

December 26, 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 26th day of December, 2007 at 4:00 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 explained why the Council is pulling an ordinance regarding the fees for animal licensing. He noted that there will be no Public Hearing on that ordinance and a new ordinance will be introduced after January 1st.

The following ordinance was read for public hearing: No. 2007-39

ORDINANCE AUTHORIZING THE IMPOSITION OF A PARKING TAX

WHEREAS, because of its access to various modes of mass transportation, its proximity to New York City and its strategic location in the New Jersey Meadowlands, the Town of Secaucus is a potential target of parking garage operators; and

WHEREAS, because of the zoning powers vested exclusively in the New Jersey Meadowlands Commission and the possible exemption of New Jersey Transit operated parking facilities from local control, an influx of such parking facilities imposes a special burden upon the Town services, especially our Police, Fire and Emergency Services and Health Departments, without compensation therefore; and

WHEREAS, the Local Tax Authorization authorizes the Governing Body of a qualifying municipality to adopt an ordinance imposing a parking tax at a uniform percentage rate not to exceed 15% on charges of fees for parking, garaging, or storing of motor vehicles.

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

SECTION 1. The code of the Town of Secaucus is hereby amended by adding a new chapter to read as follows:

1. Title

This Chapter shall be known and may be cited as the "Secaucus Parking/Tax Persons Responsible for Collection; Chief Financial Officer to establish Procedures for Collection; Interest and Penalties.

2. Tax Imposed,; collected, interest penalty; exemptions.

A. There is hereby imposed a tax fifteen percent (15%) on fees for the parking, garaging, or storing of Passenger Automobiles (as defined in NJSA 39:1-1) other than fees from parking in garages or parking areas which are leased

to residential tenants.

B. All taxes imposed by this Article shall be collected on behalf of the Town of Secaucus by the person providing parking services to the customer.

C. The Chief Financial Officer of the Town of Secaucus is hereby designated as collector of parking taxes. The methods for reporting taxes due shall be on forms and in accordance with procedures prescribed by the Chief Financial Officer from time to time.

D. Every person required to collect any taxes imposed by this Article shall be personally liable for the tax imposed, collector or required to be collected. Any such person shall have the same right in respect to collecting the tax from his customer or in respect to nonpayment of the tax by the customer as if the tax were a part of the parking or storage fee and payable at the same time, provided, however, that the Chief Financial Officer of the Town of Secaucus shall be joined as a party in any action brought to collect the tax.

E. No person required to collect any tax hereunder shall advertise or hold out to any person or to the public in general in any manner, directly or indirectly, that the tax is not considered as an element in the fee payable by the customer, that he will pay the tax, that the tax will be not separately charged and stated to the customer or that the tax will be refunded to the customer.

F. If for any reason the tax is not paid when due, interest at a rate of twelve percent (12%) per annum on the amount of the tax due and an additional penalty of one-half of one percent ($\frac{1}{2}$ of 1%) of the amount of the unpaid tax for each month or fraction thereof during which the tax remains unpaid shall be added and collected. Where action is brought for the recovery of any tax hereunder, the person liable shall, in addition, be liable for the cost of collection and the interest and penalties imposed.

G. No tax shall be imposed with respect to any parking or garaging on vehicle storing fees charged by any religious, charitable or educational institution.

3. Due dates for payment; maintenance of books and records.

A. Taxes due under this Article shall be paid monthly. Returns for each month are due on or before the 15th of the month following the end of the month.

B. A monthly parking tax return is required to be filed by every person responsible for the collection of parking taxes whether or not any tax is due for that month. Payment of the tax due shall be made with the filed return.

C. Every person responsible for the collection of parking taxes shall maintain books and/or records to substantiate the monthly tax returns even if no tax is due.

D. Pursuant to state law, any person who fails or refuses to file any return required under this section, any person who refuses to permit an officer or agent designated by the Town of Secaucus to examine his books, records and papers any person who knowingly files and incomplete, false or fraudulent return or attempts to do anything whatsoever to avoid the full disclosure of the tax due under this section to avoid the payment of the whole or any part thereof is a disorderly person.

E. The failure of any person to receive or procure the forms required for filing required under the Article shall not excuse him from filing a return.

SECTION 2. If any section, paragraph, subsection, clause or provision

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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 3. All ordinance 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 4. This ordinance shall take effect immediately upon final passage. The tax provisions of ordinance shall take effect on the first day of the first full month occurring 30 days after the date of transmittal to the State Treasurer. Notice of adoption shall be published as provided law.

Mayor Elwell asked if anyone wished to be heard regarding the foregoing ordinance.

Mayor Elwell called on Carole Acropolis.

