

April 14, 2015

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 14th day of April, 2015 at 7:00 P.M. Municipal Government Center, 1203 Paterson Plank Road, Chamber I.

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

PLEDGE OF ALLEGIANCE

The following statement was read by Town Clerk Michael Marra:

"Adequate notice for this meeting, as required by the Open Public Meetings Act, has been provided by the filing of the notice of Meetings with the Municipal Clerk, the posting of said notice on the official bulletin board in the Municipal Building, and the delivery of same to the Secaucus Home News on January 9, 2015".

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.

The first item on the agenda is as follows:

The following ordinance was read for public hearing: No. 2015-7

AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 73 OF THE CODE  
OF THE TOWN OF SECAUCUS ENTITLED "FIRE PREVENTION AND FIRE PROTECTION"

WHEREAS, the Mayor and Council recognize that the safety of all residents and the protection of buildings and structures is of utmost concern, particularly in fire or other emergency situations, and that the ability to enforce applicable fire codes and regulations is critical to the protection of the public; and

WHEREAS, based upon the recommendations of the Town of Secaucus Bureau of Fire Prevention, after reviewing applicable regulations and the town ordinance, the Mayor and Council believe that updates are needed to Chapter 73, Article I to clarify provisions and address current regulations, fees and exemptions; and

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

1. Article I of Chapter 73 of Code of the Town of Secaucus be, and is hereby amended and supplemented to read as follows: (deletions are indicated by ~~excesses~~; additions are indicated in bold):

§ 73-1. Local enforcement of the New Jersey Uniform Fire Code.

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§ 73-3. Duties of enforcing agency.

~~The local enforcement agency~~ Bureau of Fire Prevention shall enforce the New Jersey Uniform Fire Safety Act located at N.J.S.A. 52:27D-192 et seq., as amended, and the New Jersey Uniform Fire Code found at N.J.A.C. 5:70 et seq., as amended, and the codes and regulations adopted ~~under it~~ therein, in all buildings, structures and premises within the established boundaries of the Town of Secaucus, other than owner-occupied and one- and two-family dwellings, and shall comply faithfully with the requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

§ 73-4. Life hazard uses.

The local enforcing agency established by Section 73-2 shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of Community Affairs of the State of New Jersey.

§ 73-5. Organization.

The local enforcing agency established by Section 73-2 shall be under the direct supervision and control of the Fire Official ~~who shall report to the Director of Division of Inspections.~~

§ 73-6. Fire Official appointed; term of office; employees.

- A. The position of Fire Official is hereby created in the Town of Secaucus. The Fire Official shall be appointed by the Mayor and Council.
- B. ~~The Fire Official shall serve at the pleasure of the Mayor and Council.~~ The Fire Official shall be a certified Fire Official in the State of New Jersey by the Commissioner of the Department of Community Affairs.
- C. Other employees as may be necessary in the local enforcing agency shall be appointed by the Mayor and Council.

§ 73-7. Board of Appeals.

Pursuant to ~~Sections 15 and 17 of~~ the Uniform Fire Safety Act and the New Jersey Uniform Fire Code, any person aggrieved by any order of the local enforcement agency shall have the right to appeal to the Construction Board of Appeals of the ~~Town of Secaucus~~ County of Hudson.

§ 73-8. Additional required inspections and fees.

In addition to the inspection and fees required pursuant to the Uniform Fire Safety Act and New Jersey Uniform Fire Code ~~Act~~ and the regulations of the Department of Community Affairs, the following additional inspections and fees shall be required and paid to the Town of Secaucus:

All building types or uses (except residential) which are not required to be inspected in accordance with the Uniform Fire Code, shall be subject to an annual inspection and fee, which shall be paid within ten (10) days of such inspection:

0-2,499 square feet.....\$25.00 per year

[Amended 2-23-10 by Ord. No. 2010-8]

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.....

2,500–24,999 square feet.....\$50.00 per year  
 [Amended 2-23-10 by Ord. No. 2010-8]  
 25,000–49,999 square feet .....\$200.00 per year  
 [Amended 2-23-10 by Ord. No. 2010-8]  
 50,000–99,999 square feet .....\$500.00 per year  
 [Amended 2-23-10 by Ord. No. 2010-8]  
 100,000 and above .....>.....\$750.00 per year

All non-life hazard residential building uses including building common areas and specifically excluding owner-occupied one- and two-family dwellings shall comply with the requirements of the Uniform Fire Code. Said uses shall be inspected annually and be subject to the same fee and payment schedule for nonresidential uses set forth hereinabove.

...  
§ 73-10. ~~Reserved.~~

**Exemptions.**

Permit fees and inspection fees shall be waived for any non-profit, charitable or service organization, state, municipal or county governments, regional authorities, the Secaucus Board of Education and non-profit private educational institutions, as long as the use is not a life-hazard use.

§ 73-11. Enforcing official; ~~semiannual~~ reports.

- A. ~~The New Jersey Uniform Fire Code shall be enforced~~ Enforcement shall be by the Bureau of Fire Prevention under the direct supervision and control of Fire Official of the Town of Secaucus or his authorized representatives.
- B. A report of the Fire Department shall may be made ~~semiannually~~ and transmitted to the Mayor and Fire Official. ~~It shall~~ containing all proceedings under ~~this~~ said code with such statistics as the Chief of the Fire Department may wish to include therein. The Chief of the Fire Department shall may also recommend in writing any amendments to the code which, in his judgment, shall be desirable.

...  
~~§ 73-15. Limits for storage of explosives.~~

~~The limits referred to in the Uniform Fire Safety Act.~~

...  
§ 73-18. Applicability of ~~New Jersey Uniform Fire Code~~ and penalties.

- A. Notwithstanding any other provision of this chapter, if any regulations established by this chapter are inconsistent with the New Jersey Uniform Fire Code or the Uniform Fire Safety Act, such sections shall be deemed

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inapplicable in order that the standards of the New Jersey Uniform Fire Code and Uniform Fire Safety Act may be enforced.

B. Any person or entity who fails to comply with this Article or any of the provisions of the New Jersey Uniform Fire Safety Act or the New Jersey Uniform Fire Safety Code shall be subject to the penalties as set forth in N.J.A.C. 5:70-2.12 as amended.

