

April 11, 2017

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 11th day of April at 7:00 P.M Secaucus Municipal Government Center, 1203 Paterson Plank Road, Secaucus, NJ in Chamber II.

PLEDGE OF ALLEGIANCE

Adequate notice for this meeting, as required by the Open Public Meetings Act, has been provided by the filing of the notice of Meetings with the Municipal Clerk, the posting of said notice on the official bulletin board in the Municipal Building, and the delivery of same to the Secaucus Home News on December 22, 2016.

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.

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

Michael Marra performed the swearing in of Jared Wetter as the Secaucus Volunteer Firefighter.

First item on the agenda is as follows:

The following ordinance was read for public hearing: No. 2017-8

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

SECTION 1

BE IT ORDAINED, by the Mayor and Council of the Town of Secaucus that Section 127-58B - "Designation of Locations at or Near Private Residences" shall be amended by deleting the following location:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Centre Avenue	North	Starting at the northeast corner of Centre Avenue and going forward 47 feet towards Front Street (north) and returning back start 22 feet towards Centre Avenue (south). This would start at end of yellow curb area.

SECTION 2

SEVERABILITY

BE IT FURTHER ORDAINED, that the provisions of this ordinance are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of the regulation or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such persons or circumstances, to which the ordinance or part thereof is held inapplicable, had been specifically exempted therefrom.

April 11, 2017

SECTION 3

EFFECTIVE DATE

BE IT FURTHER ORDAINED, that this ordinance shall take effect upon passage and publication as provided by law.

Acting Mayor McKeever 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 Costantino.

AYES: McKeever, Pirro, Dehnert, Gerbasio

NAYS: None

ABSENT: Gonnelli, Dehnert

Motion carried

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

AYES: McKeever, Pirro, Dehnert, Gerbasio

NAYS: None

ABSENT: Gonnelli, Dehnert

Motion carried

The following ordinance was read for public hearing:

No. 2017-9

AN ORDINANCE UPDATING THE CODE OF THE TOWN OF SECAUCUS, CHAPTER 10, ENVIRONMENTAL  
ADVISORY COMMITTEE

WHEREAS, the Town previously adopted Chapter 10 of the Code of the Town of Secaucus in 1995 to establish an Environmental Advisory Committee; and

WHEREAS, the Mayor and Town Council support the Environmental Department's effort to revitalize the Environmental Advisory Committee to engage residents and interested parties in environmental matters, including but not limited to, preservation of open space, sustainability, protection of resources, preservation of wildlife and habitats, reduction of waste, increasing recycling, public outreach and education and initiatives that support a clean, green community.

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. The following sections of Chapter 10 entitled "Environmental Advisory Committee," of the Code of the Town of Secaucus be, and is hereby amended as follows: (deletions are indicated by ~~crossouts~~; additions are indicated in bold):

§ 10-2. Membership.

A. The Advisory Committee shall consist of ~~five~~(5) seven (7) members appointed by the Mayor, of which ~~who~~ five (5) shall be residents of the Town of Secaucus, one (1) shall be a representative from the Town's Environmental Department, and one (1) shall be a representative of the Town's Department of Public Works or Buildings and Grounds Department, ~~and one of whom shall be a member of the Secaucus Planning Board;~~ the members shall serve without compensation. The Mayor shall designate one of the members to serve as Chairman (and presiding officer) of the Advisory Committee. The terms of the ~~office of the initial~~ committee members shall be for two (2) years. ~~the periods listed below, and their reappointments or successors' appointments, as the case may be, shall thereafter be for terms of three~~ (3) years. ~~The initial members of the Advisory Committee shall be appointed for the following terms:~~

~~One (1) member for the term expiring December 31, 1995,~~

~~Two (2) members for the term expiring December 31, 1996,~~

~~Two (2) members for the term expiring December 31, 1997.~~

~~The Mayor or governing body may remove any member of the Advisory Committee for cause, on written charges served upon the member and after the hearing thereon at which the member shall be entitled to be heard in person or by counsel. A vacancy on the Advisory Committee occurring otherwise than at the expiration of a term shall be filled for the unexpired term in the same manner as an original appointment.~~

~~B. Members of the Environmental Advisory Committee shall be deemed municipal officers/employees as defined by Chapter 24 (Conflict of Interest) of the Code of the Town of Secaucus, and shall be subject to all the provisions thereof.~~

April 11, 2017

~~C. In addition to the five~~(5) regular members of the Environmental Advisory Committee, there shall be appointed ~~two~~(2) one (1) alternate member. The alternate member shall serve ~~for the time periods listed below and their reappointments or~~

~~successors' appointments shall be for term of three (3) years. for a term of two (2) years.~~

~~One (1) alternate member for the term expiring December 31, 1997.~~

~~One (1) alternate member for the term expiring December 31, 1998.~~

Alternate member shall serve in the same capacity as regular members and shall vote in the absence of regular members. ~~One (1) alternate shall be designated as alternate one and the other alternate as alternate number two. Alternate number one shall vote first in case of an absence.~~ Alternate members shall be appointed in the same manner as regular members and vacancies shall be filled in the same way as regular members.

