

**TOWN OF SECAUCUS**  
**MAYOR AND COUNCIL MEETING - AUGUST 28, 2018**  
**CAUCUS/EXECUTIVE SESSION 4:30 PM**  
**MEETING TO COMMENCE 7:00 PM**

The town does not provide agenda for Council Meetings; however, below is a list of matters scheduled to be discussed which is intended to be a worksheet or reference sheet only for the Mayor and Council Members. No person shall rely on this sheet because scheduled items may be deleted and new items may be added, and Council Members may raise issues during the meeting and take action with respect to the same which are not listed herein.

**PLEDGE OF ALLEGIANCE**

**OPEN PUBLIC MEETINGS ACT**

**ROLL CALL**

**APPROVAL OF MINUTES**

Resolution approving the minutes of the Special Meeting of June 18, 2018, the Regular Meeting of June 26, 2018, the Special Meeting of July 5, 2018 and the Regular Meeting of July 24

**ORDINANCES FOR PUBLIC HEARING**

**Ordinance No. 2018-27**: An ordinance amending Chapter 73 of the Code of the Town of Secaucus entitled "Fire Prevention and Fire Protection" to update the provisions for smoke detector and carbon monoxide alarm compliance inspections

**Ordinance No. 2018-28**: An ordinance amending Chapter 73 of the Code of the Town of Secaucus entitled "Fire Prevention and Fire Protection" to add provisions for the requirement of Knoxboxes for commercial buildings and multi-family buildings

**Ordinance No. 2018-29**: An Ordinance amending 127 of the Code of the Town of Secaucus entitled "Vehicles and Traffic" to designate a fire zone on Moller Street

**Ordinance No. 2018-30**: An ordinance amending Section 127-58B of the Code of the Town of Secaucus entitled "Designation of Locations at or Near Private Residences" (Addition of handicapped parking spots on Irving Place and Minnie Place)

**Ordinance No. 2018-31**: An ordinance amending and supplementing Chapter 135 of the Code of the Town of Secaucus, "Zoning" by adding 135-6 prohibiting uses/activities of recreational marijuana products

**ORDINANCES FOR INTRODUCTION**

**Ordinance No. 2018-32:** A revised ordinance amending Chapter 115A of the Code of the Town of Secaucus entitled "Towing and Storage" for the promulgation of rules for the Town's Towing Regulations

**RESOLUTIONS (CONSENT AGENDA)**

PLEASE SEE CONSENT AGENDA FOR LIST OF RESOLUTIONS

**PAYMENT OF CLAIMS**

**BINGO/RAFFLE APPLICATIONS**

- 1) Application for an On-Premise Draw Raffle to be held on September 22, (Rain Date September 29), sponsored by Friends of the Secaucus Public Library
- 2) Application for an On-Premise 50/50 Fair Share Raffle to be held on September 22, (Rain Date September 29), sponsored by Friends of the Secaucus Public Library

**COMMUNICATIONS REQUIRING ACTION BY MAYOR AND COUNCIL**

- 1) Request by Harish Sachanandani to immerse their Lord Ganesha in the river at Mill Creek Point on September 14, from 5pm to 11pm
- 2) Request by Jim Pilla of the USSSA to use Mill Ridge Fields 1, 2 and 3 for a Softball Tournament on September 22 and 23, October 6 and 7 and 27 and 28.
- 3) Request by Jim Pilla of the USSSA to use Mill Ridge Fields 2 and 3 for a Sunday Softball League on Sundays, from August to November 4
- 4) Request by Marco Flores of Grappling Industries to use the Recreation Center on Koelle Boulevard on October 5 and 6 for a Martial Arts Tournament
- 5) Request by Scott Marshman to use the Recreation Center Basketball Court on September 15 and 16 for Color Guard Practice

**COMMITTEE REPORTS**

**UNFINISHED BUSINESS**

**NEW BUSINESS**

**REMARKS OF CITIZENS**

**ADJOURNMENT**

TOWN OF SECAUCUS  
COUNTY OF HUDSON  
RESOLUTION

**BE IT RESOLVED**, by the Mayor and Council of the Town of Secaucus, that the minutes of the Special Meeting of June 18, 2018, the Regular Meeting of June 26, 2018, the Special Meeting of July 5, 2018 and the Regular Meeting of July 24, 2018 are hereby approved.

August 28, 2018

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor and Council on June 26, 2018.

Town Clerk \_\_\_\_\_ Mayor \_\_\_\_\_

Motion:	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwoman Triagali				
Mayor Gonnelli				

**AN ORDINANCE OF  
THE TOWN OF SECAUCUS, COUNTY OF HUDSON, NEW JERSEY**

**ORDINANCE NO. 2018-27**

**AN ORDINANCE AMENDING CHAPTER 73 OF THE CODE  
OF THE TOWN OF SECAUCUS ENTITLED "FIRE PREVENTION AND FIRE  
PROTECTION " TO UPDATE THE PROVISIONS FOR SMOKE DETECTOR AND  
CARBON MONOXIDE ALARM COMPLIANCE INSPECTIONS**

**WHEREAS**, the Mayor and Council recognize that the safety of all residents and the protection of human life, buildings and structures is of great concern; and

**WHEREAS**, the Town of Secaucus Bureau of Fire Prevention conducts inspections of premises pursuant to state regulations and local ordinances to ensure that homes, buildings and structures meet safety, functionality and placement requirements for smoke detectors and carbon monoxide alarms; and

**WHEREAS**, the Town of Secaucus Bureau of Fire Prevention has recommended updates to Chapter 73 to reflect recent inspection and fee changes to the Uniform Fire Code.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, as follows:

1. Chapter 73 of Code of the Town of Secaucus, "§ 73-9. Permit fees." be, and is hereby amended and supplemented to read as follows: (deletions are indicated by ~~crossouts~~; additions are indicated in **bold**):

The permit fees established by the Uniform Fire Code shall be as follows:

Type 1 - <del>\$42.00</del>	<b>\$54.00</b>
Type 2 - <del>\$166.00</del>	<b>\$214.00</b>
Type 3 - <del>\$331.00</del>	<b>\$427.00</b>
Type 4 - <del>\$497.00</del>	<b>\$641.00</b>

1. Chapter 73 of Code of the Town of Secaucus, §73-23 be and is hereby amended and supplemented to read as follows: (deletions are indicated by ~~crossouts~~; additions are indicated in **bold**):

§ 73-23. **Certificate of Smoke Detector Alarm, Carbon Monoxide Alarm and Portable Fire Extinguisher** Compliance Inspections for all Residences.

- A. No person, regardless of whether such person is a new tenant or a new owner, shall occupy a one (1) or two (2) family house, condominium, apartment or any part thereof, after change of tenancy or ownership, regardless of the length of the rental tenancy or ownership, unless all such units and apartments thereof are equipped with smoke ~~detectors~~**alarms**, and carbon monoxide alarms **and portable fire extinguishers** in accordance with N.J.A.C. 5:70-2.3, N.J.A.C. 5:70-4.19 and the New Jersey Uniform Fire Code, and have issued with respect to such one (1) or two (2) family

house, condominium or apartment, a certificate issued by the Secaucus Fire Inspector attesting that such is in compliance with N.J.A.C. 5:70-2.3, N.J.A.C. 5:70-4.19 and the New Jersey Uniform Fire Code. Whenever there shall be change in tenancy or ownership, regardless of the length of said tenancy or ownership, of a one (1) or two (2) family home, condominium, apartment or any part thereof, in the Town of Secaucus, prior to the effectiveness of such new tenancy or ownership, the municipality, through the Office of the Secaucus Fire Inspector, shall perform a physical inspection of the premises to determine that there is ~~smoke-detector~~ compliance in accordance with N.J.A.C. 5:70-2.3, N.J.A.C. 5:70-4.19 and the New Jersey Uniform Fire Code.

- B. (1) Any certificates issued for smoke detector, ~~and~~ carbon monoxide alarm **and portable fire extinguishers** compliance inspections are not transferable.
- (2) If the change in occupancy specified in the application does not occur within six (6) months, a new application will be required.
- (3) Tenancy or rental shall refer to the occupancy or use of any one (1) or two (2) family house, condominium, apartment or any unit that is part thereof. For the purposes of this chapter, "unit" shall refer to a single unit providing complete, independent living facilities for one (1) or more persons, living together as a single family or domestic unit, including permanent provisions for living, sleeping, eating, cooking and sanitation. A dwelling unit does not include rooming houses, boarding houses or commercial residences. For the purposes of this chapter, "family" shall refer to either an individual or two (2) or more persons related by blood, marriage or adoption living together as a single housekeeping unit in a dwelling unit; or a group of persons, who need not be related by blood, marriage, or adoption living together as a single housekeeping unit in a dwelling unit; plus, in either case, usual domestic servants. A "family" may include any number of gratuitous guests or minor children not related by blood, marriage or adoption. A "family" does not include persons living together in rooming houses, boarding houses, or commercial residences.
- C. The fee for the aforesaid inspection to insure compliance herewith shall be ~~forty~~ **fifty** dollars (\$40-**\$50**) per inspection for one (1) family homes, **apartments** and condominiums, ~~forty dollars (\$40.)~~ ~~per inspection for apartments, sixty~~ **seventy-five** dollars (~~\$60.~~ **\$75.**) per inspection for two- (2) family homes and ~~seventy-five~~ **one-hundred** dollars (~~\$75.~~ **\$100.**) per inspection for three-(3) family homes and up. In the event that the Secaucus Fire Inspector is required to make a reinspection because the premises are not in conformity with N.J.A.C. 5:70-2.3, N.J.A.C. 5:70-4.19 and the New Jersey Uniform Fire Code, an additional fee of ~~thirty~~ **forty** dollars (~~\$30~~ **\$40.**) for each additional inspection shall be imposed. Furthermore, any request received fewer than ~~two~~ **business four (4)** days prior to the change of occupant shall be ~~one~~ **two** hundred dollars (~~\$100.~~ **\$200.**) per inspection.
- D. The aforesaid certificate shall only be issued upon the requisite fees hereunder being paid.
- E. ~~Certificate of smoke detector and carbon monoxide alarm compliance inspections~~ **Certificate of Smoke Alarm, Carbon Monoxide Alarm and Portable Fire Extinguisher Compliance Inspections** shall be required prior to the sale or rental, regardless of the length of the rental, of any multi-family dwelling or dwellings within the Town of Secaucus. All inspection requirements pertinent to multi-family dwellings pursuant to any applicable Uniform Fire Safety Act and Uniform Fire Safety Code shall be strictly adhered to.

2. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
3. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed to be valid and effective.
4. This Ordinance shall take effect immediately upon passage and publication in accordance with law.

**IT IS FURTHER ORDAINED** that the remainder of this Chapter 73 of the Code of the Town of Secaucus shall remain in full force and effect.

I, Michael Marra, Town Clerk of Secaucus, County of Hudson, hereby certify that the above is a true copy of an ordinance introduced & passed on first reading on 7-24-18 and finally adopted by the Mayor and Council on 8-28-18

Town Clerk

Mayor

*Introduction 7-24-18*

Motion	Yes	No	Abstain	Absent
RC				
Second: OT				
Councilman Costantino	✓			
Councilman McKeever	✓			
Councilman Clancy				✓
Councilman Dehnert	✓			
Councilman Gerbasio	✓			
Councilwoman Tringali	✓			
Mayor Gonnelli	✓			

*Adoption 8-28-18*

Motion	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwoman Tringali				
Mayor Gonnelli				

**AN ORDINANCE OF  
THE TOWN OF SECAUCUS, COUNTY OF HUDSON, NEW JERSEY**

**ORDINANCE NO. 2018-28**

**AN ORDINANCE AMENDING CHAPTER 73 OF THE CODE  
OF THE TOWN OF SECAUCUS ENTITLED "FIRE PREVENTION AND FIRE  
PROTECTION" TO ADD PROVISIONS FOR THE REQUIREMENT OF  
KNOXBOXES FOR COMMERCIAL BUILDINGS AND MULTI-FAMILY BUILDINGS**

**WHEREAS**, the Mayor and Council recognize that the safety of all residents and the protection of human life, buildings and structures is of great concern; and

**WHEREAS**, the Town of Secaucus locally enforces the provisions of the New Jersey Uniform Fire Code, N.J.A.C. 5:70-1 *et seq.*; and

**WHEREAS**, the Town of Secaucus Bureau of Fire Prevention has recommended the installation of an updated secure rapid entry system to be used by emergency personnel in the event of a fire or other emergency in commercial and certain multi-family buildings to gain entry by using owner provided keys to increase efficiency of access and assist in preventing forced entries, thus minimizing possible property damage and responder injury.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, as follows:

1. Chapter 73 of Code of the Town of Secaucus be, and is hereby amended and supplemented to read as follows: (additions are indicated in **bold**):

**Article VI Security Box "KnoxBox" System**

**§73-40 Purpose of KnoxBox System.**

**To require installation of an updated secure rapid entry system to be used by emergency personnel in the event of a fire or other emergency in commercial and certain multi-family buildings to gain entry by using owner provided keys in a specified location approved by the Town Fire Official to increase efficiency of access and assist in preventing forced entries, thus minimizing possible property damage and responder injury. The KnoxBox shall be of a UL (Underwriters Laboratories) type and size approved by the Secaucus Fire Official for the stated purpose.**

**§73-41 Commercial buildings.**

**A) All new commercial buildings shall have a KnoxBox of a UL (Underwriters Laboratories) type and size approved by the Secaucus Fire Official installed in a location specified by the Secaucus Fire Official prior to the issuance of the Certificate of Occupancy.**

**B) All existing commercial buildings with an automatic fire-detection and/or fire-suppression system shall have a KnoxBox of a UL (Underwriters Laboratories) type and size approved by the Secaucus Fire Official installed in a location specified by the Secaucus Fire Official within nine (9) months of the effective date of this Article.**

**§ 73-42 Multi-family residential structures.**

**All multi-family residential structures, as defined by the Uniform Fire Code as structures with three (3) or more units, that have restricted access through locked doors and have a common corridor for access to the living units shall have installed a KnoxBox of a UL (Underwriters Laboratories) type and size approved by the Secaucus Fire Official installed in a location specified by the Secaucus Fire Official within nine (9) months of the effective date of this Article.**

**§73-43 Contents.**

**All KnoxBoxes shall contain clearly labeled keys to provide access into the property, building(s) and to any locked areas within said building(s) as the Secaucus Fire Official may direct. This may include, but is not limited to, keys or an access method to the following:**

- a. Any door adjacent or leading to the KnoxBox.**
- b. Fire Alarm Control Room and Fire Sprinkler Control Room.**
- c. Fire panel.**
- d. Elevator machine room and/or other mechanical rooms.**
- e. Locked spaces within the building, with the permission of any tenant or lessee.**

**§73-44 KnoxBox Maintenance.**

**The property or building owner shall immediately notify the Secaucus Fire Official when any lock(s) is changed or rekeyed. New key(s) or access mechanism(s) shall be secured in the KnoxBox by the Secaucus Fire Official.**

**§73-45 Fees.**

- a) The property or building owner shall be responsible for all costs associated with the acquisition, installation and maintenance of the KnoxBox at their location.**
- b) All KnoxBox systems shall be registered with the Secaucus Bureau of Fire Prevention on a form designated by the Fire Official. There shall be a One hundred-dollar (\$100.) registration fee to the Town of Secaucus.**



**§ 73-46 Enforcement.**

The Secaucus Fire Official or their designee shall enforce the terms and provisions of this Article.

**§ 73-47 Violations; penalties.**

Any property or building owner failing to comply with or in violation of the terms of this Article after notice from the Secaucus Fire Official shall be subject to a fine of Five hundred dollars (\$500.)

**§ 73-48 Repealer.**

All ordinances or parts of ordinances inconsistent herewith are repealed as to such inconsistencies.

**§ 73-49 Severability.**

If any section, subsection, sentence, clause, phrase or portion of this Article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

This Ordinance shall take effect immediately upon passage and publication in accordance with law.

**IT IS FURTHER ORDAINED** that the remainder of this Chapter 73 of the Code of the Town of Secaucus shall remain in full force and effect.

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of an Ordinance introduced and passed on first reading on \_\_\_\_\_, 2018 and finally adopted by the Mayor and Council on \_\_\_\_\_, 2018.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

*Introduction 7-24-18*

Motion	Yes	No	Abstain	Absent
<i>WM</i>				
Second: <i>OT</i>				
Councilman Costantino	✓			
Councilman McKeever	✓			
Councilman Clancy				✓
Councilman Dehnert	✓			
Councilman Gerbasio	✓			
Councilwoman Tringali	✓			
Mayor Gonnelli	✓			

*Adoption 8-28-18*

Motion	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwoman Tringali				
Mayor Gonnelli				

**AN ORDINANCE OF  
THE TOWN OF SECAUCUS, NEW JERSEY  
ORDINANCE NO. 2018-29**

**AN ORDINANCE AMENDING 127 OF THE CODE OF THE TOWN OF  
SECAUCUS ENTITLED "VEHICLES AND TRAFFIC" TO DESIGNATE A FIRE ZONE  
ON MOLLER STREET**

**WHEREAS**, the Mayor and Council recognize that the safety of all residents is of utmost concern, particularly in fire or other emergency situations; and

**WHEREAS**, the Town wants to ensure that vehicles are not parked, blocking, or standing at any time in locations critical to the entrance, passage and parking of emergency apparatus; and

**WHEREAS**, upon the recommendation of the Secaucus Police Traffic Division and Fire Chief that the Town amend the fire zone to be inclusive of the west side of the full roadway due to the width of the roadway and the need for access by emergency apparatus on Moller Street in the Town of Secaucus; and

**NOW THEREFORE IT BE ORDAINED** by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, as follows:

1. Chapter 127 entitled "Vehicles and Traffic", Article XVI entitled "Fire Zones," § 127-61 of the Code of the Town of Secaucus be, and is hereby amended and supplemented to read as follows: (additions are indicated in **bold**)

§ 127-61. Descriptions.

**\_\_\_\_\_ Moller Street. From the northwest corner of Lincoln Avenue  
travelling north to the dead end on the west side.**

2. There are no other changes to this Chapter of the Code of the Town of Secaucus.
3. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
4. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, 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 immediately upon passage and publication in accordance with law.

IT IS FURTHER ORDAINED that the remainder of this Chapter 127 of the code of the Town of Secaucus shall remain in full force and effect.

