

TOWN OF SECAUCUS
MAYOR AND COUNCIL MEETING - MAY 8, 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

ORDINANCES FOR PUBLIC HEARING

Ordinance No. 2018-15: An ordinance amending Chapter 45 of the Code of the Town of Secaucus entitled "Alarm System, Private" to update the provisions for Alarm System Registration

Ordinance No. 2018-16: Bond ordinance to authorize the making of various public improvements and the acquisition of new additional or replacement equipment and machinery, new communication and signal systems equipment, and new automotive vehicles, including original apparatus and equipment, in, by and for the Town of Secaucus, in the County of Hudson, State of New Jersey, to appropriate the sum of \$4,650,000 to pay the cost thereof, to make a down payment, to authorize the issuance of bonds to finance such appropriation and to provide for the issuance of bond anticipation notes in anticipation of the issuance of such bonds

Ordinance No. 2018-17: Bond ordinance to authorize various concrete work at the Swim Center, in, by and for the Swimming Pool Utility of the Town of Secaucus, in the County of Hudson, State of New Jersey, to appropriate the sum of \$80,000 to pay the cost thereof, to make a down payment, to authorize the issuance of bonds to finance such appropriation and to provide for the issuance of bond anticipation notes in anticipation of the issuance of such bonds

Ordinance No. 2018-18: Ordinance to exceed the Municipal Budget Appropriation Limits and to establish a CAP Bank (N.J.S.A. 40A:4-45.14) provisions for Alarm System Registration

ORDINANCES FOR INTRODUCTION

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

ADOPTION OF THE 2018 MUNICIPAL BUDGET FOR THE TOWN OF SECAUCUS

RESOLUTIONS (CONSENT AGENDA)

PLEASE SEE CONSENT AGENDA FOR LIST OF RESOLUTIONS

COMMUNICATIONS REQUIRING ACTION BY MAYOR AND COUNCIL

1) Request by Adele Harris to use Mill Creek Point on June 23, July 28, August 25, September 22 and October 6 for a Drumming Circle

2) Acceptance of resignation of Mike Sciscilo as a firefighter from Engine Co. #3, effective May 1, 2018

COMMITTEE REPORTS

UNFINISHED BUSINESS

NEW BUSINESS

REMARKS OF CITIZENS

ADJOURNMENT

Town of Secaucus

CONSENT AGENDA – 5/8/18

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 of the Town of Secaucus accepting the withdrawal of the bid of Reivax Contracting Corp. for the First Avenue Mill and Pave Lot Project
- 2) Resolution appointing Catherine Brucaliere to the Seasonal Part-Time Worker Position in the Secaucus Animal Shelter, effective May 21, 2018, at the hourly rate of \$10.00
- 3) Resolution appointing Nicholas Mattiello to the Part-Time Position of Dispatcher in the Secaucus Police Department, effective May 1, 2018, at the hourly rate of \$16.00
- 4) Resolution granting Dianne Wolf an unpaid leave of absence from April 25 through June 11, 2018
- 5) Resolution appointing Sal Trippi to the Full-Time Plumbing Sub-Code Position, effective May 8, 2018, at the annual salary of \$70,000.00
- 6) A resolution authorizing a digital signboard maintenance contract for the Town of Secaucus public announcement boards
- 7) Resolution appointing Pia Valentin to the Full-Time Administrative Assistant position in the Police Annex Department, pending the successful completion of a background check and physical, effective May 9, 2018, at the annual salary of \$35,000.00
- 8) Resolution appointing Katia Sanci to the Administrative Clerk position in the Police Records Department, pending the successful completion of a background check and physical, effective May 9, 2018, at the annual salary of \$35,000.00
- 9) Resolution appointing Karin Lee to the Regular Part-Time Clerk (Floater) Position , effective May 8, 2018, at the hourly rate of \$11.00
- 10) Resolution appointing Deputy Town Clerk Marie Eck as the Registrar of Vital Statistics for the Town of Secaucus for a three year term commencing on June 1, 2018 and ending on May 31, 2021
- 11) Resolution appointing Bethany Mancuso to the Summer Part-Time Position in Administration and Suhail Kapoor to the Summer Part-Time Position in Health, both effective May 9, 2018, both at the hourly rate of \$10.00
- 12) A resolution of the Town of Secaucus to extend the contract for the provision of a Concessionaire/Town Concession Stand at the Secaucus Swim Club
- 13) Resolution increasing the Tax Collector's salary, effective May 3, 2018 to \$83,676.34 (inclusive of \$5,000.00/stipend)
- 14) Resolution appointing Rahul Nagpal, Suhil Nagpal and Peter Vu to the Summer Part-Time Special Events Positions, effective May 8, 2018, with Rahul Nagpal at the hourly rate of \$10.00 and Suhil Nagpal and Peter Vu each at the hourly rate of \$8.60
- 15) Resolution authorizing the refund of premium monies collected at the tax sale
- 16) Resolution on behalf of the Town of Secaucus authorizing the award of a contract for installation of pavers at the Secaucus Swim Club
- 17) A resolution on behalf of the Town of Secaucus to award contract for the "2018 Mill/Overlay Program" to 4 Clean-Up, Inc.
- 18) A resolution to award the contract for the construction of the First Avenue Parking Lot (107 First Avenue)
- 19) Resolution of the Town of Secaucus enabling agent and contracting for online power purchase