§ 10-3. ~~Purpose and powers of Commission.~~

A. The Advisory Committee shall serve as an Advisory Committee and make written recommendations to the Mayor and Council and meet with the Mayor and Council at such times as may be mutually convenient for the respective bodies to address issues relating to the protection, development or use of natural resources, including water resources, located within territorial limits of the Town of Secaucus, and have power to conduct research into the use and possible use of the open land areas of the municipality and may coordinate the activities of unofficial bodies organized for similar purposes, and may advertise, prepare, print, and distribute books, maps, charts, plans and pamphlets which in its judgment it deems necessary for its purposes, as may be approved by the Mayor and Council.

B. The Environmental Advisory Committee shall have power to study, upon funding and Council approval, and make recommendations concerning open space preservation, water resource management, air pollution control, solid waste management, noise control, soil and landscape protection, environmental appearance, marine resources and protection of flora and fauna.

§ 10-4. Meetings and Reports.

The Environmental Advisory Committee shall meet monthly or as deemed necessary by the Committee, and shall make periodic reports as requested by the governing body on environmental or land recommendations, Committee and Environmental initiatives and environmental topics relevant to the Town. ~~and keep an index of all open areas, publicly or privately owned, including open marshland, swamps and other wetlands, in order to obtain information on the proper use of such areas, so as to advise the Mayor and Council as to the same.~~

2. The original dates for initial members of the Environmental Advisory Committee under Ord. 95-13 shall be noted in a footnote for Chapter 10 of the Code Book.

3. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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 shall take effect immediately upon passage and publication in accordance with law.

Acting Mayor McKeever 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 Clancy.

AYES: McKeever, Pirro, Dehnert, Gerbasio

NAYS: None

ABSENT: Gonnelli, Dehnert

Motion carried

April 11, 2017

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

AYES: McKeever, Pirro, Dehnert, Gerbasio

NAYS: None

ABSENT: Gonnelli, Dehnert

Motion carried

AN ORDINANCE CREATING ARTICLE \_\_\_ OF CHAPTER \_\_\_ OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED "ABANDONED REAL PROPERTY;" PROVIDING FOR PURPOSE, INTENT AND APPLICABILITY OF THE ORDINANCE; REQUIRING THE REGISTRATION AND MAINTENANCE OF CERTAIN REAL PROPERTY BY MORTGAGEES; PROVIDING FOR PENALTIES AND ENFORCEMENT, AS WELL AS THE REGULATION, LIMITATION AND REDUCTION OF REGISTERABLE REAL PROPERTY WITHIN THE TOWN OF SECAUCUS; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE

WHEREAS, the Town of Secaucus desires to protect the public health, safety and welfare of the citizens of the Town of Secaucus and maintain a high quality of life for the citizens of the Town of Secaucus through the maintenance of structures and properties in the Town of Secaucus; and

WHEREAS, properties that are neglected and have unsecured, accessible structures have a negative impact on community value, create conditions that invite criminal activity and foster an unsafe and unhealthy environment for children; and

WHEREAS, the present mortgage foreclosure crisis has serious negative implications for all communities trying to manage the consequences of properties that have defaulted mortgages, are in the foreclosure process, foreclosed upon and/or mortgagee owned; and

WHEREAS, often times, the foreclosing party or property owners are an absentee responsible party and there is no local contact for such a property, which makes it difficult to notice the proper party of the violations of the Municipal Code and to maintain the requisite level of maintenance and security on such structures or lots; and

WHEREAS, the Mayor and Town Council of the Town of Secaucus recognizes an increase in the number of properties with defaulted mortgages and subject to foreclosure action or foreclosed upon, (hereinafter referred to as "registrable properties") located throughout the Town of Secaucus which leads to a decline in property value, create nuisances and leads to a general decrease in neighborhood and community aesthetic; and

WHEREAS, the Town of Secaucus has already adopted property maintenance codes to regulate building standards for the exterior of structures and the condition of the property as a whole; and

WHEREAS, the Mayor and Town Council recognizes in the best interest of the public health, safety and welfare, a more regulated method is needed to discourage registrable property owners and mortgagees from allowing their properties to be abandoned, neglected or left unsupervised; and

WHEREAS, the Mayor and Town Council of the Town of Secaucus has a vested interest in protecting neighborhoods against decay caused by registrable properties and concludes that it is in the best interests of the health, safety and welfare of its citizens and residents to impose registration requirements of registrable properties located within the Town of Secaucus, to discourage registrable property owners and mortgagees from allowing their properties to be abandoned, neglected or left unsupervised; and

WHEREAS, the Mayor and Town Council of the Town of Secaucus desires to amend the Town's code in order to establish a property registration process that will identify a contact person to address safety and aesthetic concerns to minimize the negative impact and conditions that occur as a result of the foreclosure process; and

WHEREAS, upon passage, duly noticed public hearings, as required by law, will have been held by the Town of Secaucus, at which public hearings all residents and interested persons were given an opportunity to be heard.