§ 73-19. Copies available ~~of the New Jersey Uniform Fire Code.~~

Copies of the New Jersey Uniform Fire Code and Uniform Fire Safety Act shall be available for public inspection in the ~~office of the Town Clerk~~ Bureau of Fire Prevention.

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

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

NAYS: None

ABSENT:

None

Motion

carried.

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

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

NAYS: None

ABSENT:

None

Motion

carried.

The following ordinance was read for public hearing:

No. 2015-8

AN ORDINANCE AMENDING CHAPTER 127A OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED  
"RESIDENTIAL PARKING"  
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WHEREAS, the Mayor and Council recognize that the safe parking of vehicles for all residents, visitors and motorists is of utmost concern; and

WHEREAS, the Town has a residential parking program under §127A-1 et seq. that was developed to alleviate unfavorable parking conditions and other safety conditions that may be created on residential streets, and

WHEREAS, the Mayor and Council have determined that an update to the Ordinance is warranted to designate additional residential parking zones.

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 127A entitled "Residential Parking", §127-5(B) "Zone II" 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 indicated by ~~crossouts~~):

B. Zone II

Name of Street/Area	Location
...	
Maple Street	<del>From Paterson Plank Road to Schopmann Drive.</del> Entire length.
Fairview Avenue	From Paterson Plank Road to Schultz Place.
Elizabeth Court	From Fairview Avenue to Schultz Place.

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

IT IS FURTHER ORDAINED that the remainder of this Chapter 127A of the Code of the Town of Secaucus shall remain in full force and effect.

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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 Councilman Dehnert.

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

None  
Motion  
carried.

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

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

None  
Motion  
carried.

The following ordinance was read for public hearing: No. 2015-9

AN ORDINANCE AMENDING CHAPTER 127 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED  
"VEHICLES AND TRAFFIC" DESIGNATING CLARENDON STREET ONE-WAY BETWEEN  
8<sup>TH</sup> STREET AND 9<sup>TH</sup> STREET

WHEREAS, Chapter 127 of the Code of the Town of Secaucus addresses various topics concerning vehicles and traffic in the Town, including but not limited to the designation of streets as one-way or two-way; and

WHEREAS, the Secaucus Police Department Traffic Division has recommended making Clarendon Street between 8<sup>th</sup> Street and 9<sup>th</sup> Street a one-way street for uniformity of the direction of traffic on the western end of the street and to allow for safer entry and exit of the roadway in this area; and

WHEREAS, the Mayor and Council accept the Traffic Division's recommendation in the interest of motorist and pedestrian safety and believe that an update to Chapter 127 is needed.

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

1. Chapter 127 entitled "Vehicles and Traffic," §127-29 "Schedule VII: One-Way Streets" of the Code of the Town of Secaucus be, and is hereby amended as follows: (deletions are indicated by ~~excesses~~; additions are indicated in bold):

In accordance with the provisions of § 127-13, the following described streets or parts of streets are hereby designated as one-way streets in the direction indicated:

Name of Street	Direction	Limits
...		
Clarendon Street	Westbound	Sixth Street to <del>Eighth Street</del> Ninth Street

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2. There are no other changes to this Article of 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 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, Councilman McKeever moved that the public hearing be closed, seconded by Councilman Dehnert.

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

None  
 Motion  
 carried.

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

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

None  
 Motion  
 carried.

The following ordinance was read for public hearing:

No. 2015-10

BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$350,000 FOR THE RENOVATION OF THE ICE RINK AND THE ACQUISITION OF A ZAMBONI MACHINE FOR USE THEREIN IN, BY AND FOR THE TOWN OF SECAUCUS, IN THE COUNTY OF HUDSON, NEW JERSEY, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

WHEREAS, the Town Council of the Town of Secaucus has heretofore authorized the renovation of the Ice Rink and the acquisition of a Zamboni machine for use therein in, by and for said Town and appropriated the sum of \$2,000,000 therefor

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pursuant to Ordinance No. 2014-10 adopted by the Town Council of said Town on April 22, 2014; and

WHEREAS, the Town Council now finds and determines that the additional sum of \$350,000 is required for such improvements, NOW, THEREFORE,

BE IT ORDAINED by the Town Council of the Town of Secaucus, in the County of Hudson, New Jersey (the "Town"), as follows:

Section 1. The additional sum of \$350,000 is hereby appropriated to the payment of the cost of the improvements authorized by Ordinance No. 2014-10 adopted by the Town Council of the Town on April 22, 2014 (the "Prior Ordinance"). Said additional appropriation shall be met from the down payment appropriated and from the proceeds of the sale of the bonds authorized by this ordinance. Said improvements have been and shall be made as general improvements and no part of the cost thereof has been nor shall be assessed against property specially benefited.

Section 2. It is hereby determined and stated that (1) the making of such improvements (hereinafter referred to as "purpose") is not a current expense of the Town, and (2) it is necessary to finance said purpose by the issuance of obligations of the Town pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose authorized by the Prior Ordinance is \$2,350,000, including the sum of \$2,000,000 appropriated by the Prior Ordinance and the \$350,000 appropriated by this ordinance, and (4) \$113,000 of said sum is to be provided by the down payment, including the \$96,000 appropriated by the Prior Ordinance and the \$17,000 hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$2,237,000, including the \$1,904,000 authorized by the Prior Ordinance and the \$333,000 hereinafter authorized, and (6) the

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cost of such purpose includes the sum of \$100,000 stated in the Prior Ordinance, which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 3. It is hereby determined and stated that moneys exceeding \$17,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for the Town, are now available to finance said purpose. The sum of \$17,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 4. To finance said purpose, bonds of the Town of an aggregate principal amount not exceeding \$333,000 are hereby authorized to be issued pursuant to

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the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 5. To finance said purpose, bond anticipation notes of the Town of an aggregate principal amount not exceeding \$333,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to

not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 6. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to

time pursuant to and within limitations prescribed by the Local Bond Law. Each of said notes shall be signed by the Mayor and by a financial officer and shall be under the seal of the Town and attested by the Town Clerk or Deputy Town Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 7. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of fifteen years computed from the date of said bonds.

