

August 28, 2007

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 August, 2007 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

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, 2007."

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 presented a plaque to Luigi Rotunda in honor of his 100th birthday.

The Town was presented with three checks from the Shree Swaminarayan Temple for \$1,000 each. The organizations that received the donations were Friends of the Secaucus Library, The Secaucus PBA, The Secaucus Fire Department.

The following ordinance was read for public hearing: No. 2007-31

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF REAL PROPERTY, NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY EQUIPMENT AND NEW ADDITIONAL FURNISHINGS IN, BY AND FOR THE TOWN OF SECAUCUS, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,390,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH A APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Town of Secaucus, in the County of Hudson, State of New Jersey (the "Town") is hereby authorized to make various public improvements and to acquire real property, new additional or replacement equipment and machinery, a new automotive vehicle, including original apparatus and equipment, new communication and signal systems equipment, new information technology equipment and new additional furnishings in, by and for said Town, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefitted.

making Section 3. It is hereby determined and stated that the

of such improvements is not a current expense of said Town.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Resurfacing various roads in the Town, as set forth on a list prepared by the Town Engineer on file or to be placed on file with the Town Clerk, and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and upon approval by the Town Council, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being resurfaced are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$ 50,000
Down Payment Appropriated	\$ 2,400
Bonds and Notes Authorized	\$ 47,600
Period of Usefulness	10 years

B. Improvements to public buildings consisting of (i) replacement of the air conditioning system at the Day Care Center and (ii) various improvements to the new Recreation Center. It is hereby determined and stated that said public buildings being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

Appropriation and Estimated Cost	\$ 225,000
Down Payment Appropriated	\$ 10,800
Bonds and Notes Authorized	\$ 214,200
Period of Usefulness	15 years

C. Acquisition of new communication and signal systems equipment consisting of a community sign for the center of Town.

Appropriation and Estimated Cost	\$ 20,000
Down Payment Appropriated	\$ 1,000
Bonds and Notes Authorized	\$ 19,000
Period of Usefulness	10 years

D. Acquisition of new additional furnishings and new information technology equipment for the use of the Police Department consisting of (i) various items of office furniture and (ii) computer screens.

Appropriation and Estimated Cost	\$ 10,000
Down Payment Appropriated	\$ 900
Bonds and Notes Authorized	\$ 9,100
Period of Usefulness	5 years

E. Undertaking of Town-wide storm sewer improvements.

Appropriation and Estimated Cost	\$ 100,000
Down Payment Appropriated	\$ 4,800
Bonds and Notes Authorized	\$ 95,200
Period of Usefulness	40 years

F. Acquisition of new additional or replacement equipment

and machinery and new communication and signal systems equipment for
the use

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of the Fire Department consisting of (i) portable radios and radio equipment, (ii) pagers and chargers and (iii) gas meters.

Appropriation and Estimated Cost	\$ 27,500
Down Payment Appropriated	\$ 1,400
Bonds and Notes Authorized	\$ 26,100
Period of Usefulness	10 years

G. Acquisition of new additional or replacement equipment and machinery consisting of a tractor/snow removal machine for the use of the Department of Public Works ("DPW").

Appropriation and Estimated Cost	\$ 104,500
Down Payment Appropriated	\$ 5,000
Bonds and Notes Authorized	\$ 99,500
Period of Usefulness	15 years

H. Acquisition of a new automotive vehicle, including original apparatus and equipment, consisting of a pickup truck with plow for the use of the DPW.

Appropriation and Estimated Cost	\$ 33,000
Down Payment Appropriated	\$ 1,600
Bonds and Notes Authorized	\$ 31,400
Period of Usefulness	5 years

I. Acquisition of the following parcels of real property, including preliminary site improvements, if any: (i) 276 County Avenue (with existing structure) (Block 42, Lot 12 on the Town Tax Assessment Map) for future use in connection with the expansion of the Washington Hook and Ladder Co. Firehouse and (ii) Keiswetter Lane (Block 193, Lot 9 on the Town Tax Assessment Map) for future use for storm sewer improvements, neighborhood enhancements and off-street parking.

Appropriation and Estimated Cost	\$ 800,000
Down Payment Appropriated	\$ 38,100
Bonds and Notes Authorized	\$ 761,900
Period of Usefulness	40 years

J. Acquisition of new information technology equipment consisting of computer system upgrade equipment for the use of the Finance Department.

Appropriation and Estimated Cost	\$ 20,000
Down Payment Appropriated	\$ 1,000
Bonds and Notes Authorized	\$ 19,000
Period of Usefulness	7 years

Aggregate Appropriation and Estimated Cost	\$1,390,000
Aggregate Down Payment Appropriated	\$ 67,000
Aggregate Amount of Bonds and Notes Authorized	\$1,323,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$100,000 which is estimated to be necessary to finance the cost of such purposes, 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 6. It is hereby determined and stated that moneys exceeding \$67,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Town, are now available to finance said purposes. The sum of \$67,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Town of an aggregate principal amount not exceeding \$1,323,000 are hereby authorized to be issued pursuant to 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 8. To finance said purposes, bond anticipation notes of said Town of an aggregate principal amount not exceeding \$1,323,000 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 9. 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 bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said 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 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 30.42 years computed from the date of said bonds.

