

Town of Secaucus
CONSENT AGENDA – 6/26/18

THIS AGENDA IS FOR DISCUSSION PURPOSES AND IS SUBJECT TO CHANGE.

ITEMS MAY BE ADDED OR REMOVED AS DETERMINED BY THE TOWN COUNCIL.

- 1) A resolution to purchase certain goods or services through the NCPA Cooperative Program
- 2) A resolution on behalf of the Town of Secaucus for approval of Change Order #1 to contract with Your Way Construction for First Avenue Parking Lot, File #18-009 in the amount of \$20,522.05
- 3) Resolution to authorize an increase to the Professional Services contract for a Town Surveyor in the amount of \$25,000.00
- 4) A resolution on behalf of the Town of Secaucus authorizing an appointment award of a professional services contract to Biff Duncan Associates, Inc. in an amount not to exceed \$65,000
- 5) A resolution on behalf of the Town of Secaucus authorizing a cancellation of taxes for Town owned property, Block 148, Lot 10
- 6) A resolution on behalf of the Town of Secaucus authorizing an appointment award of a professional services contract to Clarke, Caton, Hintz in an amount not to exceed \$25,000
- 7) A resolution on behalf of the Town of Secaucus awarding the contract for website and social media design, hosting, maintenance and support to Flanagan Productions, LLC in an amount not to exceed \$65,000
- 8) A resolution to award the contract for the new overhead garage door for Fire Department Engine Company 1 located at 150 Plaza Center to New Jersey Door Works in the amount of \$12,235.00
- 9) A resolution on behalf of the Town of Secaucus authorizing licensed electrician services to Joseph Meli Electrical Services, LLC in an amount not to exceed \$135,000
- 10) Resolution of the Town of Secaucus to support and participate in the Volunteer Tuition Credit Program
- 11) Resolution promoting Foula Ballas to the role of Zoning Sub Code Official with base salary increased to \$91,459.42, increase being retroactive to March 1, 2018
- 12) A resolution on behalf of the Town of Secaucus extending the contract for the purchase of sports uniforms to Spectrum Works
- 13) Resolution appointing Joseph Haslach (rehire seasonal), Marco Navarrete (regular part time) and Silvia Retana (regular part time) as part time Medical Escort Drivers, effective June 26, 2018, each at an hourly rate of \$13.00

- 14) Resolution appointing Michele Sanci to the full time position of Maintenance/Mason in the Buildings and Grounds Department, effective June 20, 2018 , at the annual salary of \$60,000.00
- 15) Resolution rehiring Holly Espinosa-(Administration, effective 5/29/18), Roshni Patel-(Treasurer, effective 6/4/18) and Colleen Burns-(Fire Prevention, effective 6/4/18) as Summer Part-Time Interns, each at the hourly rate of \$10.00
- 16) Resolution appointing Marieme Niang-Thiam to the Regular Part-Time Supervisor Position in the Teen Center, effective June 26, 2018 , at the hourly rate of \$12.00
- 17) Resolution appointing Matthew Fernandez, Matthew Conroy, Colby Iyer, Thomas Hering and Savannah Leigh Quinlan as Seasonal Part-Time Laborers in the Department of Public Works, effective June 26, 2018, each at the hourly rate of \$10.00
- 18) Resolution correcting previous resolution 2018-177, changing the hourly rate for Chris Carpenter, John Flanagan and Stephanie Tedeschi to \$14.00
- 19) A resolution authorizing a proprietary contract with Airius, LLC for the purchase of Air Pearl Model 60s Fans for the Secaucus Ice Rink
- 20) Resolution appointing Lifeguards, Custodians and Clerical/Gate Personnel to the Secaucus Swim Club, effective June 26, 2018
- 21) Resolution appointing Counselors, Game On Personnel, Meet at the Park Personnel and Basketball Personnel to the Summer Day Camp Programs, effective June 26, 2018
- 22) A resolution on behalf of the Town of Secaucus authorizing a contract with Barcia Bros. Fence Company for extension netting needed for Clarendon School Field
- 23) Resolution authorizing the insertion of a Special Item of Revenue and an appropriation of equal amount (NJDOT/Local Aid Discretionary Program-Born Street Outfall Pipe, in the amount of \$495,000.00)

TOWN OF SECAUCUS
MAYOR AND COUNCIL MEETING - JUNE 26, 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 Regular Meetings of April 10, 2018, April 24, 2018, May 8, 2018 and May 22, 2018

ORDINANCES FOR PUBLIC HEARING

Ordinance No. 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

Ordinance No. 2018-21: An Ordinance amending Section 127-58B of the Code of the Town of Secaucus entitled "Designation of Locations at or Near Private Residences" (deletion of handicapped parking spots on Seventh Street and Fourth Street)

Ordinance No. 2018-22: An Ordinance amending Chapter 127 of the Code of the Town of Secaucus entitled "Vehicles and Traffic" updating and designating one way roadway and no parking locations in the North End

Ordinance No. 2018-23: An Ordinance adopting Chapter 154 of the Code entitled "Unlawful Residential Units"

ORDINANCES FOR INTRODUCTION

Ordinance No. 2018-24: 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 Fischer Avenue and Fourth Street

ORDINANCES FOR INTRODUCTION (CONTINUED)

Ordinance No. 2018-25: An Ordinance amending Chapter 127 of the Code of the Town of Secaucus entitled "Vehicles and Traffic" updating restricted parking provisions

Ordinance No. 2018-26: An Ordinance amending Chapter 127 of the Code of the Town of Secaucus entitled "Vehicles and Traffic" updating prohibited parking locations on Front Street

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 8, 2018, sponsored by Immaculate Conception Church
- 2) Application for an Off-Premise Fair Share to be held on September 9, 2018, sponsored by Immaculate Conception Church
- 3) Application for an On-Premise 50/50 Daily Draws to be held on September 8 and 9, 2018, sponsored by Immaculate Conception Church

COMMUNICATIONS REQUIRING ACTION BY MAYOR AND COUNCIL

- 1) Request by Karen Zaidberg of the Manhattan Country School's Summer Camp to use the Secaucus Swim Center on July 11th, 19th and the 25th
- 2) Request by East Coast Blaze to use Kane Stadium on July 15 from 9am to 12pm for a baseball game
- 3) Request by Garcia Sports Management to use Shetik Field on multiple days in June and July for a Soccer Camp
- 4) Request by Hartz Mountain Corporation to use Schmidts Woods on September 20 for a company picnic
- 5) Request by Hartz Mountain Corporation to use Schmidts Woods on July 27 for a company picnic
- 6) Request by the Children's Studio of East Rutherford to use the Secaucus Swim Club on Thursdays from June 28 to August 23 from 10am to 1pm
- 7) Request by North Arlington SACC to use the Secaucus Swim Club on multiple days in July and August

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 Regular Meetings of April 10, 2018, April 24, 2018, May 8, 2018 and May 22, 2018 are hereby approved.

June 26, 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 Tringali				
Mayor Gonnelli				

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

ORDINANCE NO. 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, 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.

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. Sling 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 a 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 September 1, 2018 through August 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 st day of storage and each day thereafter with a \$400.00 limit per vehicle for storage regardless of the duration of the storage.
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.

- 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 applications or renewal applications.

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 May 8, 2018 and finally adopted by the Mayor and Council on June 26, 2018.

Town Clerk

Mayor

Introduction 58-18

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

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. 2018-21

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>
Seventh Street	East	Starting at a point 53 feet South of the southeast corner of Seventh Street and Flanagan Way continuing for a distance of 21 feet on the east side of Seventh Street, directly in front of 856 Seventh Street
Fourth Street	West	On the west side of Fourth Street, beginning at a point 25 feet south of the southwest corner of Front and Fourth Streets continuing for a distance of 22 feet directly in front of 779/781 Fourth 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 May 22, 2018, and finally adopted by the Mayor and Council on June 26, 2018.

Town Clerk

Mayor

Introduction 5-22-18

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

Adoption 6-26-18

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. 2018-22

**AN ORDINANCE AMENDING CHAPTER 127 OF THE CODE OF THE TOWN OF
SECAUCUS ENTITLED "VEHICLES AND TRAFFIC" UPDATING AND
DESIGNATING ONE WAY ROADWAY AND NO PARKING LOCATIONS IN THE
NORTHEAST**

WHEREAS, Chapter 127 of the Code of the Town of Secaucus addresses various topics concerning vehicles and traffic in the Town in the interest of safety, including but not limited to the designation of streets as one-way; and

WHEREAS, at the request of the Council, the Town Engineering Department in conjunction with the Secaucus Police Department Traffic Division conducted a review of the North End area streets in the vicinity of Franklin Street, Hops Lane and Allan Terrace to evaluate traffic patterns and vehicle flow; and

WHEREAS, the Mayor and the Town Council accept the recommendations of the Traffic Division and Engineering Department in the interest of public safety.

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

- Chapter 127 entitled "Vehicles and Traffic," §127-29 "Schedule VII: One-Way Streets" of the Code of the Town of Secaucus be, and is hereby amended as follows: (deletions are indicated by ~~crossouts~~; additions are indicated in **bold**):

§ 127-29. Schedule VII: One-Way Streets.

In accordance with the provisions of § 127-13, the following described streets or parts of streets are hereby designated as one-way streets in the direction indicated:

Name of Street	Direction	Limits
Myrtle Avenue	Northbound Southbound	Entire length (one block)

2. Chapter 127 entitled "Vehicles and Traffic," §127-23 "Schedule I: No Parking" of the Code of the Town of Secaucus be, and is hereby amended and supplemented to read as follows: (additions are indicated in **bold**):

§ 127-23. Schedule I: No Parking.

In accordance with the provisions of § 127-7, no person shall park a vehicle at any time upon any of the following described streets or parts of streets:

Name of Street	Side	Location
Stonewall Lane	West	On the one-way Southbound portion of Stonewall Lane from Central Lane to Hops Lane.
Hops Lane	South	Entire length.
Allan Terrace	South	From Stonewall Lane to Allan Terrace (easternmost cross street).

3. Chapter 127 entitled "Vehicles and Traffic," §127-39 "No parking during snow emergencies" of the Code of the Town of Secaucus be, and is hereby amended and supplemented to read as follows: (additions are indicated in **bold**):

§ 127-39. No parking during snow emergencies.

- A. Whenever snow has fallen and the accumulation is such that the Superintendent of the Department of Public Works or Police Chief or their designee shall declare a snow emergency, then no vehicles shall be parked on the following streets or highways or portions thereof.

Street	Side	Location
Allan Terrace	South	From the intersection of Allan Terrace (easternmost cross street) to the dead end.

