

February 26, 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 26th day of February, 2008 at 7:00 P.M. in the Council Chamber of the Municipal Government Center, Secaucus, N.J.

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

The following statement was read by Town Clerk Michael Marra:

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

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

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

The following ordinance was read for introduction: No. 2008-9

**AN ORDINANCE TO AUTHORIZE IMPROVEMENTS TO VARIOUS STREETS AND
THE NECESSARY FUNDS TO PAY THE COST THEREOF**

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. 2008-10

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

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

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

The following ordinance was read for introduction: No. 2008-11

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

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

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

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. 2008-33

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey that Peter J. Zipp, Esq., Special Tax Attorney for the Town of Secaucus, is hereby authorized to withdraw the Counterclaim filed by the Town of Secaucus for property situated at Block 54 Lot 2.02 for the tax year 2006, provided that taxpayer withdraws its tax year 2006 complaint on the property.

All in accordance with the discussions held at certain caucus meeting of the Town Council on February 26, 2008.

The following resolution was read: No. 2008-34

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, that Beverly McLaughlin is hereby appointed as an Administrative Clerk in the Tax Collector's Office effective March 3, 2008, at an annual salary of \$25,600.

The following resolution was read: No. 2008-35

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

WHEREAS, the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, salute all veterans of the military services of the United States of America for their dedication and service of our country; and

WHEREAS, the Mayor and Council strongly believe that all veterans should be given preferential treatment in all Affordable Housing in the State of New Jersey; and

WHEREAS, the Council on Affordable Housing (COAH), New Jersey Department of Community Affairs does not recognize or grant any preference to veterans under their rules and regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, petition the Governor of the State of New Jersey, the Commissioner of the New Jersey Department of Community Affairs, all elected members of the State Senate and State Assembly to act as quickly as possible to join together and change the rules and regulations administered by the Council on Affordable Housing to allow veterans preferential treatment in all housing in the State of New Jersey.

The following resolution was read: No. 2008-37

RESOLUTION AUTHORIZING ADVERTISEMENT FOR EMS AMBULANCE SERVICES

WHEREAS, the Town of Secaucus' contract for EMS Services has expired; and

WHEREAS, the Town of Secaucus requires continuous EMS Ambulance Service.

NOW, THEREFORE BE IT RESOLVED, that the Town Clerk is hereby authorized to advertise and accept bids for EMS Ambulance Services for the Town of Secaucus providing for, in the alternate, provision of two (2) Primary Ambulances between 7:00a.m. and 7:00p.m. on business days.

February 26, 2008

BE IT FURTHER RESOLVED, that bids for EMS Ambulance Services for the Town of Secaucus shall be received on March 128, 2008 at 10:00 a.m.

The following resolution was read: No. 2008-39

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that the Chief Financial Officer be and is hereby authorized to make the following appropriation reserve transfers in accordance with N.J.S.A 40a:4-59, two-thirds of the full membership of the Town Council concurring:

GENERAL

<u>From</u>		<u>To</u>	
Administrative & Executive Salaries & Wages	\$5,000	Public Bldgs & Grounds Other Expenses	\$5,000
Road Dept. (DPW) Salaries & Wages	\$20,000	Electricity All Departments	\$20,000
Municipal Court Salaries & Wages	\$15,000	Tax Litigation Other Expenses	\$15,000
Group Insurance Police Department Salaries & Wages	\$85,000 \$85,000	Legal Department Other Expenses	\$170,000
Recreation Activities Other Expenses	\$8,000		
Recreation Activities Salaries & Wages	\$4,000		
Supervision of Playgrounds Salaries & Wages	\$7,000	Supervision of Playgrounds Other Expenses	\$19,000

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

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

The following resolution was read: No. 2008-36

RESOLUTION AUTHORIZING ADVERTISEMENT FOR COMMERCIAL STREET POWER
SWEEPING BIDS

WHEREAS, the Town of Secaucus' contract for Commercial Street Power Sweeping is about to expire; and

WHEREAS, the Town of Secaucus requires the continuance of such sweeping services.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby authorized to advertise and accept bids for weekly power sweeping of all commercial streets in the Harmon Cove Area.

BE IT FURTHER RESOLVED, that bids for weekly power sweeping of all commercial streets in the Harmon Cove Area for the Town of Secaucus shall be received on March 18, 2008 at 11:00 a.m.