Section 11. 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 said Town, and that such statement so filed shows that the gross debt of said Town, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$1,323,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. 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 purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. 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.

Section 14. The Town intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. 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 15. 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.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage. Mayor Elwell asked if anyone wished to be heard regarding the foregoing ordinance.

Mayor Elwell called on Sam Maffei.

Mr. Maffei spoke about the parking problem in Secaucus.

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

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

Councilman Shinnick moved that the foregoing ordinance be finally adopted, seconded by Councilman Reilly.

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

The following ordinance was read: No. 2007-32

**TOWN OF SECAUCUS
ORDINANCE AMENDING CHAPTER 104
PROPERTY MAINTENANCE**

WHEREAS, the Mayor and Council acknowledge the existence of properties within the Town of Secaucus that are, or may become in the future, substandard due to lack of care and maintenance; and

WHEREAS, it is necessary to revise existing ordinances of the Town of Secaucus to be consistent with existing state statutes; and

WHEREAS, the provisions herein are intended to supplement and enhance the Property Maintenance provisions of the Town of Secaucus;

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

SECTION 1. Chapter 104 of the Code of the Town of Secaucus is hereby amended as follows:

**ARTICLE VI
Administration and Enforcement**

§104-16. Enforcement Officer.

The Director of Office of Inspections of the Town of Secaucus is hereby designated as the officer charged with the enforcement of this code, and is hereinafter referred to as the "Enforcement Officer." In the event of a vacancy in the office of Building Inspector, or in his absence, the Town Council shall designate an acting Enforcement Officer. All members of the Police Department and authorized inspectors of the Fire Department, Building Department and Board of Health of the Town of Secaucus are hereby designated as assistant enforcement officers for purposes of the enforcement of this code.

§104-17. Notice of violation.

Whenever the Enforcement Officer or any assistant enforcement officer determines that there are reasonable grounds to believe that there has been a violation of any provision of this chapter, he shall give notice of such alleged violation to the person or persons responsible therefor as hereinafter provided. Such notice

shall:

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- A. Be in writing.
- B. Include a statement of the reasons why it is being issued.
- C. Be served upon the owner or occupant of the premises or the agent of either of them, provided that such notice shall be deemed to be properly served if a copy thereof is served upon such person personally, or sent by certified or registered mail to his last known address; or posted in a conspicuous place in or about the premises affected by the notice.

Such notice shall also state that unless, within ten (10) days from service of the notice, a written request is made for a hearing before the Enforcement Officer, or his designee, said notice shall, at the expiration of such ten-day period, be deemed an order to cease and desist from, and to abate, the described violation, and such notice shall prescribe a reasonable time within which such person shall be required to cease and desist from and abate such violation. The notice may also contain an outline of remedial action which, if taken, will effect compliance with the provision of this chapter.

§104-18 Hearing.

If a hearing is requested pursuant to §104-17, hereof, it shall be commenced not later than ten (10) days after request therefor is made, provided that for good cause the Enforcement Officer may postpone such hearing for a reasonable time. If, after hearing, the Enforcement Officer, or his designee, finds that no violation exists, he shall withdraw the notice. If he finds that a violation does exist he shall enter and issue an order requiring the abatement of same within a prescribed reasonable time. The proceedings at such hearing, including the findings and decision of the Enforcement Officer, or his designee, shall be summarized, reduced to writing and entered in a matter of public record in the office of the Enforcement Officer.

§104-19. Power to issue subpoenas and examine witnesses.

At any hearing held before the Enforcement Officer pursuant to the provisions of this code, the Enforcement Officer, or his designee, shall be vested with all the powers provided by law to issue subpoenas to compel the attendance of witnesses and parties in interest and to require the production of books, records and other documents which may be pertinent to matters to be determined by the Enforcement Officer, or his designee.

§104-20 Special procedure in emergency situations.

Whenever the Enforcement Officer finds that an emergency exists which required immediate attention to protect the public health or safety, he may without notice or hearing issue an order reciting the existence of such an emergency and requiring that such action be taken as he deems necessary to meet the emergency. Notwithstanding any other provisions of this chapter, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately, but upon petition to the Enforcement Officer shall be afforded a hearing as soon as possible. After such hearing, the Enforcement Officer shall continue such order in effect, modify or withdraw it.

§104-21 Structures Unfit for Habitation.

(A) Whenever a petition is filed with the Enforcement Officer by a public authority or by at least five residents of the town of Secaucus charging that any building is unfit for human habitation or occupancy or use or whenever it appears to the Enforcement Officer (on his own motion) that any building is unfit for human habitation or occupancy or use, the Enforcement Officer shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner of and parties in interest in such building a complaint stating the charges in that respect and containing a notice that a hearing will be held before the Enforcement Officer (or his designated agent) at a place therein fixed not less than 7 days nor more than 30 days after the serving of said complaint; that the owner and parties in interest shall be given the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint; and that the rules of evidence prevailing in the courts shall not be controlling in hearings before the Enforcement Officer, or his designee.