4. There are no other changes to this Article of this Chapter of the Code of the Town of Secaucus.
5. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
6. 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.
7. This Ordinance shall take effect immediately upon passage and publication in accordance with law.
8. Appropriate signage denoting the above shall be posted in accordance with all applicable regulations.

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 and passed on first reading on 5-22, 2018 and finally adopted by the Mayor and Council on 6-27, 2018.

Town Clerk

Mayor

Introduction 5-22-18

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

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
STATE OF NEW JERSEY**

ORDINANCE NO. 2018-23

**AN ORDINANCE ADOPTING CHAPTER 154 OF THE CODE ENTITLED
"UNLAWFUL RESIDENTIAL UNITS"**

WHEREAS, The Mayor and Council hereby determine that the use and occupancy of unlawful residential apartments are detrimental to the general health, safety and welfare of the Town, and that such illegal occupancies generate an increase in the utilization of Town services, including fire, police, sanitation, public works and general administration, and further generate the use of motor vehicles which take parking spaces and create traffic, while escaping just and proper real estate taxation. The Town finds this to be unfair, inequitable and creates a perilous situation; and

WHEREAS, the Mayor and Council of the Town of Secaucus finds it to be in the best interest of the Town and its citizens to adopt an ordinance to prohibit such unlawful activity.

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

UNLAWFUL RESIDENTIAL UNITS

Section I. Findings and Declarations.

The Mayor and Council hereby find and declare that there has been a proliferation of what are commonly known as "unlawful or illegal apartments," meaning residential dwelling units which are occupied in violation of zoning and housing laws. These unlawful apartments often manifest themselves as a second residential unit in a building in a one-family zone. The Mayor and Council hereby further find and declare that such illegal units have a deleterious effect on the quality of life of Town residents, require the provision of Town services, generate young people who attend Town schools, increase the utilization of Town programs and services, contribute to the costs of the Town by increasing the generation of refuse (garbage) and sewer flow, contribute to overcrowding, generate traffic within the Town, generate automobiles which contribute to parking shortages throughout the Town and lead to the maintenance of dwelling units which can fail to meet health, safety and building code standards. By their nature, such units generally escape taxation as their maintenance and existence is normally hidden and is therefore not factored into tax assessment purposes. The use and maintenance of said illegal apartments is also unfair to the vast majority of Town residents who abide by Town laws.

Section II. Definitions:

1. Real Estate Title Owner. Any person or entity who is the named as Grantee on the deed to the property and has legal title to the real property.

2. Dwelling unit shall mean one or more rooms occupied or intended for occupancy as a separate living quarters by one or more families, not common to the main residence and/or has its sole means of access from directly outside and/or has locked doors separating units.

3. For the purpose of this ordinance an "Unlawful or Illegal Dwelling Unit" is defined as follows:

i. An additional dwelling unit, within a single family or multi-family dwelling, for which no proper certificate of occupancy has been issued.

ii. Any additional dwelling units for which legal documentation cannot be shown built as "pre-existing non-conforming," having a Board "Use Variance" per Secaucus Zoning Ordinance, or a zoning interpretation approval from the Secaucus Zoning Board as per the Municipal Land Use Act.

iii. A dwelling unit that is considered to have its own separate area for providing cooking, sleeping and sanitary facilities or some combination of same.

iv. A dwelling unit without the relevant Building, Electric, Plumbing or Fire permits.

v. Any other dwelling or rental unit which is in violation of any State, County or Municipal statute, regulation and/or ordinance.

2. Miscellaneous Definitions under this ordinance:

a. Responsible Party. The Real Estate Title Owner shall always be deemed to be a responsible party.

b. Additional Responsible Party: There may be, however, multiple parties with property maintenance responsibility, such as the title owner, the tenant, agents, assigns and/or financial institution, which may also be considered Responsible Parties under this Ordinance.

c. Short Term Rentals shall mean: Any change in tenancy involving an occupancy of 30 days or less.

Section III. Rental or payment for use prohibited.

1. No person shall charge, demand, receive or accept any rent or other payment for the use or occupancy of any unlawful or illegal dwelling unit as defined herein, within the Town of Secaucus. Each such charge, demand, receipt or acceptance of such rent or other payment in violation hereof shall constitute a separate offense.

2. No person, specifically including but not limited to those persons commonly known as "real estate agents," "brokers" or "salespersons," shall assist, aid or facilitate in the rental, sale, use or occupancy of any unlawful or illegal dwelling unit as defined herein within the Town of Secaucus. For purposes of this article, the acts of listing for rental or sale, advertising or otherwise offering for rent, lease or sale any lawful or illegal dwelling unit as defined herein, within the Town of Secaucus shall be deemed to constitute a violation of this article. Any person who is to receive a commission, profit or other form of remuneration or emolument as a result of a rental, lease or sale of residential premises shall have a duty to make reasonable written inquiry to determine whether or not the subject property contains an unlawful or illegal dwelling unit, as defined herein.

Section IV. Notification of Occupants.

1. The Construction Official, Zoning Official or Town designee shall issue a violation notice for any violation of this ordinance to the Real Estate Title Owner and/or any Additional Responsible Party.

2. Real Estate Title Owner and/or Additional Responsible Party shall within ten (10) days following receipt of this violation notice abate the unlawful occupancy as long as there are no life safety issues as determined by the Construction Official. In case of life safety issues, the unlawful tenancy must be immediately abated.

3. Real Estate Title Owner and/or Additional Responsible Party shall serve and provide proof of service that all of the unlawful occupants using or occupying said residential premise have received a copy of this ordinance. As an alternative notice, a copy of this ordinance may be posted in a common area of the premises accessible to all the applicable tenant(s).

4. The Construction Official, Zoning Official or Town designee shall issue any court summons for any violation of this ordinance to the Real Estate Title Owner and/or any Additional Responsible Party.

5. The Real Estate Title Owner and/or Additional Responsible Party shall place all rent that accrues during the pendency of the municipal action in an interest-bearing escrow account until finalization of the municipal action related to the issuance of the Summons issued pursuant to Section. The Real Estate Title Owner and/or Additional Responsible Party shall have an affirmative obligation to produce proof of this escrow account to the Town designee.

6. Nothing in this Section shall limit the authority of the construction official, zoning official or the town designee from issuing additional violations or instituting further action against a Responsible Party for prior or subsequent health, safety and welfare violations or Uniform Construction Code violations.

Section V. Violations and penalties.

1. Any person or entity that has been charged with violating any provision of this Ordinance shall be subject to review by the Municipal Court and subject to fines of not less than \$500 or more than \$2,000 per diem or by imprisonment for a term not exceeding 90 days, or both, for each separate violation. Each day that a violation is left unabated is considered a separate and distinct violation for penalty purposes.

2. In addition to requiring reimbursement from the Real Estate Title Owner and/or Additional Responsible Party for tenant relocation assistance paid to a displaced tenant, and notwithstanding the provisions of Subsection A of this section, the Municipal Court may impose an additional fine for zoning or housing code violations for an unlawful occupancy up to an amount equal to six (6) times the displaced tenant's monthly rental, pursuant to the provisions of N.J.S.A. 2A:18-61.1g(c).

3. As to second or subsequent violations, the Municipal Court may impose a additional fine equal to the annual tuition costs of any resident of the illegally occupied unit attending a public school, which fine shall be recovered in a civil action by a summary proceeding in the name of the municipality pursuant to Penalty Enforcement Law of 1999, (N.J.S.A. 2A:58-10 et seq.). The tuition costs shall be determined in the manner prescribed for nonresident pupils pursuant to N.J.S.A. 18A:38-19.

4. In those instances where a violation of this section is based on the maintenance of residential dwelling units above the number of units permitted by the Zoning Ordinance on a particular parcel of land (e.g., the maintenance of a structure with two residential dwelling units in a zoning district where single family homes are permitted), the defendant who is the owner of a property may be required to permanently remove the unlawful kitchen, bathroom, bedroom, point of entrance/egress or any other offending structure, appliance or fixture. The Town Construction Official or their designee shall inspect the premises to insure compliance within ten (10) days of the date of the entry of the judgment imposition terms and conditions by the Municipal Court or by agreement of the parties.

Section VI. Costs of moving to be borne by Violator.

1. Any tenant who receives a notice of eviction pursuant to the provisions of N.J.S.A. 2A:18-61.2 that results from zoning or code enforcement activity for an illegal or unlawful occupancy may be considered a displaced person and may be entitled to relocation assistance in an amount equal to six (6) times the monthly rental paid by the displaced person. The Real Estate Title Owner and/or Additional Responsible Party of

the structure shall be the sole party liable for the payment of relocation assistance pursuant to this section.

2. Any municipal payments or costs incurred by the municipality under this ordinance shall be a municipal lien on the title property with statutory interest until satisfied. (See, N.J.S.A. 20:4-4.1, et al.)

Section VII. Restitution Damages to Town by Way of Separate Civil Action.

Real Estate Title Owner and/or Additional Responsible Party can additionally be responsible for restitution and damages to Town, if the Mayor and Council determine that the unlawful residential use and occupancy has caused an unfair increase in the usage of Town services directed towards ensuring general health, safety & welfare. For example, but not limited to, the use of Town fire, police, sanitation, public works, education, and general administration, as well as the further generation of increased vehicular traffic, neighborhood parking spaces usage and the like, while escaping real estate taxation. The Town recognizes that such harm and detrimental damages to the Town are difficult to measure and hereby determine that the most reasonable way to calculate the damage and detriment caused to the Town by unlawful occupancy(ies) is by calculating same as a percentage of the rental payment charged by the owner to the occupant on account of the unlawful occupancy. The Town determines that a percentage of **66% (2/3)** of the monthly rental charged to the Tenant shall be a fair and reasonable measure of the damage and detriment caused to the Town. The Mayor and Council may authorize the Town Attorney to recover from any Real Estate Title Owner and/or Additional Responsible Party who charges, demands, receives or accepts rent or payment for such an unlawful occupancy to make such restitution to the Town for such damages during the period of illegal occupancy.

Section VIII.

Nothing in this Ordinance shall prohibit Senior Citizens from leasing or renting rooms within single family primary residence to one person pursuant to N.J.S.A. 40:55D-68.4.

Section IX. Registration Process.

This Ordinance shall further create an annual registration process for which each and every rental unit within the Town, excepting such multi-unit dwellings which are already subject to State housing laws, must register with the Town Clerk on an annual basis based upon rules and regulations established by the Town of Secaucus. Each property owner shall be charged an annual registration fee and the amount of said annual fee shall be kept on file with the Town Clerk.