Mrs. Acropolis asked why the Town is considering a parking tax?

Mayor Elwell explained that in the South end of Secaucus there will be, at some time, some parking structures and it will be an opportunity for the residents of Secaucus to collect money.

Mrs. Acropolis asked if it will be the same as the Hotel tax and have to hire more policemen?

Mayor Elwell stated that this year the Town received \$2.7 million from the Hotel Tax.

Mrs. Acropolis said that more police were hired.

Mayor Elwell said that it does not cost the Town that much to hire three or four cops.

Mayor Elwell explained how the Hotel tax works in other States and how much there is to be made to benefit the Town.

Mrs. Acropolis asked if the Parking Tax was for just metered parking?

Mayor Elwell explained that this tax only pertains to people who sell parking. He said it would have nothing to do with metered parking. He said this would be for private lots that sell parking.

Town Attorney, Frank Leanza explained that the tax does not affect residents in apartment building or Condos. He said the intention is to tax people from outside of Secaucus.

Mrs. Acropolis asked about handicapped people?

Mayor Elwell said that handicapped people do have to pay in parking garages.

Mrs. Acropolis said that she is worried about Secaucus parking.

Mayor Elwell again explained what it did pertain to.

Mrs. Acropolis asked about high rise garages?

Mayor Elwell stated that if the parking is being built to accommodate office space, there is no fee.

Mayor Elwell called on Arthur Glaeser.

Mr. Glaeser spoke about another situation like this on Rt. 17.

Mayor Elwell explained some of the reasoning with the way that the parking is set up.

Mr. Glaeser asked if anyone has taken into consideration the streets that will be used for the cars coming into Town?

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Mayor Elwell explained what he felt would be the area most affected.

There being no one else requesting the floor, Councilman Kane 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 Kane.

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

The following ordinance was read for public hearing: No. 2007-40

AN ORDINANCE AMENDING SECTION 127-58B OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED "DESIGNATIONS 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 - "Designation of Locations at or Near Private Residences" shall be amended by deleting the following locations:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Centre Avenue	South	On the south side of Centre Avenue, directly in front of 371 Centre Avenue for a distance of 22 feet

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Town of Secaucus that Section 127-58B - "Designation of Locations at or Near Private Residences" shall be amended by adding the following locations:
Raydol Avenue North Beginning at a point 154 feet west of the corner of Chestnut Street and raydol Avenue and continuing west for a distance of 22 feet directly in front of 10 Raydol Avenue.

That the parking space designated for 10 Raydol Avenue adopted by Ordinance is to be personalized for Wheelchair Symbol Placard No.P600758.

If the license plates for the persons utilizing the parking spaces at the above the listed addresses are charged 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 2

SEVERABILITY

BE IT FURTHER ORDAINED, that the provisions of this ordinance are separable and if any provision, 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 of 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 3

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 4

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

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

The following ordinance was read for public hearing: No. 2007-41

ORDINANCE TO AUTHORIZE COMPLIANCE WITH REQUIREMENTS OF THE HUDSON COUNTY OPEN SPACE, RECREATION AND HISTORIC PRESERVATION TRUST FUND TO OBTAIN \$1,800,000.00 GRANT FOR ACQUISITION OF OAK LANE SECAUCUS WATERFRONT PROPERTY

WHEREAS, the Town of Secaucus is desirous of acquiring and preserving and maintaining open space within the Town of Secaucus and for increasing the availability of recreation resource through open space acquisition and conservation, and development of waterfront recreation resources; and

WHEREAS, the Town of Secaucus is presently engaged in negotiations to acquire a parcel of open space within the Town of Secaucus, consisting of approximately 1.8y6 acres located at Oak lane and identified as Block 1974 and Lots 14, 15, 15.01, 16, 16.01, 17, 17.01, 18. 18.01 collectively known as Secaucus Waterfront Property Acquisition at Oak Lane hereinafter refereed to as "Property" for the above purposes; and

WHEREAS, the County has established the Hudson County Open Space, Recreation and Historic Preservation Trust Fund pursuant to Freeholder Resolution No. 628-12-2003 , that was adopted on December 23, 2003 to assist Municipalities and qualified charitable conservancies in acquiring, preserving and maintaining open space, recreation, farmland & historic preservation; and

WHEREAS, the County has agreed to grant the sum of \$1,800,000.00 to the Town of Secaucus to assist the Town of Secaucus with this open space preservation, initiative, pursuant to Freeholder Resolution No. 326-8-2007.

WHEREAS, the County and the Town of Secaucus desires that, if acquired, the open space preservation property will be restricted in its use by Grant, Assignment and Deed of Conservation Easement Agreements.