April 11, 2017

NOW THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Secaucus finds that the implementation of the following changes and additions will assist in protecting neighborhoods from the negative impact and conditions that occur as a result of vacancy and lack of compliance with existing state and local regulations and laws.

true and correct and are hereby made a specific part of this Ordinance upon the adoption hereof

2. That the Mayor and Town Council of the Town of Secaucus does hereby amend the Town's Codified Ordinances by creating Chapter \_\_\_\_\_ entitled "Registration of Defaulted Mortgage," to read as follows:

CHAPTER \_\_\_\_ . ARTICLE \_\_\_\_ . REGISTRATION OF DEFAULTED MORTGAGE PROPERTY

Sec. \_\_\_\_ PURPOSE AND INTENT

It is the purpose and intent of the Mayor and Town Council of the Town of Secaucus to establish a process to address the deterioration, crime and decline in value of the Town's neighborhoods caused by property, with defaulted mortgages, located within the Town of Secaucus and to identify, regulate, limit and reduce the number of these properties located within the Town. It is the further intent to establish a registration requirement as a mechanism to protect neighborhoods from the negative impact and conditions that occur as a result of vacancy, lack of adequate maintenance and security and will provide a method to expeditiously identify a contact person for each property responsible for this protection.

It is not the intent of this article to determine the rights and liabilities of persons under agreements to which, the Town of Secaucus is not a party. This article shall not be construed to alter the terms of any lease or other agreement between a landlord and a tenant or others relating to property that is the subject of this Article; provided that no provision of any lease or other agreement shall be construed to excuse compliance with this article. Additionally, a violation of this article shall not in and of itself create negligence per se standard or otherwise expand existing liability in tort for either a landlord or a tenant.

Sec. \_\_\_\_ DEFINITIONS

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

- A. Accessible Property/Structure - means a property that is accessible through a comprised/breached gate, fence, wall, etc. or a structure that is unsecured and/or breached in such a way as to allow access to the interior space by unauthorized persons.
  - B. Applicable Codes - means to include, but not be limited to, the Town's Zoning Code, the Town's Ordinances and Property and Maintenance Code, Solid Waste Ordinance, Residential and Commercial Recycling Ordinance, and the State and the Town of Secaucus' Building and Fire Codes.
  - C. Blighted Property - means:
    - a. Properties that have broken or severely damaged windows, doors, walls, or roofs which create hazardous conditions and encourage trespassing; or
    - b. Properties whose maintenance is not in conformance with the maintenance of other neighboring properties causing a decrease in value of the neighboring properties; or
    - c. Properties cited for a public nuisance pursuant to the Town of Secaucus' Codes; or
    - d. Properties that endanger the public's health, safety or welfare because the properties or improvements thereon are dilapidated, deteriorated or violate minimum health and safety standards or lacks maintenance as required by the applicable codes.
  - D. Enforcement Officer - means any Law Enforcement Officer, Code Enforcement Officer, Fire Inspector, Construction Official, Zoning Official, Property Maintenance Inspector or other person authorized by the Town of Secaucus to enforce the applicable code(s).
- April 11, 2017
- E. Evidence of Vacancy - means any condition that on its own, or combined with other conditions present, would lead a reasonable person to believe that the property is vacant. Such conditions may include,
  - F. but are not limited to: overgrown and/or dead vegetation; past due utility notices and/or disconnected utilities; accumulation of trash junk or debris; abandoned vehicles auto parts or materials; the absence of furnishings and/or personal items consistent with habitation or occupancy; the presence of an unsanitary, stagnant swimming pool; the accumulation of newspapers, circulars, flyers and/ or mail or statements by neighbors, passers-by, delivery agents or government agents broken or severely damaged windows, doors, walls, or roofs or the presence of boards over doors, windows or other openings in violation of applicable code.