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Section 8. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Town Clerk of the Town, and that such statement so filed shows that the gross debt of the Town, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$333,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by the Local Bond Law.

Section 9. Any funds received from private parties, the County of Hudson, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 10. The Town intends to issue the bonds or notes to finance the cost of the improvements authorized by the Prior Ordinance and described herein. If the Town incurs such costs prior to the issuance of the bonds or notes, the Town hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 11. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Town, and the Town shall levy ad valorem taxes upon all the taxable real property within the Town for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

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Section 12. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Town Clerk and is available for public inspection.

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Section 13. This ordinance shall take effect twenty days after the first publication thereof after final passage.

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

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

NAYS: None  
ABSENT:

None  
Motion  
carried.

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

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

None  
Motion  
carried.

The following ordinance was read for public hearing: No. 2015-11

ORDINANCE ADOPTING MEADOWLANDS REGIONAL COMMISSION  
MASTER PLAN, ZONING REGULATIONS,  
CODES AND STANDARDS

WHEREAS, the New Jersey Meadowlands Commission was the zoning and planning agency, charged with the development and redevelopment of a 30.4 square mile area covering portions of 14 municipalities, including a portion of the Town of Secaucus; and

WHEREAS, effective February 5, 2015, the New Jersey State Legislature adopted certain legislation known as the Hackensack Meadowlands Agency Consolidation Act ("Consolidation Act"), which among other provisions, consolidated the New Jersey Meadowlands Commission and the New Jersey Sports and Exposition Authority into a single agency known as the Meadowlands Regional Commission (the "commission"); and

WHEREAS, the Consolidation Act specifically provides that

11 a. A constituent municipality that adopts the commission's master plan, zoning regulations, codes, and standards shall have the authority to approve or reject land use or zoning applications. The municipality shall provide the commission all documentation, plans, and information regarding all applications. All fees generated by these applications and approvals shall be retained by the municipality; and

WHEREAS, the Mayor and Council have determined that Town of Secaucus, as a constituent municipality, as defined in the Consolidation Act, desires to review, approve, or reject land use and zoning applications and to retain all fees generated by these applications; and

WHEREAS, as a prerequisite to this land use and zoning authority, the Town of Secaucus must adopt the "commission's master plan, zoning regulations, codes, and standards,"

NOW THEREFORE BE IT ORDAINED, that the following documents are deemed to be a

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part of this Ordinance and adopted by reference on first reading:

- a. New Jersey Meadowlands Commission 2004 Master Plan;
- b. Zoning Map;
- c. Secaucus Transit Village Redevelopment Plan, last amended October 21, 2011;
- d. The following regulations contained in the New Jersey Administrative Code:
  1. N.J.A.C. 19:3-5.1 to 19:3-5.16 (Redevelopment areas);
  2. N.J.A.C. 19:4-1.1 to 19:4-8.16 (District zoning regulations);
  3. N.J.A.C. 19:4-10.1 to 19:4-10.9 (Project impact assessment);
  4. N.J.A.C. 19:5-1.1 to 19:5-6.4 (Subdivision);
  5. N.J.A.C. 19:5-7.1 to 19:5-7.12 (Design standards);
  6. N.J.A.C. 19:5-8.1 to 19:5-8.9 (Installation of required improvements);
  7. N.J.A.C. 19:5-9.1 (Waivers);
  8. N.J.A.C. 19:5-10.1 (Fees, penalties and enforcement);
  9. N.J.A.C. 19:5-11.1 (Severability);
  10. N.J.A.C. 19:6-1.1 to 19:6-1.10 (Building code).

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- e. Fee schedule, N.J.A.C. 19:4-11 to 19:4-11.6; and

BE IT FURTHER ORDAINED that, to the extent that any provision of the New Jersey Administrative Code regulations set forth in section d1 through d10 above are inconsistent with the New Jersey Residential Site Improvements Standards, N.J.A.C. 5:21, the New Jersey Administrative Code regulations set forth in section d1. through d10 above shall control; and

BE IT FURTHER ORDAINED that, to the extent that the New Jersey Administrative Code regulations set forth in section d1 through d10 above permit an appeal to the Executive Director of the New Jersey Meadowlands Commission (by way of example, but not by way of limitation, N.J.A.C. 19:4-4.19), said appeal shall be made to the Town of Secaucus zoning official; and

BE IT FURTHER ORDAINED that, to the extent that the New Jersey Administrative Code regulations set forth in section d1 through d10 above permit the Executive Director of the New Jersey Meadowlands Commission to waive or reduce any application fee (by way of example, but not by way of limitation, N.J.A.C. 19:4-11.1), said request for a waiver or reduction of the application fee shall be made to the Town of Secaucus zoning official; and

BE IT FURTHER ORDAINED that this Ordinance is limited to that portion of the Town of Secaucus as delineated on the commission Zoning Map set forth in section b above. For the remaining portion of the Town of Secaucus which is outside the commission boundaries, all existing development regulations, including, but not limited to, Chapter 64, entitled "Uniform Construction Codes," Chapter 119, entitled

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"Subdivisions," and Chapter 135, entitled "Zoning," of the Town's Code shall remain in full force and effect;

BE IT FURTHER ORDAINED that 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, and

BE IT FURTHER ORDAINED that this Ordinance is hereby referred to the Planning Board pursuant to N.J.S.A. 40:55D-64 for a report, if any, pursuant to N.J.S.A. 40:55D-26(a); and

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

BE IT FURTHER ORDAINED that after completion of the second reading, this Ordinance shall be adopted by the Town of Secaucus.

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

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

None

Motion  
carried.

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

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

None  
Motion  
carried.

The following ordinance was read for public hearing: No. 2015-12

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 location:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Reidel Court	West	On the west side of 8 Reidel Court, beginning at a point 208 feet west of the northwest corner of Reidel Court and Paterson Plank Road continuing west for a distance of 9 feet directly in front of 8 Reidel Court

That the parking space designated for 8 Reidel Court adopted by Ordinance is to be personalized for License Plate P1243974.

If the Placard/License Plate Numbers for the person utilizing the parking space at the above listed address changes,

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then the parking space designation 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 such persons or circumstances, to which the ordinance or part thereof 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 Clancy moved that the public hearing be closed, seconded by Councilman Dehnert.