Section X. Enforcement Officer.

In order to effectuate the goals and purpose of this Ordinance the Town Construction Official or their designee shall be considered the enforcement officer.

Section XI. Repealer.

All Ordinance or parts of Ordinances inconsistent herewith are repealed.

Section XII. Effective.

This Ordinance shall take effect immediately after passage and publication according to law.

I, Michael Marra, Town Clerk of Secaucus, County of Hudson, do hereby certify that the above is a true copy of an ordinance introduced & passed on first reading on 5-22-18 and finally adopted by the Mayor and Council on 6-26-18

Town Clerk

Mayor

Introduction 5-22-18

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

Adoption 6-26-18

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. 2018-24

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>
Fischer Avenue	West	On the west side of Fischer Avenue, beginning at a point 62 feet south of the southwest corner of Hops Lane and Fischer Avenue, continuing south for a distance of 22 feet in front of 3 Fischer Avenue
Fourth Street	West	On the west side of Fourth Street, beginning at a point 152 feet south of the southwest corner of Centre Avenue and Fourth Street continuing south for a distance of 22 feet in front of 733 Fourth Street

That the parking space designated for 3 Fischer Avenue adopted by Ordinance is to be personalized for Placard P1838889.

That the parking space designated for 733 Fourth Street adopted by Ordinance is to be personalized for Placard P1517553.

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 June 26, 2018, and finally adopted by the Mayor and Council on July 24, 2018.

Town Clerk

Mayor

Introduction 6-26-18

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

Adoption 7-24-18

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. 2018-25

**AN ORDINANCE AMENDING CHAPTER 127 OF THE CODE OF THE TOWN OF
SECAUCUS ENTITLED "VEHICLES AND TRAFFIC" UPDATING RESTRICTED
PARKING PROVISIONS**

WHEREAS, Chapter 127 of the Code of the Town of Secaucus addresses various topics concerning vehicles and traffic in the Town in the interest of safety, including the designation of handicap spaces for the benefit and protection of handicapped persons; and

WHEREAS, the Mayor and Council have determined that changes and updates to sections of this Chapter are warranted to reflect the current laws and regulations in the State of New Jersey; and

WHEREAS, changes to some of the private parking areas designated are recommended for accuracy and completeness.

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 127 entitled "Vehicles and Traffic," of the Code of the Town of Secaucus be, and is hereby amended as follows: (deletions are indicated by ~~crossouts~~; additions are indicated in **bold**):

§127-58. Restricted parking for persons with disabilities.

In accordance with N.J.S.A. 39:4-138(o), no person shall park a vehicle in any space on public or private property appropriately marked for vehicles for persons with disabilities. Such spaces are restricted to persons who have been issued a special vehicle identification card by the New Jersey Motor Vehicle Commission.

Parking in the below described locations or in other spaces designated as restricted parking for persons with disabilities in accordance with applicable statutory provisions and regulations is prohibited within the Town of Secaucus.

§127-58C. Penalties. [Added 9-11-90 by Ord. No. 90-23]

Any person violating any provision of Article XIV, Restricted Parking Zones, shall be subject to ~~a fine~~ **the penalties** as set forth in N.J.S.A. 39:4-197(3)c. ~~which has been established as one hundred dollars (\$100.) for the first offense, and for any subsequent offense the penalty shall be a fine of at least one hundred dollars (\$100.) and up to ninety~~

~~(90) days community service on such terms and in such form as the Court shall deem appropriate, or any combination thereof, as set forth therein.~~

2. There are no other changes to this Article of 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.
6. Appropriate signage denoting the above shall be posted in accordance with all applicable regulations.

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 and passed on first reading on _____, 2018 and finally adopted by the Mayor and Council on _____, 2018.

Town Clerk

Mayor

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

ORDINANCE NO. 2018-26

**AN ORDINANCE AMENDING CHAPTER 127 OF THE CODE OF THE TOWN OF
SECAUCUS ENTITLED “VEHICLES AND TRAFFIC” UPDATING PROHIBITED
PARKING LOCATIONS ON FRONT STREET**

WHEREAS, the Mayor and Council recognize that the safety of all motorists, passengers, pedestrians, residents and visitors; and

WHEREAS, the Town enacted §127-1 *et seq.* to alleviate dangerous situations on the Town’s streets, promote safe passage for motorists and vehicles, to address traffic flow, and specify penalties for violations; and

WHEREAS, upon the review and recommendation of the Secaucus Police Department, the Mayor and Council have determined that updates to the Ordinance are warranted in the interest of public health and safety.

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 127 entitled “Vehicles and Traffic,” §127-23” “Schedule I: No Parking” of the Code of the Town of Secaucus be, and is hereby amended and supplemented to read as follows: (additions are indicated in **bold**, deletions are indicated by ~~strikethroughs~~):

§127-23. Schedule I: No Parking.

In accordance with the provisions of § 127-7, no person shall park a vehicle at any time upon any of the following described streets or parts of streets:

Name of Street	Side	Location
Front Street	Southeast	Beginning at the southeastern corner of the intersection of Front Street and First Street, extending east on Front Street for a distance of 60 feet

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 and passed on first reading on _____, 2018 and finally adopted by the Mayor and Council on _____, 2018.

Town Clerk

Mayor

RESOLUTION NO _____

TOWN OF SECAUCUS

COUNTY OF HUDSON, STATE OF NEW JERSEY

A RESOLUTION TO PURCHASE CERTAIN GOODS OR SERVICES THROUGH THE NCPA COOPERATIVE PROGRAM

WHEREAS, the Town of Secaucus purchases commodities from a variety of authorized vendors under the State of New Jersey Cooperative Purchasing Program N.J.S.A. 40:A11-12A whenever possible; and

WHEREAS, the Town of Secaucus additionally wishes to purchase certain goods and services under the National Cooperative Purchasing Agreement N.J.S.A. 52:34-6.2; and

WHEREAS, the Town of Secaucus has applied to NCPA, the National Cooperative Purchasing Alliance, operating under the enabling authority of Region 14 Education Service Center in Abilene, Texas; and

WHEREAS, various Departments in the Town of Secaucus may utilize the approved vendors on contract with NCPA, for the purpose of cost savings; and

WHEREAS, the Town of Secaucus intends to utilize this method of procurement under the guidelines of New Jersey Department of Community Affairs, as outlined on **Local Finance Notice 2012-10**.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the above statements are incorporated and authorization is given for the usage of this National Cooperative Purchasing Alliance.

NCPA

National Cooperative Purchasing Alliance

State of New Jersey

Using National Cooperative Contracts: Application of P.L. 2011, c.139

(Text in Blue is from the New Jersey Division of Local Government Services. Text in Green is from NCPA)

Background

The recently passed P.L. 2011, c.139 allows local contracting units to utilize national cooperative contracts as a method of procurement. Utilizing national cooperative contracting may make the procurement process more efficient and provide cost savings. The Division of Local Government Services has consulted with the Division of Law, the Division of Purchase and Property, and the Office of the State Comptroller to provide guidance to contracting units seeking to implement the new national cooperative contracting option.

Legal Interpretation Concerning National Cooperative Contracts

Consider the following elements in making decisions to use a national cooperative contract:

General Interpretation

The use of the term "notwithstanding any other law to the contrary" in this statute means that public bidding is not required when using a national cooperative contract. However, national cooperative contracts are still subject to procurement laws and rules that apply to all other contracts awarded by a NJ contracting unit.

National Cooperative Contract Standards:

The following three requirements make a contract part of a national cooperative:

- 1) The national cooperative contract must have been awarded through a "competitive bidding process" that complies with the laws covering the issuing entity. In this context, a "competitive bidding process" requires open competition among those qualified, submission of bids, and awarded pursuant to a "lowest responsible" offeror.

NCPA's contracts are publicly advertised and awarded through a competitive bid process by a government entity. Contracts are awarded to the "lowest responsible" vendor. All due diligence documents can be downloaded on NCPA's website at <http://www.ncpa.us>

- 2) The contract must have been awarded by a contracting unit as defined in c. 139, and cannot have been awarded by a non-profit or private organization. Chapter 139 only permits contracting units to access national cooperative contracts that were solicited by another "contracting unit" as defined by the statute.

NCPA's contracts are all awarded by the Region 14 Education Service Center in Abilene, TX. Region 14 is a state agency of the state of Texas and does meet the definition of a "contracting unit" as defined by the statute.

- 3) The original bid must have been advertised as a national cooperative contract - not as a strictly local contract that is made "national" or "regional" after the receipt of the bids.

All of NCPA's contracts were advertised as a national cooperative contract. All copies of the advertisements are available on NCPA's website under each individual vendor's page at <http://www.ncpa.us/vendors>

Agency Name: Town of Secaucus

Agency Type: City/Town/Village/Borough

Federal Tax ID #: 22-6002293

Department: Purchasing Department

Name: SANDY DARZEN

Address: 1203 Paterson Plank Road

Address 2:

City: Secaucus

State: New Jersey

Country: United States

Postal Code: 07094

Phone: 2013302000x3037

Email Address: sdarzen@secaucus.net

Reference: Web Search -

Date Created: 6/6/2018 9:33:21 AM

Resolution No. _____

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

**A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
FOR APPROVAL OF CHANGE ORDER #1 TO A CONTRACT WITH YOUR WAY
CONSTRUCTION FOR FIRST AVENUE PARKING LOT, FILE #18-009**

WHEREAS, the Town of Secaucus has a contract with Your Way Construction, for First Avenue Parking Lot, File #18-009, under resolution 2018-163 in the amount of \$162,999.36; and

WHEREAS, it has been determined that additional work is needed, including survey costs to align the lot, additional curbing along the perimeter of the lot, and additional Geotextile for subbase support, which will increase the cost by \$20,522.05; and

WHEREAS, there is a need for a Change Order #1 to increase the contract with Your Way Construction, in the amount of \$20,522.05 for the work set forth, which will increase the overall contract amount to \$183,521.41; and

WHEREAS, the Chief Financial Officer certifies that there are sufficient funds under account 10-2150-55-70607-002 for said contract.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, that the above statements are incorporated herein and Change Order #1 for Your Way Construction for the First Avenue Parking Lot, File #18-009 in the amount of \$20,522.05 is hereby approved.

