

TOWN OF SECAUCUS
MAYOR AND COUNCIL MEETING - JANUARY 9, 2018
CAUCUS/EXECUTIVE SESSION 4:30 PM
MEETING TO COMMENCE 7:00 PM

THE ORDINANCES FOR INTRODUCTION ARE FOR DISCUSSION
PURPOSES AND ARE SUBJECT TO CHANGE. ITEMS MAY BE
ADDED OR REMOVED AS DETERMINED BY THE TOWN COUNCIL.

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

ORDINANCES FOR INTRODUCTION

Ordinance No. 2018-1: Ordinance amending Chapter 127-58B of the Code of the Town of Secaucus entitled "Designation of Locations at or Near Private Residences" (Deletion of a handicapped parking spot on Franklin Street)

Ordinance No. 2018-2: An ordinance granting a Permanent Utility Easement to New Jersey Department of Transportation on Block 132, Lot 3

ORDINANCES FOR PUBLIC HEARING

Ordinance No. 2017-27: An ordinance amending Chapter 12 of the Code of the Town of Secaucus entitled "Fire Department" updating membership requirements

RESOLUTIONS (CONSENT AGENDA)

PLEASE SEE CONSENT AGENDA FOR LIST OF RESOLUTIONS

BINGO/RAFFLE APPLICATIONS

1) Application for an On-Premise 50/50 to be held on February 2, 2018, sponsored by the Secaucus High School PTSA

COMMUNICATIONS REQUIRING ACTION BY MAYOR AND COUNCIL

1) Request by Miss Yvonne Swim School to hold a Spring Camp the week of April 2 and for 11 consecutive weeks starting on June 18

COMMITTEE REPORTS

UNFINISHED BUSINESS

NEW BUSINESS

REMARKS OF CITIZENS

ADJOURNMENT

Town of Secaucus
CONSENT AGENDA - 1/9/2018

THIS AGENDA IS FOR DISCUSSION PURPOSES AND IS SUBJECT TO CHANGE. ITEMS MAY BE ADDED OR REMOVED AS DETERMINED BY THE TOWN COUNCIL.

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

1) Resolution authorizing Interest Rate/Grace Period/Year-End Penalty

2) Resolution appointing Jessica Sharp as a Part-Time Administrative Clerk (floater) in Administration (#1000),

3) Resolution appointing Robert Testa as a Part-Time Counselor in the Before/Aftercare Program (#74051), effective January 5, 2018, at the hourly rate of \$8.60

4) Resolution appointing Michael Nunez as a (rehire) referee, Seasonal Part-Time Position in the Basketball Program (#81076), retro to December 16, 2017, at the rate of \$25.00 per game

5) Resolution appointing Victor Paone III as a Part-Time Inspector in the Fire Prevention Department (#32001), effective January 10, 2018, at the hourly rate of \$14.33

6) Resolution appointing Sheila Witrock as a Part-Time Administrative Clerk in Social Services (#74000), retro to January 2, 2018, at the hourly rate of \$10.00

7) Resolution increasing the hourly rate of Lynn Kramer to \$18.00, effective as of November 28, 2017

8) Resolution stating the Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions under Title VII of the Civil Rights Act of 1964"

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

ORDINANCE NO. 2017-27

AN ORDINANCE AMENDING CHAPTER 12 OF THE CODE
OF THE TOWN OF SECAUCUS ENTITLED "FIRE DEPARTMENT" UPDATING
MEMBERSHIP REQUIREMENTS

WHEREAS, the Mayor and Council recognize that the safety of all residents and the protection of buildings and structures is of utmost concern and that the ability to provide emergency fire services is critical to the protection of the public; and

WHEREAS, the Town of Secaucus' Volunteer Fire Department serves the fire and emergency response needs of the municipality and is governed by T.O. 12-1 et seq.; and

WHEREAS, updates are being proposed to membership requirements for the Fire Department upon review of the current qualifications.

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 12 of Code of the Town of Secaucus, "§12-2. Membership of companies." be, and is hereby amended and supplemented to read as follows: (deletions are indicated by ~~crossouts~~; additions are indicated in **bold**):

B. Qualifications of firefighters. Each member of the Secaucus Volunteer Fire Department shall meet, and continue to meet, the following qualifications:

...

1.
(b) Be a citizen of the United States **or have current legal status within the United States** and be a resident of the Town of Secaucus.

...

5. Have a valid New Jersey driver's license. **A motor vehicle record check will be conducted for all applicants and shall be satisfactory to the Department in accordance with Town policy. Applicants and members shall provide any necessary information and complete any necessary documents for a motor vehicle check to be conducted.**

...

D. Each engine company and hose company shall ~~consist of the following~~ **maintain a minimum number of qualified members:**

1. Engine Company No. 1: No less than twelve (12) qualified members ~~nor more than twenty (20) qualified members.~~
2. Engine Company No. 3: No less than twelve (12) qualified members ~~nor more than twenty (20) qualified members.~~
3. ~~Hose Company No. 1~~ **Engine Company No. 2/Fire Rescue No. 1:** No less than seventeen (17) qualified members ~~nor more than twenty five (25) qualified members.~~

4. ~~Hose Company Tower~~ No. 2: No less than twelve (12) qualified members ~~not more than twenty (20) qualified members.~~
 5. Engine Company No. 4/~~Ladder 1~~: No less than seventeen (17) qualified members ~~not more than twenty-five (25) qualified members.~~
- E. The Secaucus Fire Department shall be permitted to maintain a junior firefighter program. Each member of the Secaucus Junior Firefighter Program shall meet and abide by the following:

...