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

NAYS: None

ABSENT:

None

Motion

carried.

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

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

NAYS: None

ABSENT:

None

Motion

carried.

The following ordinance was read for public hearing:

No. 2015-13

AN ORDINANCE OF THE TOWN OF SECAUCUS ESTABLISHING CHAPTER 27 ENTITLED "FEES FOR REQUEST FOR TAX REDEMPTION" OF THE CODE OF THE TOWN OF SECAUCUS

WHEREAS, the Mayor and Council of the Town of Secaucus (the "Town") are desirous of adopting an ordinance in order to impose a fee of \$50.00 for certain calculations required of the Secaucus Tax Collector in connection with redemption of tax lien certificates pursuant to N.J.S.A. 54:5-54; and

WHEREAS, the New Jersey Legislature has adopted N.J.S.A. 54:5-54 to permit municipalities, by ordinance, to require a fee of \$50.00 for Tax Collector's calculations as the amount required for redemptions pursuant to that statute.

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

The Code of the Town of Secaucus is hereby amended and supplemented by adding a new Chapter 27, "Fees for Request for Tax Redemption," as follows:

- A. As the Tax Collector is required to provide a calculation of the amount required of any party to redeem a tax lien certificate pursuant to N.J.S.A. 54:5-54, this Chapter is intended to provide that the Town of Secaucus require a fee for any calculations of said amount required for redemption if requested on more than two (2) occasions in any one (1) calendar year.
  
- B. The Secaucus Tax Collector shall provide to any party entitled to redeem a tax certificate pursuant to N.J.S.A. 54:5-54 two (2) calculations of the amount required for redemption within a calendar year at no cost. If a party requires the Tax Collector to provide more than two (2) such calculations in any one (1) given calendar year, then the parties shall be required to pay a fee of \$50.00 for each subsequent calculation requested of the Tax Collector. Any requests for redemption calculation must be made in writing directly to the Tax Collector.
  
- C. A municipality, by ordinance, may authorize the tax collector to charge to a lienholder a fee not to exceed \$50 for the calculation of the amount due to redeem the tax lien required to be provided pursuant to this section. Any request for a redemption calculation shall specify the date to be used for the calculation, which shall be the date of the notice. Neither the tax collector or the municipality shall be liable for an incorrect calculation. The fee paid to the municipality shall not become part of the lien and shall not be passed on to any party entitled to redeem pursuant to R.S. 54:5-54.
  
- D. Severability. If any provision or portion of a provision of this ordinance 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 ordinance shall not be invalidated.
  
- E. Effective date. This Ordinance shall become effective thirty (30) days after final passage and publication as required 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 Dehnert.

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

None  
 Motion  
 carried.

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

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

None  
 Motion  
 carried.

The following ordinance was read for public hearing: No. 2015-14

AN ORDINANCE AMENDING CHAPTER 30 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED  
"RECREATION, DEPARTMENT OF"

WHEREAS, the Town has previously adopted an Ordinance designating the fees to be charged for the various programs, services and facilities offered by and under the direction of the Town's Department of Recreation; and

WHEREAS, the Mayor and Council have determined that changes and updates to the Ordinance are now warranted to reflect programs offered, and current fees for membership plans and ancillary items at the Secaucus Recreation Center;

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

1. Chapter 30 entitled "Recreation, Department of," Article I entitled "Fees," Section §30-7 "Secaucus Recreation Center Fees" of the Code of the Town of Secaucus be, and is hereby amended and supplemented to read as follows (Full text is presented below with deletions ~~crossed out~~; additions are indicated in bold):
  - A. The membership plans available and applicable fees for the Secaucus Recreation Center shall be ~~as follows~~, kept on file at the Town Clerk's Office. Proof of residency, business address, age and/or other supporting documentation may be required to show eligibility for membership rates or plans.

<del>PLAN A BASKETBALL COURT, POOL AND TRACK</del>	
<del>A1 Primary member</del>	<del>\$25.00 per year</del>
<del>A2 Additional family members(s)</del>	<del>\$ 5.00 per person per year</del>
<del>A3 Swim Team Membership (Jersey Flyer)</del>	<del>\$100.00 per year</del>
<del>PLAN B FITNESS AREA MEMBERSHIP (INCLUDES BASKETBALL, POOL AND TRACK)</del>	
<del>B1 Individual 16 years and older</del>	<del>\$120.00 per year</del>
<del>B2 Individual 16 years and older</del>	<del>\$ 20.00 per month</del>
<del>B3 Life Span Member (non-resident)</del>	<del>\$175.00 per year</del>
<del>B4 Nonresident Employee</del>	<del>\$299.00 per year</del>
<del>B5 Individual 16 years and older (Jersey Flyers)</del>	<del>\$199.00 per year</del>
<del>B6 Individual 16 years and older (Jersey Flyers)</del>	<del>\$ 40.00 per month</del>
<del>PLAN C FITNESS CLASS MEMBERS ONLY</del>	
<del>C1 Individual 16 years and older</del>	<del>\$150.00 per year</del>
<del>C2 Individual 16 years and older</del>	<del>\$30.00 per month</del>
<del>C3 7 Class Punch Card</del>	<del>\$50.00 per card</del>

<del>PLAN D — FITNESS AREA AND CLASS MEMBERSHIP (ENTIRE FACILITY)</del>	
<del>D1 Individual 16 years-62 years</del>	<del>\$250.00 per year full membership</del>
<del>D2 Individual 62 years and older</del>	<del>\$175.00 per year full membership</del>
<del>D3 Couple 62 years and older</del>	<del>\$300.00 per year full membership</del>
<del>D4 Individual 16 and older</del>	<del>\$50.00 per month</del>
<del>D5 Nonresident Employee</del>	<del>\$399.00 per year full membership</del>
<del>D6 Individual 16 years and older (Jersey Flyers)</del>	<del>\$350.00 per year full membership</del>
<del>D7 Individual 16 years and older (Jersey Flyers)</del>	<del>\$70.00 per month</del>

~~Resident and~~

~~Guest passes: \$10.00 per person per day~~

~~———— \$5.00 per day for Individuals 62 years and older~~

~~B. — The fee for replacement of a membership card at the Secaucus Recreation Center shall be ten dollars (\$10.) per card.~~

~~C. — The fees for café and other ancillary items available at the Secaucus Recreation Center shall be as follows:~~

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~~———— Assorted Café Items \$0.50 to \$3.00 each~~

B. The current fees for replacement membership cards, and fees for the purchase of café items and other ancillary items shall be kept on file at the Town Clerk's Office.