Adopted June 26, 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:

10-2150-55-70607-002
Amount \$ 20,522.05 Date 6/22/18

Signed: Nicholas Goldsack

Resolution No. _____

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

**RESOLUTION TO AUTHORIZE AN INCREASE TO THE PROFESSIONAL
SERVICES CONTRACT FOR A TOWN SURVEYOR**

WHEREAS, the Town of Secaucus utilizes the Professional Services of a Town Surveyor on an annual basis; and

WHEREAS, Resolution 2018-76 dated February 17, 2018, awarded a contract to both Faraldi Group, Inc. and Matrix New World Engineering for the above captioned services; and

WHEREAS, the resolution awarded for a Town Surveyor was in the aggregate amount of Twenty-Five Thousand Dollars (\$25,000.00); and

WHEREAS, the contract amount will be insufficient for the remainder of 2018 due to the volume of work; and

WHEREAS, the Financial Director determined that an increase is necessary for the 2018 contract awarded for the professional services of Town Surveyor; and

THEREFORE, BE IT RESOLVED, that the amount of the contract will be increased by Twenty-Five Thousand Dollars (\$25,000.00) for the year of 2018; 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, to award a contract increase to the aggregate Town Surveyor contract for a new contract total of Fifty Thousand Dollars (\$50,000.00).

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: June 26, 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:

vi - 2410 - 00 - 11083 - 020
Amount \$ 25,000.00 Date 6/22/18

N. Goldsack
Signed: Nicholas Goldsack

Resolution No. _____

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

**A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
AUTHORIZING AN APPOINTMENT AWARD OF A PROFESSIONAL
SERVICES CONTRACT TO BIFF DUNCAN ASSOCIATES, INC.**

WHEREAS, the Mayor and Council of the Town of Secaucus received responses to its Fair and Open Solicitation Process for Professional and other services on May 22, 2018; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Secaucus that the contract for the Professional Service of Information Technology Consultant be awarded as set forth below subject to approval of funds in the 2018 Municipal Budget.

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

Professional Services – **Information Technology Consultant:** Biff Duncan Associates, Inc. pursuant to the rate schedule in their proposal in an amount not to exceed \$65,000.

BE IT FURTHER RESOLVED, that the Town Clerk shall publish the above award in the office and in the newspaper of the Town no later than twenty (20) days from the date of this Resolution.

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.

Adopted: June 26, 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:

01 • 2018 • 00 • 01192 • 495
Amount \$ 65,000 Date 6/22/18
Signed : Nicholas Goldsack

Resolution No. _____

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

**A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
AUTHORIZING A CANCELLATION OF TAXES FOR TOWN OWNED PROPERTY
BLOCK 148 LOT 10**

WHEREAS, the property located at Block 148 Lot 10 located at 1212 Paterson Plank Road, was acquired by the Town of Secaucus on May 15, 2018; and

WHEREAS, based on the acquisition of these properties by the Town of Secaucus as a municipal entity for public purpose, the properties would be deemed tax exempt effective May 15, 2018.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is authorized to cancel the property taxes for the remainder of 2018 for:

Block 148 Lot 10 – Assessed Value: \$ 169,000.00

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

BE IT FURTHER RESOLVED, by the Mayor and Council for the Town of Secaucus that the Tax Collector is hereby authorized to make the necessary adjustments to the tax rolls to carry out the purpose of this Resolution; and

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

Resolution No. _____

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

**A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
AUTHORIZING AN APPOINTMENT AWARD OF A PROFESSIONAL
SERVICES CONTRACT TO CLARKE CATON HINTZ**

WHEREAS, the Mayor and Council of the Town of Secaucus received responses to its Fair and Open Solicitation Process for Professional and other services on May 22, 2018; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Secaucus that the contract for the Professional Service of Planning be awarded as set forth below subject to approval of funds in the 2018 Municipal Budget.

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

Professional Services – **Planner**: Clarke Caton Hintz pursuant to the rate schedule in their proposal in an amount not to exceed \$25,000.00.

BE IT FURTHER RESOLVED, that the Town Clerk shall publish the above award in the office and in the newspaper of the Town no later than twenty (20) days from the date of this Resolution.

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.

Adopted: June 26, 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:

61 - 2210 00 - 11012 067
Amount \$ 25,000 Date 6/26/18


Signed: Nicholas Goldsack

Resolution No. _____

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

**A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS AWARDING
THE CONTRACT FOR WEBSITE AND SOCIAL MEDIA DESIGN, HOSTING,
MAINTENANCE AND SUPPORT TO FLANAGAN PRODUCTIONS, LLC**

WHEREAS, the Town of Secaucus would like to continue the services of a professional company to host, maintain and support the Town's website and related web applications, social media and related projects of photography, videography and design in order to continue to service the residents, visitors and public to the Town's official website at www.Secaucusnj.gov; and

WHEREAS, such services are exempt from public bidding requirements pursuant to N.J.S.A. 40A:11-5(1)(a)(ii) as "extraordinary, unspecifiable services;" and

WHEREAS, the Town has received the attached proposal QU-0105 from Flanagan Productions, LLC, of Secaucus, New Jersey, dated May 31, 2018; and

WHEREAS, the Qualified Purchasing Agent has provided a certification that the contract award complies with the Local Public Contracts Law governing "extraordinary, unspecifiable services."

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, that a contract be awarded to Flanagan Productions, LLC, for the housing, maintenance and support of the Town's website and related web applications, social media and related projects of photography, videography and design pursuant to N.J.S.A. 40A:11-5(1)(a)(ii) as an "extraordinary, unspecifiable service" for a one (1) year period in an of Sixty-Five Thousand Dollars (\$65,000.00) to be paid in equal monthly installments; and

BE IT FURTHER RESOLVED that the attached quote, Resolution and supplemental terms presented by the Town of Secaucus, shall constitute the requisite contract upon their execution in this matter and be kept on file with the Town Clerk, available for public inspection; and

BE IT FURTHER RESOLVED that Flanagan Productions, LLC 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 Town Clerk shall publish the above award in the official newspaper of the Town.

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: June 26, 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				
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:

01 - 2012 - 60 - 11012 - 009 -
Amount \$ 65,000.

Date 6/22/18

N Goldsack
Signed: Nicholas Goldsack

STANDARD CERTIFICATION FOR AN EXTRAORDINARY
UNSPECIFIABLE SERVICE

TO: Members of the Governing Body

FROM: Sandy D'Arzen, QPA

DATE: 6.26.2018 – 6.25.19

SUBJECT: This is a contract for an EUS for Website Services

This is to request your approval of a resolution authorizing a contract to be executed as follows:

FIRM: Flanagan Productions, LLC dba GovSites

COST: N.T.E. \$65,000

DURATION: 1 year, 6/25/19

PURPOSE: General Business Consulting – Web Design, Social Media

This is to request an award of a contract without the receipt of formal bids as an Extraordinary Unspecifiable Service [N.J.S.A. 40A:11-5(1)(a)(ii) and N.J.S.A. 5:34-2.3(b)]. I do hereby certify to the following:

1. Provide a clear description of the nature of the work to be done.

Various technical services.

2. Describe in detail why the contract meets the provisions of the statute and rules.

The work is unique and specialized, requiring expertise in information technology.

3. The service(s) is of such a specialized and qualitative nature that the performance of the service(s) cannot be reasonably described by written specifications because;

The services are for a proven reputation in the field of information technology, computer systems, network administration, and support services.

4. Describe the informal solicitation of quotations:

Attached is the quote with details set forth.

5. I have reviewed the rules of the Division of Local Government Services pursuant to N.J.A.C. 5:34-2.1 et seq. and certify that the proposed contract may be considered an extraordinary unspecifiable service in accordance with the requirements thereof.

Respectfully,

Name:

Sandy D'Arzen, QPA
(Signature)

Title:

Purchasing Agent

Original to be retained by governing body's Clerk with the affirmed copy of the resolution; signed duplicate to be kept by appropriate official.



QUOTE

Town of Secaucus

Date: May 31, 2018
Quote Number: QU-0105
Flanagan Productions
465495381000

Flanagan Productions, LLC
DBA GovSites
500 Paterson Plank Road
Suite 4
UNION CITY NJ 07087
UNITED STATES

Description	Quantity	Unit Price	Tax	Amount USD
General Business Consulting - Web Design Marketing	1.00	65,000.00	Tax Exempt	65,000.00
Website Management (Municipal Website Design, Website Updates, Compliance Checks, Archiving) - Recreation, Municipal, and Police				
Website Hosting - www.SecuacusNJ.gov				
Website Hosting - www.SecuacusPolice.org				
Website Hosting - www.SecuacusRecreation.org				
Social Media Management (Facebook posting, event creation, OPRA request Archiving)				
Videography (Event, Concerts In the Park, Televised Meetings, Training, Promotion, Parks, ETC)				
Photography (Event, Location, Etc)				
Online Forms (Payments for Health Registrations, Online Summer Job Application, Fire Prevention Forms with Payment, ETC)				
Newsletter (Content generation, layout design, graphic design)				
Graphic Design (Flyers, Photo Editing, Banner Design)				
DVD Duplication (1 credit per 10 DVDs)				
Misc Projects (Singing Pumpkins, video projections, equipment rental / usage, etc)				

Description	Quantity	Unit Price	Tax	Amount USD
General Consulting (Tech consulting for new applications, installation of new systems such as sound, security cameras, etc)				

Subtotal 65,000.00

TOTAL USD 65,000.00

GovSites includes a maximum of 1040 credits per year to be used across our entire portfolio. Credits are non-refundable and expire upon conclusion of the contract term. Our goal is to include more credits than you will need to ensure that historical projects may be completed without interruption and allow for new requests to be fulfilled throughout the contract term.

Credits are used as follows:

1 credit per hour on location, in office, or representing the client regardless of day or time

- Photography
- Videography
- Website updates
- Website development
- App updates
- Consulting
- Video editing
- Photo editing
- Graphic Design
- Special projects

A credit is equal to 1 man hour, regardless of project type. There is a minimum of 3 credits for requests outside of our offices.

This proposal applies to municipal projects only and does not apply to grants. A separate quote will be provided for projects funded through grants, such as the Secaucus Drug Free Coalition website.

We plan ahead for the year to ensure that you will not run out of credits for historical events; meaning that all council meetings, concerts, major events, and web updates will have their credits pre-allocated. This will help to make decisions for special projects that might arise or major web changes. Upon written request, you may use credits that have already been allocated for special projects but extra funds may need to be added prior to renewal.

Hourly Credit Examples

The average 1 hour council meeting takes 5-8 hours to setup, tape, edit, and deliver.

The street fair takes an average of 15-20 hours to tape and edit

The Memorial Day Parade takes an average of 20-30 hours to tape and edit

The Concerts take an average of 5-8 hours to tape and edit, edit, and deliver

Additional credits are available for \$75 each

Website & General Terms

Liability is limited to the amount paid by the client.

