

October 28, 2008

MINUTES of 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 28th day of October, 2008 at 7:00 P.M. in the Council Chamber of the Municipal Government Center, Secaucus, N.J.

Present: Mayor Dennis Elwell  
Councilmembers: John Bueckner  
Richard Kane  
Michael Gonnelli  
Gary Jeffas  
John Shinnick  
John Reilly

**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 4, 2008."

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:

NOTE: AUDIO TAPE IS UNAVAILABLE.

The following ordinance was read for introduction: No. 2008-28

**ORDINANCE AMENDING CHAPTER 63 UNIFORM CONSTRUCTION CODES**

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

AYES: Bueckner, Kane, Gonnelli, Jeffas, Shinnick, Reilly, Elwell  
NAYS: None  
ABSENT: None Motion carried.

The following ordinance was read for introduction: No. 2008-29

**AN ORDINANCE MAKING PROVISIONS OF SUBTITLE ONE OF TITLE 39 WITH VARIOUS TRAFFIC REGULATIONS APPLICABLE TO RIVERSIDE COURT CONDOMINIUMS AND REGULATING THE USE OF SAID ROADWAYS, STREETS, DRIVEWAYS AND PARKING LOTS BY MOTOR VEHICLES**

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

AYES: Bueckner, Kane, Gonnelli, Jeffas, Shinnick, Reilly, Elwell  
NAYS: None  
ABSENT: None Motion carried.

The following ordinance was read for introduction: No. 2008-30

**ORDINANCE TO QUIT CLAIM A PORTION OF LAND NOT NEEDED FOR PUBLIC PURPOSES TO THE ADJOINING PROPERTY OWNER AT 166 CENTRAL LANE**

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

AYES: Bueckner, Kane, Gonnelli, Jeffas, Shinnick, Reilly, Elwell  
NAYS: None  
ABSENT: None 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. 2008-135

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

WHEREAS, in accordance with the Single Audit Unit, U.S. Office of Management and Budget Circular A-128, and New Jersey office of Management and Budget Circular letter 87-11, the Town of Secaucus, County of Hudson, is obligated to prepare Corrective Action Plans; and

WHEREAS, the Corrective Action Plan, shall be prepared in accordance with the OMB Circulars and Local Finance Notice 92-15, and submitted to the Division of Local Government Services and placed on file with the Town Clerk; and

WHEREAS, the Corrective Action Plan shall cover all findings and recommendations in the December 31, 2007 Audit Report, including State, Federal and general findings.

NOW, THEREFORE, BE IT RESOLVED, that the attached Corrective Action Plan, prepared by the Chief Financial Officer, for the Town of Secaucus has been completed in accordance with Federal and State requirements.

The following resolution was read: No. 2008-136

**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, Esq., Special Tax Attorney for the Town of Secaucus, is hereby authorized to execute on behalf of the Town of Secaucus, Stipulation of Settlement resolving the Complaint filed by:

35 Enterprise Avenue, LLC for property situated at Block 55, Lot 2HM for tax year 2008.

Assessment reduced:

<u>Tax year</u>	<u>Original Assessment</u>	<u>Proposed Assessment</u>
2008	\$4,900,000	\$4,700,000

Interest on any refund due is waived provided the refund is paid within 90 days of the date of the Judgement 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 October 28, 2008.

The following resolution was read: No. 2008-137

**RESOLUTION APPOINTING MANUEL FERNANDEZ  
BUILDING SUB-CODE OFFICIAL ON THE TOWN OF SECAUCUS**

WHEREAS, a vacancy in the position of Building Sub-code Official has been temporarily filled by Manuel Fernandez pursuant to regulations of the New Jersey Department of Community Affairs; and

WHEREAS, given the duties of the Building Sub-code Official as set forth in New Jersey Department of Community Affairs regulations, the health, safety and welfare of the residents of Secaucus would be at risk if no one had been delegated the responsibilities os such duties; and

WHEREAS, pursuant to N.J.A.C. 5:23-4.4(a), the Town Construction Code Official; has appointed Manuel Fernandez as acting Building Sub-code Official; and

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WHEREAS, said Manuel Fernandez possesses the qualifications and certifications set forth in the regulations to hold the title of Building Sub-code Official.

NOW, THEREFORE, BE IT RESOLVED, that Manuel Fernandez shall be appointed as the Building Sub-code Official of the Town of Secaucus by the Mayor and Council at the budgeted salary for such position salary.