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

ORDINANCE NO. 2018-15

**AN ORDINANCE AMENDING CHAPTER 45 OF THE CODE
OF THE TOWN OF SECAUCUS ENTITLED "ALARM SYSTEM, PRIVATE" TO
UPDATE THE PROVISIONS FOR ALARM SYSTEM REGISTRATION**

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

WHEREAS, the Town of Secaucus Bureau of Fire Prevention, Alarm Division regulates the operation and maintenance of private alarm systems in the public interest by requiring alarm systems to be installed, operated and maintained at a high level to increase safety, reduce false alarms and allow public safety resources to be used appropriately.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey that the following updates be made to the provisions of §45-1 *et seq.* based upon the recommendations by the Town of Secaucus Bureau of Fire Prevention, Alarm Division:

1. Chapter 45 of Code of the Town of Secaucus, Sections "§45-2. Permit required" and "§45-3. Definitions" be, and is hereby amended and supplemented to read as follows: (deletions are indicated by ~~crossouts~~; additions are indicated in **bold**):

§ 45-1. Legislative intent; scope.

A. The legislative intent of this chapter is to provide for the regulation and control of the installation, operation and maintenance of private alarm systems **in commercial, industrial and/or multi-family buildings** within the Town of Secaucus so that the public interest is best served by requiring that said alarm systems are ~~in-stalled~~**-installed**, operated and maintained at a high level.

B. The provisions of this chapter shall apply to any person who operates, maintains or owns any alarm mechanism or apparatus **in commercial, industrial and/or multi-family buildings** designed to summon police or have the police summoned to any location in response to any alarm signal actuated by any alarm device or alarm system.

§ 45-2. Permit required.

No person shall install or operate any alarm device, alarm system, ~~dial-alarm~~, local or private alarm system or any alarm mechanism or apparatus **in a commercial, industrial and multi-family building** in the Town of Secaucus ~~with-out~~ **without** first obtaining a permit to operate said alarm apparatus, pursuant to this chapter, issued by the Secaucus **Fire Official through the Bureau of Fire Prevention, Alarm Division or their designee.**

§ 45-3. Definitions.

As used in this chapter, the hereinafter-defined words and phrases shall have the following meanings:

ALARM – the term “alarm” shall encompass “alarm device,” “local alarm” and “alarm system” for the purposes of this chapter.

ALARM DEVICE — Any type of alarm system ~~de-signed~~ **designed** to produce a response, directly or indirectly, from any emergency or public safety service of the Town of Secaucus.

