

April 8, 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 8th day of April, 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 public hearing: No. 2008-12

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

SECTION 1

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

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Fourth Street	East	On the east side of Fourth Street, beginning at a point 190 feet North of the Northeasterly corner of Centre Avenue & Fourth Street continuing for a distance of 22 feet directly in front of 764 Fourth Street.

SECTION 2

That the parking space designated for 764 Fourth Street adopted by Ordinance is to be personalized for Placard No.P482666.

If the license plate for the person utilizing the parking space at the above listed address changes, then the parking space designation (s) shall be changed to the new plate with proof from the resident that it is for the same person that the person is still entitled to handicapped parking.

SECTION 3

SEVERABILITY

BE IT FURTHER ORDAINED, that the provisions of this ordinance are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of the regulation or their application to other persons or circumstances.

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It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included herein, and if such persons or circumstances, to which this ordinance or part thereof is held inapplicable, had been specifically exempted therefrom.

SECTION 4

REPEALER

BE IT FURTHER ORDAINED, that all other ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5

EFFECTIVE DATE

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

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

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

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

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

The following ordinance was read for public hearing: No. 2008-13

**AN ORDINANCE AMENDING SECTION 127 OF THE CODE OF THE TOWN OF SECAUCUS
ENTITLED "VEHICLES AND TRAFFIC"**

SECTION 1

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Town of Secaucus that Section 127-38A - "Schedule XVIII: Parking Prohibited During Certain Hours For Street Sweeping Program" shall be amended as follows:

<u>Names of Street</u>	<u>Side</u>	<u>Day</u>	<u>Hours</u>
Blondel Drive	East	Monday	12:00-2:00
Blondel Drive	West	Tuesday	12:00-2:00
Blondel Drive	North	Tuesday	12:00-2:00
Blondel Drive	South	Monday	12:00-2:00
Born Street	North	Thursday	12:00-2:00
Born Street	South	Wednesday	12:00-2:00
Cedar Avenue	East	Wednesday	12:00-2:00
Cedar Avenue	West	Thursday	12:00-2:00
Cedar Lane	West	Thursday	12:00-2:00
Chestnut Place	East	Wednesday	12:00-2:00
Chestnut Place	West	Thursday	12:00-2:00
Chestnut Street	East	Wednesday	12:00-2:00
Chestnut Street	West	Thursday	12:00-2:00
Fifth Street	East	Monday	12:00-2:00
Fifth Street	West	Tuesday	12:00-2:00
First Avenue	North	Thursday	12:00-2:00
First Avenue	South	Wednesday	12:00-2:00
First Street	East	Monday	12:00-2:00

First Street

West

Tuesday

12:00-2:00

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<u>Names of Street</u>	<u>Side</u>	<u>Day</u>	<u>Hours</u>	
Fourth Street	East	Tuesday	12:00-2:00	
Fourth Street	West	Monday	12:00-2:00	
Franklin Street	North	Monday	12:00-2:00	
Franklin Street	South	Tuesday	12:00-2:00	
Gail Place	South	Monday	12:00-2:00	
Gail Place	North	Tuesday	12:00-2:00	
Gillis Place	East	Monday	12:00-2:00	
Gillis Place	West	Tuesday	12:00-2:00	
Golden Avenue	East	Tuesday	12:00-2:00	
Golden Avenue	West	Monday	12:00-2:00	
Grace Avenue	North	Wednesday	12:00-2:00	
Grace Avenue	South	Thursday	12:00-2:00	
Hagan Place	North	Thursday	12:00-2:00	
Hagan Place	South	Wednesday	12:00-2:00	
Huber Street	North	Monday	12:00-2:00	
Huber Street	South	Tuesday	12:00-2:00	
James Place	West	Monday	12:00-2:00	
James Place	East	Tuesday	12:00-2:00	
Julianne Terrace	North	Thursday	12:00-2:00	
Julianne Terrace	South	Wednesday	12:00-2:00	
Lausecker Lane	North	Tuesday	12:00-2:00	
Lausecker Lane	South	Monday	12:00-2:00	
Maple Street	North	Wednesday	12:00-2:00	
Maple Street	South	Thursday	12:00-2:00	
Minnie Place	East	Monday	12:00-2:00	
Minnie Place	West	Tuesday	12:00-2:00	
Minnie Place South	East	Monday	12:00-2:00	
Paulanne Terrace	North	Wednesday	12:00-2:00	
Paulanne Terrace	South	Thursday	12:00-2:00	
Raydol Avenue	North	Thursday	12:00-2:00	
Raydol Avenue	South	Wednesday	12:00-2:00	
<u>Names of Street</u>	<u>Side</u>	<u>Day</u>	<u>Hours</u>	
Reidel Court	Both	Wednesday	1:00-2:00	
Roosevelt Avenue	East	Thursday	12:00-2:00	
Roosevelt Avenue	West	Wednesday	12:00-2:00	
Schopmann Drive	East	Wednesday	12:00-2:00	
Schopmann Drive	West	Thursday	12:00-2:00	
Second Avenue (dead end)	North	Thursday	12:00-2:00	
Second Avenue (dead end)	South	Wednesday	12:00-2:00	
Second Avenue	North	Wednesday	12:00-2:00	
Second Avenue	South	Thursday	12:00-2:00	
Second Street	West	Monday	12:00-2:00	
Second Street	East	Tuesday	12:00-2:00	
Valley Court	North	Monday	12:00-2:00	
Valley Court	South	Tuesday	12:00-2:00	
SECTION 2				
Paterson Plank Road	South, between Irving and Post Place	Wednesday		8:00-9:00
Paterson Plank Road	North, between Roosevelt and	Tuesday		8:00-9:00