- (2) Be a citizen of the United States **or have current legal status within the United States** and be a resident of the Town of Secaucus.
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 12 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 _____, 2017 and finally adopted by the Mayor and Council on _____, 2017.

 Town Clerk

 Mayor

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

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

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

ORDINANCE NO. 2018-1

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 deleting the following locations:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Franklin Street	South	On the south side of Franklin Street, beginning at a point 106 feet east of the south-east corner of Garry Terrace and Franklin Street continuing east for a distance of 22 feet in front of 99 Franklin Street

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 January 9, 2018 and finally adopted by the Mayor and Council on February 13, 2018.

 Town Clerk Mayor

Introduction 1-9-18

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

Adoption 2-13-18

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. 2018-2

**AN ORDINANCE GRANTING A PERMANENT UTILITY EASEMENT TO NEW JERSEY
DEPARTMENT OF TRANSPORTATION ON BLOCK 132, LOT 3**

WHEREAS, the Town of Secaucus is the owner of certain property located within the Town of Secaucus identified as Block 132, Lot 3 on Tax Maps and Parcel UE112A consisting of approximately 100 square feet as depicted on the attached map prepared for the New Jersey Department of Transportation; and

WHEREAS, at the request of the New Jersey Department of Transportation, the Town of Secaucus wishes to grant to the New Jersey Department of Transportation (NJDOT) a permanent easement on the above property for the construction, maintenance and repair of utility pole guy wires and guy anchor above and below ground appurtenances; and

WHEREAS, acceptance of the conveyance of said real property requires the approval by Ordinance of the Town Council pursuant to N.J.S.A. 40A:12-5; and

WHEREAS, the Town Council has determined that it is in the best interest of the public to provide said utility easement.

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

1. The Town of Secaucus hereby accepts the dedication of a permanent utility easement on Block 132, Lot 3 for the construction, maintenance and repair of utility pole guy wires and guy anchor above and below ground appurtenances.
2. The Mayor, Town Administrator and the Town's Counsel are hereby authorized to execute the easement document(s) necessary for the construction, maintenance and repair of utility pole guy wires and guy anchor above and below ground appurtenances on the property more particularly described as Block 132, Lot 3 on Secaucus Tax Maps and as Parcel UE112A, consisting of approximately 100 square feet, as depicted on the attached map prepared for the New Jersey Department of Transportation.
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.

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 1-9-18

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

Adoption 2-13-18

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

RESOLUTION NO. _____ - 2018
 RESOLUTION AUTHORIZING INTEREST
 RATE/GRACE PERIOD/YEAR-END PENALTY

WHEREAS, N.J.S.A. 54:4-67 et seq., permits the Mayor and Council to fix the rate of interest to be charged for the nonpayment of taxes, assessments, or other municipal charges.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the rate of interest on unpaid taxes shall be eight percent (8%) per annum for the first One Thousand Five Hundred Dollars (\$1,500.00) of delinquency and eighteen percent (18%) per annum on any amount in excess of One Thousand Five Hundred Dollars (\$1,500.00) to be calculated from the date the tax was payable until the date of actual payment, provided that no interest shall be charged if payment of any installment is made on or before the tenth (10th) calendar day following the date upon which the same became payable; and,

BE IT FURTHER RESOLVED, that in addition to the interest provided above, on all delinquencies in excess of Ten Thousand Dollars (\$10,000.00) and which are not paid prior to the end of the year, the Tax Collector shall also collect a penalty of six percent (6%) of the amount of the delinquency in excess of Ten Thousand Dollars (\$10,000.00).

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Town Tax Collector.

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 January 9, 2018

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
COUNTY OF HUDSON
RESOLUTION**

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 Human Resources that the below person(s) is hereby appointed to the part time position in Administration (#1000) effective **January 09, 2018**, as follows:

- Jessica Sharp Admin Clerk (floater) \$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 January 09, 2018.

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
COUNTY OF HUDSON
RESOLUTION**

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 Mike Pero Superintendent Recreation that the below person(s) is hereby appointed to the regular part time position in the Before / Aftercare Program (#74051), effective January 5, 2018, as follows:

- Robert Testa - Counselor \$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 January 09, 2018.

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
COUNTY OF HUDSON
RESOLUTION**

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 Mike Pero Superintendent Recreation that the below person(s) is hereby appointed to the seasonal part time position in the Basketball Program (#81076) retro to December 16, 2017, as follows:

- Michael Nunez (rehire) referee - \$25.00 / game

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 January 09, 2018.

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
COUNTY OF HUDSON
RESOLUTION**

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 Vincent Prieto that the below person(s) is hereby appointed to the part time position of Inspector in the Fire Prevention Department (#32001) as of January 10, 2018, as follows:

- Victor Paone III \$14.33/ 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 January 09, 2018.

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
COUNTY OF HUDSON
RESOLUTION**

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 Lisa Snedeker, Director Social Service that the below person(s) is hereby appointed to the part time Clerk position in the Department (#74000) retro to **January 02, 2018**, as follows:

- Sheila Witrock \$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 January 09, 2018.

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
COUNTY OF HUDSON
RESOLUTION**

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 the Town Administrator and Director Human Resources that the below person hourly rate be increased effective as of November 28, as follows:

- Lynn Kramer \$18.00 / 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 November 28, 2017.

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**

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in
Employment Decisions under Title VII of the Civil Rights Act of 1964"**

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body of the Town of Secaucus have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Town of Secaucus, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Town Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Adopted: January 9, 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 January 9, 2018.

Town Clerk Mayor

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