Hosting is guaranteed up 99% of the time when normalized across a standard calendar month. If the website is unavailable as a result of hosting failure for more than 1% of a given month, Govsites will provide a prorated refund for the hosting portion of that month's bill (\$45). The maximum refund shall be limited to the amount paid for hosting.

GovSites provides same-day or 24-hour updates for most requests in accordance with the selection on the pricing page. This is not a guarantee because certain requests may require additional processing time. GovSites will notify the client of any delays in processing based on the request type.

GovSites checks government websites for Section 508 requirements throughout the duration of the contract, however, compliance is not guaranteed as it is not possible for any company to ensure 100% compliance at all times. If noncompliance is discovered, Govsites will make every effort to rectify in a timely fashion. GovSites shall not be held liable for any compliance failures. GovSites does not provide

any video subtitle services. Compliance checks are limited to in-line web text and images only. GovSites converts scanned documents to OCR but cannot perform in-depth conversions or compliance checks.

Backups to social media and the website are taken at least once per month. There is no guarantee that posts made between backups will be secured.

GovSites liability for technical errors, service interruptions, and loss of use is limited to the amount paid by the client for the interrupted time.

GovSites relies on third-party services contracted on behalf of the client. GovSites is not responsible for security or data management related to third-party services. At any time, the client may request a copy of any third-party terms. Additionally, should any third-party service cease to exist or raise rates, GovSites will work to find a suitable substitute. If a suitable substitute is not available at a similar rate, GovSites will provide a billing credit for our cost savings resulting from the third-party service removal.

The client is responsible for supplying terms and conditions for website usage and privacy policies in accordance with GovSites usage and site details. GovSites will work in conjunction with the client's legal department to provide technical site details, however, GovSites does not provide legal services.

The client is responsible for supplying all site content and ensuring that local, state, county, and federal requirements are met regarding information distribution. Furthermore, the client is responsible for ensuring that supplied content does not violate copyright requirements. All content must be provided to GovSites via support@govsites.com in "ready to post" format. With the exception of document conversion and content formatting for web distribution, GovSites does not provide content editing services unless expressly contracted as part of this agreement. The client may request periodic reminders from GovSites to submit information, however, GovSites cannot guarantee that reminders will be delivered to the client's inbox and client should not rely on automatic reminders to submit required site content. GovSites will perform the technical webmaster service under the direction of the client. Client is responsible for verifying that all content requests have been completed as requested..

GovSites is not responsible for assuring that any record retention requirements are met.

GovSites Support is available via email Monday - Friday from 9 am - 4 pm Eastern Time excluding holidays listed at GovSites.com/support. If support questions are received within this timeframe, we will respond same-day before midnight eastern time with confirmation of receipt. Content updates are completed in accordance with the package selection. GovSites may not support third-party applications following the initial setup.

Client agrees to allow GovSites to link to GovSites' business website from the footer of the client's website. Furthermore, the client agrees to allow GovSites use of the website image as a sample on the business website.

Client shall retain full ownership of website design, content management system and content upon termination of the agreement. GovSites will provide a compressed website on a flash drive at a rate of \$100 upon request along with relevant usernames and passwords for website access. GovSites does not assist in deploying the website on a new server or provide technical support for the relocation of the website following termination.

GovSites provides web statistics via third-party provider at no charge. The validity of the information is not guaranteed. Depending on package selection, GovSites will make recommendations based on the site statistics.

All details described in this proposal shall serve as additional terms. In the event of conflicting information or terms, the information on this page shall supersede any other information.

GovSites does not guarantee after hours or emergency support. All clients shall receive login access and training to post emergency notifications for after-hours requests. GovSites is not responsible for any section 508 compliance requirements for information posted by the client.

GovSites agrees to maintain both General Liability and Professional Liability Insurance policies for the duration of the agreement.

Client shall defend, indemnify and hold harmless Flanagan Productions, LLC DBA GovSites, its partners, employees, and agents from and against any and all lawsuits, claims, demands, penalties, losses, fines, liabilities, damages, and expenses including attorney's fees of any kind, without limitation, in connection with the operations of services provided.

Flanagan Productions, LLC DBA GovSites is not liable for any act, omission of act, negligence or defect in the quality of service of any underlying carrier or other service providers whose facilities or services are used in furnishing any portion of the service received by the customer. Furthermore, GovSites is not liable for content omission requested through channels outside support@govsites.com.

Flanagan Productions, LLC DBA GovSites, except where expressly provided in this agreement, makes no expressed or implied representations or warranties, including any warranties regarding merchantability or fitness for a particular cause.

If any provision of this agreement shall be unenforceable, the remainder of this agreement shall be enforceable by the extent permitted by law. Terms of this agreement shall remain in force despite termination of this contract for any reason.

Client is responsible for ensure all photo & video release forms are secured and maintained.

All videotaping, photography, and on-site requests are subject to availability and require a 2-week minimum notification.

Resolution No. _____

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

**A RESOLUTION TO AWARD THE CONTRACT FOR THE NEW OVERHEAD
GARAGE DOOR FOR FIRE DEPARTMENT ENGINE COMPANY 1 LOCATED
AT 150 PLAZA CENTER ROAD SECAUCUS**

WHEREAS, on the Department of Public Works secured following three (3) bids for the installation of a new overhead garage door:

<u>BIDDER</u>	<u>BID AMOUNT</u>
1) New Jersey Door Works	\$ 12,235.00
2) Bergen County Overhead Doors	\$ 12,480.00
3) Merchantville Overhead Door Co.	\$ 16,385.73

WHEREAS, it has been determined that New Jersey Door Works, Inc. of 689 Ramsey Avenue, Hillside, New Jersey 07205 is the lowest responsible bidder; and

WHEREAS, the Chief Financial Officer has determined that there are sufficient funds 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, awards the contract for the installation of new overhead garage door for Fire Department Engine Company #1, located at 150 Center Plaza, to New Jersey Door Works, in an amount not to exceed Twelve Thousand Two Hundred Thirty-Five Dollars (\$ 12,235.00).

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 installation of new overhead garage door for Fire Department Engine Company #1.

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: June 26, 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				
Councilwoman Pirro				
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 N.J.S.A. 40A:4-1, in Account Number:

10 • 21523 55 • 72067.048
Amount \$ 12,235.00 Date 6/22/18
Signed: Nicholas Goldsack

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, 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

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

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 Thirty-Five Thousand Dollars (\$135,000.00); 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.

June 26, 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:

10-2150-105-70007-008

Amount \$ 25,000.00

Date 6/27/18

Nicholas Goldsack
Signed : Nicholas Goldsack

Resolution No. _____

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

**RESOLUTION OF THE TOWN OF SECAUCUS TO SUPPORT AND PARTICIPATE
IN THE VOLUNTEER TUITION CREDIT PROGRAM**

WHEREAS, the Mayor and Town Council of the Town of Secaucus support and want to participate in the State of New Jersey Volunteer Tuition Credit Program N.J.S.A. 18A:71-78.1 (P.L. 1998, c. 145); and

WHEREAS, the State of New Jersey has enacted P.L. 1998, c. 145, which permits municipal governments to allow their firefighting and emergency medical volunteers to take advantage of the Volunteer Tuition Credit Program if all requirements are met at no cost to the municipal government; and

WHEREAS, the Mayor and Town Council of the Town of Secaucus, County of Hudson, deem it appropriate to participate in the Volunteer Tuition Credit Program to enhance the recruitment and retention of volunteers, particularly as volunteer firefighters in the Town of Secaucus.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Town Council of the Town of Secaucus, in the County of Hudson, in the State of New Jersey, that the Volunteer Tuition Credit Program as set forth in N.J.S.A. 18A:71-78.1 (P.L. 1998, c. 145) is herewith adopted for eligible volunteer firefighters and emergency medical personnel in good standing and the dependent children and spouse of a volunteer in the Town of Secaucus; and

BE IT FURTHER RESOLVED, that the Mayor, Town Administrator or their designee is herewith delegated the responsibility to administer the program and is authorized to enter into all agreements and to maintain files of all documents as may be required under the P.L. 1998, c. 145, a copy of which is herewith made part of this Resolution.

Adopted: June 26, 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				
Councilwoman Tringali				
Councilman Dehnert				
Councilman Gerbasio				
Mayor Gonnelli				

VOLUNTEER TUITION CREDIT PROGRAM

GENERAL PROGRAM INFORMATION:

Known as the Volunteer Tuition Credit Program, it covers members of a volunteer organization who are active and in good standing, their spouse, and their dependent children. The law defines a volunteer organization as a volunteer fire company, or a first aid, or rescue squad association. They are allowed to enroll in postsecondary courses on a tuition credit basis in specific learning institutions: county colleges, county vocational schools or county technical institutes. A dependant child shall be any student who does not meet any of the eligibility criteria listed in N.J.S.A. 9A: 9-2.6 (a) or (b) for independent student status.

Each volunteer is eligible to receive tuition credit in the amount of \$600 per year, not to exceed a maximum of \$2400 over a four year service period, provided that classroom space is available and that tuition paying students constitute the minimum number required for the course.

PROCEDURES FOR CREATING/IMPLEMENTING A VOLUNTEER TUITION CREDIT PROGRAM

- To participate in the program, the municipality must pass a resolution allowing the governing body to enact the Program along with delegating the responsibility of record maintenance and authorization of volunteer participation to a municipal employee.
- The volunteer must agree to serve as a member of a volunteer organization for a minimum of four years.
- Following each year of active volunteer services, the volunteer organization must provide the municipality with a letter verifying that the volunteer has been a member in good standing for the past twelve month period.
- Upon verification the municipal official (i.e., the municipal clerk) shall issue a Certificate of Authorization to be presented to the learning institution by the volunteer or eligible family member(s) during the enrollment period.
- If registration is authorized, the learning institution will debit the tuition amount of the course on the lower portion of the certificate and maintain a running balance for other courses taken during the year.

Frequently Asked Questions about the Volunteer Tuition Credit Program

1. Q: How does the tuition credit work? Does the volunteer member pay the fee to the learning institution and is then reimbursed by the municipality?

No. No money is exchanged. Once the volunteer is deemed eligible by the municipality to participate in VTC, he/she is given a Certificate of Authorization to be presented to the learning institution. If registration is authorized, the learning institution will debit the tuition amount of the course on the lower portion of the certificate and maintain a running balance for other courses taken during the year.

2. Q: Can the State provide standards or criteria to define a "member in good standing?"

A "member in good standing" is one that complies with the by-laws or the rules/regulations of the volunteer organization of which they are a member.