C. The annual membership plans available and applicable fees for the Secaucus Recreation Center shall be reduced by twenty-five percent (25%) for the volunteer firefighter and his or her immediate family, and Town Employees. There

shall be a fifty percent (50%) reduction in the daily pass for the volunteer firefighter and his or her immediate family and Town Employees.

The annual membership plans available and applicable fees for the Secaucus Recreation Center shall be waived for any person qualified as a totally disabled veteran pursuant to the U.S. Department of Veteran Affairs or appropriate government office.

2. The above reflects the full revision to Chapter 30, Article 1. 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 30 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 Jeffas moved that the public hearing be closed, seconded by Councilwoman Pirro.

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

None  
Motion  
carried.

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

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

None  
Motion  
carried.

The following ordinance was read for public hearing: No. 2015-15

AN ORDINANCE AMENDING CHAPTER 28 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED "POLICE DEPARTMENT" TO UPDATE FEES FOR SERVICES

WHEREAS, the Mayor and Council have determined that changes to the Ordinance entitled "Police Department" are warranted based upon the review of applicable New Jersey Statutes, New Jersey Court Rules, and the recommendation of the Secaucus Police Department.

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

1.

Chapter 28 entitled "Police Department" of the Code of the Town of Secaucus be, and is hereby amended to read as follows: (deletions are indicated by ~~excesses~~; additions are indicated in bold):

§ 28-24. Establishment of fees.

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The following fees are hereby established for certain services extended and material distributed, pursuant to law, by the Town of Secaucus Police Department:

~~A. Copies of all criminal and noncriminal reports shall be:~~

~~— \$ .75 per page for the first to tenth page~~

~~\$.50 per page for the eleventh to twentieth page~~

~~\$.25 per page for all pages over twenty (20)~~

~~All copies to be mailed to the person requesting same shall also include additional fees for postage for the documents to be mailed.~~

- ~~B. Copy of each Police Department photograph: ten dollars (\$10.).~~
- ~~C. Bartender permits (including fingerprint and photo): ten dollars (\$10.).~~
- ~~D. Fingerprints for miscellaneous applications: ten dollars (\$10.).~~
- ~~E. Copy of each Police Department video tape cassette: one hundred dollars (\$100.). [F. Copies of audio tape recordings: twenty dollars (\$20.) per tape.~~
- ~~G. Copies of computer printouts: three dollars (\$3.) per request of data.~~
- ~~H. Background checks: ten dollars (\$10.) per commercial request.~~
- ~~I. Records research costs: forty dollars (\$40.) per hour.~~
- ~~J. Discovery requests to the Police Record Bureau shall be charged at the same rate established for subsections A-I of this section including additional charges for postage for mailing the discovery requested. All requests from insurance companies for copies of accident reports shall also be provided at the same cost established in Subsections A-I including additional charges for postage for mailed requests.~~

~~These fees are in part, established pursuant to N.J.S.A. 47:1A-2 and shall be increased or decreased as set forth in that Statute.~~

- A. Fees for copies of all criminal and noncriminal reports that can be photocopied or printed within municipal facilities shall be in accordance with the general fees set forth in N.J.S.A. 47:1A-2 and shall be increased or decreased as set forth in said Statute.
- B. In the event that the actual cost for duplication of a record exceeds the general fees as set forth in the statute, the charge shall be the actual cost of duplicating the records requested.
- C. For any record copied onto a non-paper medium, including but not limited to, any video tape cassettes, cds or digital recording devices, the fee shall be the actual cost of the non-paper medium.
- D. Discovery requests to the Police Record Bureau shall be charged at the same rate established in Subsection A of this section, and if applicable, shall include an additional charge for postage for the mailing of the discovery requested.
- E. All requests for copies of accident reports shall also be provided at the same cost established in Subsection A of this section, and if applicable, shall include an additional charge for postage for the mailing of the reports requested.
- F. If a request to the Police Records Bureau requires an extraordinary expenditure of time and effort, a special service charge shall be assessed. Any special service charge assessed may take into account, but is not limited to, the following: the volume of the request, type of records requested, time period of records, redaction level, number of officers or employees involved in handling the request, whether or not the records are easily accessible or archived, and

the amount of time used by an officer or employee to locate, retrieve, assemble, duplicate and return said records.

- G. If fingerprints need to be taken by the Secaucus Police Department for miscellaneous applications, the cost shall be ten dollars (\$10.).

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§ 28-25. Times materials available for review.

Reviewing of any reports ~~and photostats~~ or photocopies of reports, viewing of accident photographs, images or videos and viewing of any video tape cassettes, cds, digital recordings or any other recording ~~will~~ shall be conducted at the Record Bureau, Police Headquarters, Municipal Government Center, Secaucus, New Jersey, daily, from Monday through Friday, from 9:00 a.m. to 4:00 p.m.

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.

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 Councilman Jeffas.

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

None  
Motion  
carried.

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

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

None  
Motion  
carried.

The following ordinance was read for public hearing: No. 2015-16

CALENDAR YEAR 2015 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Mayor and Council of the Town of Secaucus, in the County of Hudson, finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizen's; and

WHEREAS, the Mayor and Council hereby determines that a 2.0% increase in the budget for said year, amounting to \$694,573.14 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Council of the Town of Secaucus, in the County of Hudson, a majority of the full authorized membership of this governing body affirmatively concurring that, in the CY 2015 budget year, the final appropriations of the Town of Secaucus shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$1,215,503.00, and that the CY 2015 municipal budget for the Town of Secaucus be approved and adopted in accordance with this ordinance.

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction.

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BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

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

None  
Motion  
carried.

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

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

None  
Motion  
carried.

The following ordinance was read for introduction: No. 2015-17

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW

COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW AUTOMOTIVE VEHICLES AND A NEW FIRE ENGINE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWN OF SECAUCUS, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, TO A DOWN PAYMENT, TO AUTHORIZIE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

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

Motion  
carried.

