

January 22, 2008

MINUTES of a Regular meeting of the Mayor and Board of Council of the Town of Secaucus, County of Hudson, State of New Jersey held on the 22nd day of January, 2008 at 7:00 P.M. in the Council Chamber of the Municipal Government Center, Secaucus, N.J.

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

Absent: Richard Kane
John Shinnick

The following statement was read by Town Clerk Michael Marra:

"Adequate notice for this meeting, as required by the Open Public Meetings Act, has been provided by the filing of the notice of Meetings with the Municipal Clerk, the posting of said notice on the official bulletin board in the Municipal Building, and the delivery of same to the Secaucus Home News on January 4, 2008."

This body wishes to advise you that in accordance with N.J.A.C. 5:23-11.1, et seq. of the Indoor Air Quality Standards and Procedures for Buildings Occupied by Public Employees, smoking anywhere in this public building is prohibited by law.

In the event of a fire or other emergency, please note that there are two exits in the rear of the Council Chamber which may be used."

Mayor Elwell announced that two Council members are absent. He explained that Councilman Kane is coaching a varsity basketball game and Councilman Shinnick is working with the County Executive this evening, something that could not be cancelled. He said that he is available by telephone.

The following ordinance was read for introduction: No. 2008-6

ORDINANCE AUTHORIZING PROVISION LEGAL COUNSEL AND INDEMNIFICATION FOR OFFICIALS, EMPLOYEES AND APPOINTEES IN CERTAIN ACTIONS BROUGHT AGAINST SAID OFFICIALS, EMPLOYEES AND APPOINTEES

Town Attorney, Frank Leanza explained the necessity of this ordinance and how it will alleviate the need to do a resolution annually and allow the Town to receive a \$10,000 per year reduction in insurance premiums.

Town Clerk, Michael Marra announced that the public hearing on this ordinance will be on February 12, 2008.

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

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

The following ordinance was read for introduction: No. 2008-7

ORDINANCE TO RELOCATE ACCESS EASEMENT TO SNIPES PARK

Mayor Elwell stated that the public hearing for the ordinance will also be on February 12, 2008.

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

Councilman Gonnelli requested a wall through prior to the public hearing.

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

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CONSENT AGENDA-RESOLUTIONS

All matters listed under Consent Agenda are considered to be routine by the Mayor and Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

The following resolution was read:

No. 2008-12

**RESOLUTION AUTHORIZING PROFESSIONAL SERVICES 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 certain pending tax appeal matters on Block 54, Lot 2.02 located at 40 Hartz Way for all pending tax years (hereinafter the "Appraisal Report"); 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 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 service 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 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. 2008-13

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

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, that William Heitzmann is hereby appointed as a Full-Time Bus Driver for the Town of Secaucus, effective January 21, 2008 at the annual salary of \$28,500.00.

The following resolution was read:

No. 2008-14

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

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, that Charles C. Gasser is hereby appointed as a Part-Time Food Pantry Coordinator/Handicapped Parking Investigator for the Town of Secaucus, effective January 2, 2008 at the annual salary of \$16,873.00.

The following resolution was read:

No. 2008-15

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

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that Mayor Dennis Elwell is hereby authorized to sign the new agreement between the Town of Secaucus and the Clerical Union, effective from 1/1/2008 to 12/31/2011.

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The following resolution was read:

No. 2008-16

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that Mayor Dennis Elwell is hereby authorized to sign the new agreement between the Town of Secaucus and the Clerical Supervisors Union, effective from 1/1/2008 to 12/31/2011.

The following resolution was read:

No. 2008-17

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that Mayor Dennis Elwell is hereby authorized to sign the new agreement between the Town of Secaucus and the Department Heads Union, effective from 1/1/2008 to 12/31/2011.

The following resolution was read:

No. 2008-18

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that Mayor Dennis Elwell is hereby authorized to sign the new agreement between the Town of Secaucus and the DPW Supervisors Union, effective from 1/1/2008 to 12/31/2011.

The following resolution was read:

No. 2008-19

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that Mayor Dennis Elwell is hereby authorized to sign the new agreement between the Town of Secaucus and the DPW Union, rank and file, effective from 1/1/2008 to 12/31/2011.

The following resolution was read:

No. 2008-20

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that Mayor Dennis Elwell or his designee, is hereby authorized to sign the new agreement between the Town of Secaucus and Hartz Mountain Associates to allow Secaucus residents to use the parking lot located at property known as 30 Seaview Drive, to facilitate Town resident's access to the Train Station.

