis organization carries insurance to cover the event, as with our Santa's visit. I know that we will need police for traffic control. We hope to have an audience of 800 to 1000 for this, annual event.

We need to let the Drum Corps Association organization know as soon as possible if we can use the stadium so that the date can be reserved for us.

I will be happy to meet with you to discuss the particulars about the show at any time.

Thank you for your consideration.

April 13, 2010

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

AYES: Jeffas, Costantino, McKeever, Clancy, Bueckner, Gonnelli
NAYS: None
ABSENT: Shinnick Motion carried.

REPORTS AND CORRESPONDENCE REGISTER

Councilman Bueckner moved to approve the Reports and Correspondence Register, seconded by Councilman Jeffas.

AYES: Jeffas, Costantino, McKeever, Clancy, Bueckner, Gonnelli
NAYS: None
ABSENT: Shinnick Motion carried.

COMMITTEE REPORTS

Councilman McKeever reported on Senior Citizen events.

Councilman Bueckner reported on Recreation matters. He also spoke about the upcoming concert series along with possible Teens concerts. He also stated that Hartz Mountain would like to have a concert also. He spoke of other proposed concerts in the Town.

Mayor Gonnelli said that the Hartz Concert will be in Harmon Meadow. He spoke about planned events for children. He mentioned that all will be funded by outside sources, not tax payers money.

Councilman Jeffas reported on the Alternate Energy Committee.

Councilman Costantino reported on the Finance Committee.

Mayor Gonnelli reported that each department is being reviewed.

Councilman Clancy reported on Fire Department as well as the Shade Tree Committee. He reported on a Basking Robbins fund raiser for fallen firefighters. He announced that the Shade Tree Commission is back on track.

Joseph Segro reported on the upcoming Parade.

Bill Sheehan reported on the Environmental Committee.

Susan Pirro reported on the Animal Care Committee.

Joseph Morano reported on Ambulance Services.

UNFINISHED BUSINESS

Councilman Jeffas spoke about a grant that has been submitted for the Park on Charles Street. He also spoke about auditors in the tax office and the process is coming to an end. He spoke about concerns of parking, meters and speeding.

Mayor Gonnelli reported on getting a second supermarket in the Town. He asked Mr. Drumeler to give more details.

Mr. Drumeler explained that potential plan for a supermarket in the Secaucus Exchange area.

Mayor Gonnelli announced that the Walmart Supermarket will be opening on June 16, 2010. He also reported on the North Hudson Community Action Group. He said this group is providing the Town with a Social Worker and sees some very good services available to the Town residents.

NEW BUSINESS

Councilman Jeffas reported that in Laurel Hill Park they are researching for the placement of some recreation facilities as well as upgrades to the existing facility. He also spoke about a meeting with the NJ Turnpike Authority regarding the rest stop area and reported that the NJ Turnpike will be doing clean up in that area. He announced

that the Arbor Day celebration is April 30th at 10:00am at Huber Street School.

April 13, 2010

Councilman Bueckner reported on the Schmidt's Woods clean up. He also spoke about a second access out of the North End. He spoke about the Radio Avenue curb cut on the ramp. He said there are many complaints from residents and stated that it can be dangerous.

Mayor Gonnelli explained that the property is State owned and State approval is necessary before anything can be done.

Councilman Clancy spoke about the same problem and situation. He said that Assemblymen Prieto is looking into a solution also.

REMARKS OF CITIZENS

Donald Evanson
Robert Hartung
Thomas Colavito
Pat Belenski
Jules Carricarte
John Markovich
Carole Acropolis
Richard Steffens
Anthony Aiello
George Schoenrock

ADJOURNMENT

Councilman Jeffas moved to adjourn the meeting at 8:48 pm, seconded by Councilman Clancy.

AYES: Jeffas, Costantino, McKeever, Clancy, Bueckner, Gonnelli
NAYS: None
ABSENT: Shinnick

Motion carried.

Michael Marra, Town Clerk