The following ordinance was read for introduction: No. 2015-18

BOND ORDINANCE TO AUTHORIZE VARIOUS IMPROVEMENTS TO THE SWIM CENTER IN, BY AND FOR THE SWIMMING POOL UTILITY OF THE TOWN OF SECAUCUS, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$380,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENTM TO AUTHORIZIE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

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

Motion carried.

The following ordinance was read for introduction: No. 2015-19

AN ORDIIANCE OF THE TOWN OF SECAUCUS ESTABLISING CHAPTER 27 ENTITLED "FEES FOR TAX SALE NOTICE" OF THE CODE OF THE TOWN OF SECAUCUS

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

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

Motion carried.

April 14, 2015

The following ordinance was read for introduction: No. 2015-20

AN ORDINANCE AMENDING BORN STREET COMMON ADDRESSES FOR BLOCK 161, LOT 18 AND 19

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

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

The following ordinance was read for introduction: No. 2015-21

ORDINANCE AMENDING CHAPTER 124 OF THE  
CODE OF THE TOWN OF SECAUCUS ENTITLED "TAXI CABS"

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

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

The following ordinance was read for introduction: No. 2015-22

AN ORDINANCE AMENDING CHAPTER 127 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED  
"VEHICLES AND TRAFFIC" TO INCLUDE PARKING PAY STATIONS AND AUTHORITY FOR PERMITS

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

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

Public hearing for the aforementioned ordinances will be held on May 12, 2015.

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. 2015-135

AUTHORIZING MEMBERSHIP WITH U.S.COMMUNITIES NATIONAL COOPERATIVE

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

WHEREAS, the Town of Secaucus additionally wishes to purchase certain goods or services under the National Cooperative Purchasing Agreement N.J.S.A. 52:34-6.2; and

WHEREAS, the Town of Secaucus has applied to U.S. Communities Government Purchasing Alliance, operating under the enabling Authority of Maricopa County, Phoenix, Arizona Contract # 11019; and

WHEREAS, the Town of Secaucus various Departments, wishes to purchase off this contract for the purpose of cost savings; and

WHEREAS, the Town of Secaucus will utilize this method of procurement under the guidelines of the New Jersey Department of Community Services, as outlined on Local Finance Notice 2012-10; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, to authorize usage of this National Cooperative U.S. Communities Government Purchasing Alliance.

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The following resolution was read:

No. 2015-136

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

WHEREAS, the Town of Secaucus Recreation Center, located at 1200 Koelle Boulevard, has the need for two (2) Door Projects; and

WHEREAS, the Recreation Department received Estimates for the Door Projects from the Vendor: Better Security, located in Secaucus, New Jersey; and

WHEREAS, the total of the two (2) Door Projects, is in the amount of \$16,680.50; and

WHEREAS, is to be awarded under the Non-Fair and Open Process; and will be in full Compliance of the Town of Secaucus Pay to Play Ordinance, as well as the necessary State of New Jersey Compliance forms, to be filed with the Purchasing Department; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus to award a contract to Better Security of Secaucus, New Jersey, in the amount of \$16,680.50 for the Recreation Center Door Projects.

The following resolution was read:

No. 2015-137

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, that the Town Clerk is hereby authorized to advertise for and accept bids for Tree Planting Services.

The following resolution was read:

No. 2015-138

RESOLUTION AUTHORIZING CANCELLATION OF PROPERTY TAXES  
FOR TOTALLY DISABLED VETERAN

WHEREAS, the Tax Assessor has granted a Disabled Veteran Exemption to Peter Susberich who resides at 12 Village Place, more commonly known as Block 191.01 Lot 6, thereby reclassifying this property as partially tax exempt, and

WHEREAS, the 2015 Tax Duplicate reflects taxes due on this property which are now 33 1/3% exempt,

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is authorized to cancel/adjust/refund the following 2014/2015 property tax overpayment(s) based on the new assessed values reflected in the 2015 Tax Duplicate.

Block 191.01 Lot 6	4 <sup>th</sup> Q. 2014	236.88
Block 191.01 Lot 6	1 <sup>st</sup> Q. 2015	910.44
Block 191.01 Lot 6	2 <sup>n</sup> Q. 2015	910.43

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Town Tax Collector, Tax Assessor, and Chief Financial Officer.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Tax Collector is hereby authorized to execute any

The following resolution was read:

No. 2015-139

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, that the following persons are hereby appointed as Workers for the Exceptional People of Secaucus Program, effective April 6, 2015 at the hourly rate of \$10.00.

- 1) David Burke
- 2) Elizabeth Mewengkang
- 3) Zoe Pero
- 4) Danielle Bruscano
- 5) Noelle Gaffney
- 6) Devon Postel

April 14, 2015

The following resolution was read:

No. 2015-140

RESOLUTION AUTHORIZATION FOR THE TOWN OF  
SECAUCUS TO PROCESS AN INVOLUNTARY DISABILITY  
RETIREMENT APPLICATION ON BEHALF OF CAROLE BARNA WITH A RETIREMENT DATE OF MAY 1, 2015

WHEREAS, the Town of Secaucus has employed Carole Barna at Secaucus Town Hall; and

WHEREAS, Carole Barna is an active member of the PERS; and

WHEREAS, as of May 1, 2015 Carole Barna will have 18 years and 2 months of PERS Service Credit, meeting the minimum service credit; and

WHEREAS, the Town of Secaucus is of the opinion that Carole Barna is totally and permanently disabled and no longer can perform her assigned duties based on documentation supplied to the Town; and

WHEREAS, the Town of Secaucus is unable to provide an alternative to the PERS covered position with duties capable of being performed by Carole Barna; and

WHEREAS, the Mayor and Council have consented to the processing of the Involuntary Disability Retirement application;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Secaucus, that the Town Administrator and/or his designee is authorized to process an Involuntary Disability Retirement application on behalf of Carole Barna for a retirement date of May 1, 2015; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be forwarded to all parties involved in the administration of this action.

The following resolution was read:

No. 2015-141

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, upon the recommendation of John Voli, Recreation Director, that Frank Flanagan is appointed to

the position of Events/Custodian in the Recreation Center at the salary of \$27,000 per annum effective Monday, April 13, 2015.

