

December 9, 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 9th day of December, 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."

Mayor Elwell spoke about an incident that occurred this past summer at the Swim Center and acknowledged the following employees who heroically aided in saving a child who was drowning. They are:

Mohammed Elbouazizi
Imaad Khaja
Kristen Gettman
Tyler Pein
Matthew DeSimone
Jonathan Federer
Kevin Swift

Mayor Elwell thanked all involved for their efforts.

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. 2008-156

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

WHEREAS, the Town of Secaucus, County of Hudson, State of NJ entered into a contract with PMK Group the year 2008 in the amount of \$217,520.00 for Town Engineer, General Engineering Services;

WHEREAS, there is a need to amend the contract for the following additional scope of services:

Prepare a Preliminary Assessment Report (PAR) for 101 Centre Avenue (Senior Center) to satisfy NJDEP requirements.
Keiswetter Lane Pump Station feasibility study.
Review of road opening permits.
Miscellaneous drainage reviews and investigations.

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WHEREAS, the contract needs to be increased by \$25,000.00.

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus to approve additional funds of \$25,000.00 for said contract.

Financial officers
Certification attached.

The following resolution was read:

No. 2008-157

**RESOLUTION AUTHORIZING ASSIGNMENT OF CONTRACT FOR COLLECTION AND
REMOVAL OF SOLID WASTE**

WHEREAS, on July 1, 2004, the Town of Secaucus entered into a contract for collection and removal of solid waste with NACIREMA INDUSTRIES, INC. ("Nacirema") through June 30, 2009; and

WHEREAS, Section 1.12 of such contract provides for its assignment as follows:

"Contractor shall not assign, transfer, convey or in any other manner dispose of this Contract or its obligations hereunder not shall it in any manner dispose of its rights, title or interest in or to the Contract or any part thereof, or assign by Power of Attorney or other instrument any of the monies due to become due under this contract unless TOWN consent by resolution of the Mayor and Council;" and

WHEREAS, Nacirema desires to assign its contract to EAST COAST SANITATION CO., INC., ("East Coast"); and

WHEREAS, the Town DPW and Administrator have checked the references of East Coast with respect to some of the municipalities in which it currently collects and removes solid waste, including Harrison, Orange and Roseland, New Jersey and East Coast is well regarded for its services.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the Assignment of the July 1, 2004 contract with Nacirema to East Coast shall be converted to, upon compliance with the following:

1. Continuing the additional pick up locations added since July 1, 2004 by Nacirema at no additional charge;
2. Adding the Town's new Koelle Boulevard Recreation Center as an additional stop;
3. Provisions of Insurance Coverage as required by the New Jersey Department of Community Affairs Regulators; and
4. Performance bond as required by the Contract Documents; and
5. Nacirema's agreement to remain liable for any breach of the contract by East Coast.

BE IT FURTHER RESOLVED; that upon acceptance by the Town Attorney of the required insurance coverage and performance bond, the Mayor and Town Clerk are authorized to execute an Assignment of the July 1, 2004 contract.

The following resolution was read:

No. 2008-158

**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 the attached annual notice of Caucus Meetings of the Governing Body is hereby approved for the year 2009.

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The following resolution was read:

No. 2008-159

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 the attached annual notice of Regular Meetings of the Governing Body is hereby approved for the year 2009.

The following resolution was read:

No. 2008-161

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 the Chief Financial Officer be and is hereby authorized to make the following transfers in accordance with N.J.S.A. 40A:4-58, two thirds of the full membership of the Town Council concurring:

GENERAL

<u>FROM</u>		<u>TO</u>	
Office of Inspections Salaries and Wages	\$10,000	Construction Official Salaries & Wages	\$10,000
Buildings & Grounds Salaries & Wages	\$20,000	Buildings & Grounds Other Expenses	\$20,000
Municipal Court Salaries & Wages	\$25,000		
Crossing Guards Salaries & Wages	\$10,000		
Solid Waste Mgmt. Rcycl Salaries & Wages	\$12,000		
Superv. Of Playgrounds Salaries & Wages	\$50,000		
Shuttle Bus Salaries & Wages	\$18,000		
Police Dept. Salaries & Wages	\$55,000		
Building & Grounds Salaries & Wages	\$30,000		
Other Insurance	\$20,000		
Tax Litigation	\$90,000	Group Insurance	\$310,000

