

May 13, 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 13th day of May, 2014 at 7:00 P.M. in the Council Chambers of the Municipal Government Center, Secaucus, NJ.

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

PLEDGE OF ALLEGIANCE

The EMT's from Meadowlands Hospital Medical Center were honored with a plaque.

A check was presented for Autism research.

Mayor Gonnelli made a statement regarding the placement of a statue of Mahatma Gandhi in the Meditation Garden by the Secaucus Recreation Center. Several other people also made statements. They were:

Doug De Pice
Richard Fairman
Ruchika Misra
Megan Vasquez
Amanda Nesheiwat
Jara Zarin
Bhikhubhai Patel
Councilman Gary Jeffas

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.

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."

The first item on the agenda is as follows:

APPROVAL OF MINUTES

The following resolution was read: No. 2014-144

**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 March 11, 2014, March 25, 2014, April 8, 2014 and April 22, 2014 hereby approved.

Councilman Clancy moved that the foregoing resolution on the be approved, seconded by Councilwoman Pirro.

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

Ch. 135 ZONING

**ARTICLE I
General Provisions**

- § 135-1. Title; purpose.
- § 135-2. Definitions.
- § 135-3. Nonconforming uses, lots and structures.
- § 135-4. Construction.
- § 135-4.1 Other general provisions.

**ARTICLE II
Zoning Districts**

- § 135-5. Designation of districts and Zoning Map.

**ARTICLE III
District Regulations**

- § 135-6. Use regulations.
- § 135-7.1. Height, area and bulk regulations for residential uses.
- § 135-7.2. Residential driveways specifications and use; procedures.
- § 135-7.3. Residential driveways; off-street parking of commercial vehicles.
- § 135-8. Height, area and bulk regulations for commercial uses.
- § 135-9. Height, area and bulk regulations for industrial uses.
- § 135-9.1. Signs for all uses.
- § 135-9.2. Landscaping.

**ARTICLE IV
Parking Requirements**

- § 135-10. Commercial uses.
- § 135-11. Industrial uses.
- § 135-12. Parking for other uses.
- § 135-12.1. 1Parking design standards.

**ARTICLE V
Enforcement; Violations and Penalties**

- § 135.13. Administration and enforcement.
- § 135.14. Violations and penalties.

**TOWN OF SECAUCUS
ZONING ORDINANCE
CHAPTER 135**

ARTICLE I General Provisions

§ 135-1. Title; purpose.
This chapter, to be known in its short form as the "Zoning Ordinance of the Town of Secaucus," is a chapter designed to limit and regulate buildings and uses as to their

May 13, 2014

extent and impact upon the landscape. this chapter specifies districts in which particular uses are permitted or prohibited and details the regulations concerning the construction of structures permitted within these districts.

§ 135-2. Definitions.
A. Words in the present tense include the future. "Shall" and "should" are mandatory.

B. The following words and phrases shall have the meanings herein indicated:

ACCESSORY USE – A building or use, which is customarily incident to the principal, primary or main use of a building or use and so necessary or commonly to be expected that it cannot be supposed that this chapter intends to prevent.

BASEMENT – A space within a building having one-half or more of its floor-to-ceiling height above the average elevation of the adjoining ground with its floor-to-ceiling height seven (7) feet or greater.

BUILDING – A structure which has one (1) or more floors and a roof and is

fixed permanently to the land.

BUILDING COVERAGE - The total land area covered by the ground floor(s) of all principal and accessory buildings measured from the exterior face of exterior walls.

BUILDING LINE - A line parallel to the streetline established by the closest part of a building to the street.

CELLAR - A space within a building having less than one-half of its floor-to-ceiling height above the average elevation of the adjoining ground or with a floor-to-ceiling height of less than seven (7) feet.

COMMERCIAL MESSAGE - Any sign wording, logo, figure, symbol, color, illumination, fixture, projection, or other representation that, directly or indirectly, names, advertises, or calls attention to a business product, service, or other commercial activity.

CORNER LOT - A lot or parcel of land abutting upon two or more streets at their intersection forming an interior angle of less than 135°.

COURT - An open, unoccupied space other than a front, side or rear yard on a lot.

CURB CUT - An edging built along the street to form part of a gutter which has been cut away, usually so that vehicles may have access to a driveway.

CURB LEVEL - The permanently established grade of the curb in front of the lot.

DECK - Any open or uncovered structure or platform, any portion of which is attached to and accessible from any level of a dwelling unit.

DORMER - A top floor projection built out from a sloping roof.

DRIVEWAY - A private roadway providing access from a public right-of-way to a lot, property, premises or garage beginning at the streetline.

DWELLING - A single unit providing complete, independent living facilities for one or more persons, living together as a single family or domestic unit, including permanent provisions for living, sleeping, eating, cooking and sanitation.

DWELLING, SINGLE FAMILY - A residential building containing one dwelling unit that is not attached to any other dwelling by any means and is surrounded by open space or yards.

DWELLING, TOWNHOME - A one-family dwelling unit in an attached row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common fire-resistant walls.

DWELLING, TWO-FAMILY - A residential building containing two dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units.

FAMILY - Either an individual or two (2) or more persons related by blood, marriage or adoption living together as a single housekeeping unit in a dwelling unit; or a group of persons, who need not be related by blood, marriage, or adoption living together as a single housekeeping unit in a dwelling unit; plus, in either case, usual domestic servants. A "family" may include any number of gratuitous guests or minor children not related by blood, marriage or adoption. A "family" does not include persons living together in rooming houses, boarding houses, or commercial residences.

FLOOR AREA RATIO - The ratio of useable floor area permitted in a building in relation to the area of the lot on which the building stands.

GARAGE OR CARPORT - A shelter that has the primary function of storage or protection of vehicles, boats, or trailers.

HEIGHT LIMIT - The distance measured from ground level to the peak of the roof.

HOME OCCUPATION – The utilization of a portion of a residence by the owner for professional offices or studios.

IMPERVIOUS SURFACE - 1A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water; meaning any surface with a water percolation rate greater than 120 minutes per inch. For the purposes of this Ordinance, storm water management basins, swimming pools and dry wells shall not be considered impervious surfaces; however graveled areas shall be so considered.

LOT AREA – The area of a tract of land in single ownership located within a block.

LOT AREA PER DWELLING UNIT – The amount of lot area required for each dwelling unit.

LOT COVERAGE - The 1area of a lot covered by any impervious surface.

LOT WIDTH – The mean horizontal distance between the side lot lines of a zoning lot.

NONCONFORMING USE OR STRUCTURE – A structure, the size, dimension or location (or a use or activity) of which was lawful prior to the adoption, revision or amendment of the Zoning Ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption, revision or amendment; a use or structure which does not comply with the present zoning conditions but existed lawfully and was created in good faith prior to the enactment of the zoning provision.

OPEN SPACE – Any landscaped area, including any uses required to be conducted within the open space, but not including vehicular parking or loading areas or driveways. It is the land area minus building area and vehicular area and includes usable roof area.

PERSON – Any individual, corporation, partnership, unincorporated association, or other legal entity.

1SIGHT TRIANGLE – A triangular-shaped portion of land established at street intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

SIGN – Any object, device, display, mural or structure, or a part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design symbols, fixtures, colors, illumination or projected images. This definition shall specifically include any building or part of a building, including walls and facades used for such purposes and shall further include banners, pennants, flags and similar attention attracting devices.

STORY – 1That portion of a building included between the surface of any floor and the surface of the next floor above it or, if there is no floor above it, then the space between the floor and ceiling next above it. A cellar shall not be considered a story. A basement shall be considered a story where the finished surface of the floor above the basement is:

- A. More than six (6) feet above the average grade elevation;
- B. More than six (6) feet above the finished ground level for more than 50% of the total building perimeter; or
- C. More than twelve (12) feet above the finished ground level at any point.

STORY, HALF - A space under a pitched roof at the top of a building, the floor of which is at least three (3) feet, but no more than 5 feet below the plate and where the floor area that is five (5) feet or less in floor-to-ceiling height is a minimum of 40% of the total floor area of the story.

STREETLINE - 1The edge of the existing or future street right-of-way forming the dividing line between the street and lot.

STRUCTURE – A structure is considered a permanent piece of equipment, or

item that is installed on concrete, a concrete pad or footings or which can not be readily moved and which may or may not be attached to the residence through electrical or plumbing or other utility.

STUDIO - The workshop of an artist or artisan, but not to include performing arts.

USE - Any activity, occupation or operation carried out in a building or on a tract of land.

VEHICLE - Shall have the meaning set forth in Title 39 of the New Jersey Statutes (Motor Vehicle and Traffic Regulations).

YARD - The required open area on a zoning lot along the lot lines. A "yard" shall be free from all structures. Items such as roof overhangs, gutters and leaders shall not be considered structures for purposes of this definition.

(1) **FRONT YARD** - A yard extending the full length of the front lot line.

(2) **REAR YARD** - A yard extending the full length of the rear lot line.

(3) **SIDE YARD** - A yard extending along a side lot line from the front lot line to the rear. For corner lots, any lot other than a front or rear yard shall be a "side yard."

§ 135-3. Non-Conforming uses, lots and structures. [Revised Title; Incorporates both prior §135-3 and §135-3A]

A. Nonconforming structures or uses utilized prior to the adoption of this chapter shall not be changed in structure or use unless the proposed structure or use conforms to this chapter. Nonconforming structures or uses which are partially destroyed [less than fifty percent (50%)] or in need of repairs may be rebuilt or repaired but not expanded. Nonconforming structures or uses existing at the time of adoption of this chapter may continue to exist but may not expand.

B. Failure to conform with the parking requirements of Article IV of this chapter shall not prevent a change in use when (a) the existing use and the proposed new use are both permitted uses in the zoning district in which the use is located pursuant to Article III of this chapter; (b) the existing use is a permitted nonconforming use in respect to parking requirements, in that it and its predecessor use or uses was or were in lawful existence prior to the adoption or modification of, and failed to conform with, such parking requirements; and (c) parking shall be provided for the new use to the same extent that it was provided prior to the change in use (but this condition shall not be understood to apply where such prior parking was not provided on property in common ownership with the property on which the nonconforming use was conducted.)

C. **1Non-conforming Lots.** The following requirements shall apply to non-conforming lots:

(1) **Merging of substandard lots.** Whenever title to two or more contiguous lots is held by the same owner, regardless of whether or not each of the lots may have been approved as portions of a subdivision or acquired by separate conveyance or by other operation of law, and one or more individual lots should, by reason of exceptional shallowness, topographical conditions, substandard area or yard space or similar measurements, not conform with the minimum lot area and dimension requirements for the zone in which it is located, the contiguous lots shall be merged into a single lot.

(2) **Non-conformity from public dedication.** Whenever the owner of a lot existing at the time of adoption of this ordinance has dedicated or conveyed land to the municipality in order to meet the minimum street width requirement of the official map or master plan of the municipality, the construction official shall issue building and occupancy permits for the lot whose depth and/or areas are rendered substandard in area only because of such dedication and where the owner has no other adjacent lands to provide the minimum requirements.

§ 135-4. Construction.

No building or premises shall be erected or altered for any purpose other than a purpose permitted in the zone in which the building or premises is located.

§ 135-4.1. Other general provisions.

- A. Yards for Corner Lots. Each corner lot shall have one front yard, one rear yard and two side yards. The front yard shall abut a streetline and shall be determined by the location of the main door to the building. The rear yard shall be the yard opposite the front yard. One of the side yards shall abut a streetline.
- B.
- C. 1Reverse frontage lots. Residential lots which have frontage on both a residential access street and a higher order street such as a collector or arterial road shall establish the front yard facing the lower order street and the rear yard facing the higher order street.
- D. Frontage on cul-de-sacs or curved streets. The minimum lot frontage may be reduced on curved alignments with an outside radius of less than 500 feet to not less than 75% of the required minimum provided that the width of the lot at the building setback line is equal to or greater than the lot frontage requirement.
- E. 1Frontage on corner lots. The minimum frontage requirement for any residential lot shall be met by the lowest order street. In the case of a corner lot with two streets of the same hierarchy, either residential street frontage may meet the minimum lot frontage required for that zone. The minimum frontage requirement for any non-residential lot may be met by any street frontage.
- F. Basement and cellar occupancy. No dwelling unit shall be permitted that utilizes a basement without also occupying another story fully above ground. No cellar shall be used for habitable space.
- G. Sight distance. When an application for site plan or subdivision is made, an easement for clear sight distance shall be established at any intersecting rights-of-way wherein no planting or structures with a cross-section in excess of one-half (1/2) square foot shall be installed that exceeds thirty (30) inches in height. Such clear sight easement shall be in accordance with N.J.A.C. 5:21-4.19(b)6 as it may be amended or superseded. In the event that no application for development is required, no such structure or tree shall be planted on the corner of a lot in the triangular-shaped area bounded by the intersecting curblines (or edges of cartways in the event there is no curb) to a point twenty-five (25) feet therefrom and the connecting line thereto. The Zoning Officer may require the removal by the landowner or tenant of any object within this area found to obstruct clear sight distance regardless of the height of the object or its cross-sectional area.
- H. All variance applications must take into account and comply with Town of Secaucus licensing requirements.

ARTICLE II Zoning Districts

§135-5. Designation of Districts and Zoning Map.

A. 1To further the purposes and intent of this Ordinance and provide for the public health safety and welfare, the area of the Town of Secaucus, exclusive of the area defined on the Official Zoning Map of the Hackensack Meadowlands District, is hereby divided into zones or districts as follows:

- A Residential Zone
- B Residential Zone
- C Commercial Zone
- I Industrial Zone
- Low-Density Residential Zone

- B. 1The zoning map entitled "Zoning Map, Town of Secaucus, Hudson County, New Jersey," dated April 1987, as it may be amended, is hereby adopted and made a part of this Ordinance.
May 13, 2014
- C. Jersey," dated April 1987, as it may be amended, is hereby adopted and made a part of this Ordinance.
- D. Interpretation of Boundaries.