The following resolution was read:

No. 2008-138

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

WHEREAS, during the season of Thanksgiving, as we pause to reflect on the many blessings that have been bestowed on us as individuals and as a State, we are especially grateful for the love of our families and friends. One of the most profound ways in which that love is expressed is through the generous support provided by family care givers to loved ones who are chronically ill, elderly or disabled. Caregivers reflect family and community life at its best. They are among New Jersey's most important natural resources; estimated at 836,000; and

WHEREAS, the need for family caregivers is growing. We are blessed to live in a time when medicine and technology have help us live longer. As a result, persons with disabilities are living longer and people over 85 are the fastest growing segment of our population. Family caregivers can be found in every city an Town in America. It is likely that we all know at least one family caregiver; if not fulfilling the caregiver role ourselves; and

WHEREAS, family caregivers deserve our lasting gratitude and respect. This month, as we honor the many contributions that family caregivers make to the quality of out national life, let us resolve to work through our community, religious, social, business and other organizations to offer programs and services that will provide caregivers the support and encouragement they need to carry out their vital responsibilities.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the town of Secaucus do hereby proclaims November, 2008 as National Family Caregivers Month.

The following resolution was read:

No. 2008-139

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 receive bids for a Three Wheel High Performance Mechanical Street Sweeper.

BE IF FURTHER resolved, that bids shall be received in the Office of the Town Clerk on November 19, 2008 at 2:00pm.

Councilman Shinnick moved to approve the resolutions on the Consent Agenda, seconded by Councilman Jeffas.

AYES: Bueckner, Kane, Gonnelli, Jeffas, Shinnick, Reilly, Elwell  
NAYS: None  
ABSENT: None Motion carried.

PAYMENT OF CLAIMS

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

Town of Secaucus Payroll Acct. w/ending 10/03/08	449,194.59
Adm. & Exec	9,131.79
Mayor & Council	10,192.98
Municipal Clerk	5,499.02
Legal Dept.	2,493.58
Treasurer	15,867.48
Tax Assessor	5,333.16
Tax Collector	5,223.44
Municipal Court	15,125.18

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Engineering	778.50	
Community Shuttle Bus	3,553.68	
Pub. Bldgs. & Grds.	30,178.47	
Off. Of Inspect.	5,122.42	
Planning Board	641.66	
Bd. Of Adjustments	541.66	
Public Defender	600.00	
Comm. & Security Adm.	3,411.62	
Fire Department	000.00	
Police Dept.	267,319.22	
Construction	8,340.45	
School Cross Grds.	11,672.80	
Office of Emergency Man.	623.40	
Unif. Fire Safety Off.	4,331.62	
Rd. Repair & Maint.	255,637.45	
Sewer System	151.50	
Recycling Coord.	9,420.69	
Bd.of Health	798.62	
Mosquito Control	000.00	
Social Services	9,662.73	
Pks. & Play Grds.	3,272.30	
Supv. Of Play Act.	26,030.37	
Rec. Activities	1,447.30	
Pool Oper.	4,502.85	
CDBG	639.35	
Town of Secaucus Tax Escrow Acct. w/ending 10/03/08		263,848.85
Town of Secaucus Payroll Acct. w/ending 10/17/08		264,005.35
Adm. & Exec	8,423.46	
Mayor & Council	1,786.35	
Municipal Clerk	5,499.02	
Legal Dept.	2,493.58	
Treasurer	16,171.58	
Tax Assessor	5,333.16	
Tax Collector	5,492.54	
Municipal Court	12,076.84	
Engineering	000.00	
Community Shuttle Bus	2,280.55	
Pub. Bldgs. & Grds.	28,780.05	
Off. Of Inspect.	6,372.42	
Planning Board	000.00	
Bd. Of Adjustments	000.00	
Public Defender	900.00	
Comm. & Security Adm.	3,411.62	
Fire Department	000.00	
Police Dept.	265,157.62	
Construction	9,661.22	
School Cross Grds.	11,270.21	
Office of Emergency Man.	623.40	
Unif. Fire Safety Off.	4,331.62	
Rd. Repair & Maint.	(65,766.08)	
Sewer System	600.67	
Recycling Coord.	9,087.56	
Bd.of Health	673.62	
Mosquito Control	000.00	
Social Services	9,582.09	
Pks. & Play Grds.	2,740.83	
Supv. Of Play Act.	27,780.01	
Rec. Activities	1,447.30	
Pool Oper.	000.00	
CDBG	639.35	
Town of Secaucus Payroll Acct. w/ending 10/17/08		\$ 112,895.24
Town of Secaucus Payroll Acct. w/ending 10/31/08		\$ 481,224.50
Adm. & Exec	8,473.46	
Mayor & Council	1,786.35	
Municipal Clerk	5,571.29	
Legal Dept.	2,493.58	
Treasurer	15,761.86	
Tax Assessor	5,281.48	
Tax Collector	5,409.21	
Municipal Court	12,135.24	
Engineering	000.00	
Community Shuttle Bus	3,495.20	
Pub. Bldgs. & Grds.	28,588.35	
Off. Of Inspect.	5,007.42	
Planning Board	000.00	
Bd. Of Adjustments	100.00	