The following resolution was read:

No. 2008-162

RESOLUTION SUPPORTING SIX MONTH MORATORIUM ON RESIDENTIAL FORECLOSURES

WHEREAS, the number of residential mortgage foreclosures in New Jersey has increased by 75 percent in the 12-month period ending October, 2008 far above the national average of 25 percent; and

WHEREAS, the number of residential mortgage foreclosures in Hudson County affects one in every 518 household; and

WHEREAS, the Mayor and Council of the Town of Secaucus recognizes that many of its county residents have struggled in recent months to maintain their current mortgage payments;

WHEREAS, the current rate of residential mortgage foreclosures creates extreme hardship and street upon all parties involved in such matters; and

WHEREAS, the Mayor and Council of the Town of Secaucus has a compelling interest in protecting its residents from the devastating impact of the

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current lending crisis; and

WHEREAS, it is imperative that relief be provided in order to maximize the number of homeowners who can remain in their homes than risk foreclosure.

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

1. Mayor and Council of the Town of Secaucus urge Governor Corzine and the State Legislature to authorize a statewide six month moratorium on all residential foreclosure actions in the County of Hudson and the State of New Jersey.
2. The moratorium will allow borrowers an extended period of time to catch up on defaulted residential home loans, thus working towards a favorable solution for both lenders and creditors.
3. This resolution shall take effect immediately.

The following resolution was read: No. 2008-163

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that Steven Cattuna is hereby appointed as a Part-Time Quality of Life Inspector for the Office Inspections, effective December 15, 2008 at an hourly rate of \$16.00 per hour.

The following resolution was read: No. 2008-164

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

WHEREAS, the following Current Fund appropriation balances remain unexpended:

Supervision of Playground Activities	
Salaries & Wages	\$139,500.00
Other expenses	\$ 87,600.00

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to Surplus:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the above listed unexpended balances of the Current Fund be canceled.

The following resolution was read: No. 2008-165

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 recommended to be hired for Part-Time Employment at the Secaucus Ice Rink as Skate guards, Maintenance Workers and Clerical Workers, effective December 1, 2008 at the following hourly rates:

Clerical and Skate guards

<u>Name</u>	<u>Hourly Rate</u>
Laura Mondadori	\$7.15
Joseph Santanello	\$7.15
Kelli Ann Kocienda	\$7.15
Chris Caruso	\$7.15

Maintenance

<u>Name</u>	<u>Hourly Rate</u>
Daniel Primavera	\$8.00

Mark Roarty

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Councilman Kane moved to approve the resolutions on the Consent Agenda, seconded by Councilman Gonnelli.

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

Motion carried.

The following resolution was read:

No. 2008-160

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

WHEREAS, the Town of Secaucus, County of Hudson, State of New Jersey desires to apply for and obtain a MAP (Municipal Assistance Program) Grant from the New Jersey Meadowlands Commission for funding in the amount of \$100,000 for the purchase of two law enforcement vehicles, Public Works Management Software, Fitness Center Membership and Management Hardware/Software, Swimming Timing and Scoring System and E-mail Software License Upgrade.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Secaucus, County of Hudson, State of New Jersey, does hereby authorize the application for and the execution of a contract for the receipt of such a grant from the New Jersey Meadowlands Commission, and does further, upon the execution of such a contract between the Town of Secaucus and the New Jersey Meadowlands Commission allow for the acceptance of the Municipal Assistance Program (MAP) funds for the year 2009.

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, the contract and any other documents necessary in connection herewith:

SIGNED _____	SIGNED _____
Dennis Elwell	Margaret M. Barkala
Mayor	Chief Financial Officer

Councilman Shinnick moved that the foregoing resolution be adopted, seconded by Councilman Kane.