- G. Default - shall mean that the mortgagor has not complied with the terms of the mortgage on the property or the promissory note or other evidence of the debt, referred to in the mortgage.
- H. Foreclosure - shall mean the legal process by which a mortgagee or other lien holder, terminates a property owner's equitable right of redemption to obtain legal and equitable title to the real property pledged as security for a debt or the real property subject to the lien. This definition shall include, but is not limited to, public notice of default, filing of lis pendens; filing of Complaint in Foreclosure, a deed-in-lieu of foreclosure, sale to the mortgagee or lien holder, certificate of title and all other processes, activities and actions, by whatever name, associated with the described process. The process is not concluded until the property obtained by the mortgagee, lien holder or their designee, by certificate of title or any other means, is sold to a non-related bona fide purchaser in an arm's length transaction to satisfy the debt or lien.
- I. Mortgagee - means the creditor, including but not limited to, trustees; mortgage servicing companies; lenders in a mortgage agreement; any agent, servant, or employee of the creditor; any successor in interest; or any assignee of the creditor's rights, interests or obligations under the mortgage agreement.
- J. Owner - Owner means any person, firm, corporation, estate or other legal entity who, individually or jointly or severally with others, holds the legal or beneficial title to any building, facilities, equipment or premises subject to the provisions of this chapter.
- K. Real Property - means any improved residential or commercial land, buildings, leasehold improvements and anything affixed to the land, or portion thereof identified by a property parcel identification number, located in the Town of Secaucus' limits. Developed lots are considered improved land.
- L. Registrable Property - means,
- a. any real property located in the Town of Secaucus, whether vacant or occupied, that is encumbered by a mortgage in default, is subject to an ongoing foreclosure action by the Mortgagee or Trustee, has been the subject of a foreclosure action by a Mortgagee or Trustee and a Judgement has been entered or has been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.
- The designation of a "default/foreclosure" property as "registrable" shall remain in place until such time as the property is sold to a non-related bona fide purchaser in an arm's length transaction or the foreclosure action has been dismissed and any default on the mortgage has been cured.
- M. Semi-Annual Registration - shall mean six (6) months from the date of the first action that requires registration, as determined by the Town of Secaucus, or its designee and every subsequent six (6) months. The date of the initial registration may be different than the date of the first action that required registration.
- N. Vacant - means any parcel of land in the Town of Secaucus that contains any building or structure that is not lawfully occupied or  
April 11, 2017
- inhabited by human beings as evidenced by the conditions set forth in the definition of "Evidence of Vacancy" above, which is without lawful tenant or lawful occupant or without a certificate of occupancy. Vacant property does not mean property that is temporarily unoccupied while the residents are away on vacation, personal matters or business  
April 11, 2017
- O. or is not intended by the owner to be left vacant, so long as the period does not exceed thirty (30) days.

Sec. <ORD. CHAP>.<ORD. SEC> APPLICABILITY

These sections shall be considered cumulative and not superseding or subject to any other law or provision for same, but rather be an additional remedy available to the Town of Secaucus above and beyond any other State or Municipal provisions for same. Nothing in this Ordinance shall bar the Town from commencing other applicable public health, safety and welfare actions.

Sec. \_\_\_\_ ESTABLISHMENT OF A REGISTRY

Pursuant to the provisions of this Article the Town, or its designee, shall establish a registry cataloging each Registrable Property within the Town of Secaucus, containing the information required by this Article.

Sec. \_\_\_\_\_ REGISTRATION OF DEFAULTED MORTGAGE REAL PROPERTY

- A. Any Mortgagee who holds a mortgage on real property located within the Town of Secaucus shall perform an inspection of the property to determine vacancy or occupancy, upon default by the mortgagor. The Mortgagee shall, within ten (10) days of the inspection, register the property with the Town Clerk's Office or its designee, on forms or other manner as directed and indicate whether the property is vacant or occupied. A separate registration is required for each property, whether it is found to be vacant or occupied. The Town Clerk shall provide a copy to the Director of the Office of Inspections, Tax Assessor, Board of Health and other Departments deemed appropriate within the Town of Secaucus.
- B. Registration pursuant to this section shall contain the name, direct mailing address, a direct contact name, telephone number and e-mail address for the Mortgagee/Trustee and the Mortgage Servicer and the name and twenty-four (24) hour contact phone number of the local property management company responsible for the security and maintenance of the property, who has the authority to make decisions concerning the abatement of nuisance conditions at the property, as well as any expenditure in connection therewith.
- C. Mortgagees who have existing registrable property on the effective date of this ordinance have thirty (30) calendar days from the effective date to register the property with the Town Clerk or its designee, on forms or other manner as directed and indicate whether the property is vacant or occupied. A separate registration is required for each property, whether it is vacant or occupied. The Town Clerk shall provide a copy to the Code Official, Tax Assessor, Board of Health and other Departments deemed appropriate within the Town of Secaucus.
- D. If the mortgage on a registrable property is sold or transferred, the new Mortgagee is subject to all the terms of this Article. Any previous unpaid registration fees are the responsibility of the new Mortgagee or Trustee and are due and payable with their initial registration. Except, if it is determined that the transferee is exempt from paying fees then the previous mortgagee will not be released from the responsibility of paying all previous unpaid fees and fines, regardless of who the mortgagee was at the time when registration was required, including but not limited to, unregistered periods during the foreclosure process. The provisions of this section are cumulative with and in addition to other available remedies. Moreover, the Director of the Office of Inspections or their designee is authorized and empowered to refer the previous mortgagee's non-payment of previous fees and fines to the Secaucus Municipal Court or a court of competent jurisdiction for disposition.
- E. If the servicing rights for a mortgage on a registrable property are sold or transferred, the registration must be updated to include all the new Servicer information within ten (10) days of the servicing transfer.