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SECTION 3

SEVERABILITY

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

SECTION 4

REPEALER

BE IT FURTHER ORDAINED, that all other ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed, to the extent of such inconsistency.

SECTION 5

EFFECTIVE DATE

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

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

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

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

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

The following ordinance was read for introduction: No. 2008-14

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

Councilman Kane moved that the foregoing ordinance be finally adopted, seconded by Councilman Gonnelli.

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. 2008-52

RESOLUTION AUTHORIZING FAIR & OPEN SOLICITATION PROCESS SPECIAL COUNSEL MEADOWLANDS DISTRICT AFFORDABLE HOUSING

WHEREAS, the Town of Secaucus is desirous of obtaining expert legal representation to preclude the New Jersey Meadowlands Commission and/or the Council on Affordable Housing (COAH) from imposing District Affordable Housing burdens upon the Town of Secaucus, the only COAH

certified Round III complying municipality in the District; and

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WHEREAS, the Fair Share Housing Center has filed a Motion for Scarce Resource Restraint against the Town of Secaucus before COAH; 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 preclude the New Jersey Meadowlands Commission and/or the Council of Affordable Housing from imposing District Affordable Housing burdens upon the Town of Secaucus shall be received on April 22, 2008 at 11:30 a.m.

The following resolution was read: No. 2008-53

**RESOLUTION AWARDING CONTRACT FOR LEASE OPERATION AND MAINTENANCE OF
PUBLIC TRANSIT SHELTERS**

WHEREAS, the Mayor and Council advertised for and received the following bid for lease, operation and maintenance of public transit shelters in the Town of Secaucus on March 12, 2008:

<u>BIDDER</u>	<u>BID AMOUNT</u>
Signal Outdoor Advertising, LLC	10% net revenues to Town

WHEREAS, the Town Attorney has reviewed the bid and the Town Attorney has determined that the bid of Signal Outdoor Advertising, LLC is the lowest responsive bid.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the contract for lease, operation and maintenance of public transit shelters in the Town of Secaucus be awarded to Signal Outdoor Advertising, LLC.

BE IT FURTHER RESOLVED, that the Mayor and Town Clerk shall be authorized to execute a contract for lease, operation and maintenance of public transit shelters in the Town of Secaucus with Signal Outdoor Advertising, LLC for 10% of revenues received.

The following resolution was read: No. 2008-54

**RESOLUTION AUTHORIZING CONTRACT FOR SPECIAL COUNSEL APPLICATION OF
HARTZ/DAMASCUS BAKERY, INC.**

WHEREAS, the Mayor and Council received the following response to its Fair & Open Solicitation Process for Special Counsel Application of Hartz/Damascus Bakery, Inc., on March 14, 2008.

<u>PROPOSER</u>	<u>AMOUNT</u>
Johnson & Johnson	\$150.00/Hour

WHEREAS, the Town Attorney has reviewed the submission and determined that the submission of Johnson & Johnson is a responsive proposal in terms of both quality and price.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Secaucus that a contract for Special Counsel Application of Hartz/Damascus Bakery, Inc., be awarded to Johnson & Johnson in the amount not to exceed \$25,000.00.

BE IT FURTHER RESOLVED, that the Mayor and Town Clerk shall be authorized to execute a contract for Special Counsel Application of Hartz/Damascus Bakery, Inc., with Johnson and Johnson.

Financial Officers
Certification attached.