(B) If, after such notice and hearing, the Enforcement Officer, or his designee, determines that the building under consideration is unfit for human habitation or occupancy or use he shall state in writing his findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof and parties in interest an order:

(1) requiring the repair, alteration or improvement of the said building to be made by the owner, within a reasonable time, which time shall be set forth in the order or at the option of the owner to vacate or have the said building vacated and closed within the time set forth in the order; and

(2) if the building is in such a condition as to make it dangerous to the health and safety of persons on or near the premises, and the owner fails to repair, alter or improve the said building within the time specified in the order, then the owner shall be required to remove or demolish the said building within a reasonable time as specified in the said order of removal.

©) If the owner fails to comply with an order to repair, alter or improve or, at the option of the owner, to vacate and close the building, the Enforcement Officer may cause such building to be repaired, altered or improved, or to be vacated and closed; that the Enforcement Officer may cause to be posted on the main entrance of any building so closed, a placard with the following words: "This building is unfit for human habitation or occupancy or use; the use or occupation of this building is prohibited and unlawful."

(D) If the owner fails to comply with an order to remove or demolish the building, the Enforcement Officer may cause such building to be removed or demolished or may contract for the removal or demolition thereof after advertisement for, and receipt of, bids therefor, unless emergent circumstances exist, under which circumstances an emergency contract may be entered into in compliance with applicable law.

§104-21.1. Abatement by town with costs borne by property owner. [Added 12-27-94 by Ord. No. 94-42]

The amount of:

- (1) the cost of the filing of legal papers, expert witnesses' fees, search fees and advertising charges, incurred in the course of any proceeding taken under this act determined in favor of the municipality, and
- (2) such cost of such repairs, alterations or improvements, or vacating and closing, or removal or demolition, if any, or
- (3) the amount of the balance thereof remaining after deduction of the sum, if any, realized from the sale of materials derived from such building or from any contract for removal or demolition thereof,

shall be a municipal lien against the real property upon which such cost was incurred. If the building is removed or demolished by the Enforcement Officer, he shall sell the materials of such building. There shall be credited against the cost of the removal or demolition thereof, including the clearance and, if necessary, leveling of the site, the proceeds of any sale of such materials or any sum derived from any contract for the removal or demolition of the building. If there are no such credits or if the sum total of such costs exceeds the total of such credits, a detailed statement of the aforesaid costs and the amount so due shall be filed with the municipal tax assessor or other custodian of the records of tax liens and a copy thereof shall be forthwith forwarded to the owner by registered mail. If the total of the credits exceed such costs, the balance remaining shall be deposited in the Superior Court by the Enforcement Officer, shall be secured in such manner as may be directed by such court, and shall be disbursed according to the order or judgment of the court to the persons found to be entitled thereto by final order or judgment of such court. Any owner or party in interest may, within 30 days from the date of the filing of the lien certificate, proceed in a summary manner in the Superior Court to contest the reasonableness of the amount or the accuracy of the costs set forth in the municipal lien certificate.

§104-21.2 Prosecution without notice.

If an actual and immediate danger to life is posed by the threatened collapse of any fire damaged or other structurally unsafe building, the Enforcement Officer may, after taking such measures as may be necessary to make such building temporarily safe, seek a judgment in summary proceedings for the demolition thereof.

Notwithstanding the provisions of §104-17 hereof, the Enforcement Office may, at his election, prosecute violators of any section of this code, involving public health or public safety, without notice, by the filing of a complaint with the Clerk of the Municipal Court of the Town of Secaucus.

§104-22 Violations and penalties

Any person who shall violate any of the provisions of this chapter or any other promulgated hereunder shall, upon conviction, be punished by a fine not to exceed two thousand five hundred dollars (\$2,500.00) or by imprisonment in the county jail for a period not to exceed ninety (90) days, or by both such fine and imprisonment.

Each violation of any of the provisions of this chapter and each day that such violation shall continue shall be deemed to be a separate and distinct offense.

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Section 2 REMOVAL OF BRUSH, WEEDS AND DEBRIS FROM YARDS AND LOTS

(1) Definitions.

As used in this Article, the following terms shall have the meanings indicated:

BRUSH, WEEDS AND DEBRIS - Refers to and includes brush, ragweed or weeds, dead or dying trees, stumps, roots, obnoxious growths, filth, garbage, trash or other debris.

MUNICIPAL OFFICER - Includes the Health Officer or his designee, the Director of the Department of Public Works or his designee, the Fire Code Official or his designee and the Director of the Division of Community improvements or his designee.

(2) Notice to remove; contents of notice.

A. Whenever a municipal officer shall find upon any such lot, yard, land or premises any brush, weeds or debris to such an extent as, in his opinion, is inimical to the public health, safety or general welfare of the city or to such an extent as to constitute a fire hazard, he shall give or cause to be given written notice to the owner, lessee, tenant or occupant of said premises to remove therefrom such brush, weeds or debris.