April 11, 2017

F. If the Mortgagee owner of a foreclosed real property sells or transfers the property to a non-arm's length related person or entity, the transferee is subject to all the terms of this Article and within five (5) days of the transfer register the property. Any previous unpaid registration fees are the responsibility of the new Registrable property owner and are due and payable with their initial registration. Except, if it is determined that the transferee is exempt from paying fees then the previous mortgagee will not be

released from the responsibility of paying all previous unpaid fees and fines, regardless of who the mortgagee was at the time when registration was required, including but not limited to, unregistered periods during the foreclosure process. The provisions of this section are cumulative with and in addition to other available remedies. Moreover, the Director of the Office of Inspections or their designee is authorized and empowered to refer the previous mortgagee's non-payment of previous fees and fines to the Secaucus Municipal Court or a court of competent jurisdiction for disposition.

F. As long as the property is Registrable it shall be inspected by the Mortgagee, or designee, monthly. If an inspection shows a change in the property's occupancy status the mortgagee shall, within ten (10)

days of that inspection, update the occupancy status of the property registration.

- G. A non-refundable registration fee of \$500.00 shall accompany each registration pursuant to this section.
- H. If a lis pendens, deed-in-lieu of foreclosure or other public notice of foreclosure is filed on a property and the property was not registered and the registration fee paid at least thirty (30) days prior to the filing date, a late \$100 shall be charged per property and shall be due and payable with the registration. This section shall apply to the initial registration and registration renewals. Registrations delinquent greater than thirty (30) days are subject to additional fines as described herein.
- I. All registration fees must be paid directly from the Mortgagee, Trustee, Servicer, or Owner. Third Party Registration fees are not allowed without the consent of the Town of Secaucus and/or its authorized designee.
- J. Properties subject to this section shall remain under the semi-annual registration requirement, and the inspection, security and maintenance standards of this section as long as they are registrable.
- K. Until the mortgage or lien on the property in question is satisfied or legally discharged, the desire to no longer pursue foreclosure, the filing of a dismissal of lis pendens and/or summary of final judgment and/or certificate of title, voluntary or otherwise, does not exempt any Mortgagee holding the defaulted mortgage, from all the requirements of this article as long as the borrower is in default.
- L. Any person or legal entity that has registered a property under this section must report any change of information contained in the registration within ten (10) days of the change.
- M. Failure of the Mortgagee to properly register or to modify the registration information from time to time to reflect a change of circumstances as required by this article is a violation of the article and shall be subject to enforcement and any resulting monetary penalties and/or property liens.
- N. Pursuant to any administrative or judicial finding and determination that any property is in violation of this article, the Town of Secaucus may take the necessary action to ensure compliance with and place a lien on the property for the cost of the work performed to benefit the property and bring it into compliance.
- O. Properties subject to this chapter shall be in accordance with the applicable code(s) of the Town of Secaucus.

Sec. \_\_\_\_ SEVERABILITY

April 11, 2017

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Sec. \_\_\_\_ REPEALER

All ordinances or parts of ordinances in conflict herewith, are and the same are hereby repealed.

Sec. \_\_\_\_ CODIFICATION

It is the intention of the Mayor and Town Council of the Town of Secaucus, that the provisions of this Ordinance shall become and be made a part of the Town's Code of

Ordinances and that the sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Sec. \_\_\_\_ EFFECTIVE DATE

This ordinance shall take effect upon passage and publication as required by law.

Acting Mayor McKeever asked if anyone wished to be heard regarding the foregoing proposed ordinance.

Councilman McKeever Called on Nora Mac.

Nora had numerous questions on how she find out about foreclosures that are available in the Town. Town Administrator Gary Jeffas as well as Town Attorney Keri Eglentowicz explain more about the ordinance and its intent.

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

AYES: McKeever, Pirro, Dehnert, Gerbasio  
NAYS: None  
ABSENT: Gonnelli, Dehnert

Motion carried

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

AYES: McKeever, Pirro, Dehnert, Gerbasio  
NAYS: None  
ABSENT: Gonnelli, Dehnert

Motion carried

CONSENT AGENDA

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. 2017-119

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that Michael Pero is hereby appointed to the position of Superintendent of Recreation full time effective Wednesday, April 12, 2017 with a salary of \$80,000.00 per annum.

The following resolution was read:

No. 2017-120

RESOLUTION TO READ BUDGET BY TITLE ONLY

WHEREAS, N.J.S.A. 40A:4-8, as amended by L.2015, c. 95, 14, 2015, provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing, a complete copy of the budget has been made available for public inspection, and has been made available to each person upon request; and

April 11, 2017

WHEREAS, these two conditions have been met.

NOW, THEREFORE, BE IT RESOLVED, that the budget shall be read by title only.

The following resolution was read:

No. 2017-121

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that Helen Besta of Part Time Clerk in the Administration Department effective Tuesday, April 11, 2017 increase rate to \$15.00 per hour.