The following resolution was read: No. 2015-142

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, upon recommendation by the Police Department, that Josephine Rubio is hereby appointed to the position of Administrative Assistant effective Monday, March 23, 2015 at the salary of \$35,000 per annum.

The following resolution was read: No. 2015-143

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, upon the recommendation of John Voli, Recreation Director, that Herbert Degenhardt is appointed to the position of Custodian in the Recreation Center at the salary of \$29,000 per annum effective Monday, April 13, 2015.

The following resolution was read: No. 2015-144

RESOLUTION AUTHORIZING SALE OF VEHICLES AND EQUIPMENT

WHEREAS, the Town wishes to auction off vehicles and/or equipment that are no longer needed for public use; and

WHEREAS, the sale is being conducted pursuant to Local Finance Notice 2008-9.

NOW, THEREFORE, BE IT RESOLVED, that the following vehicles and equipment shall be put up for auction at the following minimum bid prices:

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<u>Equipment</u>	<u>Minimum Bid</u>
1) 1989 Dodge VIN# 3B6MF3656WM250812	\$500.00
2) 1997 International Bus VIN# 1HVBBAAP7VH469917	\$500.00

BE IT FURTHER RESOLVED, that the auction of these items shall occur online on the auction site govdeals.com.

BE IT FURTHER RESOLVED, that the auction for the above listed items will start on Friday, April 17, 2015 and end on Wednesday, April 29, 2015, at 6:00pm.

BE IT FURTHER RESOLVED, that all property will be sold in an "as-is" condition.

The following resolution was read: No. 2015-145

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Governing Body 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 Lifeguards at the Secaucus Recreation Center, effective April 10, 2015 at the following hourly wages:

Secaucus Recreation Center

Lifeguard

<u>Name</u>	<u>Hourly Rate</u>
Jessica Godoy	\$9.00
Thomas Hering	\$9.00

The following resolution was read:

No. 2015-146

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Governing Body 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 raises are hereby approved for employees of the Secaucus Recreation Center, effective April 13, 2015:

Recreation Center

1. Front desk pay differential of .50 for the 5:00am to 9:00am shift:
2. .25 pay differential from when minimum wage went into effect:

Steve Cirone	\$9.23 per hour to \$9.48 per hour
James O'Donnell	\$9.23 per hour to \$9.48 per hour
Tom Daley	\$9.23 per hour to \$9.48 per hour
Sal Catanzano	\$9.23 per hour to \$9.48 per hour
Helen Zanotti	\$9.23 per hour to \$9.48 per hour
Connie Lombardo	\$9.23 per hour to \$9.48 per hour

3. Pay increases for the following employees

Sean Belenski	from \$8.46 per hour to \$8.96 per hour
MaryKate Ernst	from \$8.97 per hour to \$9.48 per hour
Carmen Castillo	from \$8.46 per hour to \$8.96 per hour

The following resolution was read:

No. 2015-147

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that Kush Shah and Justin DeAvila are hereby appointed to the position of Summer Intern in the Office of the Administrator, effective Monday, March 30, 2015 at the hourly rate of \$8.38.

April 14, 2015

The following resolution was read:

No. 2015-148

RESOLUTION Re: WASHINGTON HOOK AND LADDER TAKEOVER AGREEMENT

WHEREAS, the Town of Secaucus had the need to expand the Washington Hook and Ladder Co. No. 1 so as to better respond to emergencies and to improve the Town's ability to safely address public health, safety and welfare; and

WHEREAS, the Town of Secaucus determined that Three Sons Restoration, LLC was in default of the Contract by for failing to complete the project within the requisite time period; and

WHEREAS, the Notice of Termination by Default of the Contract was issued to Three Sons Restoration, LLC and demand was made upon Star Insurance (the "Surety") to complete the project pursuant to the Performance Bond; and

WHEREAS, a Takeover Agreement was prepared and agreed to by parties in order for the surety to take over and complete the project.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Secaucus and Star Insurance Company enter into the attached Takeover Agreement for completion of the Washington Hook and Ladder Project.

The following resolution was read:

No. 2015-149

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 Peter J. Zipp, Esquire, Special Tax Attorney for the Town of Secaucus, is hereby authorized to execute on behalf of the Town of Secaucus, Stipulations of Settlement resolving the Complaints filed by:

Hartz Mtn Pet FDS by LI 2000 Inc. for property situated at Block 57 Lot 10 HM and located at 70 Enterprise Avenue for tax years 2009, 2010 and 2011 under (Docket Nos.: 007064-2009, 007476-2010 and 00741-2011); and C21 SDC Blue, LLC for property situated at Block 57 Lot 10 HM and located at 70 Enterprise Avenue for tax years 2012, 2013 and 2014 under (Docket Nos.: 006399-2012, 007664-2013, and 006054-2014).

Assessments reduced as follows for:

<u>Tax Year</u>	<u>Original Assessment</u>	<u>Proposed Assessment</u>
2009	\$17,973,200	\$17,973,200
2010	\$17,973,200	\$14,250,000
2011	\$17,973,200	\$14,250,000
2012	\$17,973,200	\$16,250,000
2013	\$17,973,200	\$16,500,000
2014	\$17,973,200	\$17,500,000
2015	\$17,973,200	\$15,384,100

Interest on any refund due is waived provided the refund is paid on or before December 31, 2015, or with sixty (60) days from the date of the Judgment, whichever is later, pursuant to N.J.S.A. 54:3-27.2.

All in accordance with the discussions held at certain caucus meeting of the Town Council on this 14 Day of April 2015.

The following resolution was read:

No. 2015-150

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 Peter J. Zipp, Esquire, Special Tax Attorney for the Town of Secaucus, is hereby authorized to execute on behalf of the Town of Secaucus, Stipulations of Settlement resolving the Complaints filed by:

April 14, 2015

T.D. Bank, N.A. for property situated at Block 142 Lot 2 HM and located at 1262 Paterson Plank Road for tax years 2011, 2012, 2013 and 2014 under Docket Nos.: 004128-2011, 010247-2012, 000956-2013 and 001454-2014.