B. The notice specified in Subsection A of this section shall:

(1) Require the removal of such brush, weeds and debris within ten (10) days after service of the notice; and

(2) Advise the person to whom the notice is directed that failure to accomplish such removal within the time stated therein will result in the removal thereof by or under the direction of the municipal officer and such other penalties and consequences as are provided by this Article.

(3) Service of notice.

Service of any such notice shall be made upon the owner, lessee, tenant or occupant either personally or by posting said notice on said premises and mailing, by certified mail, a copy of said notice to the owner at his last known post office address, if any. Service of the notice by posting and mailing shall be deemed completed upon such posting and mailing.

(4) Failure to comply with notice.

Any owner, lessee, tenant or occupant, as the case may be, who fails or neglects to comply with the notice described above and duly served as provided herein and within the time prescribed therein shall be subject to the penalty prescribed in this Ordinance.

(5) Abatement by city; costs; lien.

Whenever, after due notice has been given as herein, the owner, lessee, tenant or occupant shall have refused or neglected to remove such brush, weeds or debris in the manner and within the time provided for in said notice, the municipal officer shall cause the same to be removed, and the cost of such removal shall be certified to the Council by such officer. If, upon examination of such officer's certificate, the Council shall find the same to be correct, such certified cost shall forthwith become a charge against said lands and constitute a lien upon said lands, which shall be added to and become and form a part of the taxes next to be assessed and levied upon said lands. The amount of such charge or lien shall bear interest at the same rate and shall be collected and enforced by the same officers and in the same manner as taxes.

Section 3 Removal of Grass, Weeds and Impediments Abutting Sidewalks

(1) Duty to remove after notification; service of notice.

A. The owner or tenant in possession of lands abutting or bordering upon the sidewalks of public streets or public places in the city shall remove all grass, weeds and impediments from the abutting sidewalks within three (3) days after notice to remove the same given by

the Streets Division Superintendent.

B. Service of such notice shall be made upon the owner or tenant either personally or by registered or certified mail.

(2) Failure to comply with notice.

Any owner or tenant, as the case may be, who fails or neglects to comply with the notice duly served as provided in this Ordinance and within the time prescribed therein shall be subject to the penalty prescribed hereinafter.

(3) Violations and penalties.

Any person who violates any provision of this Article shall, upon conviction thereof, be punished by a fine not exceeding one thousand dollars (\$1,000.), by imprisonment for a term not exceeding ninety (90) days or by a period of community service for not more than ninety (90) days, or any combination thereof. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION 4. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, that decision shall not affect the validity of this Ordinance as a whole or any part thereof.

SECTION 5. All ordinances or part of ordinances of the Town of Secaucus heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of the inconsistency.

SECTION 6. This Ordinance shall take effect upon final passage and publication as required by law.

NOTE: New material indicated by underline. Deletions indicated by ~~strikeout~~.

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

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

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

Councilman Reilly noted that this involves property that is not well maintained. He said that he receives numerous calls on a regular basis regarding these problems. He explained that the ordinance allows the Town to put a lien on property owners who refuse to clean their property even after being fined.

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

The following ordinance was read for introduction: No. 2007-29

**ORDINANCE AUTHORIZING THE PURCHASE OF REAL PROPERTY KNOWN AS
276 COUNTY AVENUE, SECAUCUS, NJ**

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

Town Clerk, Michael Marra announced that the public hearing on this ordinance will be on September 25, 2007.

Mayor Elwell explained the ordinance and the need for expansion of the fire house.

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

The following ordinance was read for introduction: No. 2007-30

**ORDINANCE AUTHORIZING THE PURCHASE OF REAL PROPERTY KNOWN AS
BLOCK 194, LOTS 14-18, 15.01, 16.01, 17.01 AND 18.01 SECAUCUS, NJ**

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

Mayor Elwell explained that his represents the Open Space money that was received from Hudson County. He noted that the grant application should be in by the end of this week.

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

The following ordinance was read for introduction: No. 2007-33

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

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

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

The following ordinance was read for introduction: No. 2007-34

**AN ORDINANCE AMENDING SECTION 127-35 OF THE CODE OF THE TOWN OF
SECAUCUS
ENTITLED " SCHEDULE XIII: BUS STOPS"**

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

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. 2007-125

**RESOLUTION AUTHORIZING CUSTODIAN FOR PETTY CASH FUND FOR THE
POLICE DEPARTMENT**

WHEREAS, pursuant to N.J.S.A. 40A:5-21, petty cash funds are established for various departments of the Town of Secaucus, including the Treasurer's Office, Road Department in Secaucus; and

WHEREAS, several individuals were appointed as custodians of these petty cash funds; and

WHEREAS, Thomas Malanka was appointed custodian for the Police Department petty cash fund; and

WHEREAS, Thomas Malanka was promoted to Police Captain, and therefore, a new custodian must be appointed for the petty cash fund for the Police Department.

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Secaucus hereby appoints Thomas O'Keefe as the custodian of the petty cash fund for the Police Department of the Town of Secaucus effective immediately, in accordance with the rules and regulation of the Director of Local Government Services.

BE IT FURTHER RESOLVED, that the funds for the above described expenditures will be charged to Account No. 001-2131-525-20-49 for the Police Department.