The following resolution was read:

No. 2017-122

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that Donna Knipe Coordinator Part Time for Exceptional People of Secaucus (EPOS) effective Tuesday, April 11, 2017 shall receive an increase rate to \$15.00 per hour.

The following resolution was read:

No. 2017-123

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT  
FOR THE PURCHASE OF A KME FIRE APPARATUS FOR  
THE SECAUCUS FIRE DEPARTMENT ENGINE COMPANY 1

WHEREAS, the Town of Secaucus' Fire Department Engine Company 1 has a need for an updated fire apparatus, namely a KME Custom Chassis Class "A" Pumper truck as set forth in the specifications and worksheet provided by KME REV Group in Bid # FS 12-15; and

WHEREAS, the Town of Secaucus has an interest in acquiring said KME Fire Apparatus for the Secaucus Fire Department Engine Company 1 through the HGACBuy Cooperative Program, with which the Mayor and Council authorized a purchasing agreement pursuant to Resolution 2016-243.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and/or the Town Administrator is hereby authorized to sign an agreement/contract for the purchase of a KME Custom Chassis Class "A" Pumper as set forth in the specifications and worksheet provided by the KME REV Group Bid # FS 12-15 dated August 12, 2016, with HGACBuy, a cooperative purchasing unit based in the State of Texas, for an amount not to exceed seven hundred six thousand twenty-eight dollars (\$706,028.00); and

BE IT FURTHER RESOLVED, this agreement/contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12A of the Local Public Contracts Law, N.J.S.A. 52:34-6.2 and as outlined by the New Jersey Department of Community Affairs Local Finance Number LFN-2012-10; and

BE IT FURTHER RESOLVED, that the Town Clerk is authorized to advertise an Intent to Award for the Town of Secaucus to procure the purchase of the KME Fire Apparatus for the Secaucus Fire Department through the HGACBuy Cooperative Program; and

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

BE IT FURTHER RESOLVED, that the Finance Director certifies that the funds are available for these services under the 2017 Capital Ordinance.

The following resolution was read:

No. 2017-124

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that Michele Mancini Coordinator Part Time for Teen Center effective Tuesday, April 11, 2017 shall receive an increase rate to \$12.00 per hour.

April 11, 2017

The following resolution was read:

No. 2017-125

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS APPOINTING  
MEMBERS TO THE SECAUCUS ENVIRONMENTAL ADVISORY COMMITTEE

WHEREAS, the Town of Secaucus with the support of the Mayor and the Town Council maintains an active Environmental Department; and

WHEREAS, the Mayor and the Town Council would like to engage residents interested in environmental matters, including but not limited to, preservation of open space, sustainability, protection of resources, clean communities and who would like to work to raise general awareness about the environment, sustainability and the work of the community in a committee; and

WHEREAS, the Mayor and the Town Council are taking steps in conjunction with the Environmental Department to revitalize The Secaucus Environmental Advisory Committee (hereinafter "Committee") comprised of members of the community, Town Administration, the Department of Public Works and environmental advocates to work in a collaborative manner to achieve programming, awareness and educational goals; and

WHEREAS, the Committee will hold quarterly meetings, provide Council updates through a liaison and work with the Town's residents, businesses and the general public on environmental matters and topics as set forth in T.O. §10-1 et seq.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council for the Town of Secaucus that the following individuals be named to the Secaucus Environmental Advisory Committee for two (2) year terms:

Representative from the Town's Environmental Department, Chair of Committee:  
Amanda J. Nesheiwat

Representative from the Town's Department of Public Works/Buildings and Grounds:  
Albert Naszimento

Resident Members:  
Lenny Adis

Giselle Alfaro  
Gunjan Gojia  
Lynn Kramer  
Katrina Tavarez

Alternate Member:  
Cyn Constantine

BE IT FURTHER RESOLVED that the Committee shall appoint a liaison to the Town Council, who shall report and make recommendations to the Mayor and the Town Council as deemed appropriate on environmental recommendations, updates on initiatives and results, progress with the Town's Sustainable Jersey® certification and information on the Environmental Department's programming.

The following resolution was read:

No. 2017-126

RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT  
BETWEEN THE TOWN OF SECAUCUS AND THE COUNTY OF HUDSON FOR PARTICIPATION IN A COUNTY-  
WIDE REGISTRATION PROGRAM FOR FORECLOSED PROPERTIES

WHEREAS, the Town of Secaucus desires to protect the public health, safety and welfare and maintain a high quality of life for the citizens of the Town through the maintenance of structures and properties in the Town of Secaucus; and

WHEREAS, the present mortgage foreclosure crisis has serious negative implications for all communities trying to manage the consequences of properties that have defaulted mortgages, are in the foreclosure process, foreclosed upon and/or mortgagee owned; and

WHEREAS, often times, the foreclosing party or property owners are an absentee responsible party and there is no local contact for such a property, which makes it difficult to notice the proper party of the violations of the Municipal Code and to maintain the requisite level of maintenance and security on such structures or lots; and