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

1. Mayor and Town Clerk are authorized to execute the following agreement to comply with the requirements of the Hudson County Open Space, Recreation and Historic Preservation Trust Fund;

A. Grant Agreement of the form attached hereto as Exhibit "A";

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B. Assignment Agreement of the form attached hereto as Exhibit "B"; and

C. Deed of Conservation easement of the form attached hereto as Exhibit "C";

2. The Mayor, Town Clerk, Chief Financial Officer and Town Attorney are

authorized to take such other actions as may be necessary and proper to obtain the \$1,800,000.00 grant for acquisition of the Oak Lane property known as Block 194 Lots 14, 15, 15.01, 16, 16.01, 17, 17.01, 18, 18.01.

3. All ordinance or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

4. If any section, paragraph, subdivision, clause, or provisions of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged and the remained of this ordinance shall be deemed to be valid and effective.

5. This ordinance shall take effect upon final passage and publication pursuant to law.

Mayor Elwell asked if anyone wished to be heard regarding the foregoing ordinance. There being no one requesting the floor, Councilman Shinnick 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 Gonnelli moved that the foregoing ordinance be finally adopted, seconded by Councilman Kane.

Councilamn Bueckner clarified that the motion is not to buy the property, but to get the money from the County.

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

NAYS: None

ABSENT: None Motion carried.

The following ordinance was read for public hearing: No. 2007-42

**ORDINANCE TO AUTHORIZE LEASE A PORTION
OF TOWN LAND NOT NEEDED FOR PUBLIC PURPOSES**

WHEREAS, the Town of Secaucus is nearing the completion of construction of its new Recreation Center located on Block 225, Lot 4.02 and has determined that the rear of said lot is not needed for any public purpose and is suitable for the location of a wireless communications tower because of its proximity to the eastern Spur of the New Jersey Turnpike; and

WHEREAS, revenue from the lease of a wireless tower site would be beneficial to the taxpayers of Secaucus provided that such tower had no adverse safety, aesthetic or other negative impact; and

WHEREAS, pursuant to N.J.S.A. 40A:12-14(a) the Town of Secaucus may lease a portion of such property to the highest bidder by open public bidding.

NOW, THEREFORE, pursuant to the rights and powers set forth in N.J.S.A. 40A:12-14, BE IT ORDAINED, by the Mayor and Council of the Town of Secaucus as follows;

1. The Town property known as the rear fifth of Block 225, Lot 4.02, to the rear of the new Recreation Center is not needed for public use.

2. A portion of such land shall be made available by lease to lease

to the highest bidder by open public bidding providing that:

A. The Minimum rental shall be \$30,000 per year with the reservation of the right to reject all bids if the highest bid is not accepted.

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B. The bid documents shall contain provisions sufficient to protect the Town of Secaucus from any liability regarding the tower, its operation or removal.

3. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

4. If any section, paragraph, subdivision, clause or provisions of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed to be valid and effective.

5. This ordinance shall take effect upon final passage and publication pursuant to law.

Mayor Elwell asked if anyone wished to be heard regarding the foregoing ordinance.

Mayor Elwell called on Carole Acropolis.

Mrs. Acropolis asked where this is located?

Mayor Elwell stated that it is behind the new Recreation Center and the fees collected would help off set the costs of the Recreation Center.

There being no one else requesting the floor, Councilman Shinnick 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 Kane moved that the foregoing ordinance be finally adopted, 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. 2007-193

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

WHEREAS, the Town of Secaucus, County of Hudson, State of NJ entered into a contract with PMK Group the year 2007 in the amount of \$37,7000.00 for Town Engineer, General Engineering Services;

WHEREAS, there is a need to amend the contract for the following additional scope of services:

Stormwater Pumping Station Design and Construction Observation,
Keiswetter Lane

Assist the Tax Department with Tax Appeals
Prepare and supervise plans, and coordinate with other
professional agencies

Assist Land Use Board with development application revisions

WHEREAS, the contract needs to be increased by \$35,000.00.

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus to approve additional funds of \$35,000.00 for said contract.

Financial officers
Certification attached.

The following resolution was read: No. 2007-194

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

WHEREAS, the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey awarded the contract for New Recreation Center in the amount of \$8,418,000.00 and Change Order # 1-2, in the amount of \$24,278.00 to APS Contracting, Inc.

WHEREAS, Change Order #3 is need for an extension of time of two months to extend the contract completion date to February 19, 2008, additional bond and insurance premium cost for Change Order #1-3;

Two months addition general conditions required	\$46,706.00
Addl. Bond and Insurance Premium for this Change Order	1,635.00
Addl. Bond and Insurance Premium for Changer Order #1&2	850.00

THEREFORE, APS Contracting, Inc., requires additional funds in the amount of \$49,191.00 for this change order.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey hereby approves Change Order #3 in the amount of \$49,191.00 to APS Contracting, Inc.