The following resolution was read: No. 2007-126

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

WHEREAS, the Mayor and Council of the Town of Secaucus require appraisal valuation and consulting services in connection with an appraisal report to be submitted to the Tax Court of new Jersey concerning pending tax appeal matters on Block 227, Lot 4.01 located at 300-400 Park Place for all pending tax years (hereinafter the "Appraisal Report"); and

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

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

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

BE IT FURTHER RESOLVED, that McNerney & Associates, Inc., shall be paid an amount not to exceed \$10,000.00

BE IT FURTHER RESOLVED, that a copy of the resolution and a statement of the terms of the contract shall be published and maintained in the office of the Town Clerk

Financial Officers
Certification attached.

The following resolution was read: No. 2007-127

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

BE IT RESOLVED, that the Mayor and Council of the Town of Secaucus hereby approve the advertisement for the receipt of bids for Hops Lane Road Improvements-NJDOT 2007.

The following resolution was read: No. 2007-128

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH
JOSEPH P. NOVELLI, ASA**

WHEREAS, the Mayor and Council of the Town of Secaucus, County of Hudson, State of new Jersey require the professional services of a Machinery and Equipment expert to prepare a report and testify in connection with pending tax appeal matters on Block 54, Lot 2.02 located at 40 Hartz Way; and

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

WHEREAS, the Town has received a proposal from Joseph P. Novelli, ASA to perform the proposed work; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the Mayor and Town Clerk are hereby authorized to execute

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a contract with Joseph P. Novelli, ASA for prepared a report, testifying and consulting services in regard to tax appeal matters.

BE IR FURTHER RESOLVED, that Joseph P. Novelli, ASA shall be paid an amount not to exceed \$11,000.00.

BE IT FURTHER RESOLVED, that a copy of this resolution and a statement of terms of the contract shall be published and maintained in the office of the Town Clerk.

Financial officers
Certification attached.

The following resolution was read: No. 2007-131

**RESOLUTION AUTHORIZING FAIR & OPEN SOLICITATION PROCESS
SPECIAL NEEDS COORDINATOR**

WHEREAS, the Town of Secaucus has an annual need for and has budgeted for a Special Needs Coordinator; and

WHEREAS, the Town Attorney had prepared a Fair & Open Solicitation therefore.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby authorized to post and accept proposals for Special Needs Coordinator pursuant to N.J.S.A. 44A:20.4 et. seq.

BE IT FURTHER RESOLVED, that proposals for Special Needs Coordinator shall be received on September 19, 2007 at 11:30 a.m.

The following resolution was read: No. 2007-132

**RESOLUTION AUTHORIZING SUSPENSION OF PARKING RESTRICTIONS FOR
FRIENDS OF THE LIBRARY MINI-FAIR**

WHEREAS, the Friends of the Library are sponsoring a Mini-Fair at the Secaucus Public Library on Saturday, September 15, 2007 from 9:00 a.m. to 4:00 p.m.; and

WHEREAS, the Mayor and Council have determined that parking meters in the area of the Plaza should be suspended on that day for the duration of the Mini-Fair.

NOW, THEREFORE, BE IT RESOLVED, that the metered parking in the Plaza Municipal Lot shall be suspended on Saturday, September 15, 2007 from 9:00am to 4:00pm.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to the Police Department.

Councilman Shinnick moved to approve the resolution on the Consent Agenda, seconded by Councilman Bueckner.

AYES: Bueckner, Kane, Jeffas, Shinnick, Reilly, Elwell

NAYS: None

ABSENT: None

Motion carried.

The following resolution was read: No. 2007-124

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

WHEREAS, the Mayor and Council of the Town of Secaucus, in the County of Hudson, State of New Jersey adopted Resolution No. 2007-19 approving a Substitution of Attorney from Frank M. Leanza, Esq., to John M. Johnson, Esq., in connection with an appeal of a Final Determination of the New Jersey Meadowlands Commission at a meeting of July 18, 2007.

WHEREAS, an amount needs to be set for "Not to Exceed" and Certification of Funds.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of

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Secaucus to approve an amount no to exceed \$25,000.00 for said legal services.

Financial officers
Certification attached.

Councilman Shinnick moved that the foregoing resolution be approved, seconded by Councilman Jeffas.

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

Motion carried.

The following resolution was read: No. 2007-129

**RESOLUTION AUTHORIZING CONTRACT FOR SECTION 457
DEFERRED COMPENSATION PROGRAM**

WHEREAS, the Mayor and Council received the following responses to its Fair & Open Solicitation Process for an Internal Revenue Code Section 457 Deferred Compensation Plan on June 12, 2007.