ALARM SYSTEM — ~~Any type of alarm mechanism or apparatus located in one (1) or more buildings for the express purpose of giving visual or audible warning, or both, or an emergency such as a holdup, burglary, intrusion or any emergency designed to summon police.~~ Any device **designed to produce or emit a sound or transmit a signal or message when activated for the purpose of alerting others to the existence of an emergency situation requiring immediate investigation by alarm, fire or other agent. This does not include an alarm on a vehicle or individual person unless permanently at a site or an alarm designated only to alert inhabitants or persons at a premises that is not a local alarm.**

ALARM USER — A person in possession of premises in or upon which an alarm system exists.

~~DIAL ALARM~~ — ~~An alarm device, limited to residential systems, with voice messages that are pre-recorded, with an automatic dialing system with automatic cut-off, connected with a telephone in police headquarters.~~

~~FALSE ALARM~~ — ~~The absence of an emergency where any alarm mechanism or apparatus located with the town including but not limited to burglar alarms, fire alarms, summonses for police help, etc., is actuated by inadvertence, negligence, system malfunction, unintentional act by someone other than an intruder or for any reason including but not limited to causes attributable to inclement weather and power failure and power surges, regardless of cause, where police or fire-fighters respond to an alarm signal and find neither a forcible entry nor an intruder near or upon the premises where police or firefighters were summoned. The activation of an alarm system through mechanical failure, accident, malfunction, misuse, improper activation or negligence. False alarms shall not include alarms caused by acts of God or other causes which are beyond the control of the alarm user, alarm agent or alarm business/provider.~~

...
MULTI-FAMILY – Any residential building with four or more dwelling units in a single structure.

~~OCCUPANT~~ — ~~A person in possession of premises in or upon which an alarm system exists.~~

OWNER — A person possessing legal title for the site in or upon which an alarm system exists.

...

PERSON — Any natural person, corporation, ~~partner-ship~~, **partnership**, association or any other organization.

SITE — The commercial, industrial or multi-family premises within the Town of Secaucus where an alarm system is installed and activated.

2. Section §45-7 “Alarm Registration; Fees” of the Code of the Town of Secaucus be, and is hereby repealed in its entirety and shall be replaced as follows:

§ 45-7. Alarm Registration; Fees.

- A. No alarm shall be permitted unless it is first registered with the Bureau of Fire Prevention, Alarm Division as hereinafter required on a form designated by the Fire Official. A separate registration is required for each alarm site.**
- B. An alarm registration shall expire on December 31 of each year and shall be renewed annually by submitting an updated registration and renewal fee in accordance with the below provisions. It is the responsibility of the alarm user and alarm registrant to submit and keep registration current. Failure to submit a renewal will constitute a failure to register and be subject to penalties as set forth in this chapter.**
- C. Each registration application shall include the following information:**
- (1) Address and contact telephone number for the alarm site; and**
 - (2) Name, address and telephone number for the person who will be the registration holder and responsible for the maintenance and operation of the alarm and payment of any alarm fees pursuant to this chapter; and**
 - (3) Names, addresses and telephone numbers for two (2) or more persons responsible to receive notification of alarm activation at any time, respond to an alarm activation within thirty (30) minutes, grant access to the alarm site and deactivate the alarm, if deemed necessary; and**
 - (4) Classification of the alarm as either residential or commercial (including type of business(es) at location), whether within public or private property/areas and purpose of the alarm; and**
 - (5) Consent to inspect the premises where the alarm is located during working hours or at a mutually agreeable time; and**
 - (6) Any other information required by the Fire Official or Chief of Police necessary for the enforcement of this chapter.**
- D. Alarm registration fees shall be as follows and paid in full upon submission of the registration or renewal on or before January 31 of every year:**
- | | |
|---|-----------------|
| Annual registration fee per alarm: | \$100.00 |
| Annual renewal fee per alarm: | \$100.00 |
- New alarm registrations shall be charged a prorated registration fee for the calendar year in which registered.**
- E. Registration of existing systems: Any alarm system in place and not registered with the Alarm Division prior to the effective date of the revisions to this chapter shall have sixty (60) days in which to be registered, be in compliance with the terms of this chapter and pay the**

annual fee for the current year. Any person failing to comply herewith shall be liable for a penalty of one hundred dollars (\$100.).