- (1) Zoning district boundary lines are intended to follow street centerlines, railroad rights-of-way, streams and lot or property lines as they exist on lots of record at the time of enactment of this Ordinance unless otherwise indicated by dimensions on the zoning map. Any dimensions shown shall be in feet and measured horizontally and, when measured from a street, shall be measured from the street right-of-way line even if the centerline of that street is used for the location of a zoning district line. The exact location of any disputed zoning district boundary line shall be determined by the Zoning Board of Adjustment pursuant to N.J.S.A. 40:55D-70b.
- (2) Where boundaries are not fixed by dimensions and where they approximately follow lot lines and where they do not scale more than 20 feet distant therefrom, the street centerlines, railroad rights-of-way, streams and lot lines shall be construed to be such boundaries.
- (3) Where a zoning district boundary divides a lot, the location of the boundary, unless indicated by dimensions on the zoning map, shall be determined by use of the stated scale on the map.

ARTICLE III District Regulations

§ 135-6. Use regulations.

- A. A Residence Zone Permitted Uses. The following uses only shall be permitted in the A Residence Zone:
 - (1) Single dwelling unit.
 - (2) Churches, temples and houses of worship.
 - (3) Public schools, libraries and museums.
 - (4) Public parks and playgrounds.
 - (5) Permitted Accessory Uses and Structures. The following accessory uses and structures shall be permitted in conjunction with a principal use:
 - (a) Private garage for residential purposes not to exceed 700 sf. in floor area.
 - (b) Swimming pool.
 - (c) Residential tool shed not to exceed 120 sf. in floor area.
 - (d) Accessory uses customarily incidental to a residential use.
 - (e) No more than one accessory building and one residential tool shed per principal building shall be permitted.
- B. B Residence Zone Permitted Uses. The following uses only shall be permitted in the B Residence Zone:
 - (1) Single dwelling unit.
 - (2) Two dwelling units.
 - (3) Churches, temples and houses of worship.
 - (4) Public schools, public libraries and public museums.
 - (5) Public parks and playgrounds.
 - (6) Permitted Accessory Uses and Structures. The following accessory uses and structures shall be permitted in conjunction with a principal use:
 - (a) Private garage for residential purposes not to exceed 700 sf. in floor area.
 - (b) Swimming pool.
 - (c) Residential tool shed not to exceed 120 sf. in floor area.

- (d) Accessory uses customarily incidental to a residential use.
 - (e) No more than one accessory building and one residential tool shed per principal building shall be permitted.
- C. Low Density Residential (LDR) Zone Permitted Uses. In those areas of the Hackensack Meadowlands District where authority for the issuance of certain approvals and permits has been delegated to the Town of Secaucus pursuant to N.J.A.C. 19:4-3.2(a)4, the following use shall be permitted in accordance with N.J.A.C. 19:4-5.26:
- (1) Single family and two-family dwellings.
 - (2) Permitted Accessory Uses and Structures. The following accessory uses shall be permitted pursuant to N.J.A.C. 19:4-5.4 in conjunction with a principal use:
 - (a) Accessory uses and structures not permitted on required open space:
 - (i) Private garages or carports.
 - (ii) A structure for storage incidental to a permitted use, excluding such structure accessory to a single family or two-family dwelling.
 - (iii) Off-street parking and loading spaces pursuant to N.J.A.C. 19:4-8.2 and -8.3.
 - (iv) Storage of registered boats, boat trailers, camping trailers and small house trailers.
 - (b) Accessory uses and structures permitted on required open space:
 - (i) A child's playhouse.
 - (ii) A structure for storage accessory to a single family or two-family dwelling not exceeding 100 sf. in floor area.
 - (iii) A private swimming pool in accordance with the standards of N.J.A.C. 19:4-5.4(c)3.
 - (3) The jurisdiction of the Town of Secaucus shall be limited to one and two-family dwellings.
 - (4) No land which is located in the LDR zone shall be used for a driveway, walkway or access purpose to any other land located in any zone created by N.J.A.C. 19:4-5.45 through -5.122.
- D. C Commercial Zone Permitted Uses. The following uses only shall be permitted in the C Commercial Zone:
- (1) Banks.
 - (2) Barber/beautician.
 - (3) Churches.
 - (4) Commercial laundry.
 - (5) Dance, music and voice studios.
 - (6) Drive-in restaurants.
 - (7) Hotel/motel.
 - (8) Laboratory: medical, dental or optical.
 - (9) Mortuary.
 - (10) Offices.
 - (11) Parking garage, retail, or parking lot, retail.
 - (12) Photographic studio.

- (13) Printing and blueprinting.
- (14) Reducing salon/health club.
- (15) Restaurant.
- (16) Retail stores.
- (17) Theaters.

E. I Industrial Zone Permitted Uses. The following uses only shall be permitted in the I Industrial Zone:

- (1) Lumberyard.
- (2) Public Utility operations, substation or yard.
- (3) Truck and tractor sales, repair and storage.
- (4) Warehousing/wholesaling and retailing in conjunction thereof.
- (5) Printing and blueprinting

F. Prohibited Uses. All uses not expressly permitted in this Ordinance are hereby prohibited, with the following specifically prohibited:

- (1) The keeping, breeding or raising of horses, ponies, donkeys, mules, pigs, rabbits, sheep, goats, cattle, poultry and other farm animals and pigeons.

§ 135-7.1. Height, area and bulk regulations for residential uses.

A. A Residential Zone. The following height, area and bulk requirements shall apply to the A Residential Zone.

- (1) Minimum lot area: No lot with less than five thousand (5,000) square feet of lot area shall be constructed upon.
- (2) Minimum lot width: No lot with less than fifty (50) feet in lot width shall be constructed upon.
- (3) Maximum building height. If the property is located in a flood zone as designated by the Town of Secaucus by ordinance, no principal building shall be constructed in excess of thirty-five (35) feet or more than three (3) stories, and no basements or cellars shall be permitted. With respect to all properties not located in a designated flood zone by the Town of Secaucus by ordinance, no principal building shall be constructed in excess of thirty (30) feet or more than two (2) stories, and basements or cellars shall be permitted. No accessory building shall exceed twenty feet in height in the A Residential Zone.
- (4) Building setback, front yard: No building shall be constructed closer to the front property line than twenty (20) feet.
- (5) Side yards: Two (2) side yards shall be provided, each no less than five (5) feet.
- (6) Rear yard: A rear yard shall be provided with a minimum of twenty (20) feet or twenty percent (20%) of the lot length, whichever is greater.
- (7) Maximum building coverage. The maximum building coverage shall be thirty-five percent (35%) of the total lot area.
- (8) Maximum lot coverage. The maximum lot coverage shall be seventy percent (70%) of the total lot area.
- (9) Cubic volume. The total volume of the principal structure shall not exceed fifty-two thousand five hundred (52,500) cubic feet.
- (10) Lot area per dwelling unit. Each dwelling unit shall have at least five thousand (5,000) square feet of lot area.
- (11) Parking requirement. See §135-12.
- (12) Living space per family: Each dwelling unit must have a minimum of

eight hundred (800) square feet of living space.

- (13) Accessory uses: Notwithstanding the foregoing requirements, accessory buildings shall be permitted to be located within a distance of two (2) feet of the rear lot line if the building is under thirteen (13) feet average height. Whether attached or unattached, only one (1) accessory building shall be permitted on any one (1) lot.
 - (14) A single dwelling unit does not include rooming houses, boarding houses or commercial residences. Rooming houses, boarding houses, and commercial residences are strictly prohibited from this zone.
 - (15) There shall be compliance with §135-7.2.
- B. **B Residential Zone.** The following height, area and bulk requirements shall apply to the B Residential Zone.
- C.
- (1) Minimum lot area: No lot with less than five thousand (5,000) square feet of lot area shall be constructed upon.
 - (2) Minimum lot width: No lot with less than fifty (50) feet in lot width shall be constructed upon.
 - (3) Maximum building height. If the property is located in a flood zone as designated by the Town of Secaucus by ordinance, no principal building shall be constructed in excess of thirty-five (35) feet or more than three (3) stories, and no basements or cellars shall be permitted. With respect to all properties not located in a designated flood zone by the Town of Secaucus by ordinance, no principal building shall be constructed in excess of thirty (30) feet or more than two (2) stories, and basements or cellars shall be permitted. No accessory building shall exceed twenty feet in height in the B Residential Zone.
 - (4) Building setback: No building shall be constructed closer to the front property line than twenty (20) feet unless the proposed lot is an infill site which should be set back to match the existing average setback of dwellings on either side. .
 - (5) Side yards: Two (2) side yards shall be provided, each no less than five (5) feet.
 - (6) Rear yard: A rear yard shall be provided with a minimum of twenty (20) feet or twenty percent (20%) of the lot length, whichever is greater.
 - (7) Maximum building coverage. The maximum building coverage shall be forty percent (40%) of the total lot area.
 - (8) Maximum lot coverage. The maximum lot coverage shall be seventy-five percent (75%) of the total lot area.
 - (9) Cubic volume. The total volume of the principal structure shall not exceed sixty-thousand (60,000) cubic feet.
 - (10) Lot area per dwelling unit. Each dwelling unit shall have a minimum of two thousand five hundred (2,500) square feet of lot area.
 - (11) Parking requirement. See §135-12.
 - (12) Living space per family: Each dwelling unit must have a minimum of eight hundred (800) square feet of living space.
 - (13) Accessory uses: Notwithstanding the foregoing requirements, accessory buildings shall be permitted to be located within a distance of two (2) feet of the rear lot line if the building is under thirteen (13) feet average height. Whether attached or unattached, only one (1) accessory building shall be permitted on any one (1) lot.
 - (14) Fences. All fences located in this zone shall comply with the requirements of Chapter 71 (fences) of the Code of the Town of Secaucus as if said Chapter were recited herein at length.
 - (15) A single dwelling unit does not include rooming houses, boarding

houses or commercial residences. Rooming houses, boarding houses, and commercial residences are strictly prohibited from this zone.

- (16) There shall be compliance with §135-7.2.
- C. Low Density Residential Zone. Pursuant to N.J.A.C. 19:4-5.28 and -5.29, the following height, area and bulk requirements shall apply to the Low Density Residential Zone.

(1) The lot size requirements in the Low Density Residential zone are:

(a) Single-family and two-family dwellings.

- (i) Minimum lot area: 7,500 sf.
- (ii) Minimum lot width: 75 feet
- (iii) Minimum lot depth: 100 feet

(2) The bulk regulations in the Low Density Residential zone are:

(a) Single-family and two-family dwellings.

- (i) Maximum building coverage: 30%
- (ii) Minimum open space: 40%
- (iii) Yards.

a) Minimum front yard: 25 feet; or in the case where the Chief Engineer determines that the average prevailing setbacks of existing adjacent dwellings are less than 25 feet, the minimum front yard may be reduced accordingly to not less than 20 feet.

b) Minimum side yard: 10 feet

c) Minimum rear yard: 20 feet

(3) Maximum building height: 35 feet

§ 135-7.2. Residential driveway specifications and use; procedures.

- A. Location of parking. Recreational vehicles, boats and trailers, whether registered or not, operational or not, shall be parked on a paved surface or in a garage located behind the building line established by the closest portion of the residence to a streetline, excepting the streetline abutting the rear yards of reverse frontage lots. Passenger vehicle parking shall not be permitted between the building line and the street right-of-way, except within an improved driveway parallel to a side or rear property line or in a garage. All inoperable or unregistered passenger vehicles shall conform to the parking location requirements for recreational vehicles, boats and trailers.

- B. Location of driveway. No driveway shall lead to the front façade of a residence unless it provides access to an attached garage. The edge of a driveway shall be located no closer than eighteen (18) inches to a side or rear property line. Expansions of driveways beyond the width of the garage shall occur in that portion of the yard farthest from the main part of the dwelling and shall be no closer to any sidewalk paralleling a street than three (3) feet. No parking apron or curb cut shall cross the extension of a side or rear property line of the subject property onto another property. On corner lots for residential uses, driveways shall be installed on the street classified as a residential access street, or otherwise having the lowest classification if not a residential access street, and be no closer than thirty (30) feet to the intersection of the right-of-way lines. Driveway and Curb Cut Widths. The following driveway and curb cut widths shall be permitted for single and two-family dwellings:

(1) Single car garage, stacked car (one vehicle behind another) garage or no garage.

(a) The curb cut shall be a minimum of ten (10) feet and a maximum of twelve (12) feet.

- (b) The driveway width shall be a minimum of nine (9) feet and a maximum of twelve (12) feet.
 - (2) Multiple car garages.
 - (a) The curb cut shall be consistent with the width of the driveway but not more than twenty (20) feet in width
 - (b) The driveway width shall be a maximum of twenty (20) feet.
 - (3) Expansions as permitted in subparagraph -B above shall be limited to an additional eight (8) feet in width added to the driveway but in no circumstance shall the width of the curb cut and driveway apron be greater than allowed herein.
- C. The minimum driveway length shall be eighteen (18) feet measured from the streetline or the street sidewalk, whichever is farthest from the curb or edge of cartway.
- D. Curb cuts shall be so located in relationship to on-street parking that no on-street parking in front of an adjacent property is eliminated.
- E. All driveways shall be graded so as to direct storm water to the street unless an alternative is approved by the Municipal Engineer. In no instance shall storm water from a driveway be directed to an adjacent property.
- F. Residential driveways shall be constructed utilizing one of the following specifications:
- (1) 2" FABC Mix I-5 bituminous surface course on a 6" quarry blend stone base;
 - (2) 4" thick NJDOT Class B concrete with No. 9 reinforcement wire or equivalent on a stabilized sub-base;
 - (3) 6" thick NJDOT Class B concrete on a stabilized sub-base;
 - (4) Concrete pavers installed in accordance with the manufacturer's specifications as approved by the Construction Code Official; or
 - (5) Another durable, dust free material as approved by the Construction Code Official.
- G. Driveway aprons and street sidewalks. All driveway aprons and adjacent sidewalk areas shall be NJDOT Class B concrete. Curb cuts shall be formed by full depth depressed curb of a material consistent with the existing curb and installed in accordance with N.J.A.C. 5:21-4.17.
- H. Procedure for Curb Cut and Driveway Approval. No person shall construct a curb cut or driveway in the Town of Secaucus without first obtaining a Zoning Permit, except for those streets under the jurisdiction of another level of government. The Zoning Permit shall include such information as required by the Zoning Officer who may from time to time amend such requirements. Approval, approval with conditions or denial of the Zoning Permit shall be as required in N.J.S.A. 40:55D-18. The Zoning Permit shall be precedent to any required construction permit, as necessary.