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of an ordinance introduced & passed

on first reading on \_\_\_\_\_ and finally adopted by the Mayor and Council on \_\_\_\_\_

Town Clerk

Mayor

Introduction 7-24-18

Motion	Yes	No	Abstain	Absent
RC				
Second: JG				
Councilman Costantino	✓			
Councilman McKeever	✓			
Councilman Clancy				✓
Councilman Dehnert	✓			
Councilman Gerbasio	✓			
Councilwoman Tringali	✓			
Mayor Gonnelli	✓			

Adoption 8-28-18

Motion	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwoman Tringali				
Mayor Gonnelli				

AN ORDINANCE OF  
THE TOWN OF SECAUCUS, NEW JERSEY

ORDINANCE NO. 2018-30

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 - "Designation of Locations at or Near Private Residences" shall be amended by adding the following locations:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Irving Place (First Floor)	West	On the west side of Irving Place, beginning at a point 70 feet south of the northwest corner of Paterson Plank Road and Irving Place, continuing south for a distance of 18 feet in front of 773 Irving Place
Irving Place	West	On the west side of Irving Place, beginning at a point 88 feet south of the northwest corner of Paterson Plank Road and Irving Place continuing south for a distance of 18 feet in front of 773 Irving Place
Minnie Place	West	On the west side of Minnie Place, beginning at a point 78 feet north of the southwest corner of Centre Avenue and Minnie Place continuing north for a distance of 18 in front of 751 Minnie Place

That the parking space designated for 773 Irving Place (First Floor) adopted by Ordinance is to be personalized for Placard P1931453.

That the parking space designated for 773 Irving Place adopted by Ordinance is to be personalized for Placard P1943789.

That the parking space designated for 751 Minnie Place adopted by Ordinance is to be personalized for Placard P1465037.

If the license plate for the persons utilizing the parking spaces at the above listed address changes, then the parking space designation 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 2

### **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 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.

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of an ordinance introduced and passed on first reading on July 24, 2018 and finally adopted by the Mayor and Council on August 28, 2018.

Town Clerk

Mayor

*Introduction 7-24-18*

Motion	Yes	No	Abstain	Absent
JG				
Second: MD				
Councilman Costantino	✓			
Councilman McKeever	✓			
Councilman Clancy				✓
Councilman Dehnert	✓			
Councilman Gerbasio	✓			
Councilwoman Tringali	✓			
Mayor Gonnelli	✓			

*Adoption 8-28-18*

Motion	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwoman Tringali				
Mayor Gonnelli				

**AN ORDINANCE OF  
THE TOWN OF SECAUCUS, NEW JERSEY**

**ORDINANCE NO. 2018-31**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 135 OF THE  
CODE OF THE TOWN OF SECAUCUS, "ZONING" BY ADDING § 135-6  
PROHIBITING USES/ACTIVITIES OF RECREATIONAL MARIJUANA PRODUCTS**

**WHEREAS**, the Town of Secaucus desires to amend and supplement the provisions of Chapter 135-6 "Zoning" of §135-6 "Use Regulations"; and

**WHEREAS**, there is current legislation pending in the State of New Jersey which includes provisions to legalize the recreational use of marijuana; and

**WHEREAS**, pursuant to N.J.S.A. 40:55D-8, the Mayor and Council have determined that the Zoning Code of the Town of Secaucus shall be amended to include the prohibition of the sale, growth and distribution of recreational marijuana in the interest of public safety and in furtherance of the Town's ongoing efforts to create a drug-free environment for the community.

**NOW THEREFORE BE IT ORDAINED** by the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, as follows:

**§ 135-6(G). Use regulations.**

1. §135-6 of the Code of the Town of Secaucus entitled "Use regulations" be and is hereby amended to include and read as follows:

**G. The cultivation, growing, extraction, manufacturing, processing, laboratory testing, labeling, dispensing, warehousing, distributing and selling of recreational marijuana and/or associated paraphernalia are expressly prohibited uses/activities within the zones of the Town of Secaucus.**

**This provision shall not be construed to limit any privileges or rights of a qualifying patient, primary caregiver, physician, registered dispensary or other person acting in accordance with the New Jersey Compassionate Use Medical Marijuana Act, N.J.S.A. 24:6I-1.**

2. The establishment of district regulations by adding § 135-6 to prohibit uses/activities of recreational marijuana products shall sunset immediately upon the enactment of any legislation by the United States Congress that would legalize the use of recreational marijuana products and conflict with these provisions. This sunset clause shall take effect without further action, unless §135-6(G) is readopted by the Town Council.

3. This Ordinance shall be subject to review and recommendation by the Town Planning Board in accordance with N.J.S.A. 40:55D-26.



4. The County Planning Board shall be provided notice of this proposed ordinance in accordance with N.J.S.A. 40:27-6.10.
5. There are no other changes to this Chapter of the Code of the Town of Secaucus.
6. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
7. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed to be valid and effective.
8. This Ordinance shall take effect immediately upon passage and publication in accordance with law.

**IT IS FURTHER ORDAINED** that the remainder of this Chapter 135-6(G) of the Code of the Town of Secaucus shall remain in full force and effect.

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of an Ordinance introduced and passed on first reading on June 26, 2018 and finally adopted by the Mayor and Council on \_\_\_\_\_, 2018.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

*Introduction 7-24-18*

Motion	Yes	No	Abstain	Absent
<i>JG</i>				
Second: <i>RC</i>				
Councilman Costantino	✓			
Councilman McKeever	✓			
Councilman Clancy				✓
Councilman Dennert	✓			
Councilman Gerbasio	✓			
Councilwoman Tranjari	✓			
Mayor Connell	✓			

*Adoption 8-28-18*

Motion	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dennert				
Councilman Gerbasio				
Councilwoman Tranjari				
Mayor Connell				

**AN ORDINANCE OF  
THE TOWN OF SECAUCUS, NEW JERSEY**

**ORDINANCE NO. 2018-32**

**A REVISED ORDINANCE AMENDING OF CHAPTER 115A OF THE CODE OF  
THE TOWN OF SECAUCUS ENTITLED “TOWING AND STORAGE”  
FOR THE PROMULGATION OF RULES FOR THE TOWN’S TOWING  
REGULATIONS**

**WHEREAS**, pursuant to N.J.S.A. 40:48-2.49 and 2.54, the Town of Secaucus is authorized to enact an ordinance setting forth regulations for the removal of motor vehicles from private or public property, including the fees charged for such removal and storage and the notice requirements therefore; and

**WHEREAS**, the Mayor and Council are revising Chapter 115A “Towing and Storage” of the Code of the Town of Secaucus as set forth below to address the needs of the Town in the interest of public safety, health and welfare; and.

**WHEREAS**, the Council initially took action to approve the introduction of a similar Ordinance, number 2018-20, on May 8, 2018 with adoption of such on June 26, 2018; However due to an administrative error, Ordinance 2018-20 was not initially published in accordance with N.J.S.A. 40:49-2(a) and this revised Ordinance is being re-introduced in accordance with N.J.S.A. 40:49-2 to cure any possible procedural deficiencies and to further fair and open public bidding.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey as follows:

1. Chapter 115A of the Code of the Town of Secaucus entitled “Towing and Storage” with initial adoption in March 3, 2007 under Ordinance Number 2007-10, amended in its entirety April 26, 2011 under Ordinance Number 2011-13 and subsequent amendments to sections, is to be repealed in its entirety and replaced with the following:

**§ 115A-1 Definitions.**

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

**BASIC TOWING SERVICE** – Shall mean when a tow truck and/or hydraulic flatbed car carrier takes in its possession the care, control and custody of a motor vehicle by the removal and transportation of a motor vehicle from a highway, street or other public or private road or a parking area or from a storage facility and other service normally incident thereto.

**BULK TOWING SERVICE** – Shall mean the removal of a group or bulk of vehicles from a highway, street or other public or private road or a parking area or from a storage facility and other services normally incident thereto.

**TOW TRUCK** – Commercial motor vehicle designed exclusively to lift motor vehicles that have become disabled, wrecked, recovered stolen and impounded by means of lifting from the front or rear by the following methods:

1. Slings type: mechanical or hydraulic
2. Wheel lift type: mechanical or hydraulic

**HYDRAULIC FLATBED CAR CARRIER** – Commercial motor vehicle designed exclusively to transport motor vehicles that have become disabled, wrecked, recovered, stolen and impounded by removing vehicles from roadway level up onto a hydraulic bed for transporting purposes.

**DECOUPLING FEE** – Shall mean a charge by a towing company for releasing a motor vehicle to its owner or operator when the vehicle has been or is about to be, hooked or lifted by a tower, but prior to the vehicle actually having been moved or removed from the property.

**DEBRIS** – Shall mean fragmentation at the scene of a towing assignment, the removal of which will require no additional personnel nor specialized equipment as is exclusive of vehicle contents and/or cargo, both of which, will be classified as “spillage.”

**EXTRA TOWING SERVICE (WINCHING)** – Shall mean recovery of a motor vehicle from a position:

1. Either partially or completely overturned;
2. Beyond the right of way or berm;
3. Where it is impaled upon any other object within the right of way.

Extra Towing Service shall also be known as.

**MINOR SPILLAGE** – Shall mean release of vehicle cargo and/or contents at the scene of a towing assignment, the removal of which, shall not require the need for additional personnel and/or specialized equipment.

**MOTOR VEHICLE** – Shall include all vehicles propelled otherwise by muscular power, excepting such vehicles as run only upon rails or tracks and motorized bicycles, motorized scooters, motorized wheelchairs and motorized skateboards.

**TOW OPERATORS OR TOWERS** – Any person, persons, partnership, corporation or business entity who engages in the removal of motor vehicles, basic towing service, bulk towing service or the operation of a tow truck, hydraulic flatbed car carrier or singular vehicle designed exclusively to transport motor vehicles that have become disabled, wrecked, recovered, stolen or impounded.

## **§ 115A-2 Requirements.**

- (1) In compliance with N.J.S.A. 40:48-2.49, no person, persons, partnership, corporation or business entity shall offer to perform or engage or attempt to engage in the business of towing within the

Town of Secaucus, unless that company complies with the provisions of this Ordinance, without first obtaining a license as provided herein.

- (2) Tow operators must be registered with the Division of Consumer Affairs in the State of New Jersey Department of Law and Public Safety, and maintain this status.

**§ 115A-3 Application process; review; licensing.**

- A. An application for inclusion on the official towers list shall be submitted to the Town Clerk in duplicate upon a form prepared by the Chief of Police or their designee, and shall contain all of the following information:
  - (1) Full name, address and contact information for the applicant. This shall include the name, residence and business addresses, and telephone number of any person or corporation with ownership interest. All will be considered applicants under this chapter.
  - (2) Details which may be required by the Town concerning applicant's personnel, vehicles (including, but not limited to, type, vehicle identification number, license plate and registration information), equipment and storage facilities, showing that the applicant meets the minimum standards of performance as set forth in this chapter.
  - (3) A certificate or certificates of insurance evidencing insurance coverage as hereinafter provided.
  - (4) Certification that the applicant will provide towing services anywhere in the Town of Secaucus with a maximum response time of twenty (20) minutes, except when extraordinary circumstances occur.
  - (5) Certification that the applicant will be available for services by phone twenty-four (24) hours per day for police calls, and that the applicant will abide by the fees contained in this chapter.
  - (6) Address(es) of the garage(s), storage area(s) and other facilities, the number of cars that can be stored and the total square footage of each area.
  - (7) Non-refundable application fee of fifty dollars (\$50.).
- B. Each applicant shall execute an Indemnification/Hold Harmless Agreement in the form provided by the Town Clerk. The licensee is required to defend and hold harmless the Town of Secaucus for liability from any and all obligations, liabilities, judgments, claims and demands for personal injuries and damages to property which may arise out of the performance of municipal police towing exclusive of the negligent acts of the Town.
- C. Any applicant must have maintained a towing business for a minimum period of one (1) year.
- D. In addition to the foregoing, upon submission of an application, all applicants are consenting to and agreeing to meet the following for the protection of public health, safety and welfare:
  - (1) A federal and state background check to determine if the applicant and all persons employed by the applicant, including but not limited to operators, drivers, supervisors, management and employees, supervisors and managers, have been convicted of a crime of moral turpitude or have had their driver's licenses suspended or revoked within the past year. Conviction of a criminal offense or suspension of driver's license within one (1) year preceding the date of the application shall, at the discretion of the Chief of Police be cause for disqualification from inclusion on the official towers list. Applicants shall be responsible for the cost associated

with conducting the background checks. The applicant shall authorize the Chief of Police to be the recipient of the affirmation or negative response of the background check from the Federal Bureau of Investigation, Identification Division, the State Police or other entity.

- (2) An inspection by the Chief of Police or their designee of the personnel, vehicles, equipment and storage area proposed to be utilized by the applicant to verify the accuracy of the information contained in the application.
- (3) Each applicant shall produce such information, documentation and assurances as may be required to establish the financial stability, integrity and responsibility of the applicant, including but not limited to bank references, business and personal income and disbursements schedules, tax returns and other reports filed with governmental agencies, and business and personal accounting and check records and ledgers, if necessary and requested by the Town. In addition, each applicant shall, in writing, authorize the examination of all bank accounts and records as may be deemed necessary by the Town.
- (4) A review by the Chief of Police or their designee of the applicant's professional and business history with the Town and other municipalities and/or entities, including but not limited to, adherence with the necessary requirements, complaints lodged against applicant in the course of towing services and response reports, or by way of a check of applicant references for new applications.
- (5) All towing operators and drivers shall partake in the New Jersey Traffic Incident Management (TIM) Training. All towing operators and drivers employed with the company at the time of license application shall agree to attend and complete the New Jersey Traffic Incident Management (TIM) Training within six (6) months of licensure with the Town or within a time period approved by the Chief of Police in their sole discretion.

#### E. Review of Qualifications: Disapproval

If, as a result of such investigation, the applicant's qualifications are found to be unsatisfactory, or if it is found that the issuance of a license to the applicant would present a danger to the public health, welfare or safety, the Chief of Police shall indicate their disapproval on such application with the reasons and shall return the application to the Town Clerk. The applicant shall be notified in writing that their application is disapproved, the reasons for said disapproval and the applicant's right to a hearing. Any applicant aggrieved by a rejected application is entitled to be heard by the Town Administrator upon written notice to the Town Clerk within fourteen (14) days of the disapproval.

#### F. Review of Qualifications: Approval

- (1) If, as a result of such investigation, the qualifications of the applicant are found to be satisfactory, and it is found that the issuance of a license to the applicant will not present a danger to the public health, welfare and safety, the Chief of Police shall endorse their approval on the application and return the application to the Town Clerk.
- (2) An applicant may be included on the official towers list by the Mayor and Council by resolution adopted at a public meeting, when, from consideration of the application and from such other information as may otherwise be obtained, it finds that all of the following circumstances exist:

- (a) The applicant has not knowingly and with intent to deceive, made any false, misleading or fraudulent statements of material fact in the application or in any other document required pursuant to this chapter.
  - (b) The applicant has met the standards in this chapter and has furnished the required documents and certificate(s) of insurance.
- (3) Upon approval of the application as herein provided and payment of the fee, the Town Clerk shall issue the applicant an official towers license pursuant to this chapter.
  - (4) Said license shall be prominently displayed in the licensee's primary place of business at all times.
  - (5) The license shall be nontransferable and subject to suspension and/or revocation as set forth in this chapter.

**§ 115A-4 Term of license; fee.**

Each license shall be for a period of two (2) years. All applications shall be received between the date publicized and at least thirty (30) days prior to the start date of the period. The fee for said license shall be One thousand dollars (\$1,000.) per two-year license period.

The license issuing authority shall be the Town Clerk. Such additional rules and regulations, as may be promulgated by the Mayor and Council pursuant to this chapter, shall take effect after notification of such upon all licensees in writing at the address contained in the most current application. The licensee shall be given a reasonable opportunity to be heard on such changes if requested in writing.

**§ 115A-5 Implementation.**

Upon the adoption of this Ordinance, the Town Clerk shall provide public notice for receipt of any license applications for the initial license period in compliance with 115A-4. The initial license period shall be from January 1, 2019 through December 31, 2020.

**§ 115A-6 Equipment.**

A. Tow operators shall maintain and have, but not be limited to, the following equipment:

- (1) Four (4) light duty wheel lift wreckers with hydraulic booms with a rating of no less than four (4) tons.
- (2) Two (2) light duty flatbed type vehicles with wheel lift. They should have a GVW of a least twenty-four thousand (24,000) pounds and be equipped with a snatch block.
- (3) One (1) heavy duty flatbed capable of towing an oversized limo or any extra long vehicle. This vehicle should have a GVW of no less than thirty-five thousand (35,000) pounds and be equipped with a snatch block.
- (4) One (1) heavy duty rotating wrecker/crane with a rating of no less than forty-five (45) tons. The boom must have extendable and rotating capabilities. This equipment shall be equipped with snatch blocks.

- (5) Three (3) heavy duty wreckers capable of towing trucks, tractor trailers and buses. These trucks should be capable of lifting no less than twenty-five (25) tons and must have snatch blocks.
- (6) One (1) tandem axle tractor with a GVW of eighty thousand (80,000) pounds.
- (7) One (1) landoll type tandem axle hydraulic tilt flatbed trailer with traveling hydraulic axles and a minimum deck length of no less than forty-eight (48) feet long. Such trailer shall have a winch of sufficient capacity to support pulling up heavily damaged trucks and buses.
- (8) One (1) dry freight type trailer of a length of no less than forty (40) feet long.
- (9) One (1) full set of air cushion recovery systems with compressor and hoses.
- (10) One (1) liquid transfer pump.
- (11) One (1) service truck with cutting torches, tire changing equipment, air compressor, air gun, hand tools, generator set with remote lighting, traffic cones, chains, pry bar, first aid kit, dust masks, disposable suits, one (1) fire extinguisher and amber light with proper permit.
- (12) One (1) trailer dolly either single or dual axle, but a sufficient capacity to allow safe transport of fully loaded trailers.
- (13) One (1) tandem axle dump truck or roll off truck with a GVW of no less than fifty thousand (50,000) pounds.
- (14) One (1) medium duty wrecker wheel lift with a twin cable boom and wheel lift with a minimum boom rating of eight (8) tons.
- (15) One (1) articulated 4x4 loader of sufficient capacity and size which would allow the loading of high side walking floor type trailers and dump trailers.
- (16) One (1) fork lift capable of unloading a trailer.
- (17) One (1) set of heavy duty wheel grids. These wheel grids are required for the towing and removal of fire apparatus vehicles and low profile trucks and buses. These wheel grids must have the capacity to tow and transport heavy duty commercial trucks, buses and tractor trailers.
- (18) One (1) back hoe with the capacity to dig around an overturned trailer or one (1) bob cat type loader to clean up dirt or such due to an overturned or spilled trailer.
- (19) Safety equipment. Each tow truck shall contain and maintain, but not be limited to, the following:
  - Chains and tie down
  - One (1) snatch box
  - One (1) auxiliary safety light kit to be placed on the rear of a towed vehicle that does not have functioning taillight flashers
  - Rotating amber emergency lights mounted on top of truck
  - Two (2) white work lights facing the rear of the truck
  - Jumper cables or a jump box
  - One (1) steering wheel tie down
  - Toolbox containing assorted hand tools normally used to conduct emergency roadwork and towing
  - ANSI-approved safety vests (One (1) per driver/employee which shall be worn at all times)
  - One (1) five-pound ABC rated powder fire extinguisher
  - One (1) flashlight
  - Five (5) pounds of speedy dry or equivalent

One (1) box of flashers  
One (1) shovel  
One (1) heavy duty broom  
Large plastic bags

- B. Every tow vehicle or flatbed shall comply with any and all state, federal and local laws, regulations and ordinances pertaining to safety, lighting and towing equipment.
- C. Every tow vehicle and flatbed shall have the name of the official tower displayed on the vehicle in such a manner and of such lettering as conforms to the provision of N.J.S.A. 39:4-46.
- D. All equipment must be owned and in the applicant's business name at the time that the application is submitted.
- E. All trucks must have two-way radios or cellular service for communication.