3. Q: Callers have indicated that some colleges require students who qualify for the tuition credit program to withdraw from all their classes. The students then try to reregister for the same courses after the required number of tuition-paying students register for the class. Because the students are required to drop courses and then reregister, they may be excluded from core classes required for their majors. Potential candidates for the tuition credit question how the State regulates the procedures employed by the county colleges for awarding the credit. Potential candidates also question what sanctions the State will impose on colleges who fail to enforce the Tuition Credit Program?

Students should exercise caution when using the VTC program for selection of core and/or major requirements because the program limits credits to open enrollment registrations. It would be advisable for a student to use VTC for their elective courses because there is more flexibility in their options in the event a course is dropped or is filled. The VTC law does not allow the State to enact rules and regulations for the implementation of the program. DLGS established the forms, guidelines and procedures in cooperation with the Municipal Clerks Association, NJ County College Association, NJ Vo-Tech Association, and the Division of Fire Safety. The law does not provide for sanctions against any institution that does not enforce the program.

4. Q: How is the State addressing problems with implementation of the Tuition Credit Program?

To date, most complications have been amicably worked out over the phone. The majority of situations that arose were mostly lack of understanding of the program.

5. What is the distinction between a volunteer and a non-volunteer squad? Does the volunteer squad apply to the individual or to the squad?

Volunteers are unpaid squad members while non-volunteers are employed by the municipality. The volunteer status applies to the member not the squad. For example, in a municipality where there are paid firemen, volunteer firefighters are used as backup or evening shift coverage. Only the volunteers are eligible for LOSAP even though he department is mixed.

6. Q: Does the four years in the law refer to four calendar years or four years total? (Suppose a student does not attend school for four consecutive years. Would the student still remain eligible for tuition credit?)

The program can be implemented at any time of the year. The four-year period is for the total number of years not calendar years. The student is eligible as long as the volunteer meets the eligibility requirements as stated in the statute. The program can be renewed numerous times.

VOLUNTEER TUITION CREDIT PROGRAM

7. Q: How will colleges determine who should receive tuition credit in those cases where several students are eligible for the credit and the required number of tuition-paying students have not applied?

Because the law limits the program to open enrollments if there is an insufficient number of tuition paying students to conduct the course, the institution reserves the right to drop the course. The institutions have the right to enroll VTC students at late registration so as not to turn away tuition paying students.

8. Q: What is the policy for courses offered with a waiver? (Not enough tuition-paying student's register, but a course is offered to fulfill the curriculum requirements.)

This situation is at the discretion of the institution. A small amount of planning and flexibility is required when a student is planning their curriculum because of the open enrollment policy.

9. Q: The Local Finance Notice states "volunteers serving more than one emergency service organization are eligible to enroll and receive the benefits of more than one tuition credit program." If a volunteer is active both as a volunteer firefighter and volunteer rescue squad member at the same organization, is the volunteer eligible to receive benefits of more than one tuition credit program; or must the volunteer organizations be separate entities in order for the member to receive multiple VTC benefits?

The law refers to membership in a "volunteer fire company or volunteer first aid or rescue squad." The Division interprets this as meaning a single organization, regardless of how many services it provides. Thus, the member of a company that provides both fire and rescue is considered as a single organization and only entitled to one credit. Only if the organizations are separate entities with separate memberships would a volunteer that is a member of both be eligible for two credits.

10. Does the State provide suggestions or guidelines on how to implement a Volunteer Tuition Credit program?

Yes. See the New Jersey Tuition Credit Program Summary of Recommended Procedures.

**VOLUNTEER TUITION CREDIT PROGRAM
P.L. 1998, CHAPTER 145**

C.18A: 71-78.1 Tuition-free enrollment in postsecondary program for certain volunteers, family members.

1. A person who is an active member of a volunteer fire company or volunteer first aid or rescue squad or association in good standing and the dependant children and spouse of a volunteer shall be allowed to enroll in a postsecondary program on a tuition-free basis in county college, county vocational school or county technical institute and be eligible to receive tuition credit in an amount not to exceed a maximum of \$2,400 for the member, children and spouse; provided that available classroom space permits and that tuition paying students constitute the minimum number required for the course. Nothing herein shall preclude a county college, county vocational school or county technical institute from requiring registration and lab fees for individuals attending courses pursuant to this act.

C.18A:71-78.2 Eligibility for tuition credit.

2. In order to be eligible to receive tuition credit at a county college, county vocational school or county technical institute, a person shall agree to serve as a member of a volunteer fire company or volunteer first aid or rescue squad or association for a minimum of four years and sign an agreement with the municipality in which the squad or association is located pledging four years of service in exchange for the tuition credit. Following each year of volunteer service performed, the volunteer or the spouse or dependant children shall be entitled to receive tuition credit of up to \$600, not to exceed a maximum of \$2,400 for the member, children and spouse over a four-year service period.

C.18A:71-78.3 Verification of service, transcript records.

3. Upon being accepted and enrolled in a county college, county vocational school or county technical institute, the volunteer, dependant child or spouse shall provide verification to the institution that the volunteer has performed the service required for the tuition credit. Upon completion of each semester, the volunteer shall submit a transcript to the municipality to be maintained in a permanent record. The volunteer or the dependant child or spouse shall maintain a "C" grade average in order to continue eligibility for the tuition credit program.

C.18A:71-78.4 Issuance of letter of eligibility.

4. A municipality which chooses to participate in the tuition credit program shall issue a letter of eligibility to the volunteer, to be presented to the appropriate institution, stating that the individual is a member in good standing of a volunteer fire company, volunteer first aid or rescue squad or association.
5. This act shall take place immediately.

NEW JERSEY VOLUNTEER TUITION CREDIT PROGRAM SUMMARY OF RECOMMENDED PROCEDURES

The following summarizes the key steps involved in implementing and running the Volunteer Tuition Credit Program in a municipality.

1. The municipality must pass a resolution (VTC-1), which allows the governing body to enact the Program and assign a municipal official responsibility for maintaining the Program files and authorizing volunteer participation.
2. An eligible fire or emergency medical volunteer signs the Service Pledge Agreement (VTC-2) form in the municipality in which the volunteer organization is located, pledging 4 years of service. The head of the volunteer organization signs the form. The volunteer then files it with the municipal official assigned the responsibility for the program.
3. Following each year of service, the volunteer organization sends a letter of verification (VTC-3 or VTC-4) to the municipality at the request of the volunteer or on behalf of all eligible volunteers.
4. The first requests for the letter of verification may come at any time after a volunteer has earned one year of service.
5. The assigned municipal officer then issues a signed and sealed Certificate of Authorization (VTC-5) to the volunteer. The form can then be presented by the volunteer, spouse and dependant children to the learning institution during the enrollment period. Only the original form can be accepted.
6. Enrollment is limited to those classes where space is available and tuition-paying students constitute the minimum number required for the course. The institution may wait until the last day of registration to determine space availability.
7. The learning institution will show the tuition amount on the lower portion of the certificate, and show a running balance for other courses taken during this period.
8. Upon completion of each semester or course cycle, the student must submit a transcript to the municipality, which becomes part of the permanent file kept by the municipal official.
9. A student must maintain a grade of "C", "2.0" or "pass" in the courses taken under the Program to continue eligibility.
10. The municipality assumes no responsibility for the requisitioning of any supportive documents.
11. The Certificate of Authorization is an "original only" document. In the event of its loss, it is not replaceable.

A Resolution for the _____ of _____

To support and participate in the Volunteer Tuition Credit Program (P.L. 1998, c. 145)

WHEREAS, the _____ of the _____ in the
Name of Governing Body Name of Municipality

County of _____, deems it appropriate to enhance the recruitment and retention of volunteer firefighters and emergency medical volunteers in the _____;
Name of Municipality
and

WHEREAS, the State of New Jersey has enacted P.L. 1998, c. 145 which permits municipal governments to allow their firefighting and emergency medical volunteers to take advantage of the Volunteer Tuition Credit Program at no cost to the municipal government.

NOW, THEREFORE BE IT RESOLVED, by the _____
Name of Governing Body

of the _____ in the County of _____
Name of Municipality

that the Volunteer Tuition Credit Program as set forth in P.L. 1998, c.145 is herewith adopted for the volunteer firefighters and emergency medical volunteers in the municipality; and

BE IT FURTHER RESOLVED, that the _____
Name/Title of Municipal Official

is herewith delegated the responsibility to administer the program and is authorized to enter into all agreements and to maintain files of all documents as may be required under the P.L. 1998, c. 145, a copy of which is herewith made part of this resolution.

**State of New Jersey
Volunteer Tuition Credit Program
P.L. 1998, c.145
Service Pledge Agreement**

I, _____, agree to serve as an active volunteer
Print Name

member of the _____
Volunteer Organization

for a minimum term of four (4) years.

I further agree to comply with the regulations, rules and by-laws that are applicable to this volunteer service organization and that I will, to the best of my ability, perform the duties required of me as a member.

Following each year of volunteer service, my spouse, dependant children and I are eligible to participate in the Volunteer Tuition Credit Program as set forth in the N.J.S.A. 18A:71-78.1 et seq. I further understand that a "C", "2.0" or "pass" is required for the student to maintain program eligibility and that registration is on a space available basis.

Signature of President, Captain or Chief

Signature of Volunteer

Date

Date

**State of New Jersey
Volunteer Tuition Credit Program
P.L. 1998, c.145
Verification of Service Performed**

As of _____, _____
Date *Name of Volunteer*

has successfully completed one year of active volunteer service with the

Name of Organization

This letter is intended to serve as verification to the _____
Name of Municipality

that the volunteer has fulfilled the obligation as stated in the Service Pledge Agreement. A copy of this letter is to remain in the volunteer's file along with the required documents for the Volunteer Tuition Credit Program.

Signature of President, Captain or Chief

Signature of Secretary

Date

Date

**State of New Jersey
Volunteer Tuition Credit Program
P.L. 1998, c.145
Blanket Verification of Service Performed**

As of _____, the following individuals have completed one

Date

year of active volunteer service with the: _____

Name of Organization

This letter is intended to serve as verification to the:

_____ that the volunteers are fulfilling the

Name of Municipality

obligations as stated in the Service Pledge Agreement required by N.J.S.A 18A:71-78.3. A copy of this letter is to remain in each of their files along with the required documents for the Volunteer Tuition Credit Program.

List of Volunteers

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Signature of President, Captain or Chief

Signature of Secretary

Date

Date

**State of New Jersey
Volunteer Tuition Credit Program
P.L. 1998, c. 145
Certificate of Authorization/Voucher**

The fire or emergency medical volunteer listed below, has completed one year of service with the:

Name of Organization

Pursuant to P.L. 1998, c. 145 (N.J.S.A. 18A:71-78.1), this voucher may be used by the volunteer and the volunteer's immediate family as payment for tuition at any county college, county vocational, or county technical school in the State of New Jersey on a space available basis. Pursuant to this law, this voucher is redeemable for up to \$600.00 of tuition credit. The institution may wait until the last day of registration to determine if space is available.