§ 135-7.3. Residential driveways; off-street parking of commercial vehicles.

- A. In all residential zones in the Town of Secaucus all off-street parking of commercial vehicles and/or trucks shall be subject to the following:
- (1) No more than one (1) commercial vehicle or truck as herein defined shall be permitted on any residential property (driveway) in the Town of Secaucus provided that such commercial vehicle and/or truck shall be owned, leased, or operated by a resident of such residential property (driveway).
 - (2) The term "commercial vehicle" or "truck" shall include any open truck or closed van-type vehicle or "any commercial vehicle, commercial van, truck or certain oversized vehicles" as defined in Section 127-8B, Subsection A. of the Code of the Town of Secaucus, with a registered gross vehicle weight (GVW) of not more than nine thousand five hundred (9,500) pounds, and a height not in excess of seven (7) feet and/or a length not in excess of twenty-two (22) feet.

- (3) No vehicle set forth above shall be permitted to have exposed construction materials while parked on residential property; such construction materials may be placed on said vehicles provided that all such construction materials be covered fully.

B. Should this section be rescinded at any time, no person shall continue to park any commercial vehicle and/or trucks, as set forth in Section 135-7.3A(2) hereof. No nonconforming use status shall inure to any property or property owner by virtue of this subsection should this subsection be repealed.

§ 135-8. Height, area and bulk regulations for commercial uses.

- A. Minimum lot area: No lot with less than two thousand five hundred (2,500) square feet of lot area shall be constructed upon.
- B. Minimum lot width: No lot with less than twenty-five (25) feet in lot width shall be constructed upon.
- C. Maximum building height: No building shall be erected in excess of forty (40) feet nor more than three (3) stories.
- D. Building setback: No building shall be constructed closer to the front property line than ten (10) feet and should match the established average setback if an infill site.
- E. Side yards: none required.
- F. Lot coverage: No building shall cover more than eighty percent (80%) of the total lot area.
- G. Rear yard: A rear yard must be provided with a minimum of ten (10) feet or ten percent (10%) of the lot length, whichever is greater.
- H. Parking requirements: as enumerated according to use in the accompanying table.
- I. Fences. All fences located in this zone shall comply with the requirements of Chapter 71 (Fences) of the Code of the Town of Secaucus as if said chapter were recited herein at length.
- J. Fire hydrant and apparatus access road requirements: There shall be compliance with the provisions of the current International Fire Code Appendix C "Fire Hydrant Locations and Distribution" and Appendix D "Fire Apparatus Access Roads," copies of which are available in the Town's Building Department.

§ 135-9. Height, area and bulk regulations for industrial uses.

- A. Minimum lot area: No lot with less than forty thousand (40,000) square feet of lot area shall be constructed upon.
- B. Minimum lot width: No lot shall be less than one hundred (100) feet wide.
- C. Minimum length: No lot shall be less than two hundred (200) feet in length.
- D. Maximum building height: No building shall be erected in excess of thirty (30) feet nor more than two (2) stories.
- E. Building setback: No building shall be closer to the curblines than thirty-five (35) feet.
- F. Side yards: Two (2) side yards are required, each not less than twenty (20) feet.
- G. Rear yard: A rear yard shall be provided with not less than thirty (30) feet.
- H. Lot coverage: No building shall occupy more than fifty percent (50%) of the total lot area.
- I. Parking requirements: as enumerated according to use on the accompanying table.
- J. Additional requirements: Properties providing for the open-air storage of vehicles must provide appropriate fencing and buffering for the storage area.

- K. Fences. All fences located in this zone shall comply with the requirements of Chapter 71 (Fences) of the Code of the Town of Secaucus as if said chapter were recited herein at length.
- L. Where an industrial use is proposed abutting a roadway, a 25-foot landscaped buffer shall be provided.
- M. Where a light industrial use abuts a residential use or zone, a 25-foot landscaped buffer shall be provided.
- N. Fire hydrant and apparatus access road requirements: There shall be compliance with the provisions of the current International Fire Code Appendix C "Fire Hydrant Locations and Distribution" and Appendix D "Fire Apparatus Access Roads," copies of which are available in the Town's Building Department.

§ 135-9.1. Signs for all uses.

- A. Signs shall be permitted as accessory uses in all zoning districts within the jurisdiction of this Ordinance. Signs may be used, erected, maintained, altered, relocated, removed, or demolished only in compliance with the provisions of this section and any and all other ordinances and regulations of the municipality relating to the use, erection, maintenance, alteration, moving, or removal of signs or similar devices. In the event of conflicting regulations, the most restrictive shall apply.
1
- B. General Provisions. The following general provisions shall apply to signs within the Town of Secaucus.
 - (1) Maintenance. All signs shall be kept in a proper state of repair, in accordance with property maintenance regulations. Signs which fall into such a state of disrepair as to become unsightly may be removed by the municipality thirty (30) days following notice by certified mail to the owner of record. Any sign posing an immediate threat to public safety may be removed at any time, with notification to the owner of record by certified mail within ten (10) days of such removal. The municipality shall have the right to recover from said owner the full costs of the removal and disposal of such signs.
 - (2) Official sign imitation. No sign shall be erected that is of such character, form, shape or color that it imitates or resembles any official traffic sign, signal or device, or that has any characteristics which are likely to confuse or dangerously distract the attention of the operator of a motor vehicle.
 - (3) Permitted uses. No sign shall be erected containing a message that states or implies that a property may be used for any purpose not permitted in the zoning district, or by duly authorized variance, in which the sign is located.
 - (4) Public property and rights-of-way. Any sign installed or placed on public property, except in conformance with the requirements of this section, shall be subject to confiscation and forfeiture to the public. In addition to other remedies that may be imposed under this Ordinance, the municipality shall have the right to recover from the owner or person placing such sign the full costs of removal and disposal of such sign. No sign other than traffic control or similar official governmental signs shall be erected within or project over the right-of-way of any public street or sidewalk. Any sign located along the right-of-way of a County, State or Federal road shall comply with any more restrictive requirements of such level of government.
 - (5) Relief and sign face distance. No sign shall contain characters or graphics exceeding three (3) inches in relief from the sign face. The maximum distance between the faces of a double-faced sign shall not exceed eighteen (18) inches. No facade sign shall project more than twelve (12) inches from the plane of the attaching surface.
 - (6) Sight triangles. No sign shall be erected within the clear sight triangle area as otherwise established in this Ordinance, unless the topmost portion of such sign is less than thirty (30) inches high. Regardless of height or location, no sign shall be erected that impedes the vision of motorists in the operation of their vehicles, or otherwise endangers their safety.

- C. **Sign Area Calculation.** For the purposes of this section, "sign area" shall mean the area expressed in square feet, within a rectangle enclosing the extreme limits of writing, symbols, logos, letters, figures, emblems, or other representations plus all material or color forming an integral part of the sign or used to differentiate the sign from the background against which it is placed, provided that:
- (1) In the event a sign is designed with more than one face, the area shall be computed by including only the maximum surface display area of one face, provided that the message is the same on each face. For round, triangular or other non-standard signs, the size shall be computed by the area as represented on one plane, provided that;
 - (2) The supports, uprights, skirting or other structure on which any sign is attached or supported shall not be included in the calculation of sign area unless such structure is designed in such a manner as to form an integral part of the sign or conveys meaning;
 - (3) The area of lamps, neon tubing, or other artificial illumination visible on a sign shall be counted as part of the total allowable sign area. The area of lamps trained on a sign to provide external illumination, however, shall not be included in this calculation.
- D. **Prohibited Signs.** All signs not permitted by this Ordinance are hereby prohibited, with the following signs specifically prohibited:
- (1) Flashing, blinking, twinkling, animated, moving, or projected signs of any type, with the exception of time and temperature displays.
 - (2) Banners, pennants, streamers, pinwheels, or similar devices; vehicle signs; portable signs; balloon signs or other inflated signs (excepting grand opening signs); and searchlights, displayed for the purpose of attracting the attention of pedestrians and motorists.
 - (3) Signs which emit smoke, visible vapors or particles, sound or odor. Any sign that emits electromagnetic radiation outside the wavelengths of visible light which is measurable beyond the property boundary and signs causing interference with radio or television reception.
 - (4) Any sign attached or affixed to the roof of a building, or a facade sign that projects above the lowest level of a roof or beyond the corner of a wall.
 - (5) Any sign which, when applying contemporary community standards, has a dominant theme or purpose which appeals to prurient interests or is obscene in nature.
 - (6) Signs which attempt to imitate or otherwise cause confusion with existing signs erected by any governmental board, body or agency.
 - (7) Any sign so erected, constructed, or maintained as to obstruct any fire escape, window, door, or other opening used as a means of ingress and egress or which prevents adequate light and air to the interior of any building.
 - (8) A series of two or more signs placed in a line parallel to a street each of which contains part of such message or advertisement.
 - (9) Signs attached, affixed or painted on trees, fences, utility poles, light poles, signs attached to other signs and signs placed upon motor vehicles which are continuously or repeatedly parked in a conspicuous location to serve as a sign.
 - (10) Signs with a commercial message that advertise or otherwise direct attention to a product, service, individual, business entity, or other commodity that is not located on the premises containing the sign.
 - (11) Portable signs, with or without changeable copy.

E. Signs Allowed Without Permit. The following signs shall be allowed without the issuance of a permit:

- (1) Emergency. Emergency warning signs erected by a governmental agency, public utility, or contractor doing such work authorized or permitted by such agency, utility, or company. Such signs may be illuminated.
- (2) Governmental. Signs posted by governmental agencies.
- (3) Historical markers. Historical tablets, cornerstones, memorial plaques and emblems which are installed or installed under the direction of government agencies or civil or religious organizations, provided that the sign area does not exceed six (6) square feet.
- (4) Incidental signs. Non-illuminated or internally illuminated incidental signs, such as those advertising the availability of rest rooms, telephone, credit cards accepted, hours of operation or similar public conveniences, provided that such signs do not advertise any commercial establishment, activity, organization, product, goods or services, except those of public utilities and credit cards. Any such sign shall not exceed two square feet in area.
- (5) Name and Address. Name and address signs attached to the facade of a building, lamp post or on a mailbox, provided that the size of the sign does not exceed one and a half square foot. Address numbers and letters shall be a minimum height of four (4) inches for residential uses and six (6) inches for commercial, industrial and institutional uses.
- (6) Project development. Project development signs shall be permitted where final approval of a site plan or subdivision has been granted by the board of jurisdiction and which may indicate the name of the development, developer, financier, architect, or contractors. Such signs shall not exceed thirty-two (32) square feet in sign area or eight (8) feet in height. No more than one (1) sign per street frontage shall be permitted and not more than two (2) such signs per project shall be allowed. All such signs shall be removed within fourteen (14) days of the issuance of a conditional Certificate of Occupancy that permits the occupation of a building, in the case of a non-residential development, or when seventy-five percent (75%) of the dwelling units in a residential development have been issued Certificates of Occupancy.
- (7) Public notice. Any sign providing public notice required by a valid and applicable federal, state, or local law, regulation, or ordinance.
- (8) Public transportation. Signs indicating public transportation stops when installed by the municipality or a public transportation utility.
- (9) Residential. A residential facade or freestanding sign expressing the views of the landowner or tenant shall be permitted provided that the size of the sign does not exceed six (6) square feet in area.
- (10) Traffic control signs. Temporary and permanent traffic signs and signals installed by the municipality, county and state for the purpose of directing and regulating the flow of traffic.
- (11) Trespassing. Trespassing signs; signs indicating the private nature of a road, driveway, or premises; and signs prohibiting or otherwise controlling fishing and hunting on a particular property, provided that the sign area shall not exceed two square feet.

May 13, 2014

F. Signs Requiring Permits. The following signs shall be allowed upon issuance of a permit.

- (1) Freestanding Signs. Freestanding signs shall comply with the following requirements:
- (a) Freestanding signs for non-residential uses shall only be permitted when the front façade of the building is greater than twenty-five (25) feet from the right-of-way line.
 - (b) Freestanding signs shall be permitted only in a front yard.
 - (c) No freestanding sign shall be erected closer to the curb line or edge of paving than ten (10) feet; or, five (5) feet from a public sidewalk, whichever is greater.
 - (d) No freestanding sign shall be located closer than ten (10) feet to any side property line.
 - (e) Any new freestanding sign shall be separated by a minimum of seventy-five (75) feet to any existing freestanding sign on an adjacent lot, excepting directional or directory signs.
 - (f) No freestanding sign shall exceed six (6) feet in height in a residential district and twenty-five (25) feet in non-residential districts.
 - (g) Allowed sign sizes. No sign shall exceed the maximum limitations on size as indicated below:
 - (i) Identification sign for townhome and multi-family developments: 36 sf.
 - (ii) Institutional uses: 40 sf.
 - (iii) Commercial uses: 80 sf.
 - (iv) Industrial uses: 80 sf.
- (2) Façade signs. Façade signs shall comply with the following requirements:
- (a) Only one sign per establishment shall be permitted, except that on corner lots, one additional façade sign shall be permitted for the primary establishment.
 - (b) Allowed sign sizes. No sign shall exceed the maximum limitations on size as indicated below:
 - (i) Institutional uses: 60 sf.
 - (ii) Commercial uses: 2 sf. per lineal foot of street frontage, not to exceed 120 sf. in total sign area
 - (iii) Industrial uses: 120 sf.
- (3) Awning signs. Awning signs shall comply with the following requirements:
- May 13, 2014
- (a) Signs on awnings shall be limited to the lower vertical fringe of the awning; or, on curved awnings, the lower one-third of the curvature.
 - (b) Lettering on awnings shall not exceed six (6) inches in height.
- (4) Canopy Signs. Canopy signs shall comply with the following requirements:
- (a) Canopy signs shall be permitted only in conjunction with service stations and similar commercial uses where the canopy is required to provide cover and protection for outdoor equipment and service areas.