The following resolution was read:

No. 2008-21

RESOLUTION AWARDING CONTRACT FOR VARIOUS PRINTED ITEMS

WHEREAS, the Mayor and Council advertised for and received the following bids for Various Printed Items - 2008 on January 18, 2008:

<u>BIDDER</u>	<u>YEAR 1</u>	<u>YEAR 2</u>
Royal Printing Service	55,576.00	55,576.00
Impressive Printing, Inc.	72,868.00	72,868.00
Graphicolor Corporation	29,995.00*	None

*Did not submit bid for majority of items

WHEREAS, the bid documents provide that: "The Town of Secaucus reserves the right to award one contract to the lowest bidder for all items or to award multiple contracts to the lowest bidders of various items or groups of items. Such determination will be made solely by the Town of Secaucus in its determination of the most cost efficient manner to administer a single or multiple contracts for printed items. In any

event, each bidder

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must bid on every item {underline added}"; and

WHEREAS, the Town Administrator and Town Attorney have determined that the bid of Royal Printing Service is the lowest responsive bid.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the contract for Various Printed Items - 2008 be awarded to Royal Printing Service in the amount of \$55,576.00 per year for (2) two year term.

BE IT FURTHER RESOLVED that the Mayor and Town Clerk shall be authorized to execute a contract for Various Printed Items - 2008 with Royal Printing Service.

Financial officers
Certification attached.

The following resolution was read: No. 2008-22

**RESOLUTION AUTHORIZING A SERVICE CONTRACT WITH SUNGUARD HTE FOR FINANCE
DEPARTMENT SOFTWARE PROGRAMS**

WHEREAS, the Mayor and Council of the Town of Secaucus require the services of Sunguard HTE to maintain its various proprietary software programs utilized by the Finance Department for payables, purchasing, budgeting, etc.

WHEREAS, N.J.S.A. 40A:11-5(1)(dd) exempts from public bidding "the provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software"; and

WHEREAS, the Town of Secaucus has received a proposal from Sunguard HTE for maintenance of Sunguard HTE proprietary software utilized by the Finance Department.

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 Sunguard HTE for maintenance of its proprietary software.

BE IT FURTHER RESOLVED, that Sunguard HTE shall be paid an amount not to exceed \$32,490.00 for such services.

Financial officers
Certification attached.

The following resolution was read: No. 2008-23

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

Re: Town of Secaucus v. Director, Division of Taxation, State of New Jersey

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that Peter J. Zipp, Esq., Special Tax Attorney for the Town of Secaucus, is hereby authorized to execute on behalf of the Town of Secaucus, a Stipulation of Settlement resolving the Complaint filed by:

The Town of Secaucus contesting the average ratio of assessed to true value of real property for the taxing district of the Town of Secaucus as reflected in the October 2007 table of Equalized Valuations adopted by the Director of the Division of Taxation whereby Secaucus will withdraw the Complaint filed in this matter and the Director, Division of Taxation, State of New Jersey will:

1. Revise the average ratio of assessed to true value of real property in the Town of Secaucus, County of Hudson to read 45.38%;

2. Revise the Table Equalized valuations - 2007 at page 16 using the 45.38% average ratio;

3. Revise its list of usable sales transactions revised to exclude

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and/or include the specific sale transactions as detailed in the parties proposed Stipulation of Settlement, a copy of which is attached hereto and incorporated herein.

4. Revise the calculations of the individual class ratios and overall average ration are revised; and

5. Revise the revised district ratio for the Town of Secaucus for the October 2007 Table of Equalized Valuations and the Chapter 123 ratio for the 2008 tax year by operation of the provision of N.J.S.A. 54:1-35A.

All in accordance with the discussions held at certain Caucus meetings of the Town Council and approved at a Council Meeting on January 22, 2008.