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

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

February 26, 2008

The following resolution was read:

No. 2008-38

**RESOLUTION AUTHORIZING FAIR & OPEN SOLICITATION PROCESS SPECIAL COUNSEL
APPLICATION OF HARTZ/DAMASCUS BAKERY, INC.**

WHEREAS, the Town of Secaucus is desirous of obtaining expert legal representation to continue its Appeal if the New Jersey Meadowlands Commission's approval, without public hearing or participation, to Hartz/Damascus Bakery, Inc., to construct and operate an industrial bakery designated under the Uniform Construction Code as a HIGH HAZARD USE within forty seven (47') feet of a residence and five hundred (500') feet of an elementary school, in primarily residential area of the Town of Secaucus in contravention of Building and Fire Codes and common sense; and

WHEREAS, the Town Attorney has prepared a Fair & Open solicitation therefore.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby authorized to post and accept proposals for obtaining such legal representation.

BE IT FURTHER RESOLVED that proposals for obtaining expert legal representation to continue the Town of Secaucus' Appeal of the New Jersey Meadowlands Commission's approvals, without public hearing or participation, to Hartz/Damascus Bakery, Inc., to construct and operate and industrial bakery, shall be received on March 28, 2008 at 11:30 a.m.

Councilman Shinnick 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.

The following resolution was read:

No. 2008-40

**RESOLUTION AUTHORIZING APPOINTMENT AWARD OF VARIOUS PROFESSIONAL
SERVICES CONTRACTS**

WHEREAS, the Mayor and Council received responses to its Fair & Open Solicitation Process for Professional and other services on January 25, 2008; and

WHEREAS, after review and discussion of such responses the Mayor and Council has determined to whom contracts should be awarded.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Secaucus that contracts for Professional and other services be awarded as set forth below.

BE IT FURTHER RESOLVED, that the Mayor and the Town Clerk shall be authorized to execute contract for Professional and other services as follows:

1. Town Attorney-Leanza & Agrapidis, P.C. (Frank Leanza) \$235 an hour in an amount not to exceed \$145,000

2. Special Attorney Litigation-Chasan Leyner & Lamparello, P.C. \$165 an hour in an amount not to exceed \$25,000.

3. Town Auditor-Suplee, Clooney & Company in amount no to exceed \$71,370

4. Tax Appeal Attorney-Zipp & Tannenbaum. LLC \$140-150 an hour in an amount not to exceed\$120,000

5. Labor Attorney-Scarinici & Hollenbeck \$150 an hour in an amount not to exceed \$42,500

6. Town Engineer-PMK Group pursuant to rate schedule in their proposal in an amount not to exceed \$217,250.00

7. Town Surveyor-Neglia Engineering Associates pursuant to rate schedule in their proposal in an amount not to exceed \$15,000

8. Bond Counsel-Rogut & Mc Carthy Troy, LLC pursuant to rate schedule in their proposal in an amount not to exceed \$10,500

February 26, 2008

9. Special Tax Counsel-Weiner & Lesniak, LLP \$125 an hour in an amount not to exceed \$86,160

10. Special Bond Counsel-McManimon & Scotland, LLP pursuant to rate schedule in their proposal in an amount not to exceed \$15,500

11. Core Activities Health Service Provider-Meadowlands Hospital in an amount not to exceed \$61,304

12. Attorney/Lobbyist-Daniel Becht, Esq.-Flat rate of \$2,166.66 per month not to exceed \$26,000 per year

13. Risk Management Consultant-Otterstedt Insurance Agency, Inc., in an amount not to exceed 6% of Annual Assessment

14. Special Counsel/Federal Regulatory Specialist-Krivit & Krivit, P.C> \$165 an hour in an amount not to exceed \$45,000

15. Special Counsel/Grants-Thomas Calvanico, Esq.-Flat rate of \$2,500 per month not to exceed \$30,000

16. Real Property Appraiser-Cooney Bovasso Realty Advisors, Inc., \$150 an hour in an amount not to exceed \$59,000

17. Employee Assistance Services-Intervention Strategies International, Inc., in an amount not to exceed \$16,500

18. Alcoholic Beverage Control Board Counsel-Law Offices of Joseph J. Ryglicki, P.C. \$150 an hour in an amount not to exceed \$12,000

19. Municipal Prosecutor-Nowell Amoroso Klein Berman P.A. #300 per session in an amount not to exceed \$60,000

20. Town Architect-RSC Architect pursuant to rate schedule in their proposal in an amount not to exceed \$15,000

21. Attorney/Lobbyist Revenue Sharing-MBI/Gluckshaw flat Fee of \$2,083.33 per month in an amount not to exceed \$25,000

22. Planning Board Attorney-Chasan Leyner & Lamparello, P.C. (Cindy Nan Vogelmann): \$165 an hour in an amount not to exceed \$15,000

23. Zoning Board of Adjustment Attorney-Kevin Couch: \$175 per hour not to exceed \$20,000

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

Councilman Bueckner stated that there was discussion at the caucus meeting and there are some items that the he and some of the other Council members are not in agreement with. He continued to explain his vote.