- (b) No more than one canopy sign shall be allowed per canopy fascia, and no more than two (2) such signs per canopy shall be permitted.
 - (c) No part of the canopy sign shall be less than twelve (12) feet or more than eighteen (18) feet above ground level.
 - (d) The area of a canopy sign shall not exceed fifty percent (50%) of the area of the canopy fascia or thirty (30) square feet, whichever is less.
- (5) Changeable Copy Signs. Changeable copy signs shall comply with the following requirements:
- (a) Changeable copy signs shall be permitted for commercial and institutional uses, only. Changeable copy signs for commercial uses shall be limited to the advertising of live performances and motor fuel prices, only.
 - (b) Each changeable copy sign shall be integrated into a freestanding, canopy or façade sign. The sign may be increased up to fifty percent (50%) of the size permitted to accommodate the changeable copy.
 - (c) Changeable copy signs shall be limited to one such sign per premises.
 - (d) All such signs shall be permanently affixed to the ground or to a structure.
 - (e) Copy shall be changed electronically or by means of moveable lettering and shall not be changed more than once every twenty-four (24) hours. Changeable copy signs that are changed more frequently shall be considered animated signs.
 - (f) Changeable copy signs may not be located in any residential or industrial zoning district, excepting institutional uses located in same.
- (6) Directional Signs. Directional signs shall comply with the following requirements:
- (a) Directional signs shall be permitted for entrance and exit drives and to direct traffic within a site as approved by the board of jurisdiction.
 - (b) Directional signs that are freestanding shall not exceed thirty (30) inches in height and may be located at the streetline, provided that such signs do not obscure the vision of motorists.
 - (c) Directional signs shall not exceed three (3) square feet in area.
- (7) Directory Signs. Directory signs shall comply with the following requirements:
- (a) The sign shall be located within the site or complex so as to allow motorists to leave the flow of traffic and safely read the directory; or, shall be placed as a façade sign at the main entrance to a building.
 - (b) The sign may contain a map or floor plan diagram, as the case may be, indicating the location of the buildings or offices listed on the directory.
 - (c) One such sign per main entrance drive or main building entrance shall be permitted.
 - (d) Any such sign shall not exceed twelve (12) square feet in sign area.
 - (e) A freestanding directory sign shall not exceed six (6) feet in height.

§ 135-9.2. Landscaping.

A. General Provisions. The following general provisions shall apply to the installation and design of landscapes:

- (1) All land areas not covered with buildings, parking, or other impervious surfaces shall be landscaped with suitable materials. Landscaping shall consist of trees, shrubs, ground cover, perennials, and annuals singly or in common as well as inanimate materials such as rocks, water, sculpture, art, walls, fences, and paving materials.
- (2) A landscape plan shall be provided as part of site plan submissions and may be required for subdivisions at the discretion of the board of jurisdiction. Every applicant for subdivision or site plan approval shall comply with the minimum standards as set forth in this section.
- (3) For any residential dwelling, there shall be a minimum of 30% of landscaped surface consisting of trees, shrubs, ground cover, perennials, and annuals singly or in common in the front yard. For purposes of calculation of this percentage, the strip between the sidewalk and the curb shall be included.
- (4) The board of jurisdiction may require landscaping in excess of the minimum requirements in order to create an appropriate landscaping scheme for the development given the existing condition of the site and the proposed project.
- (5) All landscape plants shall be typical in size and weight for their species and shall conform to the standards of the American Association of Nurserymen for quality and installation.
- (6) Plants with pervasive root systems shall not be located where they may cause damage to drainage pipes or other underground utilities and storm water management facilities and should generally be no closer than 10 feet measured horizontally to such utilities.
- (7) All plants shall be tolerant of specific site conditions. The use of indigenous species is strongly encouraged. Exotic, non-native invasive plant species are strongly discouraged.
- (8) Slope plantings. Landscaping of the area of all cuts and fills and/or terraces shall be sufficient to prevent erosion, and all roadway cuts steeper than 3:1 shall be planted with ground covers appropriate for the purpose and soil conditions, water availability, and environment.

B. Street Trees.

- (1) Location. Street trees shall be installed on both sides of all streets in accordance with an approved landscape plan. Trees shall be spaced evenly along the street between the curb and sidewalk. Where the distance between the curb and sidewalk is less than 5 feet, sidewalks should be placed in a public access easement outside of the right-of-way to create a planting strip at least 5 feet wide to facilitate street tree growth. In areas with wider sidewalks that extend to the curb, trees shall be placed in tree wells with root guard systems. Such tree wells shall have sufficient soil volume to support tree growth as follows:

<u>Tree Size at Maturity (Height in feet)</u>	<u>Soil Volume (in cubic feet)</u>
Large trees (45'+)	200
Medium-sized trees (30')	150
Small trees (to 30')	100

Areas under sidewalks may be used to meet the soil volume requirement provided no more than 50% of the volume is located under such hard paving.

- (2) Spacing. When trees are planted at predetermined intervals along streets, spacing shall depend on tree size.

<u>Tree Size at Maturity</u>	<u>Planting Interval</u>
------------------------------	--------------------------

<u>(Height in feet)</u>	<u>(in feet)</u>
Large trees (45'+)	40
Medium-sized trees (30'-45')	30
Small trees (to 30')	20

Trees may be planted closer together in order to avoid interference with utilities, roadways, sidewalks, sight easements, and street lights.

- (3) **Street Tree Type.** Tree type may vary depending on overall effect desired but as a general rule, all street trees shall be large deciduous trees except as needed to achieve special effects. Tree selection shall be approved by the board of jurisdiction.
 - (4) **Planting Specifications.** Street trees shall be substantially uniform in size and shape, and have straight trunks. Trees shall be properly planted and staked in accordance with standards promulgated by the American Nurserymen's Association. Provision shall be made by the developer for regular watering and maintenance until trees are established. Dead or dying trees shall be replaced by the developer
 - (5) during the next suitable planting season.
- C. **Buffers.** Landscaping buffers shall be required to minimize and visually screen any adverse impacts or nuisances on a site or from any adjacent area.
- (1) Landscape buffers shall consist of a combination of deciduous trees, conifers, shrubs, and if appropriate, fences or walls in sufficient quantities and sizes to perform their necessary screening function.
 - (2) Buffers may be installed in required yard areas except for reverse frontage buffers where they shall be in addition to the required yard area.
 - (3) Buffers shall be continuous except for access drives as approved by the board of jurisdiction. Storm water management facilities, parking, dumpster enclosures, accessory building or above ground structures, and similar encroachments shall not be permitted in the required buffer area.
 - (4) The minimum width of a landscape buffer shall be dependent on the proposed use of a property and the land uses adjacent to it in accordance with Table 1.

Table 1. Required Minimum Buffer Widths.

Proposed Land Use	Adjacent Land Use				
	Residential Type A ⁽¹⁾	Residential Type B ⁽²⁾	Commercial	Institutional/ Quasi-public	Industrial
Residential Type A ⁽¹⁾	None	15 ft.	15 ft.	None	25 ft.
Residential Type B ⁽²⁾	15 ft.	None	10 ft.	None.	25 ft.
Commercial	15 ft.	10 ft.	None	None	15 ft.
Institutional/ Quasi-public	15 ft.	10 ft.	None	None	15 ft.
Industrial	25 ft.	25 ft.	15 ft.	15 ft.	None

- (1) - Residential Type A equals single family detached, duplex and semi-detached dwellings.
- (2) - Residential Type B equals all other dwellings except those in institutional settings, i.e. residential health care facilities, skilled nursing facilities and assisted living facilities. The Institutional category shall apply to these exceptions.
 - (5) Required buffer widths may be reduced by 5 feet in width if an opaque fence or wall is used in conjunction with plantings and is

sufficiently high to visually obstruct the view of persons at ground level. See Chapter 71 of the Town of Secaucus Code for fence and wall regulations.

- D. **Parking and loading area landscaping.** The objectives of the landscape architectural treatment of all parking areas shall be to provide for safe and convenient movement of vehicles, to limit pedestrian/vehicular conflicts, to limit paved areas, to provide for screening from the public right-of-way and adjacent buildings, to reduce the overall visual impact of parking lots, and to
- E. **provide shade and reduce heat island effects.** All non-residential parking lots and residential parking lots in excess of 5 spaces shall conform to the following requirements:
- (6) The minimum width of landscape islands shall be eight (8) feet on the side of parking spaces. If sidewalks are incorporated through the long axis of the landscape islands, their width shall be added to these requirements. Where the parking lot design will result in pedestrians cutting perpendicularly through landscape islands, sidewalks shall be installed at regular intervals through its short axis.
 - (7) Parking and loading areas shall be screened by a combination of hedges, fences and/or walls. The minimum screening height at planting shall be thirty (30) inches and shall have a height of at least 4 feet within three years of installation, except for areas within clear sight areas. Loading dock areas shall be screened with a minimum height of six (6) feet at planting and shall achieve a height of at least ten (10) feet five years after installation. Land use mitigation buffers pursuant to Table 1 may be used to meet these requirements. The board of jurisdiction may also approve a solid masonry wall of brick or architectural concrete masonry units in lieu of such screening.
 - (8) Parking lot lighting should be sited within landscape islands, however, without hindering necessary lighting coverage.
 - (9) No more than twenty (20) parking spaces shall be placed in one row of parking without an intervening landscape island or depression (if being used for water infiltration purposes).
- E. **Removal of debris and incompatible material.** All stumps and other tree parts, litter, brush, weeds, excess or scrap building materials, or other debris shall be removed from the site and disposed of in accordance with New Jersey Department of Environmental Protection regulations. All material incompatible with plant growth, including but not limited to, asphalt, concrete, stones greater than one inch in diameter, brick, and excessively alkaline or acidic soils shall be removed from planting beds and other areas intended for landscaping to a depth of twenty-four (24) inches. No tree stumps, portions of tree trunks or limbs shall be buried anywhere in the development.

ARTICLE IV Parking Requirements

§ 135-10. Commercial uses.

The following are parking requirements for commercial uses:

Use	Required Parking Spaces
Drive-in restaurant	1 for every 3 persons, based upon maximum occupancy
Bank	1 for every 400 square feet of floor area
Retail sales	1 for every 400 square feet of selling area
Offices	1 for each 500 square feet of floor area
Hotel/motel	1 for each rental unit and additional spaces for restaurants, etc.
Restaurant	1 for every 3 persons, based upon maximum occupancy
Theater	1 for every 4 seats

§ 135-11. Industrial uses.

The following are parking requirements for industrial uses:

Use	Required Parking Spaces
Manufacturing and warehousing	1 for every 2 employees at maximum employment on premises or 1 for every 800 square feet of floor area, whichever is greater
Trucking and cartage establishments	1 for every 2 employees, in addition to the space necessary for storage of tractors and trailers

§ 135-12. Parking for other uses.

The following are parking requirements for other uses:

Use	Required Parking Spaces
Houses of Worship	1 for every 8 seats; or, 1 for every 176 lineal inches of pew; or, 1 for every 96 sf. of floor space devoted to active worship participation where no seating or tables are provided.
Health Club	1 for every 3 persons, based upon maximum utilization of facilities.
Single Family and Duplex Dwelling	2 for every dwelling unit.
Multi-Family Dwelling	2 for every dwelling unit; and one visitor space per four units.
Senior Citizen Mid-Rise And High Rise	1 per every 2 dwelling units.

§ 135-12.1. Parking design standards.

- A. All sites within the Town of Secaucus shall be provided with adequate parking facilities for residents, visitors, employees and customers, including but not limited to access ways, driveways, drive aisles, internal parking lot collectors, loading areas, parking bays, parking garages and pedestrian walkways sufficient to ensure the safe and efficient movement of people, vehicles, and goods.
- B. Parking stall dimensions. The following parking space sizes shall apply to all parking areas:
- (1) Residential uses: 9' x 18'
 - (2) Office and industrial uses: 9' x 18'
 - (3) Government and institutional uses: 9' x 18'
 - (4) Retail uses.
 - (a) Uses utilizing shopping carts: 9.5' x 18'
 - (b) Other retail uses: 9' x 18'
 - (5) Handicapped parking spaces.
 - (a) Van accessible spaces: 16' x 18'
 - (b) Other spaces: 13' x 18'
 - (c) Van accessible spaces shall be striped with an 8' wide loading area. Other handicapped spaces with a 5' wide loading area. Paired handicapped spaces may share a loading area. Van accessible spaces shall be provided at the ratio of one such space for each eight standard handicapped spaces.
 - (d) Additional handicapped parking provisions. Provision of parking facilities for handicapped persons shall be in accordance with the requirements of the Barrier-Free Sub-

code of the New Jersey Uniform Construction Code, N.J.A.C. 5:23-7.13 and 5:23-7.14, and the Americans with Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities.

- (6) Parallel spaces: 9' x 23'
- (7) Bus spaces: 10' x 40'
- (8) Tractor-trailer: 12' x 60'
1

B. Location of parking spaces. Required off-street parking shall be located on the same lot or premises as the use served except in the following cases:

- (1) When it is determined during site plan review that the requirements for on-site or off-street parking cannot be met on-site because of existing conditions, the location and adequacy of off-site parking spaces to service the use shall be specified as determined by the board of jurisdiction.
- (2) A cooperative parking arrangement between non-residential uses on different lots or premises has been approved by the board of jurisdiction.

C. Separation from street. Where parking is allowed between the front building line and the streetline by the approving authority, a curbed landscaped island or raised median separating the public street and/or sidewalks from the parking area shall be provided meeting the following standards:

- (1) The width of the raised island shall be a minimum of the distance from the edge of cartway to a line five (5) feet parallel to the streetline.
- (2) Traffic islands shall be topsoiled and seeded or otherwise landscaped as determined by the board of jurisdiction.

D. No parking shall be permitted in any required buffer area.

E. No parking of vehicles shall be permitted in designated fire lanes, streets, non-residential driveways, landscaped areas, aisles, sidewalks, or turning areas.

F. Aisle requirements. Access to off-street parking shall include driveways and aisles such that each vehicle shall be able to proceed to and from each parking stall without necessitating the movement of another vehicle, except where stacked spaces are permitted by the board of jurisdiction for uses utilizing vehicle storage. Aisles providing access to off-street parking areas shall have the following minimum dimensions:

Angle of Parking Space	One-Way Aisle (feet)	Two-Way Aisle (feet)
90°	24	24
60°	18	24
45°	15	24
Parallel	12	20

Where the angle of parking is different on both sides of the aisle, the larger aisle width shall prevail.