The following resolution was read:

No. 2008-24

Member Reilly introduced and moved the adoption of the following resolution and Member Jeffas seconded the motion:

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SECAUCUS, IN THE COUNTY OF HUDSON, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSED OR INTEREST ON OBLIGATIONS ISSUED BY THE TOWN OF SECAUCUS AND AUTHORIZING THE MAYOR, TOWN CLERK, CHIEF FINANCIAL OFFICER AND OTHER TOWN OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OF ADVISABLE TO EFFECT SUCH COMPLIANCE

WHEREAS, the Town of Secaucus, in the County of Hudson, new Jersey (the "Town), from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusions; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposed of interest on obligations, including provisions, among others, that require issuers to tax-exempt obligations, such as the Town, to account for and rebate certain arbitrage earning to the United States Treasury and to take such other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the town intends to issue \$12,914,800 of notes, consisting of \$12,180,000 General Bonds Anticipation Notes and \$734,800 Swimming Pool utility Bond Anticipation Notes, both issues dated January 18, 2008 and payable January 16, 2009 (collectively, the "Notes"); and

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Secaucus, in the County of Hudson, New Jersey as follows:

SECTION 1. The Town Council hereby covenants on behalf of the Town, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the Town, (including the Notes) be and remain excluded from gross income of the owners thereof for Federal Income tax purposed pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Town Clerk, Chief Financial Officer and other officials of the Town are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the code.

SECTION 3. This resolution shall take effect immediately upon its adoption.

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The foregoing resolution was adopted by the following roll call vote:

Ayes: Bueckner, Gonnelli, Jeffas, Reilly, Elwell
Nays: None
Absent: Kane, Shinnick

Attest: Michael Marra
Town Clerk____

The following resolution was read: No. 2008-25

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, that Gary Rabbitt is hereby approved as a new member of Washington Hook and Ladder.

Councilman Reilly moved to approve the resolution on the Consent Agenda, seconded by Councilman Jeffas.

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

PAYMENT OF CLAIMS

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

Councilman Bueckner noted that the actual bills were not available in the Town Clerk's office on Friday but did have a copy of the Claims Register.

He said that he is aware that certain bills that must be paid.

Councilman Gonnelli stated that he would second the bills and if there is a problem with the bills he will vote accordingly.

Councilman Jeffas restated what Councilman Bueckner stated about the bills not being available for review. He provided a list of what he felt is most important to pay.

Mayor Elwell said that he looked through the bill list and noted the Firemen's fees. He explained the process with the Finance Department.

Town of Secaucus Payroll Acct. w/ending 01/04/08	175,370.08
Adm. & Exec	3,797.67
Mayor & Council	9,171.88
Municipal Clerk	2,677.08
Legal Dept.	1,201.15
Treasurer	7,675.28
Tax Assessor	2,639.57
Tax Collector	2,059.33
Municipal Court	7,965.67
Engineering	750.00
Community Shuttle Bus	2,565.53
Pub. Bldgs. & Grds.	13,965.89
Off. Of Inspect.	2,451.11
Planning Board	541.66
Bd. Of Adjustments	541.66
Public Defender	000.00
Comm. & Security Adm.	1,643.36
Fire Department	000.00
Police Dept.	137,503.60
Construction	4,372.98
School Cross Grds.	68.39
Office of Emergency Man.	300.29
Unif. Fire Safety Off.	2,086.52
Rd. Repair & Maint.	44,591.47
Sewer System	283.92

Recycling Coord.	4,258.34
Bd.of Health	449.48
Mosquito Control	000.00
Social Services	3,029.80
Pks. & Play Grds.	553.05