Councilman Gonnelli explained his vote. He congratulated Town Administrator, David Drumeler for his efforts on the organization of the Professional Services proposals.

Councilman Kane spoke about the State budget and the cutbacks and the importance of some of these professionals.

Councilman Jeffas explained his vote.

Councilman Reilly explained the importance of the ABC Board attorney.

Councilman Shinnick noted that there are some disagreements among the Council members, but stated that there were some good discussions among them and was pleased with the outcome. He noted that the proposals represent a 24 ½% reduction in costs for contracts from last year.

Mayor Elwell addressed the lobbyist issue and the importance of their

work for the Town. He also noted that Assemblyman Prieto is not in Trenton everyday of the week and the lobbyist were hired at the request of the Assemblyman as the Town learned, in working on the Hotel tax, there was a need of help from both sides and that is what a lobbyist is geared toward. He noted that the Town of Secaucus has be ranked the 11th best municipality to live in the State according to New Jersey Magazine.

February 26, 2008

AYES: Bueckner, Kane, Gonnelli, Jeffas, Shinnick, Reilly, Elwell
 NAYS: Bueckner on items 12 & 18, Gonnelli on items 12 & 18, Jeffas
 on items 7, 12, 15, & 21.
 ABSTAIN: Bueckner on item 15, Reilly on item 11
 ABSENT: None Motion carried.

Councilman Bueckner congratulated Mr. Drumeler for a commendable job with the presentation of the proposals.

Mayor Elwell noted that the governing body has to be comfortable with the choices as some of these professionals have been working for the Town for many years and are top notch professionals. He noted the 24% reduction in fees from last year.

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 02/08/08	199,779.75
Adm. & Exec	4,648.31
Mayor & Council	9,171.88
Municipal Clerk	2,677.08
Legal Dept.	1,201.15
Treasurer	8,111.15
Tax Assessor	2,639.57
Tax Collector	2,191.54
Municipal Court	12,038.49
Engineering	750.00
Community Shuttle Bus	2,603.76
Pub. Bldgs. & Grds.	15,251.47
Off. Of Inspect.	2,471.11
Planning Board	541.66
Bd. Of Adjustments	541.66
Public Defender	900.00
Comm. & Security Adm.	1,643.36
Fire Department	000.00
Police Dept.	152,230.47
Construction	4,420.03
School Cross Grds.	5,601.55
Office of Emergency Man.	300.29
Unif. Fire Safety Off.	2,086.52
Rd. Repair & Maint.	43,384.15
Sewer System	303.20
Recycling Coord.	4,163.04
Bd.of Health	449.48
Mosquito Control	000.00
Social Services	3,980.21
Pks. & Play Grds.	424.00
Supv. Of Play Act.	14,207.01
Rec. Activities	5,323.47
Pool Oper.	000.00
CDBG	304.29
Town of Secaucus Tax Escrow Acct. w/ending 02/08/08	104,780.15
Town of Secaucus Payroll Acct. w/ending 02/15/08	176,879.51
Adm. & Exec	3,989.98
Mayor & Council	765.25
Municipal Clerk's Off.	2,758.20
Legal Dept.	1,201.15
Treasurer	7,722.34
Tax Assessor	2,639.57
Tax Collector	2,217.98
Municipal Court	6,517.30
Engineering	000.00
Community Bus	2,227.13
Pub. Bldg. & Grds.	13,414.31
Off. Of Inspect.	2,461.11
Planning Board	000.00
B. Of Adjustments	100.00

Public Defender	1,200.00
Comm. & Security Adm.	1,643.36
Fire Department	000.00
Police Dept.	136,727.14
Construction	4,349.45
School Cross Grds.	5,644.34
Emergency Management	300.29