Financial Officers
Certification attached.

The following resolution was read: No. 2007-195

RESOLUTION AUTHORIZING ADVERTISEMENT FOR AND RECEIPT OF BIDS FOR LEASE OF TOWN LAND NOT NEEDED FOR PUBLIC PURPOSES BLOCK 225, LOT 4.02

WHEREAS, the Town of Secaucus has previously determined that the rear fifth of Block 225, Lot 4.02 to the rear of the new Recreation Center is not need for public use and is well suited as a wireless communications tower site.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby authorized to advertise and accept bids, pursuant to N.J.S.A. 40A: 12-14 for the lease of a portion of said property as a wireless communications tower site, with a minimum rental of \$30,000.00 per year, with reservation of the right to reject all bids where the highest bid is not accepted and subject to conditions, restrictions and limitations as set forth on the Specifications as attached hereto.

BE IT FURTHER RESOLVED, that bids for the lease of such property shall be received on January 17,2008 at 11:00am.

The following resolution was read: No. 2007-196

RESOLUTION AUTHORIZING THE ADOPTION AND SUBMISSION OF "KEYS TO ENDING HOMELESSNESS IN HUDSON COUNTY" HUDSON COUNTY'S TEN-YEAR PLAN TO END CHRONIC HOMELESSNESS

WHEREAS, it is estimated that there are over 3,000 people who experience homelessness in Hudson County on any given night; and

WHEREAS, homelessness has a devastating impact on the lives of those who experience it and on the communities in which they live; and

WHEREAS, people who are homeless represent multiple populations, including families with children, single individuals, unaccompanied youth and the

chronically homeless; and

WHEREAS, development and implementation of the Hudson County Ten Year Plan to End Chronic Homelessness will help to address the issues of homelessness providing and obtaining positive and lasting solutions; and

WHEREAS, the Ten Year Plan was developed based on stakeholder discussion through five task forces, which focused on the root causes of homelessness; and

WHEREAS, the Ten Year Plan outlines a response to homelessness that begins with prevention, improving available resources and providing safe, decent,

truly affordable, permanent housing; and

WHEREAS, the result of implementing the Ten year Plan will be an increase in Hudson County's productive citizenry, available resources will be used more effectively, neighborhoods will become safer, the permanent housing and support service system will be improved county wide to better address the needs of Hudson County's homeless population.

WHEREAS, the County of Hudson is committed to oversight of the Ten Year Plan and its implementation.

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

1. The Town of Secaucus approves and endorses the goals of "Keys to Ending Homelessness in Hudson County": Hudson County's Ten year Plan to End Chronic Homelessness a copy of which is attached as Attachment 1, and state the Town of Secaucus' intent to work in partnership with other levels of government, the United Way, faith-based and civic groups, affected communities, philanthropies, the business community, non-profit housing and services providers, and others to implement this plan over the next ten years.

2. The Town of Secaucus recognizes that additional resources will be required in order to meet the ambitious goals included in the Ten year Plan to End Homelessness and that local government resources are not adequate to achieve these goals. Therefore, the Town of Secaucus, in partnership with the Hudson County Alliance to End Homelessness will aggressively seek increased funding at the local, county, state and federal levels to fulfill the goals of the Ten Year Plan.

3. The Town of Secaucus and the County of Hudson will look for opportunities to implement the strategies/policies contained in the Ten Year Plan to End Chronic Homelessness as they approach daily tasks.

4. This resolution shall take effect immediately.

The following resolution was read:

No. 2007-197

**RESOLUTION AUTHORIZING ADVERTISEMENT AND RECEIPT OF BIDS FOR VARIOUS
PRINTED ITEMS**

WHEREAS, the Town of Secaucus has previously set aside funds for the purchase of various printed items; and

WHEREAS, the Purchasing Agent and the Town Attorney have prepared specifications and contract documents for the purchase of various printed items.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby authorized to advertise and accept bids for the purchase of various printed items.

BE IT FURTHER RESOLVED, that bids for the purchase of various printed items shall be received on January 18, 2008 at 10:00am.

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The following resolution was read:

No. 2007-198

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 attached annual notice of Caucus meetings of the Governing Body is hereby approved for the year 2008.

The following resolution was read:

No. 2007-199

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 attached annual notice of Regular meetings of the Governing Body is hereby approved for the year 2008.