Name of Volunteer:

Name(s) of eligible family member(s):

This certificate must have an original signature and be sealed by the Municipal Clerk, and may not be reproduced. It is good for a period of one (1) year from the date below. Any balance remaining is void and non-transferable.

Signature of Volunteer

Signature of Municipal Official

Date

Date

Space below for educational institution only:

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 that pursuant to the recommendation of Carl Leppin III, Construction Official, that Foula Ballas, is promoted to the role of Zoning Sub Code Official with base salary increased to \$91,459.42 per annum. Mrs. Ballas has completed her studies and received her Zoning Sub Code certification. This job title shall be added to titles currently held by Ms. Ballas. This increase shall be retroactive to March 1, 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				
Councilwoman Pirro				
Councilman Dehnert				
Councilman Gerbasio				
Mayor Gonnelli				

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

**A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS EXTENDING
THE CONTRACT FOR THE PURCHASE OF SPORTS UNIFORMS TO
SPECTRUM WORKS**

WHEREAS, the Department of Recreation has a continuing need for the provision of Sports Uniforms for its recreation teams; and

WHEREAS, Spectrum Works of Secaucus, New Jersey, has been identified to provide a portion of the Contract with the Town of Secaucus and is identified as a "Sheltered Workshop" as defined by the Internal Revenue Code as an entity that incorporates individuals with autism into its workforce; and

WHEREAS, the Town of Secaucus, Department of Recreation has received the attached quotation from Spectrum Works for the provision of Sports Uniform Shirts and other articles for its recreation teams for a one (1) year period, encompassing part of 2018 and 2019; and

WHEREAS, the Finance Director certifies that funds are available for these services in the 2018 Municipal Budget.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus to award a contract to Spectrum Works, a Sheltered Workshop, to provide a portion of the Sports Uniform Contract pursuant to N.J.S.A. 40A:11-5(1)(n) for a one (1) year period; and

BE IT FURTHER RESOLVED, that the attached quote and Resolution shall constitute the requisite contract in this matter for pricing per item, understanding that actual quantities may be variable as the teams are formed each season, and be kept on file with the Town Clerk; and

BE IT FURTHER RESOLVED, that Spectrum Works 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 Mayor and/or Town Administrator is hereby authorized to execute any other documents or take any other necessary action to effectuate the spirit and intent of this Resolution.

Adopted: June 26, 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:

Amount \$ VARIOUS Date 6/26/18
VARIOUS Signed: Nicholas Goldsack



SECAUCUS RECREATION BID

#	ITEM	Actual QTY	2017		XXL	2018		FRONT	BACK
			BID/SHIRT	BID/TOTAL		BID/SHIRT	BID/SHIRT		
1	Soccer - Spring	300	\$ 6.75	\$ 2,025.00	XXL + \$2.25	\$ 6.82	\$ 6.95	SECAUCUS RECREATION (soccer)	Numbers 1-12
2	Soccer - Fall	381	\$ 17.00	\$ 6,477.00	XXL + \$2.25	\$ 17.17	\$ 17.51	MULTIPLE SPONSORS	Secaucus Recreation with number
3	Basketball	450	\$ 8.00	\$ 3,600.00	XXL + \$2.25	\$ 8.08	\$ 8.24	MULTIPLE SPONSORS	Secaucus Recreation with number
4	Summer Baseball	40	\$ 7.50	\$ 300.00		\$ 7.58	\$ 7.73	SECAUCUS RECREATION (baseball)	
5	Summer Softball shirts	40	\$ 7.50	\$ 300.00		\$ 7.58	\$ 7.73	SECAUCUS RECREATION (softball)	
6	baseball Caps	40	\$ 4.25	\$ 170.00		\$ 4.29	\$ 4.38	no imprint	
7	Softball Visors	40	\$ 6.25	\$ 250.00		\$ 6.31	\$ 6.44	no imprint	
8	Summer day camp	300	\$ 5.10	\$ 1,530.00	XXL + \$2.25	\$ 5.15	\$ 5.25	ONE COLOR IMPRINT	
9	Counselors shirts	600	\$ 5.00	\$ 3,000.00	XXL + \$2.25	\$ 5.05	\$ 5.15	SECAUCUS RECREATION STAFF	ROLE MODEL
10	Counselors tank tops	300	\$ 6.25	\$ 1,875.00	XXL + \$2.25	\$ 6.31	\$ 6.44	SECAUCUS RECREATION STAFF	ROLE MODEL
11	Basketball camp	125	\$ 5.50	\$ 687.50		\$ 5.56	\$ 5.67	ONE COLOR IMPRINT	
12	Swim center tshirts	100	\$ 7.00	\$ 700.00	XXL + \$2.25	\$ 7.07	\$ 7.21	ONE COLOR IMPRINT	ONE COLOR IMPRINT
13	Swim center staff	100	\$ 7.00	\$ 700.00	XXL + \$2.25	\$ 7.07	\$ 7.21	ONE COLOR IMPRINT	ONE COLOR IMPRINT
14	Swim center maintenance	100	\$ 7.00	\$ 700.00	XXL + \$2.25	\$ 7.07	\$ 7.21	ONE COLOR IMPRINT	ONE COLOR IMPRINT
15	Swim center lifeguard sleeve	100	\$ 11.00	\$ 1,100.00	XXL + \$2.25	\$ 11.11	\$ 11.33	ONE COLOR IMPRINT	ONE COLOR IMPRINT
16	Swim team tshirt	100	\$ 5.50	\$ 550.00	XXL + \$2.25	\$ 5.56	\$ 5.67	ONE COLOR IMPRINT	
17	Recreation center-staff	100	\$ 7.00	\$ 700.00	XXL + \$2.25	\$ 7.07	\$ 7.21	ONE COLOR IMPRINT	ONE COLOR IMPRINT
18	Recreation center-Fitness	100	\$ 7.00	\$ 700.00	XXL + \$2.25	\$ 7.07	\$ 7.21	ONE COLOR IMPRINT	ONE COLOR IMPRINT

TOTAL \$ 25,364.50

NOTE: ALL imprints are one color

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 John Dubiel, Assistant Superintendent the following person(s) are hereby appointed to part time Medical Escort positions in the Public Works Department (#5000) effective June 26, 2018 as follows:

Haslach, Joseph (rehire seasonal)	\$13.00 / Hour
Navarrete, Marco (regular part time)	\$13.00 / Hour
Retana, Silvia (regular part time)	\$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 June 26, 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, State of New Jersey, pursuant to the recommendation of Kevin O'Connor, Superintendent Public Works the following person is hereby promoted to full time Maintenance / Mason in the Buildings & Grounds Department (#19000) position effective June 20, 2018 with a salary increase as follows:

Michele Sanci

[\$60,000.00] / per annum

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 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, pursuant to the recommendation of the Town Administrator the following person(s) are hereby rehired to summer part time Intern positions at the rate of \$10.00 / Hour as follows:

- Holly Espinosa – Administration #1000 - effective 05/29/18
- Roshni Patel - Treasurer #13000 - effective 06/04/18
- Colleen Burns – Fire Prevention #32001 – effective 06/04/18

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 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, pursuant to the recommendation of Michael Pero, Superintendent Recreation programs, the below employee is hereby appointed to the vacant regular part time Supervisor position(s) in the Teen Center (**#81011**), effective June 26, 2018 as follows:

Marieme Niang-Thiam

\$12.00 / 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 June 26, 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, State of New Jersey, pursuant to the recommendation of Kevin O' Connor, Superintendent the following person(s) are hereby appointed to the seasonal part time laborer position in the Public Works Department effective June 26, 2018 as follows:

Fernandez, Matthew (B&G #19000)	\$10.00 / Hour
Conroy, Matthew (B&G #19000)	\$10.00 / Hour
Iyer, Colby (DPW #5000)	\$10.00 / Hour
Hering, Thomas (DPW #5000)	\$10.00 / Hour
Quinlan, Savannah Leigh (DPW #5000)	\$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 June 26, 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, State of New Jersey, **Correction** to the rate on **Resolution #2018-177** Secaucus Swim Club for the below staff retro to May 22, 2018, as follows:

<u>Assistant Managers</u>	<u>Rate</u>
Carpenter, Chris	\$14.00 / Hour
Flanagan, John	\$14.00 / Hour
Tedeschi, Stephanie	\$14.00 / 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 June 26, 2018.

Town Clerk

Mayor

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

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

**A RESOLUTION AUTHORIZING A PROPRIETARY CONTRACT WITH
AIRIUS, LLC FOR THE PURCHASE OF AIR PEAR MODEL 60s FANS FOR THE
SECAUCUS ICE RINK**

WHEREAS, the Town of Secaucus Recreation Department has the need to utilize Airius, LLC for the purchase of Air Pear Model 60s fans to circulate air and minimize “fog”; and

WHEREAS, N.J.A.C.5:34-9.1(A)(1)(ii) identifies Proprietary as “Specialized in Nature” and “The good or service is patented and the patented feature is essential for operational performance”; and

WHEREAS, the purchase Air Pearl Model 60s is of a Proprietary nature, a procurement governed by N.J.S.A.40A:11-13(d) and regulated by N.J.A.C. 5:34-9.1; and

WHEREAS, the Air Pear Model 60 has a Patented air turbine design with stator vanes and Venturi nozzles; and

WHEREAS, three quotes were obtained from additional vendors who sell the Airius, LLC Air Pear Model 60;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and/or Town Administrator is hereby authorized to sign an agreement/contract for the purchase of Air Pear Model 60s as set forth in the specifications and worksheet provided by Airius, LLC, for an amount not to exceed \$15,168.00; and

BE IT FURTHER RESOLVED, that the Mayor and/or Town Administrator is hereby authorized to execute any other documents or take any other necessary action to effectuate the spirit and intent of this Resolution; and

BE IT FURTHER RESOLVED, the Finance Director certifies that funds are available for these services under line item 01-2098.