**§ 115A-7 Insurance.**

- A. The official tower shall secure, pay the premium for, and keep in force adequate insurance as provided below, including any renewal thereof, and name the Town of Secaucus, their officers, officials, agents, employees and consultants as additional insureds:
  - (1) General liability coverage in an amount of not less than one million dollars (\$1,000,000.) per occurrence and two million dollars (\$2,000,000.) in the aggregate.
  - (2) Umbrella or excess liability insurance coverage in an amount of not less than two million dollars (\$2,000,000.).
  - (3) Workers' compensation insurance as required by the laws of the State of New Jersey and applicable federal laws.
  - (4) Automobile and garage liability insurance coverage with limits in an amount of not less than one million dollars (\$1,000,000.) per occurrence.
  - (5) Garage keepers legal liability coverage in the amount of one hundred thousand dollars (\$100,000.) per vehicle.
  - (6) On hook liability coverage in the amount of one hundred thousand dollars (\$100,000.) per vehicle.
  - (7) The licensee shall file with the Town Clerk for the Town of Secaucus for approval, one (1) copy of each of the required insurance certificates.
  - (8) Each insurance policy shall carry an endorsement to the effect that the insurance company shall give at least thirty (30) days notice to the Town of Secaucus by certified mail, return receipt requested, of any modification or cancellation of any policies required.

**§ 115A-8 Minimum personnel requirements; qualifications.**

- A. Official towers shall have available, at all times, four (4) towing operators and one (1) dispatcher. All towing operators and/or drivers must meet the following requirements:
  - (1) All towing operators and drivers must have a valid driver's license.
  - (2) All towing operators must submit to a federal and state background check, which may be conducted by a designated third party entity at a location outside of the Town.
  - (3) All towing operators and drivers must obey all traffic laws and regulations, in compliance with Title 39 of the New Jersey Revised Statutes, and present a neat appearance at all times.
  - (4) All towing operators and drivers shall partake in the New Jersey Traffic Incident Management (TIM) Training.



- B. Compliance periods for requirements. Licensee is responsible for ensuring that all operators, drivers, supervisors, management and employees remain qualified pursuant this chapter for the duration of the license. Information on new operators, drivers, supervisors, management and employees shall be provided as an amendment to the license application to the Town Clerk within thirty (30) days of any hire. Background checks shall be completed on all new hires and receive a satisfactory determination from the Secaucus Chief of Police prior to their response for a call within the Town of Secaucus pursuant to this chapter. New hires shall attend and complete the New Jersey Traffic Incident Management (TIM) Training within six (6) months of hire or within a time period approved by the Chief of Police in their sole discretion. Failure to comply may be cause for suspension or revocation of the license.

**§ 115A-9 Storage facilities; business locations; requirements.**

- A. Every official tower shall maintain a secured storage facility and business operation that meets the requirements set forth below. The official tower must be prepared upon request to show written evidence of its ability to meet these requirements for the duration of their license.
- (1) For the convenience of the Secaucus Police Department and the convenience of the residents of Secaucus, the official tower's staffed location must be located within the Town of Secaucus or no further than two (2) miles from a road in the Town of Secaucus. Note that the Town of Secaucus does not dispatch tow trucks to the New Jersey Turnpike.
  - (2) The storage area must be secured with a fence, proper lighting from dusk to dawn, security cameras with recording and storage capabilities and must be properly marked with the official tower's name.
  - (3) A person retrieving their vehicle shall be able to transact all business, including the pickup of any motor vehicle and the payment of fees, at the same location.
  - (4) The official tower must have storage areas capable of storing fifty (50) light duty vehicles and five (5) heavy duty vehicles, including an inside storage area at least four (4) spaces.
  - (5) The official tower will be prohibited from placing a vehicle in storage at any other location without permission from the Town of Secaucus.
  - (6) No impounded vehicle shall be parked on any public street or sidewalk but must be stored by the official tower in the secured storage area. The entire location must be level and clear of all debris. There shall be no piling of vehicles. The official tower shall store all vehicles in such a manner to prevent any damage to vehicles.
  - (7) The official tower shall provide a waiting room with a public rest room. The waiting room must have a public phone for use by motorists/owners.
  - (8) The official tower must accept at least two (2) major credit cards.
  - (9) The official tower shall ensure that the public, after securing the proper release from the Secaucus Police Department, can recover a towed vehicle from the storage facility on weekdays between the hours of 8:00 a.m. and 8:00 p.m. and on Saturdays from 9:00 a.m. to 5:00 p.m. excluding holidays. The office of the official tower must be open and properly staffed during these times.
  - (10) The Secaucus Police Department shall have access twenty-four (24) hours, seven (7) days a week to any towed vehicle. The official tower must maintain a telephone number where a

representative can be reached by the Secaucus Police Department twenty-four (24) hours per day, seven (7) days per week.

- (11) The official tower shall keep a computerized up-to-date inventory of all cars towed and stored, locations and fees charged. Records shall be kept and maintained for at least eighteen (18) months and shall be available for review by the Chief of Police or their designee.

**§ 115A-10 Rotational shifts, tow procedures.**

- A. The Chief of Police shall maintain a revolving list of licensed towers to provide service where needed and shall instruct all on-duty officers to call those listed in alphabetical order on a weekly rotational basis. Each rotational shift, as referenced above, shall commence on Sunday at 12:00 a.m. and end on the following Saturday at 11:59 p.m.
- B. The Chief of Police or their designee reserves the right, under extenuating or emergent circumstances, to deviate from the rotational list of licensees due to a specific type of equipment and/or expertise required, and in addition, to contact more than one (1) licensed tower to respond to the scene due to a large volume of required vehicles to be towed.
- C. Nothing in this section shall prevent the owner or the operator of vehicle from contacting a tower or roadside assistance provider of their own choice to remove their vehicle from the public streets or roadways of the Town after it has become disabled or otherwise inoperable due to an accident or other reason. Said owner or operator shall have reasonable time within which to select a tower or roadside assistance provider of their choice and contact them to remove the vehicle from the public roadways of the Town. The Secaucus Police Department may also contact the appropriate tow operator for routine response. The first tower or roadside assistance provider to arrive on scene and begin to handle the removal of the car shall be permitted to remove the motor vehicle. If the Town's tow operator arrives on the scene after the tower or roadside assistance provider of the owner or operator's choice, the tow operator shall not charge the owner or driver of the vehicle nor the Town of Secaucus for response.
- D. In the absence of emergent or hazardous conditions, "reasonable time" shall be a period not more than twenty (20) minutes. The discretion of the police officer involved at the scene shall be controlling as to a determination of conditions requiring immediate removal of vehicles involved.
- E. No individual owner or operator of a wrecker shall respond to the scene of an auto accident except upon notification by the officer in charge of the Secaucus Police Department or his designee or upon request of the driver or owner of the vehicle involved.

**§ 115A-11 Towing and storage services fee schedule; payments**

- A. The maximum allowable fees for towing and storage are set forth below and shall apply to licensees and tow operators providing services for Secaucus Police Department directed tows:

CLASS 1: LIGHT TOW: AUTOMOBILES,  
MOTORCYCLES AND MOTOR SCOOTERS

Towing..... \$125.00

Storage ..... \$35.00 per 24 hour period or part thereof

**CLASS 2: LIGHT TOW: SUV, VANS, PICKUPS UP TO 10,000 LBS.**

Towing ..... \$ 135.00

Storage ..... \$45.00 per 24 hour period or part thereof

**CLASS 3: HEAVY TOW: TRUCKS, BUSES AND VEHICLES OVER 10,000 LBS**

Towing ..... \$250.00/hour per truck (2 hr. minimum)

Storage ..... \$85.00 per 24 hour period or part thereof

- B. While an official tower may not charge a service fee for towing and storage services ancillary to basic services, under certain circumstances official towers shall be allowed to charge for extra services that may be required above the basic towing charge. Any such services and charges shall be in accordance with the fee schedule below:

Decoupling	\$25.00 (up to 10,000 lbs.) \$100.00 (over 10,000 lbs.)
Jump Start	\$25.00
Flat Tire	\$25.00
Lock Out	\$25.00
Road Service	\$25.00
Gasoline/Fuel Service	\$25.00, in addition to gasoline/fuel cost
Crash or window wrap	\$75.00 flat fee
Site Clean up	\$25.00 per bag of absorbent and \$25.00 per bag of debris removal
Winching (not applicable to the towing of parked automobiles or minor maneuvering of automobiles prior to tow)	\$75.00 per hour for light tow vehicles (up to 10,000 lbs) \$150.00 per hour for heavy tow vehicles (over 10,000 lbs)
Snow locked vehicles	\$50.00 per tow additional charge
Rotator/Crane Recovery Unit Service	\$1,200.00 per hour
Tarp	\$125.00

- C. Licensees shall tow and make minor roadside service repairs to vehicles owned by the Town of Secaucus and/or its related entities in the event that they become disabled, without charge to the Town. Such shall apply to towing only if towed within the County of Hudson. Other charges for services shall be in accordance with the fee schedule below and applicable state statutes and regulations, including N.J.S.A. 40:48-2.50:

Storage	\$3.00 per day for the first thirty (30) days of storage per vehicle; and \$2.00 per day for the 31 <sup>st</sup> day of storage and each day thereafter with a \$400.00 limit per vehicle for storage regardless of the duration of the storage.
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Mileage	\$3.00 per mile for any transport of a Town vehicle outside of the County of Hudson. No mileage/time compensation will be provided for travel to/from the vehicle.
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- D. If the owner of an unattended vehicle appears on the scene and the vehicle does not need to be towed or impounded, the licensee shall not charge for the service call, unless the vehicle has been hooked up to the tow truck, in which event a decoupling fee not to exceed twenty-five dollars (\$25.) for light tow vehicles (up to 10,000 lbs) or one hundred (\$100.) for heavy tow vehicles (over 10,000 lbs) may be assessed against the owner of the vehicle. The tow operator is not required to wait more than five (5) minutes on scene to receive payment; Any bill for the service shall be sent directly to the vehicle owner.
- E. Towing service to a location other than the licensee's storage area, when requested by the vehicle owner or driver, shall be at a reasonable and customary rate as negotiated between the tow operator and the vehicle owner or driver.
- F. If a vehicle is moved during snow events, other weather events or other emergency situations at the direction of the Secaucus Police Department due to an emergent circumstance to a municipal lot within the Town of Secaucus, the Town of Secaucus shall be charged a flat fee of fifty dollars (\$50.) per vehicle moved, regardless of size. No other charges shall be assessed against the Town or the owner of the vehicle.
- G. On any occasion that the highest-ranking officer on duty deems an incident to be a hazard or emergent in nature, said officer is empowered to direct the licensee to respond to the scene of said incident and to take the appropriate action to ensure the public safety and welfare. The owner/operator of the involved vehicle will be advised at the time of the incident that the vehicle will be impounded at the scene at police direction, and stored until the appropriate payment for the directed services are paid to the licensee.
- H. Fee schedules, indicating the set rates for towing and storage in addition to fees for tow service to locations other than those for the Town of Secaucus, shall be posted in the tow operator's place of business and kept in the possession of the drivers of all tow trucks/wreckers and presented to any vehicle driver/owner upon request.
- I. There shall be no charge for towing, storage and/or impoundment if it is determined by the Chief of Police that such vehicle has been towed, stored or impounded due to an error by the tow operator or the Town of Secaucus Police Department. This determination shall be in the sole discretion of the Chief of Police and is binding upon the licensee, who shall make no claims against the Town of Secaucus or the owner of the vehicle. If payment has been received by the licensee, reimbursement in the full amount shall be made.
- J. There shall be no charge for towing to a location designated by the Chief of Police or the highest-ranking officer on duty of the Town of Secaucus Police Department as part of an investigation for which the vehicle, which is the subject of the service call, is needed. The determination that the vehicle is needed as part of an investigation shall be in the sole discretion of the Chief of Police or the highest-ranking officer on duty and is binding upon the licensee, who shall make no claims against the Town of Secaucus or the owner of the vehicle. Any subsequent service call for the

vehicle to be removed from that location by the Town of Secaucus Police Department would be subject to the fees set forth in this section.

- K. Payment. The above fees are chargeable once services are rendered. All charges made by any licensee shall be paid by the owner or operator or any person, firm or corporation claiming the right to possession of any vehicle towed or stored by the licensee as provided for herein. The Town shall not be liable for the payment of any sum to the licensee which may be due on account of towing or storage.

A towing company must accept all forms of payment, such as a credit card or debit card, for payment in lieu of cash for towing, storage and other fees if the tow operator ordinarily accepts such payments at the place of business.

**§ 115A-12 Duties of a licensed tow operator; response time; prohibited practices.**

- A. Tow operators shall abide by the following while performing services pursuant to this chapter:
- (1) The tow operator, upon receiving a call for service from the Secaucus Police Department, must respond to the scene within twenty (20) minutes. If there is no response within twenty (20) minutes, the Secaucus Police Department may notify another licensed tow operator to respond to the scene and cancel the original tower. The Secaucus Police Department will have the discretion to lessen the twenty (20) minute time period in the event of exigent circumstances at the time of the incident. In the event another licensed tower is called under this subsection, neither the Town nor the vehicle owner or the operator will be responsible for any damages incurred by the original tow operator that failed to or could not respond in time.
  - (2) Under appropriate circumstances and with due consideration for safety, the tow operator shall transport the owner or the operator of the vehicle to be towed to the site where the vehicle is being towed or to another point of safety within the Town of Secaucus, at the discretion of the police officer at the scene, at no additional cost to the owner or the operator of the vehicle being towed.
  - (3) The tow operator, during snow events, other weather events or other emergency situations at the discretion of the Chief of Police and upon receiving a call from the Secaucus Police Department, shall provide and make available a tow truck and driver at police headquarters or at a specified location within the Town of Secaucus to handle any tow needs that arise. The Town of Secaucus shall not be charged for this standby service regardless if the tow operator is utilized or not during the time period requested.
  - (4) All tow trucks and equipment used and employed in the towing of vehicles shall be kept in clean and good working condition.
  - (5) The tow operator shall, when performing under this license, follow the lawful directions of the officers, agents or representatives of the Secaucus Police Department.
  - (6) No tow operator shall refuse to render towing and storage services to a vehicle when duly summoned by the Secaucus Police Department
  - (7) Broken glass and debris shall be cleaned by the operator/employee of the tow truck from the scene of an accident to which they are summoned. No tow operator shall refuse to remove

residual debris from the scene of an accident pursuant to a police directive made in the interest of public safety. If the operator/employee does not remove the debris from the scene of the accident, the tow operator may be subject to a fine of not less than twenty-five (\$25.) dollars nor more than fifty (\$50.) dollars, pursuant to N.J.S.A. 39:4-56.8.

- (8) Tow operators nor their drivers, employees or agents shall make, give or cause any undue or unreasonable preference or advantage, or undue or unreasonable prejudice or disadvantage, to any person, with respect to providing towing services.
  - (9) Tow operators nor their drivers, employees or agents shall give any benefit or advantage, including a pecuniary benefit, to any person for providing information about vehicles parked for unauthorized purposes on privately owned property or otherwise in connection with towing from privately owned property motor vehicles parked without authorization.
- B. Any violation of this section shall be grounds for suspension or revocation after hearing pursuant to the procedures set forth herein.

**§ 115A-13 Towing of a vehicle intended to be impounded; seized vehicles; sale of abandoned vehicles; fees.**

- A. When a tow operator is directed by the Secaucus Police Department to tow a vehicle intended to be impounded, the tow operator shall abide by the following:
  - (1) Release no vehicle to the vehicle owner without written authorization from the Secaucus Police Department or a court of competent jurisdiction.
  - (2) Allow no person to gain entry to or remove any property from the impounded vehicle.
  - (3) Assume full responsibility for any impounded vehicle released or disposed of without the written authorization from the Secaucus Police Department or a court of competent jurisdiction.
- B. For matters concerning impounded vehicles in accordance with subsection (A), upon authorization for release of a vehicle from the Secaucus Police Department or a court of competent jurisdiction, the tow operator shall deem the vehicle released and available for removal by the owner. Fees for storage shall be in accordance with the storage fees set forth in this chapter from the date of impoundment or in accordance with applicable statutory provisions.
- C. For matters involving impounded vehicles for possible seizure or forfeiture, upon authorization for release of a vehicle from the Secaucus Police Department or a court of competent jurisdiction, the tow operator shall deem the vehicle released and available for removal by the owner. For calculation purposes, fees for storage shall begin on the date of release by the Secaucus Police Department or a court of competent jurisdiction, whichever is earlier, in accordance with the fees set forth in this chapter or the applicable statutory provisions.
- D. Procedures and fees for the auction of junk or abandoned vehicles shall be in accordance with N.J.S.A. 39:10A-1 et seq. and other applicable state statutes and regulations.
- E. The tow operator shall provide the Secaucus Police Department with the following information on vehicles unclaimed over thirty (30) days: vehicle year, make and color; vehicle identification number; state of registration and registration number; name and address of owner (if available); and the Secaucus Police Department case number associated with the tow. Such information shall be provided at least quarterly or more frequently upon request by the Secaucus Police Department.

**§ 115A-14 Complaints.**

In the event that a complaint is received by the Town of Secaucus involving the improper or unsatisfactory performance of services by a qualified tow operator, the Town representative shall advise the complainant of their right to file a formal complaint against the tow operator with the Town Administrator or their designee.

Nothing contained herein shall prevent or limit the right of any person to commence or maintain an action for damages or any other relief directly against a qualified tow operator in a court of competent jurisdiction.

**§ 115A-15 Suspension; revocation.**

A. The Town of Secaucus may suspend or revoke any approval or license issued by it, upon the recommendation of the Secaucus Police Department for good cause, including but not limited to, the following circumstances:

- (1) Has failed to comply with any of the provisions of this chapter;
- (2) Has obtained a registration through fraud, deception or misrepresentation;
- (3) Has engaged in the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense;
- (4) Has engaged in gross negligence or gross incompetence;
- (5) Has engaged in repeated acts of negligence or incompetence;
- (6) Has provided unsatisfactory service provided pursuant to this chapter;
- (7) Has had a towing operation registration or license revoked or suspended by any other state, agency or authority for reasons consistent with this section;
- (8) Has violated or failed to comply with the fee schedule in this chapter;
- (9) Has failed to respond to calls in a timely manner pursuant to this chapter;
- (10) Has failed to maintain the required insurance pursuant to this chapter; or
- (11) Has been convicted of: A crime under Chapter 11, 12, 13, 14 or 15 of the Title 2C of the New Jersey Statutes; motor vehicle theft or any crime involving a motor vehicle under Chapter 20 of Title 2C of the New Jersey Statutes; or any other crime under Title 2C of the New Jersey Statutes relating adversely to the performance of towing services or the storage of motor vehicles as determined by the Town.