WHEREAS, the Town of Secaucus has already adopted property maintenance codes to regulate building standards for the exterior of structures and the condition of the property as a whole; and the Mayor and Town Council of the Town of Secaucus desires to amend the Town's code in order to establish a property registration process that will identify a contact person to address safety and aesthetic concerns to minimize the negative impact and conditions that occur as a result of the foreclosure process; and

April 11, 2017

WHEREAS, N.J.S.A. 40A:65-1 et seq. allows the municipalities to enter into a shared agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the Mayor, Town Administrator or their designee is authorized to execute a shared services agreement with the County of Hudson for the participation in a County-wide registration program for foreclosed properties for a term of ten (10) years; and

BE IT FURTHER RESOLVED that the Mayor and/or the Town Administrator are hereby authorized to execute any other documents or take any necessary action to effectuate the spirit and intent of this Resolution.

The following resolution was read:

No. 2017-127

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 below employees are granted an unpaid Leave of Absences as follows:

- Edward McClure, Animal Shelter as of effective March 2, 2017

The following resolution was read:

No. 2017-128

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, and State of New Jersey, that the following persons are hereby appointed as Personnel, at the Swim Center, effective Tuesday, April 11, 2017 at the below hourly rates:

ASSISTANT MANAGER  
\$12.73 PER HOUR  
Flanagan, John

MAINTENANCE -\$10.61 PER HOUR  
Flanagan, James  
Francis, Walter  
Liccardo, Robert

\$9.55 per hour  
Ferrara, Joseph  
Buckel, Arthur

Zaccone, Rick - \$9.00 per hour

CUSTODIAN - \$8.89 PER HOUR  
Fragliossi, James  
Ramirez, Alexis

Gonzalez, Jaden - \$8.63 PER HOUR  
Ambrosio, Taylor - \$8.44 PER HOUR

The following resolution was read:

No. 2017-129

TOWN OF SECAUCUS  
COUNTY OF HUDSON, STATE OF NEW JERSEY  
RESOLUTION

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:A11-12A whenever available; and

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

WHEREAS, the Town of Secaucus has notified the NASPO VALUE POINT National Cooperative Program, operating under the enabling authority of the State of Minnesota Master Contract No. MNWNC-124; and

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

April 11, 2017

WHEREAS, the Town Clerk is authorized to advertise an Intent to Award for the ability of the Town of Secaucus, to procure goods and services through the NASPO VALUE POINT National Cooperative Program; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus to authorize a National Cooperative Agreement with NASPO VALUE POINT.

The following resolution was read:

No. 2017-130

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROMOTIONAL EXAMINATION SERVICES FOR THE SECAUCUS POLICE DEPARTMENT

WHEREAS, the Town of Secaucus Police Department has a need for services pertaining to the facilitation, customization and administration of promotional examinations as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, McCann Associates, 6805 Route 202, New Hope, Pennsylvania shall complete and submit a Business Entity Disclosure Certification which certifies that McCann Associates has not made any reportable contributions to a political or candidate committee in the Town of Secaucus in the previous year and that the contract will prohibit McCann Associates from making any reportable contributions through the term of the contract, in compliance with necessary regulations and measures of the State of New Jersey under N.J.S.A. 19:44A-20.27; and

WHEREAS, the Purchasing Agent has certified that the value of the acquisition of said goods and services will exceed Seventeen thousand five hundred dollars (\$17,500.00) with the provision of services at a cost not to exceed Twenty thousand eight hundred ten dollars and eighty-one cents (\$20,810.81); and

WHEREAS, the anticipated term of this contract is for the duration of the current promotional examination process; and

WHEREAS, the Town of Secaucus wishes to utilize the Alternate Process, also known as a Non-Fair and Open Contract, to acquire services pertaining to the facilitation, customization and administration of promotional examinations from McCann Associates.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Secaucus award the contract between the Town of Secaucus and McCann Associates of New Hope, Pennsylvania for services pertaining to the facilitation, customization and administration of promotional examinations as described herein for a total contract price of Twenty thousand eight hundred ten dollars and eighty-one cents (\$20,810.81); and

BE IT FURTHER RESOLVED that McCann Associates shall provide the Business Entity

Disclosure Certification and any and all compliance information requested by the Town of Secaucus' Office of Purchasing; and

BE IT FURTHER RESOLVED the Finance Director certifies that funds are available for these services in the 2017 Municipal Budget; and  
BE IT FURTHER RESOLVED that the Mayor and/or the Town Administrator and/or the Purchasing Agent are hereby authorized to execute any other documents or take any other necessary action to effectuate the spirit and intent of this Resolution.

The following resolution was read:

No. 2017-131

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that Mark Bruscano is hereby appointed to the position of Intern Part Time in the Finance Department effective Tuesday, April 11, 2017 at the rate of \$10.00 per hour.