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Supv. Of Play Act.	7,652.55	
Rec. Activities	4,936.80	
Pool Oper.	000.00	
CDBG	304.29	
Town of Secaucus Tax Escrow Acct. w/ending 01/04/08		94,668.24
Town of Secaucus Payroll Acct. w/ending 01/11/08		174,468.14
Adm. & Exec	4,840.62	
Mayor & Council	765.25	
Municipal Clerk's Off.	2,677.08	
Legal Dept.	1,201.15	
Treasurer	7,791.35	
Tax Assessor	2,613.80	
Tax Collector	2,059.33	
Municipal Court	6,162.84	
Engineering	000.00	
Community Bus	2,632.47	
Pub. Bldg. & Grds.	14,098.89	
Off. Of Inspect.	2,451.11	
Planning Board	000.00	
B. Of Adjustments	000.00	
Public Defender	300.00	
Comm. & Security Adm.	1,643.36	
Fire Department	000.00	
Police Dept.	137,168.07	
Construction	4,349.45	
School Cross Grds.	3,156.70	
Emergency Management	300.29	
Unif. Fire Safety Off.	2,086.52	
Rd. Repair & Maint.	45,045.95	
Sewer System	814.86	
Recycling Coord.	4,597.90	
Bd.of Health	324.48	
Mosquito Control	000.00	
Social Services	3,345.28	
Pks. & Play Grds.	384.00	
Supv. Of Play Act.	12,421.48	
Rec. Activities	5,464.25	
Pool Oper.	000.00	
CDBG	304.29	
Town of Secaucus Tax Escrow Acct. w/ending 01/11/08		94,532.63
Town of Secaucus Payroll Acct. w/ending 1/18/08		234,822.93
Adm. & Exec	3,989.98	
Mayor & Council	765.25	
Municipal Clerk's Off.	3,677.08	
Legal Dept.	1,201.15	
Treasurer	10,171.98	
Tax Assessor	2,639.57	
Tax Collector	2,059.33	
Municipal Court	7,007.51	
Engineering	000.00	
Community Shuttle Bus	3,458.41	
Pub. Bldg. & Grds.	21,288.05	
Off. Of Inspect.	2,817.58	
Planning Board	000.00	
Bd. Of Adjustments	100.00	
Public Defender	300.00	
Comm. & Security Adm.	1,643.36	
Fire Department	000.00	
Police Dept.	177,649.41	
Construction	4,420.03	
School Cross Grds.	5,605.26	
Office Emerg. Management	300.29	
Unif. Fire Safety Off.	2,086.52	
Rd. Repair & Maint.	64,765.70	
Sewer System	000.00	
Recycling Coord.	6,157.53	
Bd.of Health	324.48	
Mosquito Control	000.00	
Social Services	4,498.56	
Pks. & Play Grds.	601.39	
Supv. Of Play Act.	14,290.61	
Rec. Activities	5,095.35	
Pool Operations	000.00	
CDBG	304.29	

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Town of Secaucus Tax Escrow Acct. w/ending 01/18/08		112,395.74
Town of Secaucus Payroll Acct. w/ending 01/25/08		204,698.25
Adm. & Exec	3,989.98	
Mayor & Council	765.25	
Municipal Clerk's Off.	2,749.19	
Legal Dept.	1,201.15	
Treasurer	8,819.08	
Tax Assessor	2,639.57	
Tax Collector	2,059.33	
Municipal Court	7,826.99	
Engineering	000.00	
Community Shuttle Bus	2,498.09	
Eyeglasses	871.00	
Pub. Bldg. & Grds.	14,008.49	
Off. Of Inspect.	2,451.11	
Planning Board	000.00	
Bd. Of Adjustments	000.00	
Public Defender	300.00	
Comm. & Security Adm.	1,643.36	
Fire Dept.	31,150.00	
Police Dept.	139,527.59	
Construction	4,396.50	
School Cross Grds.	5,508.92	
Emer. Management	300.29	
Unif. Fire Safety Off.	2,086.52	
Rd. Repair & Maint.	43,696.86	
Sewer System	000.00	
Recycling Coord.	4,160.18	
Bd.of Health	324.48	
Mosquito Control	000.00	
Social Services	3,193.24	
Pks. & Play Grds.	580.66	
Supv. Of Play Act.	14,035.78	
Rec. Activities	5,419.91	
Pool Oper.	000.00	
CDBG	304.29	
Town of Secaucus Tax Escrow Acct. w/ending 01/25/08		100,938.56
Town of Secaucus Payroll Acct. w/ending 01/31/08		205,232.79
Adm. & Exec	3,989.98	
Mayor & Council	765.25	
Municipal Clerk's Off.	2,377.08	
Legal Dept.	1,201.15	
Treasurer	8,592.02	
Tax Assessor	2,639.57	
Tax Collector	2,129.84	
Municipal Court	5,715.19	
Engineering	000.00	
Community Shuttle Bus	2,650.82	
Pub. Bldg. & Grds.	14,496.47	
Off. Of Inspect.	2,451.11	
Planning Board	000.00	
Bd. Of Adjustments	000.00	
Public Defender	900.00	
Comm. & Security Adm.	1,643.36	
Fire Dept.	000.00	
Police Dept.	138,088.38	
Construction	4,396.50	
School Cross Grds.	5,552.70	
Emer. Management	300.29	
Unif. Fire Safety Off.	2,086.52	
Rd. Repair & Maint.	43,393.70	
Sewer System	000.00	
Recycling Coord.	4,194.34	
Bd.of Health	324.48	
Mosquito Control	000.00	
Social Services	5,815.28	
Pks. & Play Grds.	409.39	
Supv. Of Play Act.	14,206.56	
Rec. Activities	5,477.63	
Pool Oper.	000.00	
CDBG	304.29	
Town of Secaucus Tax Escrow Acct. w/ending 01/31/08		69,169.11

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Total Amount Claims Check No.	22487-22712	\$2,223,859.66
Recreation Acct. Check No.	1879	\$ 72,134.40
Current Account Check No.	1517-1539	\$ 374,471.38
Trust Account Check No.	1111-1114	\$29,110.75

NOTE: Check numbers include checks that were not physically mailed due to the vote.