PROPOSER

New World Insurance, LLC (Agents for Massachusetts Mutual Life Insurance Company)

AXA Equitable Life Insurance Company

Park Financial Group (Two proposals (one a group annuity) Oppenheimer Funds)

WHEREAS, the Town Attorney has reviewed the submissions and determined that the submission of New World Insurance Services, LLC, Agents for Massachusetts Mutual Life Insurance Company, is the most responsive in providing flexibility of choice for participation employees and ease of operation for the Town. The deferred compensation services will be provided under the auspices of Massachusetts Mutual Life Insurance Company utilizing its wholly own subsidiary, Oppenheimer Funds, Inc., and its expanded range of services and investments alternatives, with New World Insurance Services, Inc. LLC as local agent.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that a contract for a Section 457 Deferred Compensation Plan be awarded to Massachusetts Mutual Life Insurance Company, with supplemental services provided by its wholly own subsidiary, Oppenheimer Fund, Inc., through its local agent, New World Insurance Services, LLC.

BE IT FURTHER RESOLVED, that the Mayor and Town Clerk shall be authorized to execute a contract for an Internal Revenue Code Section 457 Deferred Compensation Plan with Massachusetts Mutual Life Insurance Company, with supplemental services provided by its wholly owned subsidiary, Oppenheimer Funds, Inc., through its local agent, New World Insurance Services, LLC.

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

Councilman Reilly noted that this is offered to all employees on a voluntary basis.

Mayor Elwell explained that there is not cost to the taxpayers of Secaucus for this program.

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

Motion carried. (A)

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**RESOLUTION AUTHORIZING PAYMENT IN LIEU OF TAXES AGREEMENT WITH THE
NEW JERSEY MEADOWLANDS COMMISSION**

WHEREAS, by Deed dated December 5, 2006 and recorded at the Hudson County Register's Office, Boulevard Tire Realty, Inc., transferred property identified as Block 203, Lots 40 and 40.01 comprising 1.586 acres on the Tax Map of the Town of Secaucus (the Premises) to the New Jersey Meadowlands Commission (NJMC) for the sum of \$800,000.00; and

WHEREAS, the forecasted use of the property is intended to be issued as open space and/or part of the Secaucus Greenway; and

WHEREAS, N.J.S.A. 13:17-38 requires the NJMC to enter into Agreements with municipalities where the NJMC acquires ownership of property; and

WHEREAS, the Town and the NJMC have mutually agreed to provide for in lieu of tax payments as follows:

1. NJMC agrees to pay a PILOT of \$6,500.00 annually to the Town of Secaucus for a period of five (5) years.

2. Said payment shall be made by the NJMC to Town on December 5 each year for the preceding year, beginning December 5, 2007 and ending December 5, 2011.

3. This Agreement shall bind not only the NJMC and the Town , but also their successors and assigns.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that a Payment In Lieu of taxes Agreement with the New Jersey Meadowlands Commission be entered into regarding Block 203, Lot 40 and 40.01 pursuant to the terms set forth above.

BE IT FURTHER RESOLVED, that the Mayor and Town Clerk shall be authorized to execute said PILOT Agreement.

Councilman Bueckner moved that the foregoing resolution be approved, seconded by Councilman Kane.

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

Motion carried.

Mayor Elwell stated that this process has taken over four years. He said that in 2000 the Town approached Green Acres to get this project up and running.

PAYMENT OF CLAIMS

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

Town of Secaucus Payroll Acct. w/ending 08/03/07		191,492.01
Adm. & Exec	3,535.17	
Mayor & Council	9,171.88	
Municipal Clerk	2,644.59	
Legal Dept.	1,201.15	
Treasurer	7,703.08	
Tax Assessor	2,319.77	
Tax Collector	2,530.48	
Municipal Court	8,539.66	
Engineering	750.00	
Community Shuttle Bus	2,197.62	
Pub. Bldgs. & Grds.	15,494.66	
Off. Of Inspect.	2,222.26	
Planning Board	514.66	
Bd. Of Adjustments	514.66	
Public Defender	900.00	
Comm. & Security Adm.	1,643.36	