G. Pavement requirements. All driveways, parking lots and loading areas shall be paved with a durable dustless surface as provided below:

- (1) Standards for one and two-family residences shall be as required in §135-7.2.G.
- (2) All other uses.1

- (a) Areas of ingress or egress, loading and unloading areas, major interior driveways or access aisles and other areas likely to experience heavy traffic shall be prepared with 4 inches of soil aggregate I-5 and paved with not less than 4 inches of compacted base course of plant mixed bituminous stabilized base course, Mix I-2, constructed in layers of not more than 2 inches compacted thickness and prepared and constructed in accordance with Sections 208, 209, and 304 of New Jersey Department of Transportation *Standard Specifications for Road and Bridge Construction* (1989) and amendments thereto. A minimum of 2 inch thick compacted wearing surface of bituminous concrete (FABC Mix I-5) shall be constructed thereon in accordance with Section 404, of the aforesaid *Standard Specifications for Road and Bridge Construction*.
- (b) Parking stall areas and other areas likely to experience similar light traffic shall be prepared with 4 inches of soil aggregate I-5 and shall be paved with not less than 3 inches of compacted base course of plant mixed bituminous stabilized base course, Mix I-2, prepared and constructed in accordance with Section 304, *Standard Specifications for Road and Bridge Construction*. A minimum of a 2 inch thick compacted wearing surface of bituminous concrete (FABC Mix I-5) shall be constructed thereon in accordance with Section 404.
- (c) Where the subgrade conditions of proposed parking and loading are wet, contain unacceptable levels of organic matter or of such a nature that surfacing would be inadvisable without first treating the subgrade, the treatment of the subgrade shall be made in the following manner: The areas shall be excavated to a suitable depth below the proposed finished grade and filled with suitable subgrade material as determined by the Municipal Engineer. Where required by the Municipal Engineer, a system of underdrains, or an alternate solution approved by the Municipal Engineer, shall be constructed beneath the surface of the parking area and connected to a suitable drain. After the sub-base material has been properly placed and compacted, and proof rolled with a 10 ton, three-wheel steel roller, the parking area surfacing material, as described heretofore, shall be spread thereon. All work shall be in accordance with Sections 208 and 209 of the *Standard Specifications for Road and Bridge Construction*.
- (d) Loading areas for trucks shall be constructed of either the heavy use pavement standard in subparagraph -(a), or of a 6 inch thick pad of NJDOT Class B, concrete on a stabilized sub-base reinforced with No. 5 reinforcement bars at 12" on center in two directions, set perpendicular to each other.
- (e) All parking areas shall have a minimum slope of 1.5% over land and 0.75% in a curbed gutter line.
- (f) All driveways shall have a minimum slope of 1.5% pitched towards the roadway. A maximum slope of 10% is permitted provided that a leveling area with a maximum slope of 4% is located for the first 20 feet at the roadway and at the garage.
- (g) Alternate pavement designs may be approved by the Municipal Engineer.

H. Delineation of Parking Spaces and Traffic Signs.

- (1) Parking space pavement markings shall consist of a 4-inch wide stripe of white traffic paint, thermoplastic or other suitable material meeting NJDOT specifications. Blue stripping and handicapped symbol shall be used for handicapped spaces. Alternate colors may be used for other specialty spaces. Parking space delineation shall not be required for residential driveways unless for a multi-family use.
- (2) All other traffic control striping, markings, and signage shall conform to the latest edition of the Manual on Uniform Traffic

Control Devices, published by the USDOT Federal Highway Administration.

I. Curbing.

- (1) Concrete or Belgian block curbing shall be required around the perimeter of all parking and traffic circulation areas, and landscape islands within parking lots to control traffic, drainage, and to protect the edge of pavement.
- (2) Curbing shall conform to the design specifications of N.J.A.C. 5:21-4.3 (RSIS) as they may be amended or superseded.

J. Driveway Requirements for Multi-Family and Non-Residential Uses.

- (1) Access points from any one lot crossing the street line shall be limited to a maximum of two along the frontage of any single street. The centerlines of any separate access points shall be spaced at least 65 feet apart, shall handle no more than two directions of traffic; shall be at least 10 feet from any side or rear property lines; and shall be set back from the street line of any intersecting street at least 35 feet or one-half the lot frontage, whichever is greater, except that in no case need the setback distance exceed 200 feet.
- (2) All entrance and exit drives shall be designed to accommodate the turning movements of an AASHTO WB-40 design vehicle, without encroaching on opposing lanes of traffic on public streets. A reduced design standard may be allowed when it can be demonstrated that larger vehicles will not access the site at a specific driveway; e.g., for multi-family developments.
- (3) Two-way entrance and exit drives shall have a minimum width of twenty-four (24) feet and a maximum width of thirty-six (36) feet. One-way drives shall have a minimum width of eighteen (18) feet and a maximum width of twenty-two (22) feet.
- (4) The board of jurisdiction may require that contiguous parcels with similar uses have reciprocal cross easements to reduce the number of entrance and exits on public streets that may be imposed unilaterally on a single site.

ARTICLE V Enforcement; Violations and Penalties

§ 135-13. Administration and enforcement.

The Zoning Officer shall have the general duty and authority to administer and enforce the provisions of this Ordinance and may be assisted by the Construction Code Official and Department of Police. The Zoning Officer shall review and maintain a file of all applications for zoning permits; issue permits precedent to construction, the use of property and occupancy thereof as are in accordance with the terms and provisions of this Ordinance or lawful order of the Zoning Board of Adjustment; collect all fees that may be payable to the Town of Secaucus under this Article and pay over the total amount of such fees collected; make such reports to Town Council, Planning Board and Zoning Board of Adjustment with respect to his or her work as requested by the municipal agency; and institute and conduct lawful proceedings to prevent threatened violations of this Ordinance and/or to correct conditions resulting from the violations thereof; and prosecute persons who shall have violated or who shall be engaged in violating any of the terms or provisions of this Ordinance.

§ 135-14. Violations and penalties.

Any person violating or failing to comply with any of the provisions of this chapter shall, upon conviction thereof, be punishable by a fine of not more than five hundred dollars (\$500.) or by imprisonment for a term not to exceed ninety (90) days, or by both such fine and imprisonment in the discretion of the Judge. The continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of the violation may be punished as provided above for each separate offense.

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

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

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

The following ordinance was read public hearing: No. 2014-13

AN ORDINANCE AMENDING CHAPTER 127 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED
"VEHICLES AND TRAFFIC"

WHEREAS, the Mayor and Council recognize that the safety of all residents is of utmost concern on the roadways in the Town of Secaucus, and

WHEREAS, the Town wants to ensure that vehicles are not parked, blocking or standing at any time in locations affecting resident or visitor access to driveways or designated spaces, or affecting entrance, passage and parking of fire or other vehicles in emergency situations; and

WHEREAS, the Town has previously adopted an Ordinance designating parking in the Riverside Court Condominium Complex pursuant to §127-73 and prohibiting parking certain streets or parts of streets to allow for access in the complex; and

WHEREAS, the Mayor and Council have determined that changes to the Ordinance specifying an amount for general parking violations in the Riverside Court Condominium Complex is needed, as allowed by §127-75, and to allow for any violations to be payable without the need for a court appearance if so desired;

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

Article I General Provisions of Chapter 127 entitled "Vehicles and Traffic" of the Code of the Town of Secaucus be, and is hereby amended and supplemented to read as follows: (additions are indicated in bold, deletions are marked by ~~crossouts~~):

1. §127-75 shall read as follows:

§ 127-75. Penalty.

[Amended 3-26-13 by Ord. No. 2013-8; 6-25-13 by Ord. 2013-22]

~~Unless another penalty is expressly provided by the New Jersey Statute, every person convicted of a violation of this Article or any supplement thereto shall be liable to a penalty of not more than fifty-four dollars (\$54.) or imprisonment for a term not exceeding ninety (90) days or both. A schedule of all fees for violations of this Article can be found at Article I, 127-5A.~~

2. The following shall be added to 127-5A Fines for specific violations:"

<u>Section</u> <u>Penalty</u>	<u>Description</u>
127-73 \$54.00	Parking in prohibited area (Riverside Court Complex)

- 3.
4. There are no other changes to this Chapter of the Code of the Town of Secaucus.
5. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

1. 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.
2. This Ordinance shall take effect immediately upon passage and publication in accordance with law.

IT IS FURTHER ORDAINED that the remainder of this Chapter 127 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, Councilwoman Pirro moved that the public hearing be closed, seconded by Councilman Clancy.

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

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

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

The following ordinance was read public hearing: No. 2014-14

ORDINANCE AMENDING CHAPTER 12 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED "FIRE DEPARTMENT" TO ESTABLISH A JUNIOR FIREFIGHTER PROGRAM

WHEREAS, the Mayor and Council recognize that the safety of all residents is of utmost concern, particularly in fire or other emergency situations; and

WHEREAS, the Town has a strong volunteer fire department with approximately one hundred members in five companies; and

WHEREAS, the Town has previously adopted an Ordinance entitled Chapter 12 "Fire Department" establishing the Secaucus Fire Department, and setting forth various regulations, membership requirements, and policies as to persons, organization and equipment; and

WHEREAS, the Mayor and Council have determined that the establishment of a Junior Firefighter Program under the current Fire Department organization would benefit the Town, promote and cultivate the interest of young residents in being a firefighter, and train and support the next generation of Town firefighters

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 12 entitled "Fire Department," §12-2 of the Code of the Town of Secaucus be, and is hereby amended and supplemented to read as follows: (additions are indicated in bold):

1. § 12-2. Membership of companies.

E. The Secaucus Fire Department shall be permitted to maintain a junior firefighter program. Each member of the Secaucus Junior Firefighter Program shall meet and abide by the following:

1. Be a minimum of sixteen (16) years of age and will not have passed their eighteenth (18th) birthday.
 2. Be a citizen of the United States and a resident of the Town of Secaucus.
 3. Be physically fit to perform the duties of a junior firefighter and be evidenced by a certificate to that effect, made by a practicing physician of the State of New Jersey approved by the Town.
 4. Provide any and all information and documentation requested on the program application, and submit such to the Fire Chief or his designee.
 5. Provide any and all documentation of consent from a parent or legal guardian as requested by the Town and the Fire Department. This may include, but not be limited to, consent to participate in the junior firefighter program, birth certificate, waiver of liability, and consent to allow for emergency medical treatment.
 6. As set forth in 12-2(A), it shall be the responsibility of the Mayor and Council of the Town of Secaucus to appoint such junior firefighters who meet the qualifications set forth in this chapter, and to approve transfers of junior firefighters within the Department, upon the recommendation of the Fire Chief. Any applicant whose application is not recommended by the Fire Chief to the Mayor and Council shall follow the procedures as set forth in § 12-2(A).
 7. Junior firefighters shall not be permitted to operate any fire department vehicles, vehicle apparatus or any other equipment specified in the junior firefighter program policy.
 8. Junior firefighters shall not be eligible for any incentives, and/or compensation, monetary or otherwise.
 9. Junior firefighters do not have any voting rights within the Department.
 10. The Secaucus Junior Firefighter Program shall be governed by all policies approved by the Mayor and Council.
 11. Junior firefighters shall be required to follow all policies, rules and regulations of the Secaucus Fire Department and of the Secaucus Junior Firefighter Program, as well as, any orders of any commanding officers.
 12. Any junior firefighter who violates any policy, rule or regulation may be suspended, dismissed or subject to any other discipline as the conduct or action so requires.
2. There are no other changes to this Chapter of the Code of the Town of Secaucus.
3. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
4. 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.
5. This Ordinance shall take effect immediately upon passage and publication in accordance with law.

IT IS FURTHER ORDAINED that the remainder of this Chapter 12 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 Clancy moved that the public hearing be closed, seconded by Councilwoman Pirro.

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

Motion carried.

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

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

Motion carried.

The following ordinance was read public hearing: No. 2014-15

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

SECTION 1

BE IT ORDAINED, by the Mayor and Council of the Town of Secaucus that Section 127-58B - ADesignation of Locations at or Near Private Residences@ shall be amended by adding the following locations:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Golden Avenue	West	On the west side of Golden Avenue, beginning at a point 155 feet south of the southwest corner of Golden Avenue and Front Street continuing south for a distance of 22 feet in front of 769 Golden Avenue
John Street	West	On the west side of John Street, beginning at a point 114 feet south of the southwest corner of John Street and Centre Avenue continuing south for a distance of 22 feet in front of 709 John Street hird Street
East	East	On the east side of Third Street, beginning at a point 57 feet south of the southeast corner of Third Street and Front Street continuing south for a distance of 22 feet in front of 776 Third Street

That the parking space designated for 769 Golden Avenue adopted by Ordinance is to be personalized for Placard No. P1111923.

That the parking space designated for 709 John Street adopted by Ordinance is to be personalized for License Plate No. Z34BSU

That the parking space designated for 776 Third Street adopted by Ordinance is to be personalized for Placard No. P1245913.

If the Placard/License Plate Numbers for the persons utilizing the parking spaces at the above listed addresses changes, then the parking space designation(s) shall be changed to the new placard/plate with proof from the resident that it is for the same person that the person is still entitled to handicapped parking.

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 circumstances, to which the ordinance or part hereof is held inapplicable, had been specifically exempted therefrom.

SECTION 3

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, Councilman Jeffas moved that the public hearing be closed, seconded by Councilman Clancy.

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

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

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

The following ordinance was read public hearing: No. 2014-16

AN ORDINANCE AMENDING CHAPTER 99 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED "PEDDLING/DOOR-TO-DOOR SALES AND CANVASSING/SOLICITING" TO REGULATE CHARITABLE SOLICITATION ON TOWN ROADWAYS

WHEREAS, the Mayor and Council recognize that the safety of all residents, visitors, motorists and charitable solicitors is of paramount concern, particularly as spring and summer seasons approach when outdoor activities primarily occur; and

WHEREAS, after reviewing the state statute and code on charitable solicitation on roadways and safety bulletins on the topic, the Town believes that setting up general policy to regulate the location and timing of where charitable solicitations occur on Town roadways, to assess the safety of the intersection or roadway where the event is to occur, and to inform the participants of regulations and safety requirements governing their activity would be beneficial and prudent; and

WHEREAS, the Town has previously adopted an Ordinance entitled Chapter 99 "Peddling/Door To Door Sales and Canvassing/Soliciting" and this Article could be added under said Chapter as "Article II Charitable Solicitation on Roadways"; and

1. The Chapter title be amended to read as follows: Ch.99 Peddling/Door To Door Sales and Canvassing/Soliciting/Charitable Solicitation on Roadways

May 13, 2014

2. A title for Article I be added to cover §99-1 to §99-9 to read as follows: Article I Peddling/Door To Door Sales and Canvassing/Soliciting
3. Article II be added as follows:

Article II Charitable Solicitation on Roadways

§99-10 Purpose

Charitable organizations shall be permitted to solicit contributions in the roadways controlled by the Town of Secaucus in accordance with N.J.S.A. 39:4-60. Charitable solicitation shall not be permitted on roadways determined to be inappropriate by the Town of Secaucus in the interest of public safety.