The following resolution was read:

No. 2008-200

RESOLUTION AUTHORIZING FAIR & OPEN SOLICITATION PROCESS FOR
PROFESSIONAL SERVICES

WHEREAS, the Town of Secaucus is desirous of obtaining expert professional services to serve the Town in both statutory and operationally functions; 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 proposal for obtaining such profession services as follows: Town Attorney; Special Attorney Litigation; Town Auditor, Tax Appeal Attorney,; Labor Attorney, Special Counsel, Miscellaneous; Town Engineer; Town Surveyor; Bond Counsel; Special tax Counsel; Special Bond Counsel; Core Activities health Services Provider; Attorney/Lobbyist; Risk Management Consultant; Special Counsel/Federal Regulatory Specialist; Special Counsel, Grants; Real Property Appraiser; Employee Assistance Services; Alcoholic Beverage Control Board Counsel; Public Relations Specialist; Municipal Prosecutor; Town Architect; Attorney/lobbyist Revenue Sharing; Planning Board Attorney; Zoning Board Attorney.

BE IT FURTHER RESOLVED, that proposals for such services shall be received on January 15, 2008 at 11:30am.

The following resolution was read:

No. 2007-201

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 pursuant to the recommendation of John Voli, Recreation Director of the Town of Secaucus, the following persons are hereby appointed as Assistant Managers, Maintenance Personnel, Clerical Personnel and Skate Guards for the Secaucus Ice Skating Rink, at the following hourly wages and rates, effective December 4, 2007:

Assistant Managers

Mary Miller \$14.00
Gerald Acquaviva \$14.00

Maintenance Hourly Wage
Gregory Van Es \$12.00

Matthew Zaccone	\$12.00
Joseph Abruscato	\$10.00
Joseph Liccardo	\$10.00
Joseph Territola	\$10.00

Michael Liccardo	\$8.50
Paul Miller	\$8.50
Scott Noonan	\$8.00
James Flanagan	\$7.15
Victor Barone	\$8.00
Michael Trombetta	\$8.00
John Flanagan	\$7.15

<u>Clerical</u>	<u>Hourly Wage</u>
Alexis Piombino	\$7.15
Lindsay Tatano	\$10.00
Jennifer Bator	\$7.15
Alexandra Tous	\$7.15
Megan Carricarte	\$7.15
Melissa Lawson	\$7.15
Cheisly Mujica	\$7.15
Maria Sallustio	\$7.15
Amanda Stenten	\$7.15
Rebecca Cardenas	\$7.15
Kyle Daniele	\$7.15
George Matsek	\$7.15
Nicole Scher	\$7.15
Kelli Ann Kocienda	\$7.15

<u>Skate Guards</u>	<u>Hourly Wage</u>
Juan Tous	\$8.00
Lucas Mondadori	\$7.15
Raymond Colavito	\$7.15
Joseph Verducci	\$7.15
Mark Roarty	\$7.15
Steven Cattuna	\$7.15
Eric Jeffas	\$7.15
George White	\$7.15
Shannon Casey	\$7.15
Justin Cetro	\$8.00
Dennis McCaffery	\$7.15
Kristopher Pesci	\$7.15
Eddie Wolf	\$7.15
Eric Doering	\$7.15
Anthony De Leo	\$7.15

The following resolution was read:

No. 2007-202

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

BE IT RESOLVED BY THE MAYOR AND COUNCIL, of the Town of Secaucus that the following temporary appropriations be made for the payroll period week ending January 4, 2008 and termination upon adoption of the Local Municipal Budget.

GENERAL GOVERNMENT

Administrative and Executive Salaries & Wages	4,500.00
Town Clerk's Office Salaries & Wages	2,700.00
Office of the Mayor Salaries & Wages	9,500.00
Treasurer's Office Salaries & Wages	7,600.00
Assessment of Taxes Salaries & Wages	2,750.00
Collection of Taxes Salaries & Wages	2,200.00
Legal Services & Costs Salaries & Wages	1,500.00

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Public Buildings & Grounds Salaries & Wages	14,000.00
Planning Board Salaries & Wages	1,250.00
Board of Adjustments Salaries & Wages	1,250.00
Municipal Court Salaries & Wages	7,700.00
Public Defender Salaries & Wages	1,200.00
Engineering Services Salaries & Wages	750.00
PUBLIC SAFETY:	
Police Salaries & Wages	140,000.00
Communications & Security Salaries & Wages	1,700.00
School Crossing Guard Salaries & Wages	4,000.00
Emergency Management Services Salaries & Wages	1,000.00
Fire Inspector Salaries & Wages	2,200.00
STREETS AND ROADS:	
Road & Repair & Maintenance Salaries & Wages	50,000.00
Sewer Systems Salaries & Wages	500.00
Solid waste Management Recycling Salaries & Wages	4,500.00
HEALTH & WELFARE	
Department of Social Services Salaries & Wages	4,150.00
Board of Health Salaries & Wages	500.00
Community Shuttle Bus Salaries & Wages	3,200.00
RECREATION & EDUCATION	
Parks & Playgrounds Salaries & Wages	1,000.00
Supervision of Playground Activities Salaries & Wages	15,000.00
Recreational Activities Salaries & Wages	5,000.00
STATE UNIFORM CONSTRUCTION	
Construction Official Salaries & Wages	4,400.00
Office of Inspections Salaries & Wages	2,500.00
Total	296,550.00