B. Notice and opportunity of hearing for suspension or revocation of a license shall be given in writing, setting forth the grounds of the complaint and the time and place of hearing with the Town Administrator and appropriate Town representatives. Such notice shall be served personally upon the licensee or mailed by registered letter to the licensee at their last known address at least five (5) days prior to the date set for the hearing.

C. In the event of a suspension or revocation of a license, the Chief of Police or Town Administrator shall report their findings and reasons to the Mayor and Council.

D. Any licensee aggrieved by the action of the Chief of Police or the Town Administrator in the suspension or revocation of an application for a license as provided in this section shall have the

right of appeal to the Town Council. Such appeal shall be taken by filing with the Town Council within fourteen (14) days after notice of the action has been mailed to the licensee's last known address, a written statement setting forth fully all the facts why the action of the Chief of Police or the Town Administrator was improper. The Town Council shall set a time and place for hearing on such appeal and notice of such hearing shall be given to the appellant in writing. The decision and order of the Town Council on such appeal shall be final and conclusive.

- E. A tow operator is subject to warnings, suspension and/or revocation of their license as set forth above in addition to or separate from any monetary penalties set forth in the subsequent section.

**§ 115A-16 Enforcement.**

The Chief of Police and the Secaucus Police Department, as agents of the Chief, shall supervise the enforcement of the terms and provisions of this chapter.

**§ 115A-17 Violations; penalties.**

- A. Any person or corporation who shall violate any of the provisions of this chapter shall upon conviction be subject to a fine not less than five hundred dollars (\$500.) and not more than two thousand dollars (\$2,000.).
- B. Any licensee found to be in violation of the fee schedule as set forth in this chapter pursuant to N.J.S.A. 40:48-2.51 shall be subject to a civil penalty not less than twenty-five dollars (\$25.) or more than fifty dollars (\$50.) for each motor vehicle stored with the tow operator, and may be ordered to make restitution equal to any monies overpaid by the victim.
- C. In addition to or separate from any fines imposed pursuant to this section, a tow operator is subject to warnings, suspension and/or revocation of their license as set forth in the provisions of this Chapter.

**§ 115A-18 Repealer.**

All ordinances or parts of ordinances inconsistent herewith are repealed as to such inconsistencies.

**§ 115A-19 Severability.**

If any section, subsection, sentence, clause, phrase or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**§ 115A-20 Effective Date.**

This chapter shall take effect upon passage and publication as provided by law and shall be applicable to any new or renewal applications as set forth herein.



RESOLUTION NO. \_\_\_\_\_ - 2018  
 RESOLUTION APPROVING  
 HUDSON COUNTY BOARD OF TAXATION REDUCTIONS

WHEREAS, the Tax Collector of the Town of Secaucus has determined that action is required as a result of the 2018 tax reductions granted by the Hudson County Board of Taxation: and,

WHEREAS, the Tax Collector has certified to the foregoing as well as to the amount of the Tax Cancellations which is set forth along the blocks and lots of the taxpayers.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Secaucus that the requested Tax Cancellations be made:

TAX REDUCTIONS GRANTED BY THE  
 HUDSON COUNTY BOARD OF TAXATION

BLOCK	LOT	QUAL.	ADDRESS	AMOUNT
21	2.04	C01FL	4 Harmon Plaza 1 <sup>st</sup> Floor	\$ 7,220.00
21	2.04	C02FL	4 Harmon Plaza 2 <sup>nd</sup> Floor	\$ 7,220.00
178	17		23 Radio Avenue	\$ 541.50

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Town Tax Collector, Tax Assessor, and Chief Financial Officer.

NOW, THEREFORE BE IT FURTHER RESOLVED that the Tax Collector is hereby authorized to execute any documents or take any other action necessary to effectuate the spirit and purpose of this resolution.

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of the resolution approved by the Mayor and Council on \_\_\_\_\_.

\_\_\_\_\_  
 Town Clerk

\_\_\_\_\_  
 Mayor

Motion	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwoman Tringali				
Mayor Gonnelli				

RESOLUTION NO. \_\_\_\_\_ - 2018

RESOLUTION APPROVING  
VETERAN DEDUCTION REFUND(S)

WHEREAS, it has been determined by the Tax Collector that the taxpayer(s) listed below is entitled to a Veteran Deduction refund for 2018 pursuant to N.J.S.A. 54:4-8-10 and;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Secaucus that the Tax Collector is hereby authorized to refund the overpayment in the amount shown below to the requisite taxpayer(s)

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Tax Collector and Chief Financial Officer.

BLOCK	LOT	TAXPAYER/ADDRESS	AMOUNT
215	32	Munshi, Hanoz – 1062 Garry Terrace	\$ 250.00

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of the resolution approved by the Mayor and Council on \_\_\_\_\_.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

Motion	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwoman Trujillo				
Mayor Gonnelli				

RESOLUTION NO. \_\_\_\_\_ - 2018

RESOLUTION AUTHORIZING CANCELLATION OF  
OVERBILLED PROPERTY TAXES

WHEREAS, the Tax Collector of the Town of Secaucus has determined that action is required as a result of a certain property reflected in the 2018 Tax Duplicate; and

WHEREAS, Tax Assessor has confirmed Block 133 Lot 6, also known as 772 1st Street, was subdivided.

WHEREAS, property taxes for 1<sup>st</sup> half 2018 are paid.

NOW THEREFORE BE IT RESOLVED, that the Tax Collector is authorized to cancel 3<sup>rd</sup> and 4<sup>th</sup> Quarter 2018 billing, for Block 133 Lot 6 in the amount shown.

3 <sup>rd</sup> Q. 2018	\$ 795.08
4 <sup>th</sup> Q. 2018	\$ 795.08

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Town Tax Collector, Town Tax Assessor, and Chief Financial Officer.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Tax Collector is hereby authorized to execute any documents or take any other action necessary to effectuate the spirit and purpose of this resolution.

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of the resolution approved by the Mayor and Council on \_\_\_\_\_.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

Motion	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwoman Tringali				
Mayor Gonnelli				

RESOLUTION NO. \_\_\_\_\_ -2018  
RESOLUTION APPROVING  
TAX OVERPAYMENT REFUND(S)

WHEREAS, it has been determined by the Tax Collector that the taxpayer(s) indicated are entitled to tax overpayment refund(s) for 3<sup>rd</sup> Quarter 2018 and;

WHEREAS it is the desire of the Mayor and Council to have these overpayment(s) returned to the respective taxpayer(s) and/or their agent(s);

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Secaucus that the requested overpayment refund(s) be made.

The Tax Collector is hereby authorized to make overpayment refund(s) in the amount shown to the taxpayer(s).

BLOCK	LOT	ADDRESS	AMOUNT
227	4.03	100 Park Plaza Drive	\$ 26,153.62
227	4.04	100 Park Plaza Drive	\$ 30,996.37

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Tax Collector and Chief Financial Officer.

NOW, THEREFORE BE IT FURTHER RESOLVED that the Tax Collector is hereby authorized to execute any documents or take any other action necessary to effectuate the spirit and purpose of this Resolution.

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of the resolution approved by the Mayor and Council on \_\_\_\_\_.

\_\_\_\_\_  
Town Clerk  
                        Mayor

Motion	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwoman Tringali				
Mayor Gonnelli				

RESOLUTION NO. \_\_\_\_\_ - 2018

RESOLUTION APPROVING  
REFUND OVERBILLED TAXES

WHEREAS, the 2018 Extended Tax Duplicate is showing an overbilling in the 3<sup>rd</sup> and 4<sup>th</sup> Quarter of 2018; and

WHEREAS, property taxes for 1<sup>st</sup> half 2018 are paid.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the requested Tax Cancellations be made:

BLOCK	LOT	ADDRESS	AMOUNT
133	6	772 First Street	\$ 1,590.16
227	4.04	100 Park Plaza Drive	61,992.75

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Town Tax Collector, Tax Assessor, and Chief Financial Officer of the Town of Secaucus.

BE IT FURTHER RESOLVED, that the Tax Collector is hereby authorized to execute any documents or take any other action necessary to effectuate the spirit and purpose of this resolution.

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of the resolution approved by the Mayor and Council on \_\_\_\_\_.

Town Clerk

Mayor

Motion	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwoman Tringali				
Mayor Gonnelli				

RESOLUTION NO. \_\_\_\_\_

TOWN OF SECAUCUS  
COUNTY OF HUDSON, STATE OF NEW JERSEY

RESOLUTION AUTHORIZING THE SETTLEMENT OF THE  
TAX APPEAL REGARDING LOT 5.041 IN BLOCK 18 AS  
SET FORTH ON THE OFFICIAL TAX MAPS OF THE TOWN  
OF SECAUCUS OWNED BY MEADOWLAND PARKWAY  
ASSOCIATES

**WHEREAS**, Meadowland Parkway Associates, the owner of property located at 425 Meadowland Parkway, otherwise designated as Lot 5.041 in Block 18 on the official tax maps of the Town of Secaucus, has taken an appeal to the Tax Court of the State of New Jersey from the assessed value of said property for the tax years 2016, 2017 and 2018; and

**WHEREAS**, the parties have agreed to a reduction in the property's assessment from a total of \$9,888,300 to a total of \$8,872,500 for tax year 2016 and from a total of \$9,888,300 to a total of \$8,372,500 for tax year 2017; and

**WHEREAS**, the property owner has agreed to withdraw its appeal filed for tax year 2018; and

**WHEREAS**, the property owner has further agreed to waive the application of the provisions of N.J.S.A. 54:51A-8 (Freeze Act) to the judgment entered for the 2017 tax year for the years 2018 and 2019; and

**WHEREAS**, the property owner has further agreed to waive statutory pre-judgment interest on the tax refund; and

**WHEREAS**, the Town has agreed to withdraw its counterclaims filed for tax years 2017 and 2018; and

**WHEREAS**, the Town Tax Assessor has agreed to the reduction in value on the property for the 2016 and 2017 tax years in accordance with the settlement; and,

**WHEREAS**, the settlement results in a tax refund for the property of \$37,655.71 for tax year 2016 and \$54,781.01 for tax year 2017 for a total refund for both tax years in the amount of \$92,436.72; and

**WHEREAS**, the Town Council of the Town of Secaucus has determined that it is in the best interests of the Town to adjust the assessment on the aforesaid property for the 2016 and 2017 tax years in accordance with the settlement.

**NOW, THEREFORE**, be it resolved by the Town Council of the Town of Secaucus in the County of Hudson and State of New Jersey, as follows:

1. The tax assessment on the property located at 425 Meadowland Parkway and otherwise designated as Lot 5.041 in Block 18 on the official tax maps of the Town of Secaucus shall be reduced from a total of \$9,888,300 to a total of \$8,872,500 for tax year 2016 and from a total of \$9,888,300 to a total of \$8,372,500 for tax year 2017.
2. The Town Tax Collector is hereby authorized to issue a check to the property owner upon receipt of the Tax Court Judgments representing the tax refund attributable to the reduction in the assessment for the 2016 and 2017 tax years.
3. The Town Tax Appeal attorney is hereby authorized to withdraw the Town's counterclaims filed for tax years 2017 and 2018.
4. This resolution shall take effect immediately or as otherwise provided by law.

I, Michael Marra, Town Clerk of the Town of Secaucus,  
 County of Hudson, do hereby certify that the above is a  
 true copy of the resolution approved by the Mayor and  
 Council on \_\_\_\_\_.

\_\_\_\_\_  
 Town Clerk

\_\_\_\_\_  
 Mayor

Motion	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwoman Tringali				
Mayor Gonnelli				



RESOLUTION NO. \_\_\_\_\_

TOWN OF SECAUCUS  
COUNTY OF HUDSON, STATE OF NEW JERSEY

RESOLUTION AUTHORIZING THE SETTLEMENT OF THE  
TAX APPEAL REGARDING LOT 3 IN BLOCK 51 AS SET  
FORTH ON THE OFFICIAL TAX MAPS OF THE TOWN OF  
SECAUCUS OWNED BY THE FRED 101, LLC

**WHEREAS**, The Fred 101, LLC, the owner of property located at 55 Hartz Way, otherwise designated as Lot 3 in Block 51 on the official tax maps of the Town of Secaucus, has taken an appeal to the Tax Court of the State of New Jersey from the assessed value of said property for the tax years 2017 and 2018; and

**WHEREAS**, the parties have agreed to a reduction in the property's assessment from a total of \$8,349,300 to a total of \$6,900,000 for tax year 2018; and

**WHEREAS**, the property owner has agreed to withdraw its appeal filed for tax year 2017; and

**WHEREAS**, the property owner has further agreed to take the refund associated with the reduction in the assessment for tax year 2018 as a credit against future taxes that become due on the property; and

**WHEREAS**, the property owner has further agreed to waive statutory pre-judgment interest on the tax refund; and

**WHEREAS**, the Town has agreed to withdraw its counterclaims filed for tax years 2017 and 2018; and

**WHEREAS**, the Town Tax Assessor has agreed to the reduction in value on the property for the 2018 tax year in accordance with the settlement; and,

**WHEREAS**, the settlement results in an estimated tax refund for the property of approximately \$52,377.70 for tax year 2018 (based on the 2017 tax rate of 3.614); and

**WHEREAS**, the Town Council of the Town of Secaucus has determined that it is in the best interests of the Town to adjust the assessment on the aforesaid property for the 2018 tax year in accordance with the settlement.

**NOW, THEREFORE**, be it resolved by the Town Council of the Town of Secaucus in the County of Hudson and State of New Jersey, as follows:

1. The tax assessment on the property located at 55 Hartz Way and otherwise designated as Lot 3 in Block 51 on the official tax maps of the Town of Secaucus shall be reduced from a total of \$8,349,300 to a total of \$6,900,000 for tax year 2018.
2. The Town Tax Collector is hereby authorized to apply the tax refund attributable to the reduction in the assessment for the 2018 tax year as a credit against future taxes on the property commencing with the first quarterly tax payment due date following the issuance of the Tax Court Judgment.
3. The Town Tax Appeal attorney is hereby authorized to withdraw the Town's counterclaims filed for tax years 2017 and 2018.
4. This resolution shall take effect immediately or as otherwise provided by law.

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of the resolution approved by the Mayor and Council on \_\_\_\_\_.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

Motion	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwoman Tringali				
Mayor Gonnelli				

RESOLUTION NO. \_\_\_\_\_

**TOWN OF SECAUCUS  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

**RESOLUTION AUTHORIZING THE SETTLEMENT OF THE  
TAX APPEAL REGARDING LOT 1.04 IN BLOCK 185.01 AS  
SET FORTH ON THE OFFICIAL TAX MAPS OF THE TOWN  
OF SECAUCUS OWNED BY HMGL, LLC c/o HARTZ MT.  
IND.**

**WHEREAS**, HMGL, LLC c/o Hartz Mtn. Ind., the owner of property located at 350 Route 3 West, otherwise designated as Lot 1.04 in Block 185.01 on the official tax maps of the Town of Secaucus, has taken an appeal to the Tax Court of the State of New Jersey from the assessed value of said property for the tax year 2015; and

**WHEREAS**, the property owner has agreed to withdraw its appeal filed for tax year 2015; and

**WHEREAS**, the Town has agreed to withdraw its counterclaim filed for tax year 2015; and

**WHEREAS**, the Town Tax Assessor has agreed to the withdrawal of the Town's counterclaim for tax year 2015; and,

**WHEREAS**, the Town Council of the Town of Secaucus has determined that it is in the best interests of the Town to resolve the matter by withdrawing the Town's counterclaim filed for tax year 2015.

**NOW, THEREFORE**, be it resolved by the Town Council of the Town of Secaucus in the County of Hudson and State of New Jersey, as follows:

1. The Town Tax Appeal attorney is hereby authorized to withdraw the Town's counterclaim filed for tax year 2015.

2. This resolution shall take effect immediately or as otherwise provided by law.

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of the resolution approved by the Mayor and Council on \_\_\_\_\_.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

Motion	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwoman Tringali				
Mayor Gonnelli				

RESOLUTION NO. \_\_\_\_\_

**TOWN OF SECAUCUS  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

**RESOLUTION AUTHORIZING THE SETTLEMENT OF THE  
TAX APPEAL REGARDING LOT 5.06 IN BLOCK 227 AS  
SET FORTH ON THE OFFICIAL TAX MAPS OF THE TOWN  
OF SECAUCUS OWNED BY SECAUCUS HOTEL  
PROPERTY, LLC**

**WHEREAS**, Secaucus Hotel Property, LLC, the owner of property located at 300 Plaza Drive, otherwise designated as Lot 5.06 in Block 227 on the official tax maps of the Town of Secaucus, has taken appeals to the Tax Court of the State of New Jersey from the assessed value of said property for the tax years 2015, 2016 and 2017; and

**WHEREAS**, by Resolution No. 2017-401 adopted on December 20, 2017, the Town Council authorized the settlement of the appeals filed for 2015 and 2016; and

**WHEREAS**, the aforesaid settlement was also to include the parties' agreement whereby the property owner would withdraw its appeal filed for tax year 2017 and the Town would withdraw its counterclaim filed for tax year 2017; and

**WHEREAS**, the Town Tax Assessor has agreed to the withdrawal of the Town's counterclaim for tax year 2017 contingent on the property owner withdrawing its appeal filed for tax year 2017; and,

**WHEREAS**, the Town Council of the Town of Secaucus has determined that it is in the best interests of the Town to resolve the matter by withdrawing the Town's counterclaim filed for tax year 2017.

**NOW, THEREFORE,** be it resolved by the Town Council of the Town of Secaucus in the County of Hudson and State of New Jersey, as follows:

1. The Town Tax Appeal attorney is hereby authorized to withdraw the Town's counterclaim filed for tax year 2017 contingent on the property owner withdrawing its appeal filed for tax year 2017.

2. This resolution shall take effect immediately or as otherwise provided by law.

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of the resolution approved by the Mayor and Council on \_\_\_\_\_.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

Motion	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwoman Tringali				
Mayor Gonnelli				

# WEINER LAW GROUP<sup>LLP</sup>

ATTORNEYS AT LAW

www.weiner.law

Brian M. Hak  
Member of the Firm

bhak@weiner.law  
Direct Dial 973-602-3881

August 6, 2018

**PRIVILEGED AND CONFIDENTIAL**

**Via E-mail**

Gary M. Jeffas, Esq., Town Administrator  
Town of Secaucus  
Municipal Government Center  
Secaucus, NJ 07094

**Re: Tax Appeal Settlements  
Our File No. STA-001**

Dear Mr. Jeffas:

I am writing regarding proposed settlements of various tax appeal matters which I am recommending for approval by the Town Council. The proposed settlements were all negotiated in consultation with the Town's appraisal consultant. The Town's Tax Assessor, Michael Jaeger, has also consented to the proposed settlements which are as follows:

1. **Meadowlands Parkway Associates.** This property is located at 425 Meadowland Parkway and is designated as Block 18, Lots 5.041 and 5.041 Q T01 on the official tax maps of the Town. The property is improved with a 2-story, 111,082 square foot building situated on 7.2 acres of land. The land is subject to a long-term ground lease with Hartz Mountain Industries. 84,987 square feet of the building is Class B-office space, and 26,095 square feet is older, obsolete data center space. The property is in a flood zone, and the parking lot was in poor shape (probably from flooding) at the time the Town's appraisal consultant did an inspection. The building was historically occupied by Capital One Bank (60% of the building, which includes all the data center space) and Viacom (40% of the building). When the Town's appraisal consultant inspected the property in May 2017 the Capital One space (60% of the building including all the data center space) was vacant, and it was reported that Viacom did not plan to stay after its lease is scheduled to expire in 4 years.