AYES: Bueckner, Kane, Jeffas, Shinnick, Reilly, Elwell
NAYS: None
ABSTAIN: Gonnelli
ABSENT: None

Motion carried.

The following resolution was read:

No. 2008-166

**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 to various positions in the Secaucus Recreation Center, effective December 10, 2008 at the following annual salaries and hourly wages:

Recreation Facilities Manager
John Schwartz \$60,000

Front Desk Manager
Mary Miller \$31,000

Custodian
Matthew Zaccone \$28,500

Assistant Managers
Gerald Acquaviva \$12.00 per hour
Scott Noonan \$12.00 per hour

Front Desk
Janelle Bochicchio \$8.00 per hour
Susan Macchieraldo \$8.00 per hour

Susan Miller	\$8.00 per hour
Vanessa Acquaviva	\$8.00 per hour
Maribel Goldsack	\$8.00 per hour
Kelli Ann Kocienda	\$8.00 per hour
Lauren Kunish	\$8.00 per hour

Fitness Attendant

Heather Aciz	\$8.00 per hour
Bruno Mele	\$8.00 per hour
Matthew Marone	\$8.00 per hour
James O' Donnell	\$8.00 per hour
Steve Cirone	\$8.00 per hour
Jerry Povolosky	\$8.00 per hour

Head Lifeguard

Lindsay Tatano	\$11.00 per hour
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Lifeguards

Gina Ambrosio	\$9.00 per hour
Victor Barone	\$9.00 per hour
Kevin Diaz	\$9.00 per hour
Hailee Longo	\$9.00 per hour
Nina Petruzzella	\$9.00 per hour
Alana Shinnick	\$9.00 per hour
Michael Gonzalez	\$9.00 per hour
Imaad Kajai	\$9.00 per hour
Devon Santana	\$9.00 per hour
Kris Pesci	\$9.00 per hour
Martin Apablaza	\$9.00 per hour
Shannon Casey	\$9.00 per hour
Jonathan Federer	\$9.00 per hour
Lucas Mondadori	\$9.00 per hour
Chanel Rojas	\$9.00 per hour
Stephanie Tedeschi	\$9.00 per hour
Joseph Verducci	\$9.00 per hour
Mohammed Elbou	\$9.00 per hour
Eric Jeffas	\$9.00 per hour
Shauna Genatt	\$9.00 per hour

Maintenance

Peter Vu	\$8.00 per hour
Pietro Scardigno	\$8.00 per hour
Kim Aciz	\$8.00 per hour
Nick Fargo	\$8.00 per hour
Albert Martini	\$8.00 per hour
Michael Trombetta	\$8.00 per hour

Councilman Reilly moved that the foregoing resolution be adopted, seconded by Councilman Kane.

Councilman Bueckner commented about the time and effort that was put into coming up with this estimate of the amount of employees needed to run the Recreation Center.

Councilman Kane mentioned all the hard work put in by Mr. Drumeler and Mr. Voli in making this cost effective.

Councilman Reilly also commented on the hard work done to create the staff.

AYES: Bueckner, Kane, Gonnelli, Reilly, Elwell

NAYS: None

ABSTAIN: Jeffas, Shinnick

ABSENT: None

Motion carried.

COMMITTEE REPORTS

Councilman Reilly spoke about the holiday season and the need to be cautious when shopping.

Councilman Gonnelli spoke about the grant from NJMC of \$100,000 to purchase police cars. He explained to the public the Tax Sharing Revenue and how it is related to the Town and NJMC. Conversation ensued between Councilman Gonnelli and Mayor Elwell as to the Tax Sharing

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Revenue cost to the Town. He asked that the Council come together to have the legislation changed.

Mayor Elwell responded with his explanation of his view of the issue.

Conversation continued.

Councilman Bueckner spoke about the state of the country as far as the economy and the coming Town budget. He explained that he spends much time with the CFO and suggested the need for the Council to work together towards the 2009 budget.

Mayor Elwell spoke about the surplus that was put back into the budget and about the tax rate. He stated that there will be time for all to sit with Department Heads and the CFO to discuss the budget, but gave his opinion as to how it can be done.