Public Defender 1,500.00

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Comm. & Security Adm.	3,411.62	
Fire Department	17,400.00	
Police Dept.	355,711.13	
Construction	4,331.62	
School Cross Grds.	11,446.81	
Office of Emergency Man.	623.40	
Unif. Fire Safety Off.	8,458.40	
Rd. Repair & Maint.	96,751.78	
Sewer System	1,161.87	
Recycling Coord.	9,465.60	
Bd.of Health	673.62	
Mosquito Control	000.00	
Social Services	10,221.86	
Pks. & Play Grds.	2,401.81	
Supv. Of Play Act.	24,377.19	
Rec. Activities	1,447.30	
Pool Oper.	000.00	
CDBG	639.35	
Town of Secaucus Payroll Acct. w/ending 10/31/08		\$ 162,893.30
Total Amount Claims Check No. 24651-24905		\$1,338,052.91
Recreation Acct. Check No. 1889		\$ 61,317.43
Current Account Check No. 1631-1636		\$402,747.68
Trust Account Check No. 1136-1140		\$ 6,300.00

AYES: Bueckner, Kane, Gonnelli, Jeffas, Shinnick, Reilly, Elwell  
NAYS: Bueckner on Tom Calvinico, MBI Gluckshaw; Gonnelli on Tom Calvinico, MBI Gluckshaw and; Jeffas on Tom Calvinico, MBI Gluckshaw.

ABSTAIN: Gonnelli on Secaucus Fire and NJMC, Reilly on Jersey City Medical Center.

ABSENT: None Motion carried.

#### REPORTS AND CORRESPONDENCE FILE

Audio tape unavailable for transcription.

#### COMMITTEE REPORTS

#### UNFINISHED BUSINESS

#### NEW BUSINESS

The following correspondence was received:

New York Sharks

To: John Voli, Secaucus Recreation Department  
From: Dana Sparling, New York Sharks, LLC  
Re: Kane Stadium usage Request

Hi John:

The New York Sharks are once again kindly requesting to use your facility for pre-season football practice at Kane Stadium on the following dates and times in 2008-09.

Saturday, 12/13/08 9am-12 Noon  
Saturday, 1/10/09 9am-12 Noon  
Saturday, 1/24/09 9am-12 Noon  
Saturday, 2/28/09 9am-12 Noon

If you are able to secure these dates for us, I know that you require a Certificate of Insurance. If you still have our Certificate on file from last season, it is actually still in effect through 2/1/09. We can then provide you with our renewed C of O for the 2/28/09 practice date. If you no longer have our certificate on file, please let me know and I will resend it to you. Should I need to resend it, I just need the name of person to send it to and the fax number.

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Many thanks, John and we once again look forward to working with you in the upcoming season.

With gratitude,

Dana Sparling  
VP of Operations/CFO

Councilman Jeffas moved to approve the foregoing request, seconded by Councilman Reilly.

AYES: Bueckner, Kane, Gonnelli, Jeffas, Shinnick, Reilly, Elwell  
NAYS: None  
ABSENT: None Motion carried.

REMARKS OF CITIZENS

Tom Troyer  
Sam Maffei  
Anthony Young  
John Markovich  
Frank Mac Cormack  
Carole Acropolis  
Peter Weiner

Councilman Jeffas moved to adjourn the meeting at 8:07 pm, seconded by Councilman Reilly.

AYES: Bueckner, Kane, Gonnelli, Jeffas, Shinnick, Reilly, Elwell  
NAYS: None  
ABSENT: None Motion carried.

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Michael Marra, Town Clerk