The property owner filed tax appeals for tax years 2016, 2017, and 2018, challenging the assessment of \$10,015,800 (combined for both lots) for each year. This assessment reflects a fair market value of approximately \$17,194,506 for tax year 2016, \$17,458,253 for tax

Gary M. Jeffas, Esq., Town Administrator  
Re: Tax Appeal Settlements

August 6, 2018  
Page 2 of 3  
Our File No. STA-001

year 2017, and \$17,599,367 for tax year 2018. The Town's appraisal consultant's preliminary market value, which was based upon recent office leases less than a mile away on the same street (Meadowlands Parkway), came in at approximately the same value as the property owner's estimated value.

We were successful in getting the property owner to agree to withdraw its 2018 tax appeal. In addition, the property owner has agreed to a reduction in the combined assessment (both lots) to \$9,000,000 for tax year 2016 and \$8,500,000 for tax year 2017. Finally, the property owner agreed to waive the application of the Freeze Act to the 2017 judgment. Therefore, the assessments will go back up to where they originally were for 2018 and 2019. The proposed settlement results in a tax refund for both years in the amount of \$92,436.72 (\$37,655.71 for 2016 and \$54,781.01 for 2017). The property owner could not agree to take the refund in the form of credits against future taxes because the owner's tenant is now paying the taxes. However, as noted with a waiver of the Freeze Act, the assessments will go back up to where they originally were for tax years 2018 and 2019.

2. **Secaucus Outlet Center/The Fred 101, LLC.** This property is located at 55 Hartz Way and is designated as Block 51, Lot 3 on the official tax maps of the Town. The property is improved with a one and part 2-story 84,318 square foot former retail outlet center but due to the lack of demand for that type of property has been converted to a light manufacturing facility. 58,868 square feet of the building is currently vacant.

The property owner filed tax appeals for tax years 2017 and 2018 challenging the assessments of \$8,072,500 for 2017 and \$8,349,300 for 2018. The assessments reflect fair market values of approximately \$14,070,943 for tax year 2017 and \$14,671,060 for tax year 2018. It should be noted that the property sold in December 2015 for \$11,500,000.

We were successful in getting the property owner to agree to withdraw its 2017 tax appeal. In addition, the property owner has agreed to a reduced assessment of \$6,900,000 for 2018. The property owner has further agreed to take the refund for the 2018 appeal in the form of credits against future taxes on the property. It should be noted that the numbers that were agreed to are better than what the Town's appraisal consultant had estimated.

3. **HMGL, LLC c/o HARTZ MTN. IND.** This property is located at 350 Route 3 West and is designated as Block 185.01, Lot 1.04 on the official tax maps of the Town. The property owner filed a tax appeal for tax year 2015 challenging the assessment of \$5,288,400. We were successful in getting the property owner to withdraw its appeal. As part of the settlement we recommend that the Town withdraw its counterclaim seeking an increase in the assessment for tax year 2015.
4. **Secaucus Hotel Property, LLC.** This property is located at 300 Plaza Drive and is designated as Block 227, Lot 5.06 on the official tax maps of the Town. The property



Resolution No. \_\_\_\_\_

**TOWN OF SECAUCUS  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

**A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS  
TO AWARD THE CONTRACT 2018 ROAD PROGRAM MINNIE PLACE.**

**WHEREAS**, the Town of Secaucus has determined the need for renovations of Minnie Place; and

**WHEREAS**, A Fair and Open Solicitation Process for said project was held pursuant to N.J.S.A. 40A:11-1 et seq.; and

Gary M. Jeffas, Esq., Town Administrator  
Re: Tax Appeal Settlements

August 6, 2018  
Page 3 of 3  
Our File No. STA-001

owner filed tax appeals for tax years 2015, 2016 and 2017. By Resolution No. 2017-401 adopted on December 20, 2017, the Town Council authorized the settlement of the appeals filed for 2015 and 2016. However, the settlement was supposed to also include the parties' agreement whereby the property owner would withdraw its appeal filed for tax year 2017 and the Town would withdraw its counterclaim filed for tax year 2017. We recommend that the Town withdraw its counterclaim seeking an increase in the assessment for tax year 2017.

It is our opinion that the proposed settlements are significantly better than the Town's best case scenarios if these cases were to go to trial. The Town's appraisal consultant also highly recommends the proposed settlements as they are higher than the preliminary value estimates determined for the subject properties.

We, therefore, strongly recommend the proposed settlements with respect to these matters as they are fair and reasonable, especially considering the exposure to the Town that these cases present. I have taken the liberty of preparing resolutions representing the proposed settlements for the Town Council's consideration. Kindly let me know if you desire to have me appear before the Town Council at its next meeting to present these proposed settlements.

Should you have any questions in this regard, please do not hesitate to contact me.

Very truly yours,

WEINER LAW GROUP LLP

By: s/Brian M. Hak  
Brian M. Hak  
A Member of the Firm

BMH/tag  
Enclosures  
cc: Michael Jaeger, Tax Assessor  
1432953\_1

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of the resolution approved by the Mayor and Council on \_\_\_\_\_.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

Motion	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwoman Tringali				
Mayor Gonnelli				



## Town of Secaucus

### Purchasing Department

Sandy D'Arzen, RPPS, QPA  
Christine Smith, Purchasing Assistant  
1203 Paterson Plank Road  
Secaucus, NJ 07094  
P: 201.330.2026  
F: 201.271.3615  
SDarzen@Secaucus.net

**To: Gary M. Jeffas, Esq.**  
**Town Administrator**  
**Municipal Government Center**  
**Secaucus, New Jersey 07094**

**Date: 8.9.18**

**Re: 2018 Road Program Minnie Place**  
**Project # 18-103**  
**Contract Award Recommendation**

**This memo services as notice of my recommendation to award the contract 2018 Road Program Minnie Place, Project #18-103, to Cifelli & Son General Contracting, Inc.**

A fair and open bidding process was held for the above referenced project Pursuant to N.J.S.A. 40A:11-1.

Per approval of Resolution 2017-248, and Resolution 2018-126, bids for the above project were advertised for in the Jersey Journal.

On August 9, 2018, the following two (3) bids were received for Bid #18-103 2018 Road Program Minnie Place:

<u>BIDDER</u>	<u>BID AMOUNT</u>
1) Cifelli and Son General Contracting, Inc. 81 Franklin Avenue, Nutley, NJ 07110	\$228,651.00
2) D.L.S. Contracting, Inc. 271 Highway 46, Suite D-205 Fairfield, NJ 07004	\$230,272.50
3) 4 Clean-Up, Inc. P.O. Box 5098 North Bergen, NJ 07047	\$299,022.85

Cifelli and Son General Contracting, Inc. is the lowest apparent responsive and responsible bidder. Upon the review of the bid submissions by the Engineer for this project, it is the recommendation of this office that Cifelli and Son General Contracting, Inc. be awarded the contract for this project. A copy of their bid submission is available in the Office of Purchasing for your review. The bid results are attached to this memo.

A resolution is required to award a contract for this project. A sample resolution to award is included in this memo.

## Town of Secaucus

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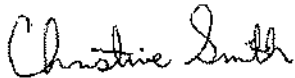
### Purchasing Department

(Continued)

Upon the award of this contract, a notification of award and contract documents are to be mailed to the winning bidder from Town of Secaucus, Engineering Department, as the Engineer for this project. These must be signed by the winning bidder and returned within 21 business days of the contract award, along with the remaining required forms and performance bond. At that time, their bid bond will be returned.

Please notify this office with any questions regarding this correspondence.

Respectfully,



Christine Smith, Purchasing Assistant

cc: Michael J. Gonnelli, Mayor  
Keri Ann Eglentowicz, Esq.  
Nickolas Goldsack, CFO  
Justin Meyer, Engineer  
Michael Marra, Clerk

Attachments: Bid Results  
Resolution to Award

Resolution No. \_\_\_\_\_

**TOWN OF SECAUCUS  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

**A RESOLUTION TO AWARD THE CONTRACT FOR  
2018 ROAD PROGRAM FOR THE RECONSTRUCTION OF POST PLACE AND JOHN  
STREET**

**WHEREAS**, on July 26, 2018, the following two (2) bids were received for the 2018 Secaucus Road Program for street reconstruction of Post Place & John Street:

<u>BIDDER</u>	<u>BID AMOUNT</u>
1) 4 Clean – Up, Inc	\$ 500,513.90
2) Cifelli & Son Contracting, Inc	\$ 520,138.25

**WHEREAS**, it has been determined that 4 Clean - Up, Inc. of P.O Box 5098, North Bergen, New Jersey 07047 is the lowest responsible bidder; and

**WHEREAS**, the Chief Financial Officer has determined that there are sufficient funds in the 2018 budget to award this project.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey award the contract for the 2018 Secaucus Road Program for street reconstruction of Post Place & John Street to 4 Clean – Up, Inc. in an amount not to exceed \$ 500,513.90.

**BE IT FURTHER RESOLVED**, that the Mayor, Town Administrator and/or their designee are hereby authorized to execute any documents regarding the awarding of the contract for the 2018 Secaucus Road Program for street reconstruction of Post Place & John Street.

**BE IT FURTHER RESOLVED**, that the Mayor, Town Administrator and/or their designee are hereby authorized to take any action necessary to effectuate the spirit and purpose of this resolution.

Adopted: August 28, 2018

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor and Council on August 28, 2018.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

Motion:	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilwoman Tringali				
Councilman Dehnert				
Councilman Gerbasio				
Mayor Gonnelli				

I, Nicholas Goldsack, Chief Financial Officer of the Town of Secaucus, do hereby certify that funds are available in accordance with the Local Budget Law NJSA 40A:4-1, in Account Number:

Amount \$ 300,513.90 Date 8/27/18

Signed: Nicholas Goldsack

10-2150-55-70607-001 300,513.90  
300,513.90

Matrix New World Engineering, Land Surveying  
and Landscape Architecture, PC  
442 State Route 35, 2<sup>nd</sup> Floor  
Eatontown, NJ 07724  
732.588.2999 F: 973.240.1818  
www.matrixnewworld.com WES/DDE/SEE

**MATRIXNEWORLD**  
Engineering Progress

Via Email

August 7, 2018

Town of Secaucus  
Municipal Government Center  
1203 Paterson Plank Road  
Secaucus, Nj 07094

ATTN: Mayor and Council

RE: Post Place & John Street Reconstruction from Paterson Plank Road to Southern Terminus  
Matrix Project # 18-447

Dear Mayor and Council Members:

Bids for the above-referenced project were received on July 26, 2018. A total of two (2) bids were received at the bid opening. The apparent low bidder for the Base Bid was announced as 4 Clean-Up, Inc. The results of the bid opening are as follows:

	4 Clean-Up, Inc.	Cifelli & Son General Contracting, Inc.	Engineers Construction Cost Estimate
Base Bid	\$500,513.90	\$520,138.25	\$467,552.00

We have reviewed the bid package submitted by 4 Clean-Up, Inc. and find that, while the low bid prices are above the estimated cost for the project, they appear reasonable. We find that the Contractor is experienced and qualified for performing this type of work.

Subject to approval from the Town Attorney and based upon the bids received and the allowable funds for construction, Matrix New World Engineering, Land Surveying and Landscape Architecture, PC (Matrix) recommends awarding the Base Bid to 4 Clean-Up, Inc., for a total amount of \$500,513.90.

We have enclosed a copy of the bid tabulation for review by the Town Attorney and yourself.

In accordance with the Local Public Contracts Law, the Award of Contract must be made within sixty (60) days from the date of opening of the bids.

Should you have any questions, or require any additional information, please feel free to contact me at 973-845-1950 or via email at [rdecollis@matrixnewworld.com](mailto:rdecollis@matrixnewworld.com).

Very truly yours,



Robert DeCotlis, PE  
Senior Civil Engineer

CC: Michael Gonnelli, Mayor; Gary Jeffas, Town Administrator; Justin Meyer, General Engineer; Nick Goldsack, CFO; Sandy D'Arzen, Purchasing Agent; Kerri-Ann Egjentowicz, Town Attorney; Michael Marra, Town Clerk;

BO DATE: JULY 29 2018

BID SUMMARY SHEET FOR  
TOWN OF SECaucUS  
POST PLACE AND JOHN STREET RECONSTRUCTION

ENGRINEER: ROBERT F. DEOTOS, P.E.  
JOB NUMBER: 18-447

Item	Description	UNIT	QUANTITY	UNIT PRICE	TOTAL PRICE	EST.	TAXES		EST. TOTAL	EST. PERCENT	EST. TOTAL PERCENT
							SALES TAX	USE TAX			
1	1.00% SALES TAX	%	1	\$100.00	\$100.00				\$100.00		
2	CLEANING	LS	1	\$4,200.00	\$4,200.00				\$4,200.00		
3	BRICKWAY MARK LANE	UNIT	1	\$2,400.00	\$2,400.00				\$2,400.00		
4	DRUM	UNIT	1	\$2.00	\$2.00				\$2.00		
5	7447411 CONE	UNIT	40	\$1.00	\$40.00				\$40.00		
6	CONSTRUCTION SIGN	UNIT	40	\$1.00	\$40.00				\$40.00		
7	POSTER TARGET SIGN	UNIT	20	\$2.00	\$40.00				\$40.00		
8	TRAFFIC SIGN	UNIT	1	\$50.00	\$50.00				\$50.00		
9	TRAFFIC SIGN ADJUSTMENT	LS	1	\$100.00	\$100.00				\$100.00		
10	TRAILER PROTECTIVE ADJUSTMENT	LS	1	\$50.00	\$50.00				\$50.00		
11	ASPHALT DRIVE ADJUSTMENT	LS	1	\$1,000.00	\$1,000.00				\$1,000.00		
12	NOV. FILTER TYPE 1	LS	1	\$1.00	\$1.00				\$1.00		
13	NOV. FILTER TYPE 1	LS	1	\$1.00	\$1.00				\$1.00		
14	NOV. FILTER TYPE 1	LS	1	\$1.00	\$1.00				\$1.00		
15	NOV. FILTER TYPE 1	LS	1	\$1.00	\$1.00				\$1.00		
16	NOV. FILTER TYPE 1	LS	1	\$1.00	\$1.00				\$1.00		
17	NOV. FILTER TYPE 1	LS	1	\$1.00	\$1.00				\$1.00		
18	NOV. FILTER TYPE 1	LS	1	\$1.00	\$1.00				\$1.00		
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77	NOV. FILTER TYPE 1	LS	1	\$1.00	\$1.00				\$1.00		
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81	NOV. FILTER TYPE 1	LS	1	\$1.00	\$1.00				\$1.00		
82	NOV. FILTER TYPE 1	LS	1	\$1.00	\$1.00				\$1.00		
83	NOV. FILTER TYPE 1	LS	1	\$1.00	\$1.00				\$1.00		
84	NOV. FILTER TYPE 1	LS	1	\$1.00	\$1.00				\$1.00		
85	NOV. FILTER TYPE 1	LS	1	\$1.00	\$1.00				\$1.00		
86	NOV. FILTER TYPE 1	LS	1	\$1.00	\$1.00				\$1.00		
87	NOV. FILTER TYPE 1	LS	1	\$1.00	\$1.00				\$1.00		
88	NOV. FILTER TYPE 1	LS	1	\$1.00	\$1.00				\$1.00		
89	NOV. FILTER TYPE 1	LS	1	\$1.00	\$1.00				\$1.00		
90	NOV. FILTER TYPE 1	LS	1	\$1.00	\$1.00				\$1.00		
91	NOV. FILTER TYPE 1	LS	1	\$1.00	\$1.00				\$1.00		
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100	NOV. FILTER TYPE 1	LS	1	\$1.00	\$1.00				\$1.00		



**RESOLUTION: \_\_\_\_\_**

**TOWN OF SECAUCUS  
COUNTY OF HUDSON  
STATE OF NEW JERSEY**

**BE IT RESOLVED**, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, pursuant to the recommendation of Michael Pero, Superintendent, Recreation the following additional staff are hereby appointed to the seasonal part time positions noted below in the **Swim Club** as follows:

**Life Guard #87000 (effective 8/4/18)**

Lin, Sihang	\$10.00 / hour
Lees, Zachary	\$10.00 / Hour
Virgen, Daniel	\$10.00 / Hour
Pacheco, Mary	\$10.00 / Hour
Rodriguez, Damaris	\$10.00 / Hour
Sarmiento, Tristan	\$10.00 / Hour
Schwartz, Jodi	\$10.00 / Hour
Villegas, Paola	\$10.00 / Hour

**Clerical #87000 (effective 8/18/18)**

Ambrosio Kristen	\$8.60 / Hour
Vega, Jasmine	\$8.60 / Hour
Pero, Zoe	\$8.60 / Hour

**Custodian #87000(effective 8/18/18)**

Syracuse, Julia	\$8.75 / Hour
-----------------	---------------

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of the resolution approved by the Mayor and Council on \_\_\_\_\_.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

Motion	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwoman Tringali				
Mayor Gonnelli				

RESOLUTION: \_\_\_\_\_

TOWN OF SECAUCUS  
COUNTY OF HUDSON  
STATE OF NEW JERSEY

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that pursuant to the recommendation of the Superintendent of Recreation of the Town of Secaucus, the below persons are hereby reappointed to the positions of Part Time staff for 2018 / 2019 Secaucus Recreation Sports Programs:

Football Program

Sean Pena (Director) \$3,000.00 / stipend

Cheerleading Program

Kerry Severino (Director) \$3,000.00 / stipend

Soccer Program

Jack McStowe (Director) \$9,000.00 / stipend

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor and Council on August 28, 2018.

Town Clerk

Mayor

Motion:	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilwoman Pirro				
Councilman Dehnert				
Councilman Gerbasio				
Mayor Gonnelli				

RESOLUTION No. \_\_\_\_\_

**TOWN OF SECAUCUS  
COUNTY OF HUDSON,  
STATE OF NEW JERSEY**

**A RESOLUTION OF THE TOWN OF SECAUCUS CLARIFYING  
RESOLUTION #2018-224 THE APPROVAL FOR THE RE-APPOINTMENT  
OF THE MUNICIPAL COURT JUDGE**

**BE IT RESOLVED**, by the Mayor and Council of the Town of Secaucus, in the County of Hudson, in the State of New Jersey, that Karen R. Boylan is hereby re-appointed to a three (3) year term beginning September 1, 2018, as the Municipal Court Judge for the Town of Secaucus.