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The following resolution was read:

No. 2007-203

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

WHEREAS, the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey awarded the contract for New Recreation Center in the amount of \$8,418,000.00 and Change Order #1-3 in the amount of 473,469.00 to APS Contracting, Inc.

WHEREAS, Change Order #4 is needed for all labor, material, mark-ups overhead and profit to complete the following additional work in accordance with terms and conditions of the original contract dated October 18, 2006. The work included, but is not limited to the following:

Additional soffit at front offices to accommodate 2 windows in lieu of one
Additional material in Storefront per revised shop drawings
Additional support for metal deck overhangs at perimeter of building
Changes to door hardware per owners request
Additional steel required to support the basketball backstops, z-clips and c-channels required to support the Kalwall system.
Additional wet tap and ductile iron pipe required to separate the combine Fire/Water service per United Water requirements for a dual service
Additional labor and equipment required to spread stockpiled soil for additional testing
Revise basketball backstops to front faced support type
Additional railing required at the roof adjacent to the roof hatch
Additional break metal, masonry piers and metal panels required to complete the facade and correct discrepancies in shop drawings
Labor required to instead the telephone and security systems per owners request per Digital Voice Network proposed date June 25, 2007
Additional soffit inside lobby at the 2nd floor from column line 2.6 to the elevator shaft wall

THEREFORE, aps Contracting, Inc., requires additional funds in the amount of \$191,323.00 for the change order.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey hereby approves Change Order #4 in the amount of \$191,323.00 to APS Contracting, Inc.

Financial Officers
Certification attached.

The following resolution was read:

No. 2007-204

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

WHEREAS, the Minutes of the Regular Meeting of August 28, 2007 were approved on November 27, 2007; and

WHEREAS, the vote for Resolution 2007-129 reflected that Councilman John Bueckner made a motion for the resolution to be adopted, and then reflected that he abstained; and

WHEREAS, the recording of the Council meeting showed that Councilman Shinnick was the person who made the motion for the resolution to be adopted.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, that the minutes of the August 28, 2007 shall be changed to reflect Councilman John Shinnick as the Council member who made the motion for adoption for Resolution 2007-129.

The following resolution was read:

No. 2007-205

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that Mayor Elwell is hereby authorized to sign the new agreements between the Town of Secaucus and the Policemen's Benevolent Association, Local 84 and

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the Police's Benevolent Association, Local 84, Superior Officers Association.

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

Councilman Bueckner asked about Resolution 2008-200 and the agreement that it would advertised to other municipalities.

Mayor Elwell said that it would.

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

NAYS: None

ABSTAIN: Jeffas on 2007-201 only

ABSENT: None

Motion carried.

PAYMENT OF CLAIMS

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

Town of Secaucus Payroll Acct. w/ending 12/07/07	246,490.29
Adm. & Exec	4,461.08
Mayor & Council	9,477.98
Municipal Clerk	3,702.42
Legal Dept.	1,201.15
Treasurer	9,734.19
Tax Assessor	3,077.46
Tax Collector	2,351.31
Municipal Court	10,239.88
Engineering	750.00
Community Shuttle Bus	3,872.58
Pub. Bldgs. & Grds.	18,305.77
Off. Of Inspect.	2,867.83
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.	134,874.08
Construction	4,852.78
School Cross Grds.	5,642.12
Office of Emergency Man.	300.29
Unif. Fire Safety Off.	2,421.31
Rd. Repair & Maint.	60,615.39
Sewer System	371.21
Recycling Coord.	8,176.50
Bd.of Health	449.48
Mosquito Control	000.00
Social Services	41,696.89
Pks. & Play Grds.	528.00
Supv. Of Play Act.	24,087.13
Rec. Activities	4,327.16
Pool Oper.	304.29
CDBG	304.29
Town of Secaucus Tax Escrow Acct. w/ending 12/07/07	115,806.67
Town of Secaucus Payroll Acct. w/ending 12/14/07	183,871.76
Adm. & Exec	4,456.00
Mayor & Council	765.25
Municipal Clerk's Off.	2,644.59
Legal Dept.	1,201.15
Treasurer	7,593.36
Tax Assessor	2,579.77
Tax Collector	2,030.48
Municipal Court	7,433.25
Engineering	000.00
Community Bus	3,091.26
Eyeglasses	250.00
Pub. Bldg. & Grds.	13,937.62
Off. Of Inspect.	1,986.11