The following resolution was read:

No. 2017-132

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, and State of New Jersey, that lifeguards effective April 11, 2017 shall receive an increase rate to \$10.00 per hour.

April 11, 2017

The following resolution was read:

No. 2017-133

A RESOLUTION AUTHORIZING A CAMERA MAINTENANCE CONTRACT FOR THE SECAUCUS RECREATION CENTER, DEPARTMENT OF PUBLIC WORKS AND SECAUCUS ANIMAL SHELTER

WHEREAS, the Town of Secaucus through its IT Department utilizes computer hardware and software equipment (the "System") for surveillance at the Secaucus Recreation Center, Department of Public Works and the Secaucus Animal Shelter; and

WHEREAS, the Systems require maintenance at regular intervals and repair as needed; and

WHEREAS, the Mayor and Council of the Town of Secaucus received two (2) responses to its Request for on March 8, 2017 pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, after review and discussion of such responses that the Mayor and the Town Council has determined to whom a contract should be awarded based on cost and other factors considered; and

WHEREAS, Viper Communications, located in Totowa, New Jersey, has submitted a proposal to supply the necessary maintenance and support of the camera systems at the Secaucus Recreation Center, Department of Public Works and the Secaucus Animal Shelter at a cost of Six Thousand Five Hundred (\$6,500.00) for one (1) year.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, that the Mayor and/or Town Administrator or his designee is hereby authorized to execute a contract with Viper Communications to provide software maintenance and support of the System at the Secaucus Recreation Center, Department of Public Works and Secaucus Animal Shelter, at a cost of Six Thousand Five Hundred (\$6,500.00) for a one (1) year term and at the rates set forth in the quote documents with the option to extend for two (2) additional one (1) year extensions; and

BE IT FURTHER RESOLVED that the quote and Resolution shall constitute the requisite contract in this matter and be kept on file with the Town Clerk; and

BE IT FURTHER RESOLVED that Viper Communications shall provide any and all compliance information requested by the Town of Secaucus' Office of Purchasing, which may include but is not limited to, proof of continued insurance coverage; and

BE IT FURTHER RESOLVED that the award is subject to funding in the 2017 municipal budget; and

BE IT FURTHER RESOLVED that the Mayor and/or the Town Administrator and/or the Purchasing Agent are hereby authorized to execute any other documents or take any other necessary action to effectuate the spirit and intent of this Resolution.

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

AYES: McKeever, Pirro, Dehnert, Gerbasio  
NAYS: None

ABSENT: Gonnelli, Dehnert

Motion carried

BINGO / RAFFLE APPLICATIONS

R-1450 St. Francis Academy Parent's Guild on Premise 50/50  
R-1451 St. Francis Academy Parent's Guild On Premise Draw Raffle  
R-1452 Immaculate Conception Church On Premise 50/50

Councilman Gerbasio moved to approve the foregoing applications, seconded by Councilman Clancy.

AYES: McKeever, Pirro, Dehnert, Gerbasio

NAYS: None

ABSENT: Gonnelli, Dehnert

Motion carried

COMMUNICATIONS REQUIRING ACTION BY MAYOR AND COUNCIL

Rescue Co #1, Engine Co. #2 voted Jared Wetter in as a member.

Adele Harris requested the use of Mill Creek Point Park for a Drum Circle on May 13, 2017

Sheila Witrock of Cub Scout Pack 87 requested the use of the Recreation Center Swim Center on April 13, 2017

April 11, 2017

Councilman Gerbasio moved to approve the foregoing communications, seconded by Councilwoman Pirro.

AYES: McKeever, Pirro, Dehnert, Gerbasio

NAYS: None

ABSENT: Gonnelli, Dehnert

Motion carried

COMMITTEE REPORTS

Councilman Costantino announced that April 25, 2017 will be the public hearing on the 2017 Budget.

Councilman Clancy offered reports provided by the Fire Department. He also added information on the dedication on April 22 at the Secaucus Public Library in honor of Mrs. Marie McGuire.

Councilman Pirro gave information for a fund raiser for the Animal Shelter.

UNFINISHED BUSINESS

Councilman Gerbasio gave information on upcoming events.

Councilman Costantino offered information on the agricultural program. He added information on the Holi Festival of Colors.

Councilman McKeever offered information on Senior Citizen upcoming events.

Councilwoman Pirro talked about an upcoming youth event.

NEW BUSINESS

Councilman Gerbasio offered information on an upcoming event.

Councilman Costantino spoke about the Tree Planting Program.

Councilwoman Pirro wished all a Happy Easter and Passover.

REMARKS OF CITIZENS

Barbara Napierski  
Sam Maffei

Councilman Clancy moved to adjourn the meeting at 7:37 pm, seconded by Councilman Costantino.

AYES: McKeever, Pirro, Dehnert, Gerbasio

NAYS: None

ABSENT: Gonnelli, Dehnert

Motion carried

\_\_\_\_\_  
Michael Marra, Town Clerk