§99-11 Definitions

The following words and terms, when used in this Article, shall have the following meanings, unless the context clearly indicates otherwise:

CHARITABLE ORGANIZATION - Any person determined by the Federal Internal Revenue Service to be a tax exempt organization pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, 26 U.S.C. § 501(c)(3), or any person who is, or holds himself or herself out to be, established for any benevolent, philanthropic, humane, social welfare, public health, or other charitable purpose, or for the benefit of law enforcement personnel, firefighters or other persons who protect the public safety, or any person who in any manner employs a charitable appeal as the basis of any solicitation, or an appeal, which has a tendency to suggest there is a charitable purpose to any such solicitation.

CHARITABLE PURPOSE - Any purpose described in section 501(c)(3) of the Internal Revenue Code of 1986, 26 U.S.C. § 501(c)(3), or any benevolent, philanthropic, humane, social welfare, public health, or other charitable objective, or an objective that benefits law enforcement personnel, firefighters, or other persons who protect the public safety.

CHARITABLE SOLICITATION APPROVAL - means written approval provided by the Town of Secaucus pursuant to this Article.

ROADWAY - means a road owned, taken over, controlled, built, maintained, or otherwise under the jurisdiction of the Town of Secaucus, and includes any public right-of-way, whether open or improved or not, and any property, property rights and easements owned and controlled by the Town of Secaucus.

TOWN - refers to the Town of Secaucus located in the County of Hudson, State of New Jersey.

§99-12 General Provisions

- (a) No person shall solicit charitable contributions on a roadway or intersection thereof without approval from the Town.
- (b) Charitable solicitation approval shall be granted only to charitable organizations soliciting for charitable purposes.
- (c) Solicitation shall only be permitted during daylight hours and limited to the hours specified in the approval.
- (d) Solicitation shall be subject to the specific terms and conditions of each approval granted.
- (e) Approvals shall be in possession of the solicitor during all times of solicitation and be available for inspection by local, county, and state police enforcement personnel. A representative of the charitable organization over the age of 18 must be present for the duration of the solicitation event and provide contact information to the Town as to how they can be reached during the event.
- (f) Solicitation shall not stop traffic or impede the flow of traffic. Traffic shall already be stopped before solicitation may occur and shall cease while traffic is moving. Use of flagmen

May 13, 2014

or any traffic control device, either portable or permanent, shall be prohibited.

- (g) The Chief of the Secaucus Police Department or his designee, the State Police or the County Sheriff may suspend or cease solicitation operations at any time if any condition of the approval is violated, or, if in their sole discretion, traffic is being impeded or delayed, public safety is at risk or the location is deemed unsafe at that time.
- (h) The Town shall not be liable in any civil action for damages to property or personal injury arising out of the solicitation activity conducted by charitable organizations in the roadways or ancillary to such.

§99-13 Applications and approval

- (a) Applicants for charitable solicitation approval shall complete a form specified by the Town and submit it to the Secaucus Police Department for review. There shall be no application fee charged to the charitable organization.
- (b) All applications shall be submitted by the charitable organization fifteen (15) days, or as soon as practicable, prior to the charitable solicitation event.
- (c) All applications shall be reviewed and either approved or denied by the Police Chief or his designee within ten (10) days of its submission in complete form.
- (d) The application form and any approval(s) shall specify the location, date(s)/duration, and time(s) of proposed charitable solicitation. One application form may cover multiple dates or seasonal requests during the same calendar year.
- (e) Approval by the Chief of the Secaucus Police Department or his designee may impose special conditions to preserve and protect the public safety and the free flow of traffic on its roadways.
- (f) The Chief of the Secaucus Police Department or his designee may deny charitable solicitation approval if in their sole discretion, traffic will be impeded or delayed, public safety will be at risk, the safety of participants will be at risk, the location is deemed unsafe, the location is unavailable due to construction or other reasons, if any safety requirements as set forth in this Article are not met, or if proper and complete information on the application is not provided.
- (g) An applicant who has been denied charitable solicitation approval may appeal by submitting a written request for reconsideration within ten (10) days of denial to Town Administrator. The appeal shall consist of a review of the written materials, and an informal meeting with representatives of the charitable organization if desired by the reviewer. A written decision shall be rendered to the organization within ten (10) days of either receipt of the appeal, or after the meeting, if one is held, whichever is later.

§99-14 Safety requirements

- (a) All solicitors shall wear properly sized safety vests labeled as meeting the ANSI 107-2004 (or later) Class 2 or 3 high visibility apparel.
- (b) Parking of vehicles shall comply with applicable traffic regulations, and off-site parking is recommended.
- (c) Solicitors shall not install, alter or disregard any traffic control devices.
- (d) Solicitors shall not impede, stop or delay traffic. Traffic must be stopped before solicitation can begin and cease when traffic begins movement.
- (e) The charitable organization shall be responsible for cleaning up any debris, garbage or litter from the roadway that arose out of the solicitation activity.
- (f) Solicitors shall not drink alcoholic beverages, use drugs, or be under the influence of drugs or alcohol when soliciting.

May 13, 2014

- (g) Solicitors shall not harass, annoy, threaten, coerce or alarm motorists or the public.

(h) Signs advertising the roadway solicitation are permitted, but they must be of a temporary construction, break-away and a maximum of 16 square feet. Signage shall be in accordance with the latest "Manual on Uniform Traffic Control Devices" and not create a distraction to motorists. All signs warning, noticing, or advertising a solicitation shall be removed immediately following the solicitation event.

§99-15 Penalty

In addition to the revocation or suspension of the approval issued under this Article II, any person who violates any provision of this Article II, upon conviction thereof, shall be punished by a fine not to exceed \$100.00 for each day of such violation. Enforcement may be completed by the Secaucus Police Department, State Police or County Sheriff.

§99-16 Repealer

All ordinances or parts of ordinances inconsistent or in conflict with this chapter are hereby repealed as to said inconsistencies or conflicts.

§99-17 Severability

If any provision or portion of a provision of this chapter is held to be unconstitutional, preempted by federal or state law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the chapter shall not be invalidated.

4. There are no other changes to this Chapter of the Code of the Town of Secaucus.
5. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
6. 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.
7. This Ordinance shall take effect immediately upon passage and publication in accordance with law.

IT IS FURTHER ORDAINED that the remainder of this Chapter 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, Councilwoman Pirro moved that the public hearing be closed, seconded by Councilman McKeever.

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

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

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

May 13, 2014

The following ordinance was read for introduction: No. 2014-17

AN ORDINANCE AMENDING CHAPTER 127A (RESIDENTIAL PARKING) OF THE CODE OF THE TOWN OF SECAUCUS

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

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

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. 2014-145

A RESOLUTION TO AUTHORIZE PARTICIPATION IN THE NEW JERSEY STATE HEALTH BENEFITS PROGRAM ACT OF THE STATE OF NEW JERSEY FOR LOCAL PRESCRIPTION DRUG COVERAGE

BE IT RESOLVED:

- 1) The Town of Secaucus, a participating employer in the Health Benefits Program, hereby elects to participate in the Local Prescription Drug Program provided by the New Jersey State health Benefits Act of the State of New Jersey (N.J.S.A> 52:14-17.25 et seq) and to authorize coverage for all the employees and their dependents thereunder in accordance with the statute and regulations adopted by the State Health benefits Commission.
- 2) As a participating employer we will remit to the State Treasury all premiums on account of employee and dependent coverage and periodic charges in accordance with the requirements of the statute and the rules and regulations duly promulgated thereunder.
- 3) We hereby appoint Roxanne Paciga to act as Certifying Officer in the administration of this program.
- 4) This resolution shall take effect immediately and coverage shall be effective as of August 1, 2014 or as soon thereafter as it may be effectuated pursuant to the statutes and regulations.

The following resolution was read: No. 2014-146

TOWN OF SECAUCUS, COUNTY OF HUDSON

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that Peter J. Zipp, Esquire, Special Tax Attorney for the Town of Secaucus, Stipulations of Settlement resolving the Complaints filed by:

Plycloth Associates Corp., for property situated at Block 203, Lot 42 and located at Farm Road for tax years 2011 and 2012.

Assessment reduced as follows:

<u>Tax Year</u>	<u>Original Assessment</u>	<u>Proposed Assessment</u>
2011	\$551,400	\$551,400
2012	\$551,400	\$284,900

Plycloth Associates Corp., for property situated at Block 203. Lot 41 and located at Farm Road for tax years 2011 and 2012.

Assessment reduced as follows:

<u>Tax Year</u>	<u>Original Assessment</u>	<u>Proposed Assessment</u>
2011	\$58,200	\$58,200
2012	\$58,200	\$58,200

Interest on any refund due is waived provided the refund is paid within sixty

May 13, 2014

(60) days of the date of the judgment pursuant to N.J.S.A 54:2-27.2.

All in accordance with the discussions held at certain caucus meeting of the Town of Secaucus on this 13th day of May 2014.

The following resolution was read:

No. 2014-147

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that Peter J. Zipp, Esquire, Special Tax Attorney for the Town of Secaucus, Stipulations of Settlement resolving the Complaints filed by:

280 Central Ave c/o SCI Funeral Services for property situated at Block 137, Lot 17 and located at 1245 Paterson Plank Road for tax years 2011, 2012, 2013 and 2014.

Assessment reduced as follows:

<u>Tax Year</u>	<u>Original Assessment</u>	<u>Proposed Assessment</u>
2011	\$950,000	\$950,000
2012	\$950,000	\$950,000
2013	\$950,000	\$950,000
2014	\$950,000	\$900,000

Interest on any refund due is waived provided the refund is paid within sixty (60) days of the date of the judgment pursuant to N.J.S.A 54:2-27.2.

All in accordance with the discussions held at certain caucus meeting of the Town of Secaucus on this 13th day of May 2014.

The following resolution was read:

No. 2014-148

RESOLUTION APPROVING TAX COURT OF NEW JERSEY REDUCTIONS

WHEREAS, the Tax Collector of the Town of Secaucus has determined that action is required as a result of the 2011 tax reduction granted by the Tax Court of New Jersey.

WHEREAS, the Tax Collector has certified to the foregoing as well as to the amount of Tax cancellation which is set forth along the block and lot of the taxpayer.

WHEREAS, this payment was required by the Tax Court to be made on or before May 12, 2014.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus ratified the action of the Tax Collector as required above as follows:

TAX REDUCTIONS GRANTED BY THE TAX COURT OF NEW JERSEY

<u>BLOCK</u>	<u>LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
9	5	1000 Castle Road	\$71,314.43

The following resolution was read:

No. 2014-149

RESOLUTION APPROVING TAX COURT OF NEW JERSEY REDUCTIONS

WHEREAS, the Tax Collector of the Town of Secaucus has determined that action is required as a result of the 2011 tax reduction granted by the Tax Court of New Jersey.

WHEREAS, the Tax Collector has certified to the foregoing as well as to the amount of Tax cancellation which is set forth along the block and lot of the taxpayer.

WHEREAS, this payment was required by the Tax Court to be made on or before May 12, 2014.

May 13, 2014

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus ratified the action of the Tax Collector as required above as follows:

TAX REDUCTIONS GRANTED BY THE TAX COURT OF NEW JERSEY

BLOCK	LOT	ADDRESS	AMOUNT
9	5	1000 Castle Road	\$42,765.97

The following resolution was read: No. 2014-150

RESOLUTION TO AWARD CONTRACT FOR THE PURCHASE OF SPORTS UNIFORMS

WHEREAS, the Town advertised for qualified bidders to submit proposals to provide various sports uniforms for the Town's Recreation Department; and-

WHEREAS, on April 3, 2014 sealed bids were received pursuant to New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq; and

WHEREAS, none of the four (4) sealed bids received responded to all 49 of the advertised bid specifications; and

WHEREAS, the Town reserved the right to award the bid in whole or in part to different bidders for different items; and

WHEREAS, the bid responses have been reviewed by the Town Administrator, General Counsel and the Town's Director of Recreation, and they have determined that a contract should be awarded to Stan's Sports Center in the amount of \$21,100.20 as follows:

Spec.	Description	Unit Price	Quantity	Estimated Cost
1 & 2	Cheerleading Alleson	69.90	100 of each	\$6,990.00
10 & 11	Softball Jersey	\$31.90	100 of each	\$3,190.00
13	Female Bathing Suits	\$55.60	60	\$3,336.00
14	Male Swim Suits	\$36.90	50	\$1,845.00
19	Reactor Tough Men	\$23.10	50	\$1,150.00
20	Reactor Tough Women	\$29.90	50	\$1,495.00
21	Solicone Caps	\$5.39	100	\$539.00
25	Holloway Freq. Polo	\$31.94	40	\$1,277.60
26	Holloway Freq Lad Polo	\$31.94	40	\$1,277.660
Total				\$21,100.20

Financial officers
Certification attached.

The following resolution was read: No. 2014-151

RESOLUTION AUTHORIZING THE INSERTION OF A SPECIAL ITEM OF REVENUE AND AN APPROPRIATION OF EQUAL AMOUNT

Council offered and moved adoption of the following resolution:

WHEREAS, the N.J.S.A. 40a-4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County municipality when such item shall have been made available by law and the amount thereof was not determined at the time of adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Secaucus hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of

May 13, 2014

\$24,000.00 which items is now available as revenue from:

NEW JERSEY DEPARTMENT OF ENVIRONMENT PROTECTION
2013 RECREATION TRAILS PROGRAM GRANT

Pursuant to the provisions of the statute and,

BE IT FURTHER RESOLVED, that a sum of \$32,050.00 be and the same hereby appropriated under the following caption:

2013 RECREATION TRAILS PROGRAM GRANT \$24,000.00
Cash match \$3,900.00
In-Kind \$4,150.00

RESOLVED, that two certified copies of this resolution be filed with the Division of Local Government Services.