Adopted: August 28, 2018

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor and Council on August 28, 2018.

---

	Mayor			
Town Clerk	Yes	No	Abstain	Absent
Motion:				
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilwoman Triagali				
Councilman Dehaert				
Councilman Gerbasio				
Mayor Gonnelli				

Resolution No. \_\_\_\_\_

**TOWN OF SECAUCUS  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

**A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS  
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR COURT  
INTERPRETING SERVICES**

**WHEREAS**, the Town of Secaucus' Municipal Court has determined the continuing need for court interpretive services; and

**WHEREAS**, Sol's Interpreting Services has submitted a proposal for Court Interpreting Services; and

**WHEREAS**, the Purchasing Agent has certified in writing that the total value of these services has not exceeded the bidding threshold of \$40,000.00 in past years: and

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey authorize the award a Non-Fair and Open contract for Court Interpreting Services, in accordance with the proposal submitted by Sol's Interpreting Services, for a one (1) year term; and

**BE IT FURTHER RESOLVED**, that Sol's Interpreting Services has submitted a Pay to Play disclosure form which certifies that Sol's Interpreting services has not made any reportable contributions to a political or candidate committee in the Town of Secaucus in the previous year, and that the contract will prohibit them from making any reportable contributions through the term of the contract, in compliance with necessary regulations and measure of the State of New Jersey under N.J.S.A. 19:44A-20.27; and

**BE IT FURTHER RESOLVED**, that Sol's Interpreting Services shall provide any and all compliance information requested by the Town of Secaucus Office of Purchasing; and

**BE IT FURTHER RESOLVED**, that the Mayor and Town Council are hereby authorized to execute any documents regarding the awarding of the contract; and

**BE IT FURTHER RESOLVED**, that the Finance Director certifies that funds are available for these services in the 2018 budget; and

**BE IT FURTHER RESOLVED**, that the Mayor, Town Administrator and/or Purchasing Agent are hereby authorized to take any action necessary to effectuate the spirit and purpose of this resolution.

Adopted: August 28, 2018

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of the resolution approved by the Mayor and Council on \_\_\_\_\_.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

I, Nicholas Goldsack, Chief Financial Officer of the Town of Secaucus, do hereby certify that funds are available in accordance with the Local Budget Law N.J.S.A. 40A:4-1, in Account Number:

01 - 2018 - 1012 - 022  
Amount \$ 40,000.00 Date 8/27/18  
Signed: Nicholas Goldsack

Motion	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwoman Tringali				
Mayor Gonnelli				

Resolution No. \_\_\_\_\_

**TOWN OF SECAUCUS  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

**A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS  
PERTAINING TO ORDINANCE 2018-20, "AN ORDINANCE AMENDING OF  
CHAPTER 115A OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED  
"TOWING AND STORAGE" FOR THE PROMULGATION OF RULES FOR THE  
TOWN'S TOWING REGULATIONS"**

**WHEREAS**, the Town of Secaucus undertook a full revision of the Towing Ordinance Chapter 115A in order to update provisions, set requirements for official towers and provide a new license period, with the Council approving the introduction of Ordinance 2018-20 on May 8, 2018 and adopting such on June 26, 2018; and

**WHEREAS**, the Town provided Notice of the Availability and Acceptance of Tow Operator Applications for the period of September 1, 2018 through August 31, 2020 via publication in The Jersey Journal on July 9, 2018, as well as being posting on the Town's website; and

**WHEREAS**, one application was received by the due date of July 31, 2018 and the Secaucus Police Department began review of such; and

**WHEREAS**, it came to the attention of Administration in early August, that the Ordinance was not initially published in accordance with N.J.S.A. 40:49-2(a) after being introduced due to an administrative error.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that the above statements are incorporated herein and that due to the publication issue, "An Ordinance Amending Of Chapter 115A of the Code of the Town of Secaucus Entitled "Towing And Storage" for the Promulgation of Rules for the Town's Towing Regulations" be re-introduced and passage proceed in accordance with N.J.S.A. 40:49-2, and any previously submitted Tow Operator Applications are rejected without prejudice at this time as set forth herein; and

**BE IT FURTHER RESOLVED** that due to said re-introduction, §115A-5 needs to be amended to address the initial license period and accommodate the new timeframe with an initial two-year license period to begin January 1, 2019; and

**BE IT FURTHER RESOLVED** in the interest of fairness and efficiency, determinations on any submitted applications will not occur, but any tow operators who submitted an application may provide a notarized letter in the next open application period indicating that they wish their application to be considered and indicate whether the information previously submitted remains the same or if any changes to the application are being made to permit the Secaucus Police Department to finalize its necessary review for their determination.

**BE IT FURTHER RESOLVED** that the two (2) tow operators on the current rotation schedule be continued without change and at established fee rates until the new license period herein discussed is effectuated.

August 28, 2018

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of the resolution approved by the Mayor and Council on \_\_\_\_\_.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

Motion	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwoman Tringali				
Mayor Gonnelli				

**RESOLUTION: \_\_\_\_\_**

**TOWN OF SECAUCUS  
COUNTY OF HUDSON  
STATE OF NEW JERSEY**

**BE IT RESOLVED**, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that pursuant to the recommendation of the Superintendent of Recreation Programs for the Town of Secaucus, the below persons are hereby reappointed to the positions of regular Part Time Counselors for the 2018 / 2019 school year at the **Secaucus Before and After Care** programs:

<b><u>Counselors (returning)</u></b>	<b><u>Hourly Rate</u></b>
Dubiel, Lillian (Coordinator)	\$20.22 / Hour
Imperato, Denise (Coordinator)	\$20.22 / Hour
Bayracharya, Shreya	\$8.76 / Hour
Carcamo, Maritza	\$10.93 / Hour
Castillo, Patrick	\$10.93 / Hour
Claudio, Margaret	\$15.30 / Hour
Chokas, Steven	\$8.76 / Hour
Cirone, Margaret	\$9.27 / Hour
Fonseca, Wanda	\$9.27 / Hour
Gill, Roxanne	\$11.47 / Hour
Hundevadt, Sheila	\$12.36 / Hour
Kalakowski, Carlene	\$14.00 / Hour
Keegan, Ashley	\$9.27 / Hour
Kosky, Kaitlyn	\$8.76 / Hour
Kalena, Linda	\$10.93 / Hour
Loor, Genesis	\$8.76 / Hour
Mastropietro, Donna	\$11.47 / Hour
Masullo, Patricia	\$10.93 / Hour
Maurin, Amber	\$10.93 / Hour
Meli, Ryan	\$10.93 / Hour
Nitschke, Maryann	\$11.47 / Hour
Pascarello, Anna	\$11.47 / Hour
Pizzuta, Rena	\$10.93 / Hour
Ponit, Barbara	\$10.93 / Hour
Retana, Silvia	\$9.27 / Hour
Sanducci, Caroline	\$15.30 / Hour

**...continued**

Simerman, Phyllis	\$11.47 / Hour
Taylor, Steven	\$8.76 / Hour
Testa, Robert	\$8.76 / Hour
Thompson, Lorraine	\$13.39 / Hour
Torraco, Lauren	\$11.47 / Hour
Torres, Evenlyn	\$11.47 / Hour
Waiver, Donna	\$16.39 / Hour

**BE IT FURTHER RESOLVED**, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that pending the successfully completion of background checks and physical examinations, the below persons are hereby newly appointed to the positions of regular Part Time Counselors for 2018 / 2019 school year in the **Secaucus Before and After Care** programs:

<u>Counselors (new hires)</u>	<u>Hourly Rate</u>
Rodriguez, Mayra	\$8.60 / Hour
Vega, Jasmine	\$8.60 / Hour
Ambrosia, Kristen (Pre-K)	\$8.60 / Hour

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor and Council on August 28, 2018.

Town Clerk

Mayor

Motion:	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilwoman Piro				
Councilman Dehnert				
Councilman Gerbasio				
Mayor Gonnelli				



**RESOLUTION: \_\_\_\_\_**

**TOWN OF SECAUCUS  
COUNTY OF HUDSON  
STATE OF NEW JERSEY**

**BE IT RESOLVED**, by the Mayor and Council of the Town of Secaucus, County of Hudson, and State of New Jersey, pursuant to the recommendation of Police Captain that pending the successful completion of physical examinations the below person(s) are hereby re-appointed to the position of regular part time Crossing Guards in the Police Traffic Department (#34000), for the school year 2018 - 2019 as follows:

<b><u>Crossing Guards (returning)</u></b>	<b><u>Hourly Rate</u></b>
ABOUSHACA, SONIA C	25.39 / Hour
BOURBON, CATHERINE	25.39 / Hour
DECECCO, JENNIFER L	25.39 / Hour
ECHEVERRY, SANDRA M	25.39 / Hour
ESTRADA, BIGSEIDA	20.00 / Hour
FAJARDO, FILIPINAS M	25.39 / Hour
FLAIG, DAWN	25.39 / Hour
GALLAGHER, NANCY	25.39 / Hour
GONZALEZ, DERRICK	20.00 / Hour
GONZALEZ, GINGER S	25.39 / Hour
GULINO, VINCENT M	25.39 / Hour
HECTOR, JEAN E	25.39 / Hour
JANULIS, DEANNA M	20.00 / Hour
KOT, MARY A	25.39 / Hour
MARQUEZ, VANEZA	25.39 / Hour
MASTORELLI, COLLEEN S	25.39 / Hour
MASTROPIETRO, JOHN T	25.39 / Hour
PATEL, MITIKSHABEN G	25.39 / Hour
PRZYCHODZKI, DONNA	25.39 / Hour
RAGGI, SUZANNE E	25.39 / Hour
RIVERA, INOCENCIA C	25.39 / Hour
SANCHEZ, SANDRA	25.39 / Hour
STATHOPOULOS, ANGELIKI	25.39 / Hour
SUPEL, KAREN	25.39 / Hour
VEGA, CANDICE A	20.00 / Hour
WARTH, PATTI G	25.39 / Hour

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of the resolution approved by the Mayor and Council on \_\_\_\_\_.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

Motion	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbesio				
Councilwoman Tringali				
Mayor Connelly				

**BE IT FURTHER RESOLVED**, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that pending the successfully completion of background checks and physical examinations, the below persons are hereby newly appointed to the positions of regular Relief Crossing Guards in the Traffic Department (#34000) for the 2018 - 2019 school year as follows:

<u>Crossing Guards (new hires)</u>	<u>Hourly Rate</u>
Chenalloy, Lourdes	\$20.00 / Hour
Kalena, Linda	\$20.00 / Hour
Kovarik, Ludmila	\$20.00 / Hour
Murphy, Timothy**	\$20.00 / Hour

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor and Council on August 28, 2018.

Town Clerk

Mayor

Motion:	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwoman Tringali				
Mayor Gonnelli				

**RESOLUTION \_\_\_\_\_**

**TOWN OF SECAUCUS  
COUNTY OF HUDSON  
STATE OF NEW JERSEY**

**BE IT RESOLVED**, by the Mayor and Council of the Town of Secaucus, County of Hudson, and State of New Jersey, pursuant to the recommendation of John Dubiel Assistant Superintendent, that pending the successful completion of a background check and DOT screening the below person(s) are hereby filling the vacated positions of regular part time Medical Escort Drivers in the Public Works Department (**#50000**) effective August 28, 2018 as follows:

	<u>Hourly Rate</u>
Gomez, Alexandra	\$13.00 / Hour
Nitschke, Norman	\$13.00 / Hour

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor and Council on August 28, 2018.

---

Town Clerk	Mayor			
Motion:	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilwoman Pirro				
Councilman Dehnert				
Councilman Gerbasio				
Mayor Gonnelli				

**RESOLUTION:** \_\_\_\_\_

**TOWN OF SECAUCUS  
COUNTY OF HUDSON  
STATE OF NEW JERSEY**

**BE IT RESOLVED**, by the Mayor and Council of the Town of Secaucus, County of Hudson, and State of New Jersey, pursuant to the recommendation of Kevin Flaherty, Police Chief, that pending the successful completion of a background check and drug screening the below person is hereby filling the vacated position of regular part time Parking Enforcement Officer in the Police Traffic Department (**#31002**) effective August 28, 2018 as follows:

Gomez, Isaiah

**Hourly Rate**  
\$14.50 / Hour

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor and Council on August 28, 2018.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

Motion:	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Ciancy				
Councilwoman Pirro				
Councilman Dehnert				
Councilman Gerbasio				
Mayor Gonnelli				

**RESOLUTION: \_\_\_\_\_**

**TOWN OF SECAUCUS  
COUNTY OF HUDSON  
STATE OF NEW JERSEY**

**BE IT RESOLVED**, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, pursuant to the recommendation of Carl Leppin, Construction Official, that pending the successfully completion of a background check and drug screening, the following person is hereby appointed to the vacated regular part-time position of **Property Maintenance Inspector** in the Health Department (#70000) effective August 28, 2018 as follows:

	<u><b>Hourly Rate</b></u>
Acerra, Robert	\$16.00 / Hour

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor and Council on August 28, 2018.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

Motion:	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwomen Triegali				
Mayor Gonnelli				

**WHEREAS**, the projects have continued for an unforeseen length due to the size and complexity; and

**WHEREAS**, on June 26, 2018 resolution number 2018-197 was approved for services provided Joseph Meli Electrical Contractors LLC for the interim and transitional project amounts for the completion of the Secaucus Fire Department Engine 1 Renovation, Coast Guard Auxiliary Project and Plaza Center Firehouse Generator Project in an amount not to exceed One Hundred Thirty-Five Thousand Dollars (\$135,000.00); and

**WHEREAS**, Meli's electrical work on the Plaza Center Firehouse Generator Project is continuing and is near conclusion; and

**WHEREAS**, all permits for the project are in the name of Meli and complex electrical work was performed and cannot be taken over by the Town's internal electrician; and

**WHEREAS**, Meli estimates he has approximately three more weeks of work left and the contracted work has reached the limit of \$135,000.00 approved under Resolution 2018-197; and

**WHEREAS**, there is a need to increase the allocation for the projects set forth above in the amount of \$30,000.00 to an overall amount of \$165,000.00, which should be enough funds for Meli to complete the work he has permits out for.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that the above statements are incorporated herein and ratification and approval given for services provided Joseph Meli Electrical Contractors LLC for the interim and transitional project amounts for the completion of the Secaucus Fire Department Engine 1 Renovation, Coast Guard Auxiliary Project and Plaza Center Firehouse Generator Project in an amount not to exceed One Hundred Sixty-Five Thousand Dollars (\$165,000.00); and

**BE IT FURTHER RESOLVED** that the Chief Financial Officer has certified that funds are available for these three projects and the costs were anticipated for completion of such; and

**BE IT FURTHER RESOLVED** that the Mayor and/or the Town Administrator and/or the Purchasing Agent are hereby authorized to execute any other documents or take any other necessary action to effectuate the spirit and intent of this Resolution.

August 28, 2018

I, Nicholas Goldsack, Chief Financial Officer of the Town of Secaucus, do hereby certify that funds are available in accordance with the Local Budget Law NJSA 40A:4-1, in Account Number:

10 - 218-55 - 70007-08

10-218-55-70007-08

Amount \$ 30,000.00 Date 8/23/18

Signed: Nicholas Goldsack

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of the resolution approved by the Mayor and Council on \_\_\_\_\_.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

Motion	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwoman Tringali				
Mayor Gonnelli				



**Resolution No. \_\_\_\_\_**

**TOWN OF SECAUCUS  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

**A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS  
AUTHORIZING LICENSED ELECTRICIAN SERVICES**

**WHEREAS**, the Town of Secaucus requires the services of a licensed electrician for various projects and repairs throughout the Town of buildings and properties utilized for municipal and public use; and

**WHEREAS**, in the past, the Town of Secaucus advertised and received bids for licensed electrician services on a per diem basis; and

**WHEREAS**, on February 28, 2017, pursuant to Resolution 2017-82, the Town Council authorized the advertising and receiving of bids for licensed electrician services in anticipation of the expiration of an existing contract; and

**WHEREAS**, the Mayor and Council of the Town of Secaucus received responses to its Fair and Open Solicitation Process for Licensed Electrician Services on May 4, 2017 pursuant to N.J.S.A. 40A:11-1 *et seq.*; and

**WHEREAS**, the Town Council rejected said bids based upon a reevaluation of services needed and the need for clarification of bid documents pursuant to Resolution 2017-239, dated June 27, 2017; and

**WHEREAS**, upon reevaluation of the services needed for the Town and the volume of electrical work, the Town Council proceeded with the development of position specifications and qualifications for a full-time licensed electrician, the posting for said position and the interviewing of candidates for the position within the Buildings and Grounds Department; and

**WHEREAS**, on January 10, 2018, the Town of Secaucus hired a full-time licensed electrician in the Buildings and Grounds Department to address the electrical needs of the Town; and

**WHEREAS**, it was assessed and recommended at that time by the Buildings and Grounds Department that three current projects, Secaucus Fire Department Engine 1 Renovation, Coast Guard Auxiliary Project and Plaza Center Firehouse Generator Project, be completed by the holdover per diem electrician, Joseph Meli Electrical Contractors LLC ("Meli"), as permits had been pulled for these ongoing projects in the professional's name and that they be completed by the same professional in the interest of efficiency; and

**RESOLUTION: \_\_\_\_\_**

**TOWN OF SECAUCUS  
COUNTY OF HUDSON  
STATE OF NEW JERSEY**

**BE IT RESOLVED**, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, pursuant to the recommendation of Michael Pero, Superintendent, Recreation the following staff are hereby to receive a rate increase for the seasonal part time position noted below in the **Summer Day Camp Programs**, effective July 12, 2018 as follows:

<b><u>Counselor 1 on 1 #81083</u></b>	<b><u>Hourly Rate</u></b>
Green, Jake	\$10.00 / Hour
Ramirez, Renelle	\$10.00 / Hour

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor and Council on August 28, 2018.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

Motion:	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwoman Tringali				
Mayor Gonnelli				

RESOLUTION NO. \_\_\_\_\_

TOWN OF SECAUCUS  
COUNTY OF HUDSON, STATE OF NEW JERSEY

A RESOLUTION TO AWARD A FURNITURE ORDER FOR THE TOWN HALL ADMINISTRATIVE OFFICES THROUGH THE NATIONAL IPA COOPERATIVE

WHEREAS, the Town of Secaucus Administrative Offices are in need of office furniture and improvements for continued use as office space; and

WHEREAS, the Town of Secaucus received a Quote No. 5434 from OFI in the amount of Twenty-three thousand five hundred fifty-eight dollars and eighty-two cents (\$23,558.82) for office furnishings, including delivery, installation and warranty; and

WHEREAS, the vendor OFI of 28 Garfield Street, Newington, CT 06111 is an Authorized Dealer of National Office Furniture through the National Cooperative Contract IPA; and

WHEREAS, the Town of Secaucus is a member of the National IPA Cooperative previously authorized by Resolution 2015-126; and

WHEREAS, the office furniture project as set forth in Quote No. 5434 from OFI will be procured through Contract No. P15-150 for National Office Furniture.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Secaucus that the above statements are incorporated herein and the funds necessary for the office furnishings and improvements in the amount of Twenty-three thousand five hundred fifty-eight dollars and eighty-two cents (\$23,558.82) be awarded; and

BE IT FURTHER RESOLVED, that the Mayor, Town Administrator and/or Purchasing Agent are hereby authorized to take any action necessary to effectuate the spirit and purpose of this resolution.