February 26, 2008

Unif. Fire Safety Off.	2,086.52	
Rd. Repair & Maint.	43,365.17	
Sewer System	417.97	
Recycling Coord.	4,345.37	
Bd.of Health	324.48	
Mosquito Control	000.00	
Social Services	3,996.39	
Pks. & Play Grds.	745.93	
Supv. Of Play Act.	14,663.08	
Rec. Activities	5,099.85	
Pool Oper.	000.00	
CDBG	304.29	
Town of Secaucus Tax Escrow Acct. w/ending 02/15/08		94,348.44
Town of Secaucus Payroll Acct. w/ending 02/22/08		187,543.20
Adm. & Exec	3,989.98	
Mayor & Council	765.25	
Municipal Clerk's Off.	2,668.07	
Legal Dept.	1,201.15	
Treasurer	7,768.52	
Tax Assessor	2,639.57	
Tax Collector	2,059.33	
Municipal Court	4,732.94	
Engineering	000.00	
Community Shuttle Bus	2,377.78	
Pub. Bldg. & Grds.	16,343.51	
Off. Of Inspect.	2,491.11	
Planning Board	000.00	
Bd. Of Adjustments	000.00	
Public Defender	600.00	
Comm. & Security Adm.	1,643.36	
Fire Department	000.00	
Police Dept.	142,922.27	
Construction	4,372.98	
School Cross Grds.	5,422.66	
Office Emerg. Management	300.29	
Unif. Fire Safety Off.	2,086.52	
Rd. Repair & Maint.	49,154.30	
Sewer System	152.49	
Recycling Coord.	5,355.67	
Bd.of Health	324.48	
Mosquito Control	000.00	
Social Services	4,380.03	
Pks. & Play Grds.	392.00	
Supv. Of Play Act.	17,555.72	
Rec. Activities	5,467.73	
Pool Operations	000.00	
CDBG	304.29	
Town of Secaucus Tax Escrow Acct. w/ending 02/22/08		99,928.80
Town of Secaucus Payroll Acct. w/ending 02/29/08		173,531.97
Adm. & Exec	3,989.98	
Mayor & Council	765.25	
Municipal Clerk's Off.	2,677.08	
Legal Dept.	1,201.15	
Treasurer	7,852.24	
Tax Assessor	2,674.83	
Tax Collector	2,059.33	
Municipal Court	6,106.76	
Engineering	000.00	
Community Shuttle Bus	2,622.59	
Pub. Bldg. & Grds.	15,827.87	
Off. Of Inspect.	2,481.11	
Planning Board	000.00	
Bd. Of Adjustments	000.00	
Public Defender	1,200.00	
Comm. & Security Adm.	1,643.36	
Fire Dept.	000.00	
Police Dept.	137,699.21	
Construction	4,396.50	
School Cross Grds.	653.91	
Emer. Management	300.29	
Unif. Fire Safety Off.	2,086.52	
Rd. Repair & Maint.	44,040.00	
Sewer System	567.81	
Recycling Coord.	4,127.04	
Bd.of Health	324.48	

Mosquito Control	000.00	
Social Services	3,193.24	
Pks. & Play Grds.	464.00	
Supv. Of Play Act.	12,791.57	
Rec. Activities	5,217.70	
Pool Oper.	000.00	
CDBG	304.29	
Town of Secaucus Tax Escrow Acct. w/ending 02/29/08		94,945.57

Total Amount Claims Check No. 22724-22937 \$1,273,290.71

Recreation Acct. Check No. No checks written

Current Account Check No. 1540-1548 \$ 6,810.42

Trust Account Check No. 1115-1118 \$ 2,000.00

Mayor Elwell called on Chief Financial Officer, Margaret Barkala to explain some of the discrepancies brought up by the Council Members.

Mrs. Barkala explained some of the methods of payment and the direct tie to their contracts.

Town Attorney, Frank Leanza also gave his explanation of some payment methods.

Councilman Gonnelli explained how he would prefer the bill cycles to run.

Mr. Leanza stated that when the new contracts go out for bid, he will make sure that the lowest bidder submits bills after the work is done.

Councilman Bueckner stated that he was referring only to bills that are contractual, not based on performance.

Mrs. Barkala explained the bills for Contractor's Supply and how that problem has been addressed by her and the Administrator.

Councilman Gonnelli referred to the duplicate bill for the Recreation Department and Mrs. Barkala said that it has already been addressed and corrected.