Planning Board	000.00
B. Of Adjustments	000.00
Public Defender	1,200.00
Comm. & Security Adm.	1,643.36
Fire Department	000.00
Police Dept.	136,382.24

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Construction	4,382.01	
School Cross Grds.	5,781.80	
Emergency Management	300.29	
Unif. Fire Safety Off.	2,086.52	
Rd. Repair & Maint.	47,159.52	
Sewer System	265.52	
Recycling Coord.	4,482.17	
Bd.of Health	2,459.48	
Mosquito Control	000.00	
Social Services	4,121.03	
Pks. & Play Grds.	960.93	
Supv. Of Play Act.	13,232.96	
Rec. Activities	4,612.34	
Pool Oper.	000.00	
CDBG	304.29	
Town of Secaucus Tax Escrow Acct. w/ending 12/14/07		93,221.54
Town of Secaucus Payroll Acct. w/ending 12/21/07		180,574.26
Adm. & Exec	4,456.00	
Mayor & Council	765.25	
Municipal Clerk's Off.	2,644.59	
Legal Dept.	1,201.15	
Treasurer	8,154.24	
Tax Assessor	2,579.77	
Tax Collector	2,030.48	
Municipal Court	6,634.01	
Engineering	000.00	
Community Shuttle Bus	3,063.02	
Eyeglasses	559.00	
Pub. Bldg. & Grds.	16,621.45	
Off. Of Inspect.	2,442.26	
Planning Board	000.00	
Bd. Of Adjustments	100.00	
Public Defender	900.00	
Comm. & Security Adm.	1,643.36	
Fire Department	000.00	
Police Dept.	128,361.67	
Construction	4,336.88	
School Cross Grds.	5,952.78	
Office Emerg. Management	300.29	
Unif. Fire Safety Off.	2,086.52	
Rd. Repair & Maint.	47,735.29	
Sewer System	207.92	
Recycling Coord.	4,266.96	
Bd.of Health	324.48	
Mosquito Control	000.00	
Social Services	3,873.68	
Pks. & Play Grds.	544.25	
Supv. Of Play Act.	14,802.83	
Rec. Activities	4,732.45	
Pool Operations	304.29	
CDBG	304.29	
Town of Secaucus Tax Escrow Acct. w/ending 12/21/07		90,491.61
Town of Secaucus Payroll Acct. w/ending 12/28/07		172,983.43
Adm. & Exec	3,139.34	
Mayor & Council	765.25	
Municipal Clerk's Off.	2,644.59	
Legal Dept.	1,201.15	
Treasurer	7,230.97	
Tax Assessor	2,579.77	
Tax Collector	2,030.48	
Municipal Court	6,023.95	
Engineering	000.00	
Community Shuttle Bus	2,808.06	
Eyeglasses	871.00	
Pub. Bldg. & Grds.	12,680.30	
Off. Of Inspect.	2,422.26	
Planning Board	000.00	
Bd. Of Adjustments	000.00	
Public Defender	600.00	

Comm. & Security Adm.	1,643.36
Fire Dept.	000.00
Police Dept.	119,692.85
Construction	4,336.88
School Cross Grds.	5,213.41
Emer. Management	300.29
Unif. Fire Safety Off.	2,086.52

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Rd. Repair & Maint.	47,388.80
Sewer System	327.26
Recycling Coord.	4,222.04
Bd.of Health	324.48
Mosquito Control	000.00
Social Services	3,634.96
Pks. & Play Grds.	576.00
Supv. Of Play Act.	19,913.96
Rec. Activities	4,570.99
Pool Oper.	304.29
CDBG	304.29
Town of Secaucus Tax Escrow Acct. w/ending 12/26/07	86,438.78

Total Amount Claims Check No. 22306-22479	\$1,497,628.54
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Recreation Acct. Check No. 1876-1878	\$159,750.23
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Current Account Check No. 1511-1516	\$2,897.23
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Trust Account Check No. 1109-1110	\$66,887.06
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Councilman Bueckner stated that in the past he has voted No on the Tom Calvanico bills, and tonight he would abstain. He said that the Council has agreed that at the start of the new year this would be presented in a different format. He asked about Mark Paving Company, who is doing Hops Lane. He said that they have not done any work in weeks and is concerned about the \$50,000.00.