The following resolution was read: No. 2008-55

**RESOLUTION AUTHORIZING CONTRACT FOR PURCHASE
OF SPORTS UNIFORMS AND TROPHIES**

WHEREAS, on march 4, 2008 the following bids were received for purchase

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of Sports Uniforms and Trophies:

1. Promotional Printing Services
5 Elliot Court
Morganville, NJ 07751; and
2. Wear to Go, Inc.
d/b/a Uniforms by Rose
7727 Bergenline Ave,
North Bergen, NJ 07047

WHEREAS, the Town Recreation Superintendent and Town Attorney have reviewed such bids and determined that both bidders were responsive; and

WHEREAS, the bid documents provide that the Town reserves the right to award the bid in whole or in part; and

WHEREAS, subject to the Town's right to award the bid in part, the Town Attorney recommends the acceptance of the lowest bid in each of the (48) categories for which bids were received as follows:

(Pro = Promotional Printing Services)

(Rose = Wear to Go, Inc.)

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that contracts for purchases of sports uniforms and trophies be awarded to Promotional Printing Services and Wear To Go, Inc., as above and attached.

Financial Officers
Certification attached.

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

AYES: Bueckner, Kane, Gonnelli, Jeffas, Shinnick, Reilly, Elwell
ABSTAIN: Gonnelli on 2008-52 and 2008-54
NAYS: None
ABSENT: None Motion carried

BINGO/RAFFLE APPLICATIONS

Councilman Reilly moved that the following application for Raffle/Bingo License be approved, seconded by Councilman Bueckner.

R-1052 K & S Social and Athletic Club Off-Premise 50/50

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

COMMUNICATIONS REQUIRING ACTION BY MAYOR AND COUNCIL

The following correspondence was received:

March 26, 2008

To whom it may concern:

We would like to request the use of the Town pool for our sixth grade students on Thursday June 5th, rain date on Monday, June 9th from the hours of 10:00 am to 1:30pm.

Thank you in advance for your consideration.

Thank you,
Sean Powers
Sixth Grade Teacher

Councilman Bueckner motion to approve the foregoing request, seconded by Councilman Gonnelli.

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

ABSENT: None

Motion carried.

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COMMITTEE REPORTS

Councilman Reilly reported that since the last Council meeting the Police Department has issued 26 speeding and cell phone use summonses.

Councilman Kane commended the DPW for the work being done preparing the fields for the upcoming season. He also reported that the Recreation Department has extended the basketball program to help keep the young adults busy.

Mayor Elwell said some of the work has been completed on Meadow Lane as well as working on a wall at the Mill Ridge Road Fields. He said that there will a fence installed as well as handicap ramps. He also said there will be more work done for drainage. He reported that there was a meeting this week regarding a problem on Golden Avenue and that project will be started soon. He reported that the polls are starting to go up at the high school entrance.

UNFINISHED BUSINESS

Councilman Bueckner spoke about the lose of supermarkets in the Town. He said he would like to see the Council take action and contact other supermarkets encouraging them to locate in Secaucus.

Mayor Elwell said that he has spoken with Joseph Pagano, who represents several supermarkets and he is reaching out to some markets. He said that he asked Mr. Drumeler to speak with Hartz Mountain about Walmart. He said that because of the lack of business, Stop and Shop felt is was better to close the store and pay the lease than to keep it open. He said that he has asked the transportation department to come up with a series of shuttles for seniors to do shopping out of Town.

Councilman Bueckner stated that Mr. Pagano is strictly with Inserra which is Shop Rite. He asked if some of the other ones could be contacted.

Mayor Elwell said that Mr. Pagano would do that because he has numerous contacts.

Councilman Gonnelli said that he looked into Walmart and there was an application submitted in August of 2007, however it is still inactive. He said that if Stop on Shop does close, he spoke about at home shopping.

Mayor Elwell said that the Acme's had planned to try that before they closed. He stated that they asked if Stop and Shop would do the same. They considered calling in orders and then delivering to the seniors, but they were not willing to do that.

Councilman Gonnelli said that Shop Rite does do it and there is a charge for it. He asked that Mr. Drumeler look into it.

Mr. Drumeler said that he has focused on the issue since the last Council meeting.

Councilman Kane stated that he has received complaints about Taxicabs. He ask that the Chief of Police look into the complaints and problems.

Councilman Reilly said that there is an active campaign, but would ask the Chief to check into it.

Mayor Elwell asked that when complaints come in, that they come into the administrators office and sign complaints.

NEW BUSINESS

None

REMARKS OF CITIZENS

Frank Mac Cormack
Barbara Napierski
Maria Bania

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John Markovich
Thomas Troyer

Councilman Reilly moved to adjourn the meeting at 7:50 p.m., seconded by Councilman Bueckner.

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

NAYS: None

ABSENT: None

Motion carried

Michael Marra, Town Clerk