AYES: Bueckner, Kane, Gonnelli, Jeffas, Shinnick, Reilly, Elwell
 NAYS: Bueckner, on MBI/Gluckshaw, Law Offices of Joseph J. Ryglicki, Contractor's Supply and any bill that has a February date on the bill list where services may not have been performed; Gonnelli on MBI/Gluckshaw, Dependable Sweeping, Law Offices of Joseph J. Ryglicki and Contractor's Supply; Jeffas on MBI/Gluckshaw, Law Offices of Joseph P. Ryglicki and Contractor's Supply.

ABSTAIN: Gonnelli on Fire Department, New Jersey Meadowlands Commission, Regional Communications, Reilly on Jersey Medical Center.

ABSENT: None Motion carried.

BINGO/RAFFLE APPLICATIONS

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

- R-1048 Immaculate Conception Church On Premise 50/50
- R-1049 Immaculate Conception Church On Premise Draw Raffle
- R-1050 Immaculate Conception Church Off Premise 50/50

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

COMMITTEE REPORTS

Councilman Gonnelli stated that he has received a number of calls regarding ground water. He said that he has a scope of work of ground water analysis of the entire community and asked that it be discussed at the next Flood Committee meeting and spoke about obtaining funding. He then asked for a timetable for streets.

February 26, 2008

Mayor Elwell stated that there is a commitment for the funding and the Town will use as much of the grant money in house, whenever possible. He said there is a commitment on First Street that can be done in house and the second project will be Central Lane. He spoke about the ground water situation.

Councilman Reilly stated that on March 1, 2008 the cell phone ban while driving, will be strictly enforced. He stated that notices will be posted on TV and throughout the Town. He spoke of the speeding enforcement throughout the Town.

Councilman Shinnick reported about the televised meeting.

Councilman Kane reported that the Recreation Department has had record enrollment for the basketball season. He said there has received high praise for the Town's recreation program.

Councilman Bueckner spoke about the Governors speech today and the impact the cutbacks will have on the Town. He said that he believes there should be general discussion on the local budget. He requested that the Council meet as a whole when the budget numbers are available. He asked that sections of the budget be given separately.

Mayor Elwell responded by saying that a Budget Committee could be appointed from the Council to sit with the Administrator and Chief Financial Officer during the process. He explained that when the Administrator and CFO meet with Department Heads the committee could be at those meetings. He said then the Council could go through the budget one line item at a time.

Councilman Bueckner said that it would not be with the Department Heads.

Mayor Elwell stated that the process has been to sit with the CFO, Administrator and the auditors and go through the budget line by line every year. He stated that he thought Councilman Bueckner wanted to sit with the Department Heads.

Councilman Bueckner said that he did not want to meet with the Department Heads.

Mayor Elwell said the Council does go over the budget line by line.

Councilman Bueckner said that he was referring to a time back in the Just Administration when the Council would meet on a Saturday morning and go line item at a time.

Mayor Elwell noted that, as it gets closer to budget time, there will be further discussion and a consideration of a committee.

UNFINISHED BUSINESS

Councilman Jeffas discussed the bus trip to the Clinton rally and the cost of the bus driver. He stated that a resident suggested that a reimbursement come from an organization, i.e. Democratic Organization, and made a motion that it does happen.

Mayor Elwell stated that the Town has had to take over the Senior Transportation from the Housing Department due to budget cuts. The request came from the Seniors to go to the rally and any request is usually accommodated. He stated that he did go to the rally, but did not take the bus. He asked the Administrator, if through CBGB funds, the buses were bought for the seniors. He stated that in the past the bus would have been supplied by the Housing Authority.

Councilman Gonnelli stated that he received a call from someone on the bus that was a committee person, not a senior. He said that he was told that calls were made from the Town Hall.

Mayor Elwell said that he can not answer that as he did not make the calls.

Councilman Gonnelli said that it was a political event that should not have been funded by the Town. He asked that there be a reimbursement for the drivers 5 hours of salary.

February 26, 2008

Mayor Elwell stated again, that he was not aware that the driver was not a volunteer. He said that he would pay the driver if that is what he wants, but said that he did not think it was intended to be that way, but rather for the seniors to attend.

Councilman Jeffas asked if anyone asked to go to Obama's?

Mayor Elwell said that if they did they would have provided the service. He noted that in the past the Town did not receive the requests; it has since changed since the Housing Authority does not handle it any longer.

Councilman Gonnelli asked that the bus does not get used for political events without the approval of the Council.