Town Attorney, Frank Leanza noted that they are a few bills on the Capital Account, if not timely paid, the Town would have to pay interest on including some that have construction contracts.

Councilman Bueckner asked what bills.

Mr. Leanza noted APS Contracting. He said there is an agreement to pay them on a thirty day payment cycle, if not interest is incurred.

Mayor Elwell noted that some vendors will not be paid until the next cycle.

Councilman Bueckner said that would be the next meeting, in two weeks.

AYES: Bueckner, Gonnelli, Jeffas: to all bills pertaining to Health, Safety & Welfare, Fire Department and all others that the Town would be penalized for according to law, Reilly, Elwell

NAYS: Bueckner, Gonnelli, Jeffas: to all bills not pertaining to Health, Safety & Welfare, and Fire Department and all others that the Town would be penalized for according to law.

ABSTAIN: Gonnelli on Fire Department, New Jersey Meadowlands Commission, Johnson & Johnson, Reilly on Jersey Medical Center

ABSENT: Kane, Shinnick Motion carried.

Councilman Jeffas suggested a telephone vote if necessary.

BINGO/RAFFLE APPLICATIONS

Councilman Gonnelli moved that the following applications for Raffle License be approved, seconded by Councilman Reilly.

R-1038 Guma Foundation - Casino Night
R-1039 Secaucus Middle School PTA - On Premise 50/50
R-1040 Secaucus Middle School PTA - On Premise Draw Raffle
R-1041 Friends of Secaucus Public Library - Off Premise 50/50
R-1042 Friends of Secaucus Public Library - On Premise Draw Raffle

AYES: Bueckner, Gonnelli, Jeffas, Reilly, Elwell

NAYS: None

ABSENT: Kane, Shinnick Motion carried.

COMMUNICATIONS REQUIRING ACTION BY MAYOR AND COUNCIL

The following correspondence was received:

Immaculate Conception Home School Association
760 Post Place
Secaucus, NJ 07094

Dear Mayor Dennis Elwell and Town Council Members:

As in the past, Immaculate Conception School would like to request use of the ice skating rink on Friday, February 1st from 12:00-2:30pm. The children will be celebrating the close of Catholic School Week. The school does carry accident and liability insurance.

Thank you for the continued cooperation.

Very truly yours,

Ronni Julien
President

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

AYES: Bueckner, Gonnelli, Jeffas, Reilly, Elwell

NAYS: None

ABSENT: Kane, Shinnick

Motion carried.

COMMITTEE REPORTS

Councilman Gonnelli noted several committees that the Mayor has formed. He said that each committee needs to appoint a Chairman who will call meetings. He said meetings are not coming together.

Mayor Elwell said that the Town has held off all appointments and they will be made at the next meeting.

Councilman Gonnelli asked for a list of committees put together and the chairmen.

Mayor Elwell noted a Shade Tree Committee meeting coming up soon.

Councilman Jeffas said there was a meeting scheduled regarding the television broadcast, but needs to be rescheduled for early next week.

UNFINISHED BUSINESS

Councilman Gonnelli thanked Town Administrator, David Drumeler, for the request list from November and said that he would speak to him about it during the week. He continued and asked about the police recommendation for Meadow Lane and asked when that would be put into affect.

Mayor Elwell said it would be implemented as soon as possible.

Councilman Gonnelli said the sooner the better as it is a safety issue with the children walking to school. He asked about the survey for the bus stops.

Mayor Elwell said that there has been conversation with the owners of the parking lot in the center of Town as the bus stops are on their property, and asked if they had opposition to the Town putting stanchions in front of the new bus stop.

Councilman Gonnelli asked that every bus stop be surveyed. He spoke about Meadowlands Parkway and the sidewalk area. He said the bus does not run on weekends and people are walking. He said there is no side walk from the Red Roof Inn on.

Mayor Elwell said the when the Town negotiated with Baker Properties, the Riverwalk and Marina at Mill Creek Point Park, there was a grant for a sidewalk.