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of the resolution approved by the Mayor and Council on \_\_\_\_\_.

August 28, 2018

\_\_\_\_\_  
Town Clerk                                      Mayor

Motion	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Glancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwoman Tringali				
Mayor Gonnelli				

I, Nicholas Goldsack, Chief Financial Officer of the Town of Secaucus, do hereby certify that funds are available in accordance with the Local Budget Law NJSA 40A:4-1, in Account Number:

10 - 2120 SS 2017-028  
Amount \$ 23,558.82 Date   /  /  

Signed: Nicholas Goldsack



OFI  
 28 Garfield Street  
 Newington, CT 06111  
 Phone: 860.665.3357  
 Fax: 860.665.7498  
 Email/Web: www.myofi.com

1010 Washington Blvd  
 Stamford, CT 06901  
 Phone: 203.324.7517  
 Fax: 203.324.7544

Quotation

Page: 1 of 7

Project: 5434  
 Proj Desc: General orders

Quote: 5434.013  
 Status: New

Sold To: 4120-00  
 Town of Secaucus  
 1203 Paterson Plank Rd  
 Secaucus, NJ 07094

Bill To: 4120-00  
 Town of Secaucus  
 1203 Paterson Plank Rd  
 Secaucus, NJ 07094  
 Attention: Accounts Payable

Ship To: 4120-00  
 Town of Secaucus  
 1203 Paterson Plank Rd  
 Secaucus, NJ 07094

Date Entered	Salesperson	FOB	Terms
06/24/2018	Mike Malone	D	NET 10 DAYS

Line	Description	Qty	Unit Price	Extended
------	-------------	-----	------------	----------

Project Notes:

Delivery and installation have been quoted with non-union labor during straight time hours with both being continuous in nature. All fabrics and finishes must be approved by the client before an order can be processed. A copy of the signed quote, drawing and purchase order must be submitted before an order can be processed. All furniture is made to order and can not be returned or exchanged.

RECEPTION AREA

1	WANDER,HIGH MESH BACK,ARMS Options: 2-GRADE 2 23109-TWILIGHT BARLEY STD-STANDARD CASTER Tag: RECEPTION AREA	1	336.60	336.60
2	WAVEWORKS,18WX68H,WARDROBE/STORAGE,RIGHT ,LAMINATE Options: KRS-RANDOM CORE,INSTALLED,SILVER MH-MOCHA MH-MOCHA Tag: RECEPTION AREA	1	605.70	605.70
3	WAVEWORKS,23DX15W,PEDESTAL,BOX/BOX/FILE,UNDERSURFACE,LAMINATE Options: 74SN-GROOVE,SATIN NICKEL METALLIC X-NO GROMMET KRS-RANDOM CORE,INSTALLED,SILVER MH-MOCHA MH-MOCHA Tag: RECEPTION AREA	1	333.45	333.45
4	WAVEWORKS,23DX15W,PEDESTAL,FILE/FILE,UNDERSURFACE,LAMINATE Options: 74SN-GROOVE,SATIN NICKEL METALLIC X-NO GROMMET KRS-RANDOM CORE,INSTALLED,SILVER MH-MOCHA MH-MOCHA Tag: RECEPTION AREA	1	333.45	333.45
5	WAVEWORKS,24DX36W,LATERAL FILE,THREE DRAWER,HPL Options: VMH-SOFTENED PVC,MOCHA 74SN-GROOVE,SATIN NICKEL METALLIC KRS-RANDOM CORE,INSTALLED,SILVER STD-STANDARD LAMINATE MH-MOCHA MH-MOCHA MH-MOCHA Tag: RECEPTION AREA	2	859.95	1,719.90
6	WAVEWORKS,24DX60W,RECEPTION RETURN,RIGHT,HPL Options: VMH-SOFTENED PVC,MOCHA G1C-GROMMET,CENTER STD-STANDARD LAMINATE 492-CINDER LINEAR 492-CINDER LINEAR Tag: RECEPTION AREA	1	622.80	622.80
7	WAVEWORKS,25DX72W,RECEPTION DESK SHELL,ACCENT,HPL Options: VMH-SOFTENED PVC,MOCHA G1L-GROMMET,LEFT STD-STANDARD LAMINATE	1	987.75	987.75



OFI  
 28 Garfield Street  
 Newington, CT 06111  
 Phone: 860.666.3357  
 Fax: 860.665.7498  
 Email/Web: www.myofi.com

1010 Washington Blvd  
 Stamford, CT 06901  
 Phone: 203.324.7517  
 Fax: 203.324.7544

Quotation

Page: 2 of 7

Project: 5434  
 Proj Desc: General orders

Quote: 5434.013  
 Status: New

Sold To: 4120-00  
 Town of Secaucus  
 1203 Paterson Plank Rd  
 Secaucus, NJ 07094

Bill To: 4120-00  
 Town of Secaucus  
 1203 Paterson Plank Rd  
 Secaucus, NJ 07094  
 Attention: Accounts Payable

Ship To: 4120-00  
 Town of Secaucus  
 1203 Paterson Plank Rd  
 Secaucus, NJ 07094

Date Entered	Salesperson	FOB	Terms
08/24/2018	Mike Malone	D	NET 10 DAYS

Line	Description	Qty	Unit Price	Extended
	MH-MOCHA MH-MOCHA MH-MOCHA Tag: RECEPTION AREA			
8	WAVEWORKS,15DX72W,RECEPTION COUNTER KIT,HPL Options: VMH-SOFTENED PVC,MOCHA STD-STANDARD LAMINATE MH-MOCHA Tag: RECEPTION AREA	1	260.55	260.55
9	WAVEWORKS,15DX78W,RECEPTION COUNTER KIT,HPL Options: VMH-SOFTENED PVC,MOCHA STD-STANDARD LAMINATE MH-MOCHA Tag: RECEPTION AREA	1	275.40	275.40
	RECEPTION AREA Sub Total:			5,475.60
	MAYORS OFFICE			
10	ACCESSORIES,41 15/16WX19 1/2H,TACKBOARD,RAILROAD Options: A-GRADE A 8600-DUNE DRIFT Tag: MAYORS OFFICE	2	153.90	307.80
11	WANDER,HIGH MESH BACK,ARMS Options: 2-GRADE 2 23109-TWILIGHT BARLEY STD-STANDARD CASTER Tag: MAYORS OFFICE	2	336.60	673.20
12	WAVEWORKS,24DX36W,LATERAL FILE,THREE DRAWER,HPL Options: VMH-SOFTENED PVC,MOCHA 74SN-GROOVE,SATIN NICKEL METALLIC KRS-RANDOM CORE,INSTALLED,SILVER STD-STANDARD LAMINATE MH-MOCHA MH-MOCHA MH-MOCHA Tag: MAYORS OFFICE	3	859.95	2,579.85
13	WAVEWORKS,24DX42W,RETURN,LEFT,FILE/FILE,HPL Options: VMH-SOFTENED PVC,MOCHA 74SN-GROOVE,SATIN NICKEL METALLIC G1C-GROMMET,CENTER KRS-RANDOM CORE,INSTALLED,SILVER STD-STANDARD LAMINATE MH-MOCHA MH-MOCHA MH-MOCHA Tag: MAYORS OFFICE	1	542.70	542.70
14	WAVEWORKS,24DX42W,RETURN,RIGHT,FILE/FILE,HP L Options: VMH-SOFTENED PVC,MOCHA 74SN-GROOVE,SATIN NICKEL METALLIC G1C-GROMMET,CENTER KRS-RANDOM CORE,INSTALLED,SILVER	1	542.70	542.70



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Quotation

Page: 3 of 7

**Project:** 5434  
**Proj Desc:** General orders  
  
**Quote:** 5434.013  
**Status:** New

**Sold To:** 4120-00  
 Town of Secaucus  
 1203 Paterson Plank Rd  
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Date Entered	Salesperson	FOB	Terms
08/24/2018	Mike Malone	D	NET 10 DAYS

Line	Description	Qty	Unit Price	Extended
	STD-STANDARD LAMINATE MH-MOCHA MH-MOCHA MH-MOCHA Tag: MAYORS OFFICE			
15	<b>WAVEWORKS,30DX66W,DESK,LEFT            PEDESTAL,BBF,HPL</b> Options: VMH-SOFTENED PVC,MOCHA 74SN-GROOVE,SATIN NICKEL METALLIC G1R-GROMMET,RIGHT KRS-RANDOM CORE,INSTALLED,SILVER STD-STANDARD LAMINATE MH-MOCHA MH-MOCHA MH-MOCHA Tag: MAYORS OFFICE	1	858.15	858.15
16	<b>WAVEWORKS,30DX66W,DESK,RIGHT            PEDESTAL,BBF,HPL</b> Options: VMH-SOFTENED PVC,MOCHA 74SN-GROOVE,SATIN NICKEL METALLIC G1L-GROMMET,LEFT KRS-RANDOM CORE,INSTALLED,SILVER STD-STANDARD LAMINATE MH-MOCHA MH-MOCHA MH-MOCHA Tag: MAYORS OFFICE	1	858.15	858.15
17	<b>WAVEWORKS,42WX18H,OVERHEAD,DOORS,WALL            MOUNT,LAMINATE</b> Options: KRS-RANDOM CORE,INSTALLED,SILVER MH-MOCHA MH-MOCHA Tag: MAYORS OFFICE	1	331.20	331.20
<b>MAYORS OFFICE Sub Total:</b>				<b>6,693.75</b>
<b>ADMINISTRATIVE ASSISTANTS</b>				
18	<b>WANDER,HIGH MESH BACK,ARMS</b> Options: 2-GRADE 2 23109-TWILIGHT BARLEY STD-STANDARD CASTER Tag: ADMINISTRATIVE ASSISTANTS	2	336.60	673.20
19	<b>WAVEWORKS,18WX27H,PEDESTAL BACK            PANEL,VERT GRAIN,LAM</b> Options: MH-MOCHA Tag: ADMINISTRATIVE ASSISTANTS	4	58.05	232.20
20	<b>ACCESSORIES,4DX3W WIRE MANAGER,PACK OF 2</b> Tag: ADMINISTRATIVE ASSISTANTS	1	22.05	22.05
21	<b>ACCESSORIES,47 7/8WX19            1/2H,TACKBOARD,RAILROAD</b> Options: A-GRADE A 8600-DUNE DRIFT Tag: ADMINISTRATIVE ASSISTANTS	2	164.70	329.40



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Line	Description	Qty	Unit Price	Extended
22	<b>BASE SUPPORT,18WX6H,END SUPPORT            BASE,CINDER</b> Tag: ADMINISTRATIVE ASSISTANTS	2	95.40	190.80
23	<b>WAVEWORKS,17DX24WX22H,PEDESTAL,BOOKCASE,            UNDERSURFACE,LA M</b> Options: X-NO GROMMET MH-MOCHA Tag: ADMINISTRATIVE ASSISTANTS	2	288.45	576.90
24	<b>WAVEWORKS,23DX30W,LATERAL            FILE,UNDERSURFACE,2 DRAWER,LA M</b> Options: 74SN-GROOVE,SATIN NICKEL METALLIC X-NO GROMMET KRS-RANDOM CORE,INSTALLED,SILVER MH-MOCHA MH-MOCHA Tag: ADMINISTRATIVE ASSISTANTS	2	387.45	774.90
25	<b>WAVEWORKS,24DX96W,SURFACE,RECTANGULAR,HP            L</b> Options: M-MAIN VMH-SOFTENED PVC,MOCHA X-NO GROMMET D1B462-WIRE MGR,BACK,CINDER X-NO MODIFIED DEPTH (STANDARD) X-NO MODIFIED WIDTH (STANDARD) STD-STANDARD LAMINATE MH-MOCHA Tag: ADMINISTRATIVE ASSISTANTS	1	280.80	280.80
26	<b>WAVEWORKS,30WX21H,MODESTY PANEL,LAMINATE</b> Options: M-MAIN X-NO MODESTY GROMMET 24.0000-24 (609.5 MM) MH-MOCHA Tag: ADMINISTRATIVE ASSISTANTS	2	55.35	110.70
27	<b>WAVEWORKS,48WX18H,OVERHEAD,DOORS,WALL            MOUNT,GLASS/LAMINATE</b> Options: 503-SATIN NICKEL METALLIC MH-MOCHA Tag: ADMINISTRATIVE ASSISTANTS	2	495.45	990.90
28	<b>WAVEWORKS,18DX30W,SURFACE,RECTANGULAR,HP            L</b> Options: M-MAIN VMH-SOFTENED PVC,MOCHA X-NO GROMMET D1B462-WIRE MGR,BACK,CINDER X-NO MODIFIED DEPTH (STANDARD) X-NO MODIFIED WIDTH (STANDARD) STD-STANDARD LAMINATE MH-MOCHA Tag: ADMINISTRATIVE ASSISTANTS	2	108.90	217.80
29	<b>WAVEWORKS,24DX54W,SURFACE,RECTANGULAR,HP            L</b> Options: F-FILLER VMH-SOFTENED PVC,MOCHA G1C-GROMMET,CENTER D1B462-WIRE MGR,BACK,CINDER X-NO MODIFIED DEPTH (STANDARD)	1	175.05	175.05



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Line	Description	Qty	Unit Price	Extended
30	X-NO MODIFIED WIDTH (STANDARD) STD-STANDARD LAMINATE MH-MOCHA Tag: ADMINISTRATIVE ASSISTANTS <b>WAVEWORKS,36DX84W,DESK,LEFT            PEDESTAL,BBF,HPL</b> Options: VMH-SOFTENED PVC,MOCHA 74SN-GROOVE,SATIN NICKEL METALLIC G1R-GROMMET,RIGHT KRS-RANDOM CORE,INSTALLED,SILVER STD-STANDARD LAMINATE MH-MOCHA MH-MOCHA MH-MOCHA Tag: ADMINISTRATIVE ASSISTANTS	1	1,001.70	1,001.70
31	<b>WAVEWORKS,18WX68H,WARDROBE/STORAGE,LEFT,            LAMINATE</b> Options: KRS-RANDOM CORE,INSTALLED,SILVER MH-MOCHA MH-MOCHA Tag: ADMINISTRATIVE ASSISTANTS	1	605.70	605.70
32	<b>WAVEWORKS,18WX68H,WARDROBE/STORAGE,RIGHT            ,LAMINATE</b> Options: KRS-RANDOM CORE,INSTALLED,SILVER MH-MOCHA MH-MOCHA Tag: ADMINISTRATIVE ASSISTANTS	1	605.70	605.70
33	<b>WAVEWORKS,36DX84W,DESK,RIGHT            PEDESTAL,BBF,HPL</b> Options: VMH-SOFTENED PVC,MOCHA 74SN-GROOVE,SATIN NICKEL METALLIC G1L-GROMMET,LEFT KRS-RANDOM CORE,INSTALLED,SILVER STD-STANDARD LAMINATE MH-MOCHA MH-MOCHA MH-MOCHA Tag: ADMINISTRATIVE ASSISTANTS	1	1,001.70	1,001.70
<b>ADMINISTRATIVE ASSISTANTS Sub Total:</b>				<b>7,789.50</b>
34	<b>RECEIVE, DELIVER &amp; INSTALL ALL DURING            STRAIGHT TIME HOURS</b> <b>LABOR-EA</b> Tag: RECEIVE, DELIVER & INSTALL ALL DURING STRAIGHT TIME HOURS	1	3,599.97	3,599.97
<b>RECEIVE, DELIVER &amp; INSTALL ALL DURING            STRAIGHT TIME HOURS Sub Total:</b>				<b>3,599.97</b>
Sub Total				23,558.82
Total Tax				0.00
<b>TOTAL AMOUNT - USD</b>				<b>23,558.82</b>





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Date Entered	Salesperson	FOB	Terms
08/24/2018	Mike Malone	D	NET 10 DAYS

This Quote will expire on: September 23, 2018

Signature

Title

Date



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08/24/2018	Mike Malone	D	NET 10 DAYS

**TERMS AND CONDITIONS**

**TERMS AND CONDITIONS OF SALE FOR OFFICE FURNITURE INC. D/B/A OFI (THE SELLER)**

**TERMS:** Deposit upon placement of order with the Seller (if required). Payment is due in 10 days upon being invoiced on any product / service that is delivered. Unpaid balances extending beyond 30 days will be charged a 1 1/2% per month finance charge (18% annual rate). The Sellers payment terms are net 10 days. If the Seller must store product, we will do so for 30 days. After 30 days storage charges will be assessed at the prevailing warehouse rate. In addition 90% of the product price will be invoiced, with payment due in 10 days.

If the Seller procures product on a specific date at the Customers request and the Customer decides not to take the product on that date, 90% of the product price will be invoiced, and payment is due in 10 days. After 30 days storage charges will be assessed.

**STORAGE:** If the Customer requests postponement of delivery when the Seller is ready to make shipment, the Seller reserves the right to transfer the merchandise to storage at the Customers risk and expense. In that event 90% of the total product price will be invoiced and payment is due immediately upon receipt of the invoice.

**PRICING:** All prices quoted to the Customer by the Seller shall remain in effect for 60 days with the exception of Manufacturer price increases beyond Sellers control. All price increases passed on to the Seller by the Manufacturer will in turn be passed on to the Customer, whether or not these increases occur during the 60 day period.

**ORDER CHANGES:** All changes in orders must be confirmed in writing by the Customer to the Seller and are not effective until approved in writing by the Seller and Manufacturer.

**CANCELLATIONS:** Cancellations cannot be accepted after seven days following placement of the order without the written consent of the Seller. Depending on the status of the order with the Manufacturer, the Customer could be subject to a cancellation charge if such a charge is passed on to the Seller by the Manufacturer. Products ordered on Quick-ship, In-stock or 10 day type programs can not be cancelled.

**DELIVERIES:** All deliveries are subject to confirmation and scheduling by the Manufacturer. If a specific shipping date has been requested by the Customer and accepted in writing, the Seller will not be liable for delay in shipment, delivery resulting from strikes, labor disputes, shortage of materials, labor by the Manufacturer, transportation delays, fire, explosion, flood, war, riot, act of God or other cause beyond the Sellers control. The Seller reserves the right to make delivery in installments. All such installments shall be separately invoiced and paid for when due, without regard to subsequent deliveries.

**RETURNS:** No returns of merchandise will be accepted without written consent from the Seller. A restocking charge of 25% is made on all authorized returns for credit. Orders for custom furniture, draperies and/or special construction are in no case subject to return.