Adopted: June 26, 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
NISA 40A:4-1, in Account Number:
01 - 2098
Amount \$ 15,168.00 Date 6/27/18
Signed: Nicholas Goldsack

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 Mike Pero, Superintendent of Recreation, the following additional staff members are hereby appointed to the various summer seasonal part time positions below to the **Secaucus Swim Club**, effective June 26, 2018, as follows:

<u>Lifeguards</u>	<u>Hourly Rate</u>
Alobaidi, Ali	\$10.00 / Hour
Alobaidi, Mohammed	\$10.00 / Hour
Artiles, Sheryln	\$10.00 / Hour
Cansino, Jose	\$10.00 / Hour
Carreno, Derek	\$10.00 / Hour
Cruzado, Alexandra	\$10.00 / Hour
DeLeon, Angelique	\$10.00 / Hour
Dougert, Eric	\$10.00 / Hour
Eccles, Skylar	\$10.00 / Hour
Guevara, Justin	\$10.00 / Hour
Hanley, Madeleine	\$10.00 / Hour
Hindle, Thomas	\$10.00 / Hour
Kashian, Natalie	\$10.00 / Hour
Kassa, Lammi	\$10.00 / Hour
Khoe, Samantha	\$10.00 / Hour
Lacap, Joseph	\$10.00 / Hour
Lara, Lindsay	\$10.00 / Hour
Marinos, Raul	\$10.00 / Hour
Martinez, George	\$10.00 / Hour
Martinez, Lilliana	\$10.00 / Hour
Martinez, Oscar	\$10.00 / Hour
McClure, Julia	\$10.00 / Hour
Meghani, Yug	\$10.00 / Hour
Migliore, Michael	\$10.00 / Hour
Mitchell, Kerry	\$10.00 / Hour
Moran, Rainni	\$10.00 / Hour
Mosher, Gillian	\$10.00 / Hour
Ngo, Michelle	\$10.00 / Hour
O'Connell, Brian	\$10.00 / Hour
Perez, Sabrina	\$10.00 / Hour
Rezeq, Ameer	\$10.00 / Hour
Savitsky, Leonard	\$10.00 / Hour
Shoch, Erin	\$10.00 / Hour

Lifeguards (continued)

	<u>Hourly Rate</u>
Spahic, Emma	\$10.00 / Hour
Spahic, Harris	\$10.00 / Hour
Tran, Bryan	\$10.00 / Hour
Ulrich, Kristina	\$10.00 / Hour
Villegas, Paola	\$10.00 / Hour
Webster, Joseph	\$10.00 / Hour

Custodians

	<u>Hourly Rate</u>
Postorino, Steven	\$8.75 / Hour

Clerical / Gate

	<u>Hourly Rate</u>
Castillo, Maria	\$8.60 / Hour
Cipriano, Giacomo	\$8.60 / Hour
Dehnert, Melissa	\$8.60 / Hour
Fonseca, Alyssa	\$8.60 / Hour
Fasciano, Samantha	\$8.60 / Hour
Griffo, Joseph	\$8.60 / Hour
Lowther, Alexi	\$8.60 / Hour
Mazurkiewicz, Carly	\$8.60 / Hour
Morales, Joseph	\$8.60 / Hour
Schwartz, Jodi	\$8.60 / Hour
Sedel, Madison	\$8.60 / Hour
Smith, Shannon	\$8.60 / Hour
Tringali, Alessandra	\$8.60 / Hour
Zena, Gianna	\$8.60 / Hour

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 members are hereby appointed to the various seasonal part time positions noted below in the **Summer Day Camp Programs**, as follows:

<u>Counselors</u>	<u>Hourly Rate</u>
Aguilera, Clarence	\$8.60 / Hour
Alvarez, Nicole	\$8.60 / Hour
Aponte, Megan	\$8.60 / Hour
Brinkrose, Max	\$8.60 / Hour
Brucalieri, Charles	\$8.60 / Hour
Castro, Nicholas	\$8.60 / Hour
Cucchiara, Mia	\$8.60 / Hour
DeJesus, Angel	\$8.60 / Hour
Delemos, Ethan	\$8.60 / Hour
DiNardo, Giovanni	\$8.60 / Hour
Garcia, Jordan	\$8.60 / Hour
Green, Jake	\$8.60 / Hour
Green, Jessie	\$8.60 / Hour
Gonzalez, George	\$8.60 / Hour
Hernandez, Christopher	\$8.60 / Hour
Korres, Kyra	\$8.60 / Hour
Langhrer, Ella	\$8.60 / Hour
Lopez, Alissa	\$8.60 / Hour
Lopez, Anthony	\$8.60 / Hour
Mamdouh, Seif	\$8.60 / Hour
Marcelic, Matthew	\$8.60 / Hour
Mikhail, Daniel	\$8.60 / Hour
Murray, Richard	\$8.60 / Hour
Naranjo, Jonathan	\$8.60 / Hour
Nazario, Jules	\$8.60 / Hour
Noble, Nicholas	\$8.60 / Hour
Petrone, Frank	\$8.60 / Hour
Phillips, Matthew	\$8.60 / Hour
Postel, William	\$8.60 / Hour

Pyrzanowki, Maya	\$8.60 / Hour
Retana, Jorge	\$8.60 / Hour
Sanci, Carmelina	\$8.60 / Hour
Torres, Brittney	\$8.60 / Hour
Vargas, Nohelly	\$8.60 / Hour
Weaver, Taylor	\$8.60 / Hour

<u>Game On</u>	<u>Hourly Rate</u>
Sood, Kubin	\$8.60/ Hour
Tabasco, Brandon	\$8.60 / Hour

<u>Meet at the Park</u>	<u>Hourly Rate</u>
Ross, Lyndsey	\$8.60 / Hour

<u>Basketball</u>	<u>Hourly Rate</u>
Kashian, Aaron	\$8.60 / Hour
Mattiello Brielle	\$8.60 / Hour
Pantoliano, Patrick	\$8.60 / Hour

I, Michael Marra, Town Clerk of the Town of Seaucus, 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 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 A CONTRACT WITH BARCIA BROS. FENCE COMPANY FOR
EXTENSION NETTING NEEDED FOR CLARENDON SCHOOL FIELD**

WHEREAS, the Town of Secaucus has worked diligently to complete projects to improve the Town and remains a priority of the Mayor and Council; and

WHEREAS, the current fencing for a portion of the Clarendon School ballfield needs to be extended as balls from the field are hitting a neighboring home, therefore, additional netting will be installed to extend the height of the fence; and

WHEREAS, the Town of Secaucus, Department of Public Works, has obtained three (3) quotes to provide equipment and personnel to complete this work; and

WHEREAS, Barcia Bros. Fence Company, 514 River Drive, Garfield, New Jersey 07026, has submitted a quote, that was presented to the qualified purchasing agent, providing for equipment and personnel in the amount Fifteen Thousand Two Hundred dollars (\$15,200.00) plus tax, if applicable, for the specified project; and

WHEREAS, Barcia Bros. Fence Company was the lowest responsible quote; and

WHEREAS, Barcia Bros. Fence Company has completed and submitted an acknowledgement of the Town of Secaucus Pay to Play Ordinance; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that Barcia Bros Fence Company be awarded a contract for providing equipment and personnel for extending the fence at Clarendon ball field in an amount not to exceed Fifteen Thousand Two Hundred Dollars (\$15,200.00); and

BE IT FURTHER RESOLVED, that Barcia Bros. Fence Company shall provide any and all compliance information requested by the Town of Secaucus, Office of Purchasing, which may include, but is not limited to, proof of insurance coverage and the contract is contingent on the Purchasing Agent confirming compliance; 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 Finance Director certifies that funds are available for these services 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: June 26, 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				
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: 10 . 2150 7062-003.
 Amount \$ 15,200.00 Date 6/24/18
 Signed: Nicholas Goldsack

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

**RESOLUTION AUTHORIZING THE INSERTION OF A SPECIAL ITEM OF
REVENUE AND AN APPROPRIATION OF EQUAL AMOUNT**

Council offered and move adoption of the following resolution:

WHEREAS, the N.J.S.A. 40A-4-87 PROVIDES THAT THE Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount; and

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Secaucus hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of \$495,000.00 which item is now available as revenue from:

STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION
LOCAL AID DISCRETIONARY PROGRAM

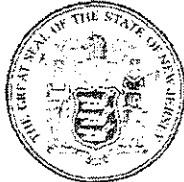
Pursuant to the provisions of the statute and,

BE IT FURTHER RESOLVED, that a like sum of \$495,000.00 be and the same hereby appropriated under the following caption:

NJDOT/LOCALAID DISCRETIONARY PROGRAM
BORN STREET OUTFALL PIPE

RESOLVED, that the certified copies of this resolution be filed with the Division of Local Government Services.

June 26, 2018



State of New Jersey

DEPARTMENT OF TRANSPORTATION
P.O. Box 600
Trenton, New Jersey 08625-0600

PHILIP D. MURPHY
Governor

DIANE GUTIERREZ-SCACCETTI
Acting Commissioner

SHEILA Y. OLIVER
Lt. Governor

May 17, 2018

Honorable Michael Gonnelli
Mayor, Town of Secaucus
Municipal Building
1203 Paterson Plank Road
Secaucus, New Jersey 07094

Re: Born Street Outfall Pipe
Secaucus, Hudson County
Local Aid Discretionary Program

Dear Mayor Gonnelli:

Enclosed is one copy of the executed Agreement approved by the Department of Transportation for the above referenced project in the amount of \$495,000.00.

This project will be funded from the New Jersey Transportation Trust Fund Authority Act. State participation in the cost of the project is limited to 100 percent of the cost of the completed construction work including construction supervision, inspection and material testing, or the amount of the allotment, whichever is less.

The construction contract must be awarded within 24 months from the date of agreement approval. Failure to make an award by April 19, 2020 or to comply with the requirements of the Municipal Aid Regulations 16:20B and the Terms and Conditions of Grant Agreement for State Aid to Counties and Municipalities will jeopardize the use of State funds on this project. It is further noted that the project must be in compliance with the Americans with Disabilities Act, ADA, requirements for accessibility. The Municipal Aid Regulations and terms and conditions can be found on the Local Aid Website at:

www.state.nj.us/transportation/business/localaid/pubs.htm

Page - 2

Through the approval of this agreement and all future agreements, the sponsor is required to provide phased submission updates that are to be tracked through the on-line SAGE System in accordance with the State Aid Checklist (see attached) for this project. Please note, that the Sponsor is responsible for continued updates with respect to the construction administration/ management phase of the project in the SAGE System. The preparation of contract documents shall use the 2007 Standard Specifications as amended by the 2011 Special Provisions for Local Aid Projects. All requirements of this program can be found in the State Aid Handbook, available at the above website.

If you have any questions regarding the above, please contact me of this office at 973-877-1500.

Sincerely,



Eileen Schack
Acting Manager
Bureau of Local Aid - District 2

C: Municipal Clerk
Municipal Engineer

Attachments