Councilman Gonnelli said it was a bike way.

Mayor Elwell said it would have been a 6 foot sidewalk, but unfortunately through problems with the Meadowlands Parkway Bridge and fear that it would have to closed, the money was redirected. He said new grants have been applied for. He also said that he and Mr. Prieto have met with the State to have the fence moved so that a sidewalk can be placed on that property. He said he hoped this could be done in the spring.

Councilman Gonnelli said even a dirt path would suffice or something to keep them out of the street.

Councilman Gonnelli asked Councilman Reilly about the traffic problem of Paterson Plank Road and the timing of the lights. He asked if there was any progress.

Councilman Reilly said that the Town is still working with the County and the Chief of Police has been looking into the poles near Best Buy. He said that the Administrator is working with the County and State on this issue.

Mr. Drumeler explained that the lights at Best Buy are owned by the County and the lights on the new grade separation over Tonnelle Avenue are owned

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by the State. He said they are trying to get the timing in sync.

Councilman Gonnelli asked that the Council have Mr. Robert Ceberio come in to talk about Affordable Housing.

Mayor Elwell noted that there will be a meeting between himself, Mr. William Snyder of the Housing Authority and Mayor Dressel and the other Mayors that took the time to attend a meeting at the NJMC on Friday. He said he will report back on the meeting.

Councilman Gonnelli said that one of the biggest complaints that he receives is speeding in the Town.

Councilman Reilly stated that he too hears the same complaints as well as the other Council members. He said that the police are out there and are issuing summonses. He said that the suggestion was made to publicize the number of tickets issued, and he said that the chief said it could be done.

Mayor Elwell asked that Mr. Drumeler ask the Chief of Police to attend the next Caucus Meeting or the one after that.

Councilman Reilly said that people need to know and the figures should be put into the paper. He said that more equipment and manpower would be best, but not always possible.

Councilman Bueckner asked if Gerry Perricone spoke to the Mayor regarding putting a dye into the ground between two houses on Grace Avenue?

Mayor Elwell said he remembers hearing some complaints.

Councilman Bueckner said that the homeowner said that Mr. Perricone would speak with the Mayor.

Mayor Elwell said that if this is time of the year to do that work. He said he will put a call into Mr. Perricone.

Councilman Jeffas said that he asked for Mr. Constantino to get a report of the soft costs for the Recreation Center and would like that to happen.

Mayor Elwell said that has tried to contact Mr. Constantino. He said the hopefully by the next meeting he can get to the Council.

Councilman Jeffas noted the survey on the Website and asked who was monitoring it?

Mr. Drumeler stated that it is being monitored through the internet company and has not received a report yet. He said he will be able to report at the next meeting.

Councilman Gonnelli asked if that same survey will be mailed?

Mr. Drumeler said that it would be mailed.

Councilman Gonnelli said he was on vacation at the last Council meeting. He said that some residents have some questions. He asked about the development agreement between Fraternity Meadows and the Town of Secaucus and what it entails. He said the it said that the Town will be paid \$5 million over time. He said that it was said that there would be no cost to the citizens.

Mayor Elwell said there was a study by Mrs. Barkala when the first Bonding was done, that all the money would come back through the billboards over a period of time and the bonding would not be that long. He said that added up to one cent on the tax rate.

Councilman Gonnelli said that he would like to get that report. He said that what the Mayor is saying represents all on the Council.

Mayor Elwell said the information that he wants is public record.

Councilman Gonnelli said that he thinks the Recreation Center is a great idea, but he is questioning the financing. He spoke of report of the impact fees and report. He asked who will pay the impact fees.

Mayor Elwell said that the report addressed taxes, and the impact fees

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were not part of the report. He gave further explanation of how the figures were reported.

Councilman Gonnelli said that he is familiar with the report and the results. He asked then if the Town receives the \$5 from Fraternity Meadows, how is the Town paying for the impact?

Mayor Elwell responded that there will be tax ratables coming in that will off set the cost.

Councilman Gonnelli and Mayor Elwell continue to discuss the project, the impact fees and COAH regulations.

Councilman Gonnelli asked again about the impact study and said that the Recreation Center will not create an impact. He said the impact that they are speaking about is Fire, Police, EMS, DPW, street lighting, school, snow plowing, etc. He asked the Mayor if the ratables would cover all of that?

Mayor Elwell said that yes, that was his understanding. Further discussion ensued.