**OWNERSHIP:** Customer acknowledges and agrees that the Furniture, Inventory, Equipment, and all Furnishings and Fixtures sold by Office Furniture, Inc. (Seller) shall remain the property of Seller until fully paid for by Customer. that Seller retains the right to take possession of the same in the event of a default in the terms of payment, and that Customer shall have no right, title or interest in or to said Furniture, inventory, Equipment, Furnishings, and Fixtures until the same shall have been paid for in full by the Customer.

**SECURITY INTEREST:** In consideration of the extension of credit and/or the sale of merchandise on account by Seller to Customer, Customer hereby grants Seller a security interest in the Furniture, Inventory, Equipment, and all Furnishings, and Fixtures, as those terms are defined in the Uniform Commercial Code (Secured Transactions), as in effect in the State of Connecticut as of the date hereof, sold by Seller to Customer (collectively the Collateral). The security interest is granted to secure the payment and performance of all indebtedness and obligations now or hereafter owing from Customer to Seller of whatever kind or nature, whether presently existing or hereafter arising.

**REMEDIES UPON DEFAULT:** Upon default in the terms of payment, Seller may require the Customer to make the Collateral available to it, and Seller may take possession of the same without the necessity of a Hearing or a Court Order. For the purposes of this Paragraph, Customer acknowledges that this is a commercial transaction, as defined in Section 52-278a of the General Statutes, and waives the right to notice and hearing under Section 52-278a to 52-278g inclusive, with respect to any prejudgment remedy. In the event of default Customer agrees to pay Sellers costs and expenses incurred in the enforcement of Sellers remedies upon default, including Sellers attorneys fees.

**WARRANTY:** The Seller warrants its merchandise to be free from defects in material and workmanship under normal use and service for a period of one year from the date of delivery. Obligation during the warranty period is limited to the repair or, at its option, the replacement of such merchandise, which is returned to the Manufacturer. In no event shall the Seller be liable for special or consequential damage.

THE SELLER MAKES NO OTHER WARRANTY, EITHER EXPRESSED OR IMPLIED, AS TO ANY MATTER WHATSOEVER, INCLUDING WITHOUT LIMITATION THE PRODUCTS CONDITION, ITS MERCHANTABILITY OR ITS FITNESS FOR ANY PARTICULAR USE OR PURPOSE.

**TOWN OF SECAUCUS  
COUNTY OF HUDSON**

**RESOLUTION**

**WHEREAS**, BRE AMERISUITES PROPERTIES for 2008 through 2010, HARM. MEAD, LLC C/O SELECT HOTEL, ACCT PAY for 2011 and HARM.MEAD, LLC C/O HYATT for 2014 have been the record owners of property situated at Block 227, Lot 7.25, with street addresses of 575 Plaza Drive in the Town of Secaucus, New Jersey, and

**WHEREAS**, BRE AMERISUITES PROPERTIES, HARM. MEAD, LLC C/O SELECT HOTEL, ACCT PAY, and HARM.MEAD, LLC C/O HYATT are the Plaintiffs in legal actions against the Town of Secaucus in the Tax Court of New Jersey, with Docket Nos.: 001065-2008, 000362-2009, 000891-2010, 007941-2011, and 009541-2014, challenging the actions of the Town of Secaucus with respect to the assessment of its property, and

**WHEREAS**, the parties now wish to amicably resolve the outstanding issues regarding the assessment of the property and settle the lawsuits between them pending in the Tax Court of New Jersey.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that Florio Kenny Raval, L.L.P., Special Tax Counsel for the Town of Secaucus in these cases, is hereby authorized to execute on behalf of the Town of Secaucus, a Stipulation of Settlement resolving the Complaints filed by:

- 1) BRE AMERISUITES PROPERTIES, HARM. MEAD, LLC C/O SELECT HOTEL, ACCT PAY, and HARM.MEAD, LLC C/O HYATT situated at Block 227, Lot 7.25 and 575 Plaza Drive, in the Town of Secaucus, New Jersey;
- 2) For tax years 2008, 2009, 2010, 2011, and 2014:

Assessment Reduced:

<u>Tax Year</u>	<u>Original Assessment</u>	<u>Proposed Assessment</u>
2008	Land \$500,000.00	\$500,000.00
	Imp. <u>\$9,252,000.00</u>	<u>\$5,536,830.00</u>
	Tl.: \$9,752,000.00	\$6,036,830.00

Assessment Affirmed:

<u>Tax Year</u>	<u>Original Assessment</u>	<u>Proposed Assessment</u>
2009	Land \$500,000.00	\$500,000.00
	Imp. <u>\$9,252,000.00</u>	<u>\$9,252,000.00</u>
	Tl.: \$9,752,000.00	\$9,752,000.00

<u>Tax Year</u>	<u>Original Assessment</u>	<u>Proposed Assessment</u>
2010	Land \$500,000.00	\$500,000.00
	Imp. <u>\$9,252,000.00</u>	<u>\$9,252,000.00</u>
	Tl.: \$9,752,000.00	\$9,752,000.00

<u>Tax Year</u>	<u>Original Assessment</u>	<u>Proposed Assessment</u>
2011	Land \$500,000.00	\$500,000.00
	Imp. <u>\$9,252,000.00</u>	<u>\$9,252,000.00</u>
	Tl.: \$9,752,000.00	\$9,752,000.00

<u>Tax Year</u>	<u>Original Assessment</u>	<u>Proposed Assessment</u>
2014	Land \$500,000.00	\$500,000.00
	Imp. <u>\$9,252,000.00</u>	<u>\$9,252,000.00</u>
	Tl.: \$9,752,000.00	\$9,752,000.00

The parties have agreed that the Freeze Act shall not apply to the 2008 judgment in favor of the taxpayer.

**BE IT FURTHER RESOLVED,** that the Town of Secaucus will agree

to withdraw its counterclaim for the 2014 tax year.

**BE IT FURTHER RESOLVED**, that the payment of the refund shall total approximately \$120,000.00, to be paid in two installments, one installment of \$60,000.00 due within 60 days from the entry of the 2008 judgment and the second installment due by March 1, 2019.

**BE IT FURTHER RESOLVED**, that interest on any refund due is waived, provided the refund is made within the time periods described above.

**BE IT FURTHER RESOLVED**, the refund payments shall be paid to Hyatt Hotels c/o Law Offices of Glen-David Schwarzschild, LLC, 1050 North Kings Highway, Suite 102, Cherry Hill, NJ 08034.

All in accordance with the discussions held at a certain meeting of the Town Council on \_\_\_\_\_, 2018.

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of the resolution approved by the Mayor and Council on \_\_\_\_\_.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

Motion	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Ciancy				
Councilman Dehnert				
Councilman Gerbasio				
Councilwoman Tringali				
Mayor Gonnelli				

*From:* David J. Yanotchko  
*Sent:* Thu 5/3/2018 07:03 PM  
*Rcvd:* Thu 5/3/2018 07:03 PM  
*To:* gjeffas@secaucus.net  
*CC:* Edward J. Florio; Nita Raval; Maribel Franco  
*BCC:*  
*Subject:* HARM. MEAD, LLC/ AMERISUITES V. SECAUCUS - TAX  
APPEAL STATUS -- our file 851.015

=====

Gary,

Hope things are well for you. I am writing to give you an update about a few Secaucus tax appeal cases that are in settlement negotiations or headed to trial to get an idea if a potential settlement would be acceptable to the governing body. The first case is the largest and most complex of the appeals my firm is handling and carries with it the greatest exposure. The subject property is now the site of the Hyatt Place hotel in Secaucus, located at 575 Plaza Drive. The years under appeal by Plaintiff are 2008 through 2011, with the Town holding a counterclaim in 2014. The Hyatt was formerly operated as an AmeriSuites hotel, until the hotel chain was sold to Hyatt in 2005. Over the next few years, the AmeriSuites brand was phased out into the Hyatt Place brand.

Both Plaintiff and Defendant have submitted appraisals for the years in question. The best case scenario for Secaucus at trial would be if the Court accepted the appraisal of the Town's expert, which would result in zero refund. As a worst-case scenario, the Plaintiff's appraisal would result in a refund of approximately \$608,000 between 2008 and 2013. The Town's expert appraiser has analyzed the two reports in preparation for trial. The main areas of weakness for the Town's position are in the first few years of the appeal 2008 and 2009 and in the area of stabilized revenue for the data that governs those two years (year-end 2006 and 2007). For year-end 2006 and 2007, the AmeriSuites property lagged behind other hotels considered to be in the subject hotel's "competitive set." The "competitive set" is basically made up of similar hotels from the area. Appraisers look at a category called RevPAR, or Revenue Per Available Room in reaching values. Revenue Per Available Room is the occupancy rate times the average daily room rate. For the AmeriSuites in year-end 2006 and 2007, the RevPAR amount was \$83.07 and \$80.11, respectively, as opposed to \$100.01 and \$112.70 for the competitive set.

For RevPAR, the Tax Court usually gives the most weight to a hotel's actual income in valuing the hotel. The Plaintiff's appraiser is using actual income in its numbers for 2008 and 2009, which is why the Plaintiff's numbers are lower. The

Town's appraiser counters with the position that the RevPAR should be higher for 2008 and 2009 because the lower revenue numbers are due to the change from an AmeriSuites to a Hyatt brand. Thus, the Town's argument at trial is that the Court should give the competitive set more value in this case. It is uncertain how the Court will rule.

If the Town's argument prevails, the Town would not owe a refund. If the taxpayer prevailed, the former hotel owner would not likely get the maximum, but more likely a finding of the value of the hotel for around \$18,000,000 in 2008 and 2009. If the Court found for this value, the taxpayer could apply the Freeze Act to the 2010 and 2011 assessment years and receive a refund of approximately \$235,000 and about \$87,000 in interest for a total of \$322,000.

The Plaintiff's best settlement offer is a value where his client would get a \$176,000 refund. The City's appraisal expert would recommend a settlement up to \$100,000. From talking to the Plaintiff's attorney, I think \$100,000 is a minimum for his client, but the attorney says his client will come down from the \$176,000. I would estimate the range at \$100,000 to \$140,000 for settlement. The main decision in this case is whether it is better for the Town to limit exposure in the \$100,000 range, or try the case, where the range in outcome would be between a result as negative as a \$322,000 refund and as positive as not having to pay any tax dollars back.

One complication for a settlement even if the price is right is that the Plaintiff no longer owns the hotel, so it requires a refund to settle. Tax credits will not benefit the Plaintiff. The Plaintiff's attorney has indicated his client may be willing to accept breaking up the payment in halves – say if the settlement was \$110,000 -- \$55,000 in 2018 and \$55,000 in 2019. I would definitely push this with the Plaintiff's counsel.

The rest of the cases in the settlement or trial stages do not nearly have the same exposure as this case. I will give you those updates shortly. Do not hesitate to call me if you have any questions. I am happy to discuss.

David J. Yanotchko, Esq.

FLORIO KENNY RAVAL, L.L.P.

Attorneys At Law

5 Marine View Plaza, Suite 103

P.O. Box 771

Hoboken, New Jersey 07030

Email: [dyanotchko@fkrlaw.com](mailto:dyanotchko@fkrlaw.com)

Phone: 201-659-8011 fax: 201-659-0884

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Thank you very much.



Resolution No. \_\_\_\_\_

**TOWN OF SECAUCUS  
COUNTY OF HUDSON**

**RESOLUTION AUTHORIZING A  
PROFESSIONAL SERVICES CONTRACT WITH  
McNERNEY & ASSOCIATES, INC. FOR HARMON  
MEADOW OWNER, LLC AT 650 PLAZA DRIVE**

**WHEREAS**, the Mayor and Council of the Town of Secaucus ("Secaucus") require appraisal valuation and consulting services in connection with an appraisal report to be administered to the Tax Court of New Jersey concerning certain pending tax appeal matters for 650 Plaza Drive, for Block 227, Lot 5.0301, for tax years 2016, 2017 and 2018 under Docket Nos.: 006836-2016, 001691-2017, 001125-2018 and 0006010-2018 (hereinafter the "Appraisal Report"); and

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

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

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

**BE IT FURTHER RESOLVED**, that McNerney & Associates, Inc. shall be paid an amount not to exceed \$7,500 for a trial ready appraisal report (inclusive of all out-of-pocket expenses) and additional compensation in the amount of \$100.00 per hour with respect to additional litigation support services including trial preparation and appearances at depositions and trial.

Adopted: August 28, 2018

## McNerney & Associates, Inc.

Real Estate Appraisal Services · 266 Harristown Road, PO Box 67, Glen Rock, New Jersey 07452-0067 · (201) 670-8558 · Fax (201) 670-0913

August 13, 2018

Brian M. Hak, Esq.  
Weiner Law Group, LLP  
629 Parsippany Road  
P.O. Box 0438  
Parsippany, New Jersey 07054

**Re: Harmon Meadow Owner, LLC (Movie Theater)**  
**Block 227, Lot 5.0301**  
**650 Plaza Drive**  
**Secaucus, New Jersey**

Dear Mr. Hak:

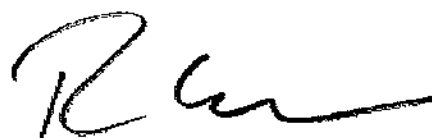
I have reviewed the data relative to the above referenced property which is under appeal in order to provide a proposal to prepare an Appraisal Report for the defense of same. The cost for the preparation of the appraisal report for Tax Years 2016, 2017 & 2018 is \$7,500 and will be completed within 60 days of authorization by the Mayor and Council to proceed.

<b>TAX YEAR</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
<b>Equalized Assessment</b>	<b>\$8,586,266</b>	<b>\$8,717,971</b>	<b>\$8,788,438</b>

In addition to said professional fee for this assignment, we will be compensated at a rate of \$100 per hour for any time expended by us should we be required (by subpoena or otherwise) or requested by you or your representatives to become involved in any litigation or legal proceeding in any way involving this engagement, the appraisal work we produce or the property which is the subject of this assignment.

In the event that you have any questions regarding this proposal, please do not hesitate to contact me.

Sincerely yours,



Robert McNerney, MAI, SRA, CRE  
President

**Resolution No. \_\_\_\_\_**

**TOWN OF SECAUCUS  
COUNTY OF HUDSON**

**RESOLUTION AUTHORIZING A  
PROFESSIONAL SERVICES CONTRACT WITH  
McNERNEY & ASSOCIATES, INC. FOR GTH 101, INC. c/o  
WWOR TV CH. 9 AT 43 MEADOWLANDS PARKWAY**

**WHEREAS**, the Mayor and Council of the Town of Secaucus ("Secaucus") require appraisal valuation and consulting services in connection with an appraisal report to be administered to the Tax Court of New Jersey concerning certain pending tax appeal matters for 43 Meadowlands Parkway, for Block 21, Lot 2.02, for tax years 2015, 2016, 2017 and 2018 under Docket Nos.: 002449-2016; 002273-2017 and 003520-2018 (hereinafter the "Appraisal Report"); and

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

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

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

**BE IT FURTHER RESOLVED**, that McNerney & Associates, Inc. shall be paid an amount not to exceed \$9,500.00 for a trial ready appraisal report (inclusive of all out-of-pocket expenses) and additional compensation in the amount of \$100.00 per hour with respect to additional litigation support services including trial preparation and appearances at depositions and trial.

Adopted: August 28, 2018

## McNerney & Associates, Inc.

Real Estate Appraisal Services · 266 Harristown Road., PO Box 67, Glen Rock, New Jersey 07452-0067 · (201) 670-8558 · Fax (201) 670-0913

August 13, 2018

Brian M. Hak, Esq.  
Weiner Law Group, LLP  
629 Parsippany Road  
P.O. Box 0438  
Parsippany, New Jersey 07054

**Re: GTH 101, Inc. c/o WWOR TV Channel 9**  
**Block 21, Lot 2.02**  
**43 Meadowlands Parkway**  
**Secaucus, New Jersey**

Dear Mr. Hak:

I have reviewed the data relative to the above referenced property which is under appeal in order to provide a proposal to prepare an Appraisal Report for the defense of same. The cost for the preparation of the appraisal report for Tax Years 2015, 2016, 2017 & 2018 is \$9,500 and will be completed within 60 days of authorization by the Mayor and Council to proceed.

<b>TAX YEAR</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
<b>Equalized Assessment</b>	<b>\$19,209,338</b>	<b>\$19,281,888</b>	<b>\$19,577,653</b>	<b>\$19,735,898</b>

In addition to said professional fee for this assignment, we will be compensated at a rate of \$100 per hour for any time expended by us should we be required (by subpoena or otherwise) or requested by you or your representatives to become involved in any litigation or legal proceeding in any way involving this engagement, the appraisal work we produce or the property which is the subject of this assignment.

In the event that you have any questions regarding this proposal, please do not hesitate to contact me.

Sincerely yours,



Robert McNerney, MAI, SRA, CRE  
President

Resolution No. \_\_\_\_\_

**TOWN OF SECAUCUS  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

**A RESOLUTION AUTHORIZING A MAINTENANCE CONTRACT FOR  
SURVEILLANCE SYSTEM SUPPORT FOR THE PEDESTRIAN WALKWAYS AND  
BUCHMULLER PARK BY SHI**

**WHEREAS**, the Town of Secaucus' IT Department in conjunction with the Secaucus Police Department, utilizes computer hardware and software equipment for investigative and surveillance tasks in the interest of public safety of the Pedestrian Walkways/Cat Walks going over Route 3 and in Buchmuller Park (collectively "Systems"); and

**WHEREAS**, the Systems require regular maintenance and support; and

**WHEREAS**, SHI, located at 300 Davidson Drive, Somerset, New Jersey, 08873, has submitted a quote to supply the necessary maintenance and support of the Systems for the Pedestrian Walkways/Cat Walks going over Route 3 and in Buchmuller Park through Axtel Consulting for a one (1) year period; and

**WHEREAS**, SHI is a vendor under New Jersey State Contract # 89851; and

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, to award SHI, with services through Axtel Consulting, a contract to provide software maintenance and support of the System for the Pedestrian Walkways/Cat Walks over Route 3 and in Buchmuller Park at a cost of Thirteen Thousand Seven Hundred Eighty Dollars (\$13,780.00) for a one (1) year term beginning September 1, 2018; and

**BE IT FURTHER RESOLVED** that the quote and Resolution shall constitute the requisite contract in this matter and be kept on file with the Town Clerk; and

**BE IT FURTHER RESOLVED** that the entities shall provide any and all updated compliance information requested by the Town of Secaucus' Office of Purchasing, which may include, but is not limited to, proof of continued insurance coverage; and

**BE IT FURTHER RESOLVED** that the Chief Financial Officer has certified that funds are available in the 2018 Municipal Budget; and

**BE IT FURTHER RESOLVED** that the Mayor and/or the Town Administrator or their designee are hereby authorized to execute any other documents or take any other necessary action to effectuate the spirit and intent of this Resolution.

Adopted: August 28, 2018

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor and Council on August 28, 2018.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

Motion:	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilwoman Tringali				
Councilman Dehnert				
Councilman Gerbasio				
Mayor Gonnelli				