The following resolution was read: No. 2014-152

RESOLUTION OF CONTINUING SUPPORT FOR THE GOALS AND PURPOSES OF THE 2004
HIGHLANDS WATER PROTECTOIN AND PLANNING ACT

WHEREAS, New Jersey Highlands Water Protection and Planning Act (The Highlands Act) was enacted in order to protect the State's water supplies and other significant resources;

WHEREAS, the Highlands Act was passed with overwhelming bipartisan support in both the New Jersey State Senate and new Jersey State Assembly; and

WHEREAS, subsequently in 2008, the New Jersey Highlands Water Protection and Planning Council adopted the New Jersey Highlands Regional Master Plan and proceeded with a program for its implementation through a Plan Conference process; and

WHEREAS, the Town of Secaucus is a municipality that receives all or a portion of its drinking water from sources within the Highlands region, and that the Town of Secaucus relies on the resources of the Highlands to meet the current and future needs of its residents.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town Of Secaucus wishes that it be known that they strongly support the goals, policies and objectives of the 2004 Highlands Water Protection and Planning Act and the Highlands Regional Master Plan.

The following resolution was read: No. 2014-153

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH MCNERNEY &
ASSOICATES, INC.

WHEREAS, the Mayor and Council of the Town of Secaucus ("Secaucus") require appraisal and consulting services in connection with an appraisal report to be Submitted to the Tax Court of New Jersey Concerning certain pending tax appeal matters for BT NEWYO, LLC on Block 58, Lot 9.02 located at 405-493 County Avenue for tax years 2009, 2010, 2011 and 2012 9herinafter the "Appraisal Report"); and

WHEREAS, this type of work constitutes a professional service is defined by N.J.S.A. 40a; 11-2(6) and as such exempted from the bidding requirements pursuant to N.J.S.A.40A; 11-5; and

WHEREAS, the Town has received a proposal from McNerney & Associates, Inc. to perform the proposed work.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the mayor and Town Clerk are hereby authorized to execute a contract with McNerney & Associates, Inc., for appraisal valuation and consulting services in regards to the Appraisal Report.

May 13, 2014

BE IT FURHTER RESOLVED, the McNerney & Associates, Inc, shall be paid an amount not to exceed \$15,000 for a trial ready appraisal report for all properties (inclusive of all out-of-pocket expenses) and additional compensation in the amount of \$100.00 per hour with respect to additional litigation support including trial preparation and appearances at depositories and trial.

Financial officers
Certification attached.

The following resolution was read:

No. 2014-154

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH CP ENGINEERS & ARCHITECTURE

WHEREAS, the Mayor and Council of the Town of Secaucus ("Secaucus") require cost estimating consulting services in connection with an appraisal report to be Submitted to the Tax Court of New Jersey Concerning certain pending tax appeal matters for BT NEWYO, LLC on Block 58, Lot 9.02 located at 405-493 County Avenue for tax years 2009, 2010, 2011 and 2012 9herinafter the "Appraisal Report"); and

WHEREAS, this type of work constitutes a professional service is defined by N.J.S.A. 40a; 11-2(6) and as such exempted from the bidding requirements pursuant to N.J.S.A.40A; 11-5; and

WHEREAS, the Town has received a proposal from CP Engineers & Architecture to perform the proposed work.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the Mayor and Town Clerk are hereby authorized to execute a contract with CP Engineers & Architecture for appraisal, valuation and consulting services in regards to the Cost Estimation Report.

BE IT FURHTER RESOLVED, the CP Engineers & Architecture, shall be paid an amount not to exceed \$118,960 for a trial ready appraisal report for all properties (inclusive of all out-of-pocket expenses) and additional compensation in the amount of \$100.00 per hour with respect to additional litigation support including trial preparation and appearances at depositories and trial.

Financial officers
Certification attached.

The following resolution was read:

No. 2014-155

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

WHEREAS, the Town of Secaucus purchases commodities of a variety from authorized vendors under the State of New Jersey Cooperative Purchasing Program, N.J.S.A. 40A:11-12a; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contract Law, NJ.A.C. 5:34-7.29; and

WHEREAS, the Town of Secaucus authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on an annual list, pursuant to all conditions of the individual State contracts; and

WHEREAS, the threshold of the annual submitted list of vendors is \$36,000.00; and

WHEREAS, contract exceeding \$36,000.00 require an additional Resolution; and

WHEREAS, Resolution 2014-2 listed the authorized vendors of the Town of Secaucus, with anticipated usage in 2014 up to the \$36,000.00 threshold; and

WHEREAS, the vendor Winner Ford of Cherry Hill, New Jersey, NJ State Contract #'s 82925, 81165, 93012, 93173 will exceed \$36,000.00 with the purchase of several vehicles for the Police Department & OEM with current Requisition totaling \$104,275.00; and

NOW, THEREFORE, BE IT RESOLVED, to award the additional amount of \$68,275.00 to Winner Ford of Cherry Hill, New Jersey for the purchase of Police vehicles.

May 13, 2014

The following resolution was read:

No. 2014-156

RESOLUTION RE: SETTLEMENT WITH REIVAX CONTRACTING CORP.

WHEREAS, THE Town of Secaucus and Reivax Contracting Corp. (entitled the "Rivervire Gardens Storm Water Management Project") entered into a contract; and

WHEREAS, as a result of Hurricane Sandy and other unforeseen conditions a number of change orders were required in connection with the project; and

WHEREAS, a dispute arose as to the type of pump required under the Specifications;

WHEREAS, as a result of that dispute, the parties proceeded to binding arbitration with the American Arbitration Associations; and

WHEREAS, the matter was heard by arbitration Michael Renda and testimony was provided by the Principal of Reivax Contracting Corp.; and

WHEREAS, Reivax asserted a claim for damages in the amount of \$300,000.00 while the Town of Secaucus asserted that it was only obligated to pay Reivax \$250,000.00 for the remaining work under the contract. The Town also sought liquidated damages from Reivax Contracting Corp; and

WHEREAS, Reivax has agreed to reduce its demand for final payment from \$300,000.00 to \$230,000.00 to complete the contract; and

WHEREAS, Reivax has also agreed to provide an eight inch Godwin pump with floats and the Town has agreed to accept an eight inch Godwin pump with floats in further settlement of this litigation; and

WHEREAS, both the Town Engineer and Town Counsel have advised that said settlement is reasonable in light of the testimony and evidence which was expected to be proffered at the arbitration proceeding;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Secaucus agrees to settle all outstanding claims under the above contract with the understanding that Reivax will be entitled to additional payments totaling \$230,800.00 and that Reivax will complete all punch-list items under the contract and will provide an eight inch Godwin pump with floats. Reivax shall immediately order said pump and install the pump upon delivery; and

BE IT FURTHER RESOLVED, that Reivax shall be entitled to payment of \$106,602.00 (representing payment for Invoice No. 4) and shall also be entitled to payment of \$55,398.00 upon Engineer's approval of said payment. Reivax will then be entitled to the remaining payment of \$687,700.00 only upon completion of all punch-list items under the contract and installation of the eight inch Godwin pump with floats.

Financial Officers
Certification attached.

The following resolution was read:

No. 2014-157

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

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that Gwendolyn Barroquerro is hereby appointed as a Senior Bus Driver for the Social Services Department, effective May 13, 2014 at an hourly rate of \$15.00.

BE IT FURTHER RESOLVED, that the hourly rate for the Senior Bus Driver Edward Kelly is hereby increased to \$15.00 effective May 13, 2014.

The following resolution was read:

NO. 2014-15

**A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
ESTABLISHING A QUALITY OF LIFE COMMITTEE**

WHEREAS, the Mayor and Council deem the safety, health and welfare of all persons within the Town as vitally important; and

May 13, 2014

WHEREAS, the Town of Secaucus wants to take collaborative approach to address various activities impacting the quality of life experience by residents and visitors to the Town, including but not limited to, property maintenance matters, animal control concerns and illegal use activities; and

WHEREAS, the Mayor and Council will be establishing a Quality of Life Committee ("Committee") comprised of multiple Town departments to review, assess and address quality of life issues in a collective, proactive manner with regular meeting and updates, joint efforts and key personnel involved; and

WHEREAS, the Mayor and Council are taking this action to continue to keep quality of life issues a priority in our Town and address citizen concerns.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus that the Quality of Life Committee be established.

BE IT FURTHER RESOLVED, by the Mayor and Council for the Town of Secaucus that multiple Town departments combine efforts on the Quality of Life Committee including, but limited to the Health Department, Secaucus Police Department, Bureau of Fire Prevention, Construction Department, Property Maintenance Department, Department of Public Works, Animal Control and Legal Department, These departments shall be represented on the Committee by the respective Department heads or their designees.

BE IT FURTHER RESOLVED, by the Mayor and Council for the Town of Secaucus that meeting of the Committee shall occur quarterly or as deemed necessary by the Committee. Meetings shall commence in June 2014 and are to be chaired by the Board of Health.

BE IT FURTHER RESOLVED, that the committee shall appoint a liaison to the Town Council who shall report and make recommendations to the Mayor and Council as deemed appropriate to address ongoing quality of life concerns or issues in the Town.

The following resolution was read:

No. 2014-159

Re: APPOINTING THE RODGERS GROUP, LLC FOR THE PURPOSE OF OVERSIGHT AND DIRECT MENTORSHIP OF THE PROCESS OF SECURING NJSACOP ACCREDITATION OF THE SECAUCUS POLICE DEPARTMENT.

WHEREAS, the Town of Secaucus will benefit by having Secaucus Police department obtain NJSACOP Accreditation; and

WHEREAS, it is in the best interest of the Town to retain a company that specializes in Oversight and Direct Mentorship of the Process of Securing NJSACOP Accreditation for New Jersey Police Departments; and

WHEREAS, The Rodgers Group, LLC is a "professional Service" experienced in Oversight and Direct Mentorship of the Process of Securing NJSACOP Accreditation for New Jersey Police Departments; and

WHEREAS, The Rodgers Group, LLC was appointed to assist the Police Department in obtaining accreditation; and

WHEREAS, a one of the facets of garnering accreditation requires a training component; and

WHEREAS, The Rodgers Group, LLC has a computerized training system to perform this function for \$192 per officer annually; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11.1 ET SE.) requires that the resolution authorizing the award of the contract for AUTHORIZING THE AWARD "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the Members of both the Police department and the Police Committee have reviewed this proposal and are in agreement that these services should be awarded; and

BE IT FURTHER RESOLVED, that the within appointment shall be for 12 months from the date of commencement of this training; and

BE IT FURTHER RESOLVED, that the contract for The Rodgers Group, LLC shall be increased in an amount not to exceed \$12,000 for training services set forth in its proposal in this matter; and

BE IT FURTHER RESOLVED, that the contract pursuant to this resolution shall be made available for public inspection; and

BE IT FURTHER RESOLVED, that the Mayor and/or Town Administrator are hereby authorized to execute any other document and or take any other action necessary to fulfill the spirit and intent of this resolution; and

BE IT FURTHER RESOLVED this contract is awarded without competitive bidding "Professional Service" in accordance with N.J.S.A.40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person authorized by law to practice a recognized professional that is regulated by law (i.e. Police Accreditation); and

BE IT FURTHER RESOLVED, a notice of this active shall be printed in a newspaper as required by law.

Financial Officers
Certification attached.

The following resolution was read: No. 2014-160

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the salaries for Parking Enforcement Officers are amended pursuant to the attached Schedule A, effective Wednesday, January 1, 2014.

The following resolution was read: No. 2014-161

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus Eliane Miedel is hereby appointed to the position of Administrative Clerk Records Bureau full time Wednesday, May 14, 2014 at the annual salary of \$26,500.

The following resolution was read: No. 2014-162

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus Elisa Hitchcock is hereby appointed to the position of Administrative Clerk-Court-Temporary Position effective Monday May 12, 2014 at the rate of \$12.00 per hour.

The following resolution was read: No. 2014-163

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, PURSUANT TO THE RECOMMENDATION OF Florio & Kenny, special counsel in the matter of Taylor V. Town of Secaucus, the Mayor and Council hereby authorize the Town Administrator and/ or Mayor to execute the attached Settlement of Agreement and the payment of \$15,000 pursuant to the same.

The following resolution was read: No. 2014-164

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, pursuant to Section 12.8A of the Code of the Town of Secaucus, the Mayor and Council hereby approve , to the extent consistent with Local State and Federal Laws and Regulations, the By-laws changes for Tower 2 as attached hereto.