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Fire Department	000.00	
Police Dept.	131,573.34	
Construction	4,291.75	
School Cross Grds.	125.00	
Office of Emergency Man.	300.29	
Unif. Fire Safety Off.	2,086.52	
Rd. Repair & Maint.	42,157.37	
Sewer System	000.00	
Recycling Coord.	4,968.55	
Bd.of Health	449.48	
Mosquito Control	000.00	
Social Services	6,041.76	
Pks. & Play Grds.	680.00	
Supv. Of Play Act.	30,495.34	
Rec. Activities	692.88	
Pool Oper.	11,816.15	
CDBG	304.29	
Town of Secaucus Tax Escrow Acct. w/ending 08/03/07		94,611.56
Town of Secaucus Payroll Acct. w/ending 08/10/07		182,371.29
Adm. & Exec	3,535.17	
Mayor & Council	765.25	
Municipal Clerk's Off.	2,644.59	
Legal Dept.	1,201.15	
Treasurer	7,750.50	
Tax Assessor	2,284.77	
Tax Collector	2,663.82	
Municipal Court	7,602.20	
Engineering	000.00	
Community Bus	2,541.26	
Pub. Bldg. & Grds.	17,909.83	
Off. Of Inspect.	2,347.26	
Planning Board	000.00	
B. Of Adjustments	000.00	
Public Defender	900.00	
Comm. & Security Adm.	1,643.36	
Fire Department	000.00	
Police Dept.	126,997.20	
Construction	4,291.75	
School Cross Grds.	300.00	
Emergency Management	300.29	
Unif. Fire Safety Off.	2,086.52	
Rd. Repair & Maint.	45,464.07	
Sewer System	24.15	
Recycling Coord.	3,187.19	
Bd.of Health	324.48	
Mosquito Control	000.00	
Social Services	4,300.40	
Pks. & Play Grds.	828.41	
Supv. Of Play Act.	30,530.36	
Rec. Activities	692.88	
Pool Oper.	12,952.94	
CDBG	304.29	
Town of Secaucus Tax Escrow Acct. w/ending 08/10/07		91,049.86
Town of Secaucus Payroll Acct. w/ending 08/17/07		170,448.79
Adm. & Exec	3,535.17	
Mayor & Council	765.25	
Municipal Clerk's Off.	2,644.59	
Legal Dept.	1,201.15	
Treasurer	7,743.96	
Tax Assessor	2,314.77	
Tax Collector	2,722.14	
Municipal Court	6,792.82	
Engineering	000.00	
Community Shuttle Bus	2,188.20	
Pub. Bldg. & Grds.	13,948.83	
Off. Of Inspect.	2,222.26	
Planning Board	000.00	
Bd. Of Adjustments	000.00	
Public Defender	1,200.00	
Comm. & Security Adm.	1,643.36	
Fire Department	000.00	
Police Dept.	121,472.27	
Construction	4,427.13	

School Cross Grds.	250.00	
Office Emerg. Management	300.29	
Unif. Fire Safety Off.	2,086.52	
Rd. Repair & Maint.	39,152.66	
Sewer System	000.00	
Recycling Coord.	4,335.22	
Bd.of Health	324.48	
Mosquito Control	000.00	
Social Services	5,270.00	
Pks. & Play Grds.	887.80	
Supv. Of Play Act.	28,726.57	
Rec. Activities	692.88	
Pool Operations	12,793.07	
CDBG	304.29	
Town of Secaucus Tax Escrow Acct. w/ending 08/17/07		86,400.82
Town of Secaucus Payroll Acct. w/ending 08/24/07		184,959.68
Adm. & Exec	3,535.17	
Mayor & Council	765.25	
Municipal Clerk's Off.	2,644.59	
Legal Dept.	1,201.15	
Treasurer	9,442.04	
Tax Assessor	2,319.77	
Tax Collector	2,580.48	
Municipal Court	4,674.84	
Engineering	000.00	
Community Shuttle Bus	2,535.70	
Pub. Bldg. & Grds.	10,897.69	
Off. Of Inspect.	2,492.02	
Planning Board	100.00	
Bd. Of Adjustments	000.00	
Public Defender	000.00	
Comm. & Security Adm.	1,643.36	
Fire Dept.	000.00	
Police Dept.	144,168.49	
Construction	4,314.31	
School Cross Grds.	250.00	
Emer. Management	300.29	
Unif. Fire Safety Off.	2,086.52	
Rd. Repair & Maint.	43,467.81	
Sewer System	410.37	
Recycling Coord.	4,264.02	
Bd.of Health	324.48	
Mosquito Control	000.00	
Social Services	5,234.42	
Pks. & Play Grds.	384.14	
Supv. Of Play Act.	27,292.58	
Rec. Activities	692.88	
Pool Oper.	9,890.62	
CDBG	304.29	
Town of Secaucus Tax Escrow Acct. w/ending 08/24/07		93,366.98
Town of Secaucus Payroll Acct. w/ending 08/31/07		193,676.50
Adm. & Exec	3,535.17	
Mayor & Council	765.25	
Municipal Clerk's Off.	2,644.59	
Legal Dept.	1,201.15	
Treasurer	6,208.27	
Tax Assessor	2,319.77	
Tax Collector	2,530.48	
Municipal Court	7,308.49	
Engineering	000.00	
Community Shuttle Bus	2,545.33	
Pub. Bldg. & Grds.	13,726.45	
Off. Of Inspect.	2,422.26	
Planning Board	100.00	
Bd. Of Adjustments	000.00	
Public Defender	900.00	
Comm. & Security Adm.	1,643.36	
Fire Department	000.00	
Police Dept.	131,463.71	
Construction	4,336.88	
School Cross Grds.	250.00	
Office Emerg. Management	300.29	
Unif. Fire Safety Off.	2,086.52	

Rd. Repair & Maint.	43,976.84	
Sewer System	262.56	
Recycling Coord.	4,150.67	
Bd.of Health	324.48	
Mosquito Control	000.00	
Social Services	5,248.72	
Pks. & Play Grds.	320.00	
Supv. Of Play Act.	12,723.20	
Rec. Activities	3,692.88	
Pool Operations	7,300.79	
CDBG	304.29	
Town of Secaucus Tax Escrow Acct. w/ending 08/31/07		63,615.11

Total Amount Claims Check No. 21429-21655 \$1,617,313.36

Recreation Acct. Check No. No checks written

Current Account Check No. 1470-1480 \$347,446.83

Trust Account Check No. No checks written

On his vote, Councilman Gonnelli explained his vote and gave his opinion on a previous Resolution. Along with that, he gave a history of the Riverwalk and who did the work.