Councilman Bueckner encouraged contact with other Town authorities to discuss the budget.

Mayor Elwell stated that the Administrator has met with the Board of Education already.

UNFINISHED BUSINESS

Councilman Reilly asked about work on Route 153.

Mayor Elwell stated that nothing was received from the PMK Group as yet and asked the Administrator to contact them as soon as possible.

Councilman Bueckner spoke about Pay-to-Play and the problem with the governor in the State of Illinois.

Councilman Gonnelli stated that he has a petition from residents on Gillis Place looking for a speed bump and gave it to the Mayor. He also spoke about behind Farm Road the work being done on the tide gates. He asked that someone take a look at that.

Mayor Elwell said that he would ask the DPW to go there and close the gate.

Councilman Gonnelli asked for the sign at the Masonic Temple.

Councilman Kane stated that he thought that no speed bumps could be placed until the Spring.

Councilman Jeffas asked about a light at 737 Golden Avenue.

Mr. Drumeler stated that he spoke with Mr. Perricone from the PMK Group and it should be resolved soon.

NEW BUSINESS

Councilman Gonnelli spoke about the flashing light at Central Lane and Stonewall Lane.

Mr. Drumeler stated that it was taken care of today and explained how it was done.

Councilman Gonnelli spoke about mail boxes that are to be removed.

Mayor Elwell stated that the Town has met with the post office and it is the U.S. Postal Department who has mandated a shake up of the postal system. He explained what has occurred so far. And that there is nothing that the Town can do about at this point.

Councilman Gonnelli spoke about lights on Acorn Rd. and the fact that they are not working.

Mayor Elwell said that he was aware and would send someone there to work on it.

Councilman Gonnelli stated that he was approached by the Town Administrator and Town Attorney and was informed that he will not be

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sworn in as the Fire Chief in January. He explained that the Local Finance Board has not ruled since 2006. He asked the Council to swear him in and then allow the process to go forward as it should. He explained the opinions of all involved which are all conflicting.

Councilman Jeffas motioned to swear in Councilman Gonnelli as Fire Chief, seconded by Councilman Bueckner. No vote taken for the foregoing motion.

Town Attorney, Frank Leanza gave his explanation of the issue.

After extensive discussion, the following motion was made.

Councilman Bueckner requested that Town Attorney, Mr. Leanza draw up an ordinance to change the Fire Department Ordinance.

Discussion continued regarding the change of the ordinance.

Mayor Elwell asked for a motion to go into closed session. No second was heard. The discussion continued. He stated that he would be willing to have a meeting with the Fire Department.

Councilman Gonnelli stated that it should be with the officers.

Mayor Elwell stated that all firemen should be informed of the meeting.

Councilman Kane moved to table the motion, seconded by Councilman Reilly.

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

Mayor Elwell appointed George Schoenrock to SMUA to replace George Jensen.

The follow request was received:

Email received by Michael Marra on December 4, 2008

From: Eleanor Schmitt, Secaucus High School Booster Club

We would like to co-host a beef Steak Dinner as a fund-raiser for the Booster Club and Senior High School Class of 2009.

We would like to use the Senior Center on the corner of Centre Avenue and Irving. The caterer is available in the following dates:

Feb. 28, 2009, March 14, 2009, March 21, 2009.

If this could be placed on the agenda for the next council meeting, we would greatly appreciate it.

Please let me know the outcome.

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

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

Councilman Reilly asked for recognition be sent to the Indian Consulate regarding the tragedy in Mumbai.

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REMARKS OF CITIZENS

Sam Maffei
John Markovich
Arthur Glaeser
Thomas Troyer
Peter Weiner
Anthony Gazullo
Dr. Robert Berckes
Frank Jones
Doug De Pice

Councilman Jeffas moved to hang "Merry Christmas" signs around Town, seconded by Councilman Bueckner.

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

ADJOURNMENT

Councilman Reilly moved to adjourn the meeting at 9:10 pm, seconded by Councilman Bueckner.

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

Michael Marra, Town Clerk