Mayor Elwell said that the Town Engineered recommended that the project be pushed off to the spring because of past problems with concrete as well as the bad weather coming in.

Councilman Bueckner said since that is happening, when coming up Stonewall Lane on to Hops, he said that is a very dangerous spot. He asked that the contractor put a cone on the Stonewall lane side.

Mayor Elwell said that the engineer made the decision based on weather forecasts. He noted that the money from the State did not get approved until October, therefore, it could not be done any quicker.

Councilman Gonnelli suggested that in the future, the Town hold off and do these type of projects in the spring.

Councilman Bueckner asked if the \$50,000 on the bill list is for work that has been done?

Mayor Elwell said that it was and said that the bill will not be paid without sign off from PMK Group.

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

NAYS: None

ABSTAIN: Bueckner on Tom Calvanico, Gonnelli Fire Department, New Jersey Meadowlands Commission, Regional Communications, Johnson & Johnson and Frank Leanza, Reilly on Jersey City Medical Center and Meadowlands Hospital only, Elwell for Stone Industries and Rudox Engineering

ABSENT: None

Motion carried.

BINGO/RAFFLE APPLICATIONS

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

R-1034 Immaculate Conception Church Off Premise 50/50
R-1035 Secaucus HS Booster Club On Premise Draw
R-1036 Secaucus HS Booster Club On Premise 50/50

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

NAYS: None
ABSENT: None

Motion carried.

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COMMITTEE REPORTS

Councilman Reilly asked that residents be responsible in the new year pertaining to driving.

Councilman Jeffas spoke about the repairs on the Washington Hook and Ladder truck and the fact that it was repaired and will be in service after the first of the year.

Mayor Elwell said that he has a report from Engine Co.1 and recommendation of signs. He provided a report for the Council.

UNFINISHED BUSINESS

Councilman Gonnelli asked about the Paterson Plank Road Traffic problem.

Councilman Reilly said that he did bring it to the Chief of Police and they are trying to work it out.

Mayor Elwell said that Town Administrator spoke with the County Engineer and stated that they will work with the state. Mr. Drumeler explained that the problem is that only one of the lights are a County light and the rest are State lights. He said they will try to make arrangements with the DOT to coordinate the lights.

Mayor Elwell said that he has meeting after the first of the year with DOT and Assemblyman Prieto about this problem and the traffic light at the Maple Street lamp as well as 1st Street.

Councilman Gonnelli asked the Administrator about ERC. He asked for a report of what was paid out and what they paid out. He asked for amount of claims.

Mr. Drumeler said he would take care of it.

Councilman BUEckner asked about the committee to revise ordinances and asked for a status report.

Mayor Elwell said that there have been meeting to revamp the code book. He said that the Planning Board Attorney as well as the Board of Adjustment Attorney were working on it. He said that they have contacted Clarke, Catton and Hintz to go through the code book and make revisions.

Councilman Bueckner noted discussions about types of construction. He asked that the changes be done in partiality.

Mayor Elwell said that since 10 years have passed the Town may have to re-adopt the code, because if it does not get done it could cause problems down the road. He said there would more discussion on this in the new year.

Town Clerk, Michael Marra announced that February 5, 2008 there will be a Presidential Primary Election for the first time. He announced the deadline to register to vote as January 15, 2008 and the Town Clerk's Office will be open until 9:00pm.

Councilman Bueckner stated that a resident informed him that a flag in the Plaza needs to be replaced.

Mayor Elwell said that it was not a problem.

NEW BUSINESS

Mayor Elwell announced that on January 4, 2008 the microphones will be worked on.

REMARKS OF CITIZENS

Arthur Glaeser
Louis Schmitt
Wanda Bosinski
Frank Mac Cormack
Carole Acropolis

Mayor Elwell announced that some of the Council needed to leave for other appointments.

December 26, 2007

Mayor Elwell wished all a Happy and Healthy New Year.

Councilman Jeffas moved to adjourn the meeting at 5:21 PM, seconded by Councilman Reilly.

AYES: Bueckner, Jeffas, Shinnick, Reilly, Elwell

NAYS: None

ABSENT: Kane, Gonnelli

Motion carried.

Michael Marra, Town Clerk

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Salaries & Wages	2,200.00
Legal Services & Costs	
Salaries & Wages	1,500.00
Public Buildings & Grounds	
Salaries & Wages	14,000.00
Planning Board	
Salaries & Wages	1,250.00
Board of Adjustments	
Salaries & Wages	1,250.00
Municipal Court	
Salaries & Wages	7,700.00
Public Defender	
Salaries & Wages	1,200.00
Engineering Services	
Salaries & Wages	750.00

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