The following resolution was read: No. 2014-165

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 John Voli, Recreation Director of the Town of Secaucus, the following persons are

hereby appointed as Assistant Managers, Maintenance, Clerical, Head Lifeguard, Lifeguards and a Swim Coach to the Secaucus Swim Center, effective May 13, 2014, at the following hourly wages and rates:

SECAUCUS SWIM CENTER

<u>Assistant Managers</u>	<u>Hourly Rate</u>
Megan Carricarte	\$12.00
Jonathan Federer	\$12.00
Dot Lombardo	\$12.00
Stephanie Tedeschi	\$12.00

<u>Maintenance</u>	<u>Hourly Rate</u>
Joseph Curran	\$8.25
DeGomez Estrada, Adela Albertina Tome	\$8.25
Carmine Goldsack	\$8.25
Joseph Territola	\$10.00

<u>Clerical</u>	<u>Hourly Rate</u>
Arthur Buckel	\$8.25
Carly Carricarte	\$8.25

May 13, 2014

Justin Certo	\$8.25
Amber Concepcion	\$8.25
Nicholas Daddetto	\$8.25
Michael Grecco	\$8.25
Lauren Guillen	\$8.25
Melody Handolwitch	\$8.25
Rahul Nagpal	\$8.25
Stephanie Ramirez	\$8.25
Alyson Toman	\$8.25
Alexandra Tous	\$8.25
Rebecca Valdivieso	\$8.25
Michael Vu	\$8.25

<u>Head Lifeguard</u>	<u>Hourly Rate</u>
Nina Petruzzella	\$10.00

<u>Lifeguards</u>	<u>Hourly Rate</u>
Ashlee Amancha	\$8.25
Diego Barros	\$8.25
Christopher Carpenter	\$8.25
Ronnie Chan	\$8.25
Andrew Conti	\$8.25
Camille Cunanan	\$8.25
Anthony DeEsposito	\$8.25
Christian DeEsposito	\$8.25
Angielly Dominguez	\$8.25
Alex Erlanger	\$8.25
Akhmad Ernazova	\$8.25
Joseph Estrada	\$8.25
Zachary Fearon	\$8.25
Andrew Gallo	\$8.25
Mark German	\$8.25
Jessica Godoy	\$8.25
Roberto Godoy	\$8.25
Matthew Grillo	\$8.25
Thomas Hering	\$8.25
Ryan Jeffas	\$8.25
Sean Jeffas	\$8.25
Jackie Kimelman	\$8.25
Hailee Longo	\$8.25
Mia Anissa Macaro	\$8.25
Anthony Meeny	\$8.25
Kathleen Mercado	\$8.25
Claire Molino	\$8.25
Adam Nelson	\$8.25
Ryan Nelson	\$8.25
Trong Nguyen	\$8.25
Charles O=Connell	\$8.25
Abmael Oliverira	\$8.25
Nicole Pagnano	\$8.25
Maris Renton	\$8.25
Clark Rhiel	\$8.25
Kelly Riebesell	\$8.25
Gabriela Rodriguez	\$8.25
Chanel Rojas	\$8.25

Yocasta Santiago	\$8.25
Evan Santos	\$8.25
Marissa Schlein	\$8.25
Ashna Tejwani	\$8.25
Frankie Vanoni	\$8.25
Gabriella Visaggio	\$8.25
Matthew Zavala	\$8.25

The following resolution was read: No. 2014-166

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

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, that Donna Pagnano is hereby appointed as a Part-Time Teen Center Supervisor, effective Monday, May 19, 2014 at the hourly rate of \$12.00.

The following resolution was read: No. 2014-167

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

WHEREAS, the Town of Secaucus has the need for the Installation of a Public Safety Video Surveillance and Recording System, on both Pedestrian Bridges spanning the State Route 3 Highway; and

WHEREAS, the Town of Secaucus has determined that the products and services required for this project are not available for purchase through applicable Cooperative Purchasing; and

WHEREAS, the anticipated estimates exceed the Town of Secaucus threshold of \$36,000.00;

WHEREAS, the Town of Secaucus wished to advertise for the project "Public Safety Video Surveillance and Recording System" on Pedestrian Bridges over State Route 3 Highway; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus to hereby authorized the Purchasing department to request proposals through a "Fair and Open" Competitive Contracting Process.

The following resolution was read: No. 2014-168

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

WHEREAS, the Town of Secaucus has the need for the Installation of a Public Safety Video Surveillance and Recording System, IN Buchmuller Park; and

WHEREAS, the Town of Secaucus has determined that the products and services required for this project are not available for purchase through applicable Cooperative Purchasing; and

WHEREAS, the anticipated estimates exceed the Town of Secaucus threshold of \$36,000.00;

WHEREAS, the Town of Secaucus wished to advertise for the project "Public Safety Video Surveillance and Recording System" in Buchmuller Park; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus to hereby authorized the Purchasing department to request proposals through a "Fair and Open" Competitive Contracting Process.

The following resolution was read: NO. 2014-169

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

WHEREAS, the Town of Secaucus has the need for a Heavy Rescue Unit; and

WHEREAS, the Town of Secaucus Mayor and Council authorized the Advertisement and Receipt of Bids for a Heavy Rescue Unit on Resolution 2012-159 on June 26, 2012; and

WHEREAS, the Town of Secaucus awarded the Bid of a Heavy Rescue Unit to NJEV

DBA/P.L.CUSTOM BODY CO. INC. of Manasquan, New Jersey on Resolution 2012-267 in the amount of \$826,976.00 on 10/9/12; and

WHEREAS, Change Order # 1 was submitted in the amount of \$5,000.00 on Resolution 2013-278 on 9/20/13, for adjustments to the chassis, cylinders, breathing systems, and pressure booster, increasing the contract amount to \$831,976.00; and

WHEREAS, Change Order # 2 is submitted in the amount of \$119,731.37 on Invoice 5025, for a Cascade System, Tools and Equipment, increasing the contract amount to \$951,707.37; and

WHEREAS, the Invoice 5025 reflects a Credit in the amount of \$9870.63 for a Radio Deletion; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council to award Change Order # 2, in the amount of \$119,731.37 for the additional items for the Heavy Rescue Unit.

The following resolution was read: No. 2014-170

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

WHEREAS, the Town of Secaucus Department of Public Works and Buildings and Grounds Departments, had the need for new vehicles; and

WHEREAS, the Vendor, Winner Ford of Cherry Hill, New Jersey a New Jersey State Contract Vendor can supply the Trucks and Options required, under Contract # A83559, A85437, and A83576; and

WHEREAS, the amount of five (5) Cab Trucks and Options total \$ 189,318.00; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus to award Winner Ford of Cherry Hill, New Jersey the contract in the amount of \$189,318.00 for (5) five Cab Trucks for use in the DPW and Buildings and Grounds.

The following resolution was read: No. 2014-171

RESOLUTION AUTHORIZING THE INSERTION OF A SPECIAL ITEM OF REVENUE AND AN
APPROPRIATION OF EQUAL AMOUNT

WHEREAS, the N.J.S.A. 40A-4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Secaucus hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$240,000.00 which item is now available as revenue from:

NEW JERSEY DEPARTMENT OF TRANSPORTATION
2014 MUNICIPAL AID PROGRAM

Pursuant to the provisions of the statute and,

BE IT FURTHER RESOLVED, that a like sum of of \$240,000.00 be and the same hereby appropriated under the following caption:

2014 NJDOT MUNICIPAL AID PROGRAM/LUHMANN TERRACE

RESOLVED that two certified copies of this resolution be filed with the Division of Local Government Services

The following resolution was read:

No. 2014-172

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

WHEREAS, the Town Clerk was authorized to advertise for and receive bids for a Bus Stop Canopy located at Plaza Center Drive; and

WHEREAS, bids for the above listed project were due to be received on Tuesday, May 13, 2014 at 3pm; and

WHEREAS, no bids were submitted.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby authorized to re-advertise for and receive bids for a Bus Stop Canopy located at Plaza Center Drive.

The following resolution as read:

No. 2014-173

RESOLUTION RE: PURCHASE OF A 30 PASSENGER SHUTTLE BUS

WHEREAS, the Town of Secaucus advertised for bids for the purchase of a 30 passenger shuttle bus; and

WHEREAS, the low bidder (at \$86,731.00) was Alliance Bus group which admittedly submitted a bid to provide a bus which does not meet specifications and is not substantially equivalent to the type of bus required in the Town specifications; and

NOW, THEREFORE, BE IT RESOLVED, that the bid of Alliance Bus Group is hereby rejected as being non-conforming to the Town's specifications;

IT IS FURTHER RESOLVED, that the contract for the purchase of the 30 passenger shuttle bus be awarded to Wolfington Body Company as the lowest responsible bidder in the amount of \$96,820.00; and

IT IS FURTHER RESOLVED, that the specifications bid and this Resolution shall constitute the requisite contract in this matter.

Financial Officers
Certification attached.

The following resolution was read:

No. 2014-174

RESOLUTION RE: ELEVATOR MAINTENANCE AND REPAIR CONTRACT

WHEREAS, the Town of Secaucus advertise for bids for elevator maintenance and repair services; and

WHEREAS, two bidders submitted bids, EMCO and Standard elevator Corporation; and

WHEREAS, was lowest responsible bidder (albeit for a price less than the bidding threshold) in the amount of \$7,200.00;

NOW, THEREFORE, BE IT RESOLVED, that a contract for elevator maintenance and repair services be awarded to EMCO in the amount of \$7,200.00, with the understanding that should the Town award any additional one year extensions, the contract will provide for payment in the amount of \$7,200.00 for years two and three respectively.

IT IS FURTHER RESOLVED that the specifications, bid and this Resolution shall constitute the requisite contract in this matter.

The following resolution was read:

No. 2014-175

RESOLUTION RE: HVAC MAINTENANCE AND REPAIR CONTRACT

WHEREAS, the Town of Secaucus advertised for bids to provide HVAC maintenance and repair services at an hourly rate, with the potential for two additional one year extensions of said contract; and

WHEREAS, the Town does not expect the annual cost to exceed the bidding

threshold; and

WHEREAS, three bidders submitted their bids in connection with these specifications;

NOW, THEREFORE, BE IT RESOLVED, that Pow-R-Sav, Inc., be awarded the contract for HVAC maintenance and repair services at the rate of \$78.00 per hour for year one; and

IT IS FURHTER RESOLVED, that should the Town renew said contract for any additional years, payment shall be as follows: \$78.00 per hour for year two and \$78.00 per hour for year three and

IT IS FUTHER RESOLVED that the specifications, bid and this Resolution shall constitute the requisite contract for this matter.

The following resolution was read: No. 2014-176

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, pursuant to a recommendation from the Personnel Committee is hereby increasing Vincent Massaro's Fire Official salary to \$60,618 for performing additional duties to be added to his present salary effective January 1, 2014.

The following resolution was read: No. 2014-177

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the town of Secaucus, pursuant to a recommendation from the Personnel Committee is hereby increasing Lisa Snedeker's, Director of Community and Senior Programs and Activities, salary to \$72,080 for performing additional duties and to bring her salary in line with members of her bargaining unit, effective January 1, 2014.

The following resolution was read: No. 2014-178

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of Secaucus ratify that Lee Penna is hereby appointed to organize and coordinate Winter Blast 2014 for a stipend in the amount of \$2,500.00.

The following resolution was read: No. 2014-179

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that Marie Eck, assistant Town Clerk/Registrar is hereby given a stipend of \$5,000 for performing the duties of Registrar to be added to her present salary effective January 1, 2014.

The following resolution was read: No. 2014-180

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, pursuant to a recommendation from the Personnel Committee is hereby increasing Marilyn De Pice's Executive Assistant, salary to \$45,247 to account for the additional five hour of work per week performed relative to other Executive Assistance, effective January 1, 2014.

The following resolution was read: No. 2014-181

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, that Ashley Dombrowski is hereby appointed to the position of Violations Clerk in the Secaucus Municipal Court, effective May 14, 2014 at an annual salary of \$36,800.00.

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

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

NAYS: None

ABSTAIN: Jeffas on 2014-165 only, Gonnelli on 2014-169.

ABSENT: Costantino

Motion carried.

BINGO/RAFFLE APPLICATIONS

R-1311 PBA Local #84 Secaucus Civic Association Inc. Off Premise 50/50

Councilman Jeffas moved to approve the foregoing application, seconded by Councilwoman Pirro.

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

NAYS: None

ABSENT: Costantino

Motion carried.

COMMUNICATIONS REQUIRING ACTION BY MAYOR AND COUNCIL

The following correspondences was received:

- 1) Use of the Recreation Center located on Humboldt Street for JSA High Tech on June 20, 2014.
- 2) Mill Ridge Fields on September 18 for Out of the Darkness Walk.
- 3) Cub Scout Pack #87 for use of North End Firehouse for a car wash on June 21, 2014.
- 4) Wrap for Smile use of Senior Center on May 31, 2014
- 5) Waive the \$12.00 per hour fee for a picnic for Bridgeway Rehabilitation Services.

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

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

NAYS: None

ABSENT: Costantino

Motion carried.

REPORTS AND CORRESPONDENCE REGISTER

Councilman Jeffas approved the Correspondence Register, seconded by Councilwoman Pirro.

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

NAYS: None

ABSENT: Costantino

Motion carried.

COMMITTEE REPORTS

Councilman Jeffas spoke about a new national campaign that the Police Department is participating in.

Councilman Clancy spoke about a grant the fire department received. He added the statistics for fire calls for the month of April.

Councilwoman Pirro spoke about an upcoming event to benefit the Animal Shelter. She added that there is a store in Clifton who are collecting donations for the Town shelter.

Councilman Dehnert spoke about a program to be instituted for the Recreation Department. He also spoke about some upcoming programs that will be started.

Councilman McKeever spoke about the upcoming Memorial Day Parade. He also spoke about some upcoming senior citizen events.

Mayor Gonnelli stated that the Town has received the balance of the monies regarding the scandal at the Tax Collectors office.

UNFINISHED BUSINESS

Councilman Jeffas spoke about the Quality of Life Committee.

Councilman Clancy spoke about Arbor Day and Earth Day.

Councilwoman Pirro announced that there will be free medical screenings at the Exchange.

Councilman McKeever spoke about a meeting that was held at Harmon Cove and the air traffic noise. He also spoke about art show being held at the Town Hall.

Mayor Gonnelli spoke about project regarding flooding in the Town and the Town has applied and the Town is in the running. This would represent a large sum of money for the Town. He also spoke about Comcast and the opportunity call their representative to get a price adjustment.

NEW BUSINESS

Councilman Jeffas spoke about the Middle State accreditation and that it went well. He also mentioned a business breakfast to be held in June.

Councilman Clancy informed the residents that Luhmann Terrace will be having paving work done. He noted that the Town received a grant to pay for the project. He mentioned that it will be starting in September.

Councilwoman Pirro spoke about injuries in hospitals and meadowlands Hospital has received an A rating. She also spoke about a program at Kipnis Rehabilitation of which they are accepting donations of crutches, canes etc to be donated.

Councilman Jeffas mentioned that Goya Foods has donated a large amount of food this year to the food bank.

Mayor Gonnelli stated that Goya has been very generous over the years. He also spoke about a trail grant for Mill Creek Point. He appointed Susan Pirro as the EMS liaison to Meadowlands Hospital. He also spoke about the use of antibiotics in animals.

REMARKS OF CITIZENS

Donald Evanson

Councilwoman Pirro moved to adjourn the meeting at 8:15 pm, seconded by Councilman Clancy.

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

NAYS: None

ABSENT: Costantino

Motion carried.

Michael Marra, Town Clerk