Councilman Gonnelli questioned another newspaper article and quoted a statement made by the Mayor regarding the project.

Mayor Elwell said that Rutgers did not do a study on the Recreation Center.

Councilman Gonnelli said that is what is printed in the Secaucus Home News.

Mayor Elwell said that he is not aware of saying that. He said the Dr. Lystokin was hired by the Town of Secaucus at the recommendation of the Town planner. He said the report was so well done he was hired by the NJMC and use him other projects.

Councilman Gonnelli questioned Mr. Leanza and stated that nowhere in the agreement does it say the \$5 million goes to the Recreation Center. He asked if they is another agreement of a resolution?

Mayor Elwell stated that there were conversations at the NJMC and it was listed as a fee pro closure. He explained further the details further.

Councilman Gonnelli asked again if the Council ever passed a Resolution to use the developers impact fee for the strictly for the Rec Center?

Mayor Elwell said the Council voted to fund the money for it.

Mr. Leanza stated that he does not recall of there is a formal resolution, but he said there is no question over three years of discussion to dedicate the money from this project to the Rec Center along with the billboards and the ones that will be gone for bids at the rear, and corrected it to be a telephone tower.

Councilman Gonnelli asked again about the impact costs of all the municipal services at Fraternity Meadows, the Town is comfortable in saying the what is being taken in on taxes is will cover those costs?

Mayor Elwell said yes and explained why each department met with Dr. Lystokin and so that he could develop that report.

Councilman Gonnelli said that the money from each department were taken but being put into those services.

Discussion continued regarding the impact fees.

Councilman Jeffas talked about the OPRA request that is outstanding on the Fire Department. He said that the Chief stated that the information is ready, but never picked up and that there was a cost involved. He suggested that something be put into place that if a large request comes in such as this, that the resident has to pay something to the town before the Town starts producing the records.

Mayor Elwell said that Mr. Leanza could answer. He said that the OPRA requests, by law, must be fulfilled.

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Councilman Jeffas stated that Mr. Leanza said that the Town can give an estimate and then ask for payment up front, before the Town goes through the effort.

Mr. Leanza said it would be impossible to do it after the fact and for whatever reason, it is the practice of the Clerk's office to advise the requestor and get a check before all of the work is done. He said there may have been some confusion because there were multiple parties, some Council members, asking for the same information. He said the confusion may be the exception to the general rule that the Clerk's office has.

Councilman Gonnelli said that the Council Members were asking for copies of what was put together and charge for the copies. He explained to the public what this discussion was regarding and gave details of the OPRA request.

Councilman Jeffas said that they should be charged at the time the request is placed. He then spoke of trucks coming down Fifth Street and he thanked Mr. Drumeler for contacting the County to have the information updated on the GPS systems. He said signs will be going up around Town.

Councilman Bueckner spoke about the Rec Center and the projected date of opening. He said that it is important to know the operating costs.

Mayor Elwell said that is why the survey was sent out. He said that will help the governing body make decisions.

Councilman Bueckner stated that going back a few meetings a Pay -To-Play Ordinance was brought to the Council and voted down. He said that the Mayor referred it to Mr. Drumeler and Mr. Leanza to look at.

Mayor Elwell said that he has asked Mr. Drumeler to look at something.

NEW BUSINESS

Councilman Jeffas said that he saw on the Website, Playtime/Funtime, which he says is great program, but asked that when the Town comes out with this that the Council is notified.

Mayor Elwell agreed.

Councilman Reilly said that he has been getting calls regarding shopping cart problem. He said the DPW would pick them up and now it has started again from CVS and the Farmers Market. He asked that someone go there and speak with the owners and maybe setting some barriers so they can not be removed from the lot.

Councilman Gonnelli said that signs are coming up again.

Councilman Reilly said they need to be addressed. He said the Town is pulling them down and billing the companies for them. He said they remove 5 or 6 a day.

Mayor Elwell said that if his office is informed, he too would make the calls.

Councilman Reilly said that would be helpful.

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REMARKS OF CITIZENS

Thomas Troyer
Carole Acropolis
Sam Maffei
Barbara Napierski
Frank Mac Cormack

Councilman Gonnelli moved to adjourn the meeting at 8:33 PM, seconded by Councilman Jeffas.

AYES: Bueckner, Gonnelli, Jeffas, Reilly, Elwell

NAYS: None

ABSENT: Kane, Shinnick

Motion carried.

Michael Marra, Town Clerk