Assessments reduced as follows for:

Tax Year	Original Assessment	Proposed Assessment
2011	\$ 1,498,800	\$ 1,460,000
2012	\$ 1,498,800	\$ 1,450,000
2013	\$ 1,498,800	\$ 1,375,000
2014	\$ 1,498,800	\$ 1,350,000
2015	\$ 1,498,800	\$ 1,325,000

Interest on any refund due is waived provided the refund is paid on or before December 31, 2015, or with sixty (60) days from the date of the Judgment, whichever is later, pursuant to N.J.S.A. 54:3-27.2.

All in accordance with the discussions held at certain caucus meeting of the Town Council on this 14 day of April, 2015.

The following resolution was read:

No. 2015-151

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 Peter J. Zipp, Esquire, Special Tax Attorney for the Town of Secaucus, is hereby authorized to execute on behalf of the Town of Secaucus, Stipulations of Settlement resolving the Complaints filed by:

BRE/ESA Properties, LLC for property situated at Block 159, Lot 2 and located at 1 Meadowland Parkway for tax years 2009 and 2010 (Docket Nos.: 003656-2009 and 003573-2010).

Assessments reduced as follows:

Tax Year	Original Assessment	Proposed Assessment
2009	\$10,340,000	\$ 9,500,000

2010

\$10,340,000

\$ 9,000,000

Interest on any refund due is waived provided the refund is paid on or before December 31, 2015, or with sixty (60) days from the date of the Judgment, whichever is later, pursuant to N.J.S.A. 54:3-27.2.

All in accordance with the discussions held at certain caucus meeting of the Town Council on this 14 day of April, 2015

The following resolution was read:

No. 2015-152

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

WHEREAS, Joseph Baker is an employee of the Town of Secaucus who is unable to work presently as Laborer in the Department of Public Works, due to personal illness as documents submitted to the Town of Secaucus;

April 14, 2015

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that Joseph Baker be and is hereby approved to be on Official Leave of Absence due to illness, without pay, effective March 31, 2015.

The following resolution was read:

No. 2015-153

RESOLUTION AUTHORIZING APPOINTMENT AWARD TO VARIOUS PROFESSIONAL SERVICES CONTRACTS

WHEREAS, the Mayor and Council received responses to its Fair & Open Solicitation Process for Professional and other services; and

WHEREAS, after review and discussion of such responses the Mayor and Council has determined to whom contract should be awarded.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Secaucus that contracts for Professional and other services be awarded as set forth below subject to certification of funds available by the Chief Financial Officer.

BE IT FURTHER RESOLVED, that the Mayor and Town Clerk shall be authorized to execute contract for Professional and other services as follows:

1. Public Defender-Thomas Koehl, Esq. \$325 per session in an amount not to exceed \$35,000.00

Financial officers  
Certification attached.

The following resolution was read:

No. 2015-154

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, upon the Recommendation of the Police Committee, that Captain Kevin Flaherty is hereby appointed to the position of Chief of Police Department effective Monday, April 13, 2015 with a salary \$183,550.00 per year inclusive of longevity.

Mayor Gonnelli asked that Town Attorney, Anthony D'Elia explain the resolution regarding Washington Hook and Ladder.

Mr. D'Elia explained how the bonding company will aid in completing the project.

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

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

BINGO/RAFFLE APPLICATIONS

R-1343 Secaucus Emergency Fund Off Premise Draw  
R-1344 Secaucus Emergency Fund On Premise 50/50  
R-1345 Secaucus emergency Fund On Premise 50/50  
R-1346 Secaucus Emergency Fund On Premise 50/50 various dates  
R-1347 Secaucus HS Marching Band Parents Assoc. On Premise Draw  
R-1348 Secaucus HS Marching Band Parents Assoc. On Premise 50/50  
R-1349 Immaculate Conception Church Off Premise Draw Raffle

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

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

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COMMUNICATIONS REQUIRING ACTION BY MAYOR AND COUNCIL

The acceptance of Bryonna McClure to the Secaucus Volunteer Fire Department as an Auxiliary Firefighter with Engine No. 1.

Councilman Clancy moved to approve the foregoing item, seconded by Councilman Costantino.

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

Use of the Swim Center for Manhattan Country School

Councilman Clancy moved to approve the foregoing item, seconded by Councilman Costantino.

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

COMMITTEE REPORTS

Councilman Jeffas gave an update on the Police Committee and new signs that have been posted. He also spoke about the Police Chief interviews and the appointment of Kevin Flaherty as Police Chief.

Mayor Gonnelli offered his comments on the Police Chief appointment.

Councilman Costantino stated that the 2015 Municipal Budget will be adopted at the meeting of April 28, 2015.

Councilman Clancy spoke about upcoming events for the Fire Department. He also spoke about a letter received by the Mayor regarding the Arbor Day Foundation and that the Town has been named Tree City USA. HE spoke about the Arbor Day celebration at Huber Street School.

Councilwoman Pirro spoke about upcoming events regarding the Animal Shelter.

Councilman Dehnert spoke about recreation sport events. He also spoke about the available Hotline.

Councilman McKeever spoke about the construction work being done on various streets. He also spoke about the upcoming Community Ball.

#### UNFINISHED BUSINESS

Councilman Jeffas offered an update on the Keystone area testing.

Councilwoman Pirro spoke about upcoming events. She announced the items needed at the Food Pantry. She also spoke about the drop box for unused medicines.

Councilman Dehnert spoke about upcoming events.

Councilman McKeever offered information about upcoming Senior Citizen events.

#### NEW BUSINESS

Councilman Jeffas spoke about an upcoming event.

Councilman Costantino spoke about an upcoming trip.

Councilman Clancy spoke about an upcoming shredding event.

Councilwoman Pirro spoke about upcoming events. She offered some information on services utilized by residents of the Town. She also spoke about upcoming Restaurant Night in September.

Councilman Dehnert offered information of a new coalition website. He added information on another event.

April 14, 2015

Mayor Gonnelli spoke about other upcoming events. He also spoke about the Adult Special Needs camp.

#### REMARKS OF CITIZENS

Tom Troyer

Councilwoman Pirro moved to adjourn the meeting at 8:04 pm, seconded by

Councilman Jeffas.

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

NAYS: None

ABSENT: None

Motion carried.

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Michael Marra, Town Clerk