Mayor Elwell spoke about the history of the Riverwalk and how the Town worked to get it.

Councilman Gonnelli restated that his objection was that credit was not given to all involved.

Councilman Jeffas spoke about costs of certain Town activities and asked that in the future if expenses could be pared down and less spent on these activities.

AYES: Bueckner, Kane, Gonnelli, Jeffas, Shinnick, Reilly, Elwell
 NAYS: Bueckner on Calvanico and Becht, Gonnelli Fire Department bills, NJMC bills, on Calvanico and Contractors Supplies & Material, Jeffas on Calvanico and Becht, Reilly on Jersey City Medical Center only.

ABSENT: None Motion carried.

BINGO/RAFFLE APPLICATIONS

Councilman Shinnick moved that the following applications for Raffle License be approved, seconded by Councilman Bueckner.

- R1021A Secaucus High School Patriot Booster Club On Premise Draw Raffle
- R1022A Secaucus High School Patriot Booster Club On Premise 50/50
- R1023 Huber Street School PTA On Premise 50/50
- R1024 Huber Street School PTA On Premise Draw Raffle
- R1025 Huber Street School PTA On Premise Draw Raffle
- R1026 Huber Street School PTA On Premise 50/50

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

COMMITTEE REPORTS

Councilman Jeffas noted that the Website has been launched and suggested that all take a look at it. He spoke about Television advertisements.

Councilman Gonnelli spoke on the Keiswetter project (Secaucus Commons, LLC) and stated that the main concern there is flood control and said that there is an agreement with the contractor and Town to building a pump station.

UNFINISHED BUSINESS

Councilman Gonnelli spoke again about the speed bumps on Radio Avenue and noted that when the NJMC is finished with their restoration project, the Mayor has committed to placing speed bumps Radio Ave.

Mayor Elwell explained that the dump trucks are very heavy and the speed bumps that were there were worn out and it was decided not to place speed humps in fear of them being damaged. He said that the NJMC project is done, this will be a worth while project. He explained that with the help of the Police Chief, the humps will be placed where the police has given approval.

Councilman Gonnelli stated that the NJMC gave funding for some flood control project. He asked about a time frame for Garry Terrace.

Mayor Elwell said that John Dubiel and Glen Beckmeyer have been at the sites and are working on plans for completion.

Councilman Gonnelli asked about Gillis Place. He said that there is a problem there also. He asked for someone to look at that. He asked again about Oak Lane and Farm Road and formalized stripping to help with parking.

Councilman Shinnick spoke about the meeting and the vote for the budget and has been reassured that his vote via telephone is a valid. He asked Town Attorney, Frank Leanza to comment.

Mr. Leanza stated that it was indeed valid.

Councilman Shinnick brought up the janitorial supplies and the cost.

Councilman Bueckner spoke about the planting of trees and said that there is procedure in place that when a tree is removed it has to be replaced. He said that he noticed that on 8th Street there was some tree's being planted and asked why.

Councilman Shinnick stated that a tree was taken down there and the resident was promised a replacement tree.

Councilman Bueckner said that he feels that the trees need to be replaced.

Mayor Elwell stated that there is Shade Tree Committee and over the summer there has been a problem with PSE&G trimming trees, but it is necessary in case of a storm. He said that he has asked Mr. Dubiel to look at trees and how they grow for future planting. He noted that the Town has received approximately \$4,000 in donation to purchase trees.

NEW BUSINESS

Councilman Bueckner spoke about the cones on Paterson Plank Road near Dunkin Donuts and the fact that they have been removed. He said that the Chief of Police was asked to remove 9 cones, instead they were all removed.

Mayor Elwell said that they are being replaced with a better version and ones that are easily replaced.

Councilman Bueckner noted that it would have been better to leave the old ones until the new ones could be put in place.

Councilman Jeffas asked about the high school field and asked if the DPW will evaluate what needs to be done.

Mayor Elwell said that is being coordinated with John Voli and Stan Fryznski at the High School.

Councilman Kane said that he spoke with Stan Fryznski and he said that the High School would be using the field.

Councilman Gonnelli spoke about the work on Mill Ridge and that there

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is flooding on Meadow Lane. He asked that the Town Engineer check into it.

Mayor Elwell said that he was there with John Dubiel and noted problems in that area.

Councilman Gonnelli asked again about the speeding on Julianne and Paulianne Terrace.

Councilman Reilly stated that the Police are out there monitoring and ticketing on the road.

Councilman Reilly spoke about the islands on Flanagan Way. He said that an island near 6th Street is being cut back because buses are damaging the island as well as property of a resident near the corner.

REMARKS OF CITIZENS

Frank Mac Cormack
Doug De Pice
Jill Bobinski
Carole Acropolis
Thomas Troyer
Sam Maffei
Wanda Bosinski

Councilman Reilly moved to adjourn the meeting at 8:35 PM, seconded by Councilman Jeffas.

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

Motion carried.

Michael Marra, Town Clerk