Councilman Jeffas spoke about Governor Corzine's cutbacks and spoke about political contributions. He stated that he has a ordinance that he would like to put into place.

Mayor Elwell said that the last time Councilman Jeffas brought this up, there was discussion of sitting and talk about this. He said that he asked Mr. Drumeler to put something together for the Council as this is something new. He said that the Town is following the law and disagrees that the Governor is not going to change the law. He said the original agreement was to sit and come up with a resolution.

Councilman Jeffas moved to introduce an ordinance on "Pay to Play", seconded by Councilman Bueckner.

Councilman Bueckner noted that he did not wait for the discussion and waiting is not solving the problem.

Councilman Gonnelli said that the professionals hired this year are the same as last year and they have contributed over \$80,000. He said that the time has come to put an end to that.

Councilman Shinnick noted that the Town is in compliance with the law. He said that there has been no illegal activity. He said that these professionals have done a good job.

Councilman Reilly also stated that the Town is in compliance of the law and is willing to have a discussion on the matter.

Discussion ensued on the topic among the Council members.

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

Councilman Gonnelli addressed the Administrator and asked about bus stops.

Mr. Drumeler said that the specs are out for bid.

Councilman Gonnelli asked that the most hazardous ones be look at and address first.

Mayor Elwell stated that the Town has asked the owners of the "Acme" lot to allow the bumpers to be placed there.

Mr. Drumeler stated that, part of the bid is a requirement for a full blown survey of all bus stops.

Councilman Gonnelli mentioned the bus stop at the high school and having it moved.

Mayor Elwell noted that there has been contact with Mr. Dubiel on putting up posts.

Mr. Drumeler stated that there was a meeting with the Police Chief and Mr. Dubiel to address all the concerns.

Councilman Gonnelli asked that they be expedited. He then asked about the Hops Lane project. He asked that any construction project not start before a set time of the year.

February 26, 2008

Mayor Elwell said that many projects are based on when funding becomes available.

Councilman Gonnelli said that it can be awarded, but set a spring date.

Mayor Elwell said that he is aware of this but also needs to be concerned with the price of asphalt.

Councilman Gonnelli said that he wants to come up with a policy on OPRA requests. He asked the Town Attorney about a request that costs \$5,000 that is sitting at the police department and asked him to check into it.

Councilman Bueckner asked if Michael Marra had the information available and Mr. Marra said that he did.

Councilman Gonnelli spoke of a letter received by Thomas Troyer regarding a bill received from Mr. Leanza for Lamparello (attorney's) regarding a employees representation list. He spoke about an employee who was present at the Council meeting and the need for him to be there.

Councilman Kane spoke about past meetings and asking that certain people attend meetings.

The Mayor and Council continued the discussion on the topic.

NEW BUSINESS

Councilman Jeffas spoke about a hearing for Councilman Gonnelli at the DCA regarding the conflict of being a Fire Official as well as a Councilman, which was schedule for the day after the last meeting. He stated that he did go to the hearing and was shocked that Mr. Leanza walked in on behalf of the Town. He said he did not recall having any conversation about sending the Town Attorney to that hearing. He explained that it is an ethical complaint by someone anonymous and not the Town of Secaucus. He asked if the Town of Secaucus filed the complaint?

Mayor Elwell said that it did not.

Councilman Jeffas asked if Mr. Leanza was there to take the position for the Town and if so what position.

Mr. Leanza stated that the reason he was there because whatever the determination of the Local Finance Board is, has a tremendous impact on the Town in questioning the ability of a Council member to sit on the Board. He explained all the ramifications of the outcome of the hearing. He noted that there was concern expressed by Bond Counsel also. He explained the need for his presence at the hearing.

Councilman Jeffas asked who authorized his attendance at the hearing.

Mr. Leanza explained that he was authorized by the Mayor and Town Administrator and further explained, that, even without their approval, his job is to attend any and all administrative hearings that the Town may have interest in. He said that the Local Finance Board understands that the Town has an interest in it.

Councilman Jeffas explained what he thought and the discussion continued among Mr. Leanza, Mayor and the Council regarding the issue.

REMARKS OF CITIZENS

Sam Maffei
George Broemmer
Thomas Troyer
Justine Addevensky
Carole Acropolis

Councilman Kane moved to adjourn the meeting at 9:28 PM, seconded by Councilman Shinnick.

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

ABSENT: None

Motion carried.