- F. All alarm systems, and their respective users and registrants, shall be governed by the false alarm procedures and penalties set forth in this chapter. All penalties must be paid before any registration is issued or renewed.
 - G. Alarm registrations cannot be transferred to another person or site. There shall be no refund or reimbursement of alarm registration or renewal fees paid.
 - H. If any change in registration information is necessitated or if a system is disconnected or ceases to exist, such information shall be provided by the alarm user or the alarm registrant in writing to the Bureau of Fire Prevention, Alarm Division within ten (10) days of any change. The alarm user or registrant may be required to file a supplemental or revised registration containing accurate information.
 - I. Any false or misleading statements made by an applicant for the purpose of alarm registration shall be sufficient cause for refusal of a registration.
 - J. Alarms owned by the Town shall be exempt from all registration, renewal and false alarm fees.
 - K. Upon receipt of a completed registration, registration information shall be input in to the administrative database of the Bureau of Fire Prevention, Alarm Division, as well as, provided to the Secaucus Police Department. All information shall be held in confidence to the extent permissible under open public record laws.
3. The following provision shall be added to this Chapter in the reserved section §45-4:

§ 45-4 Government Immunity.

Alarm registration does not intend to nor does it create a contract, duty or obligation, either express or implied, of response by the Town of Secaucus or any of its employees, agents or representatives. Governmental immunity as provided by law is retained by the Town of Secaucus.

4. Section §45-8 "Duties of the Alarm User" of the Code of the Town of Secaucus be, and is hereby repealed in its entirety and shall be replaced as follows:

§ 45-8. Duties.

- A. All alarm systems shall be maintained in a manner that will minimize or eliminate false alarm notifications.
- B. All components of an alarm system shall be maintained in good repair.
- C. For each alarm site, two (2) or more persons shall be responsible to: receive notification of alarm activation at any time, respond to an alarm activation within thirty (30) minutes and be able to grant access to the alarm site and deactivate the alarm, if deemed necessary.
- D. A written set of instructions shall be kept on site for the operation of each alarm. Special codes or passwords should not be included in said instructions. In the case of a malfunction

where an alarm continuously repeats and resets, the police or other emergency responders may use reasonable means to render the alarm inoperable.

- E. All components of an alarm system shall be kept in good working order at all times to ensure that the sensory mechanism used in connection with such device be adjusted to suppress false indications of fire or smoke conditions so that the device will not be activated by, among other things, pressure changes in water pipes, short flashes of light, wind, noise, vehicular noise, rattling or vibration of doors or windows or other forces unrelated to genuine alarms.
5. Section §45-9 “False alarms; penalty; revocation or suspension of permit” of the Code of the Town of Secaucus be, and is hereby repealed in its entirety and shall be replaced as follows:

§ 45-9. False alarms; penalty; revocation or suspension of permit.

- A. Actuation of a false alarm shall be a violation of the Code of Secaucus. In the case of a false alarm, the Fire Official, Chief of Police or their designee shall make or cause a report to be made relating to said incident and a record of false alarms be maintained by the Bureau of Fire Prevention, Alarm Division.
- B. The alarm user, registrant and/or owner shall be subject to warnings, service fees and suspension of registration depending on the number of false alarms at an alarm site within any twelve (12) month period. Service fees shall be based on the following:
- (a) For the first, second and third false alarms: warning notices may be served.
 - (b) For the fourth and fifth false alarms: \$100.00 per false alarm.
 - (b) For the sixth through ninth false alarms: \$250.00 per false alarm.
 - (c) For the tenth through fifteenth false alarms: \$500.00 per false alarm.
 - (d) For each false alarm after the fifteenth false alarm: \$1,000.00 per false alarm.
- C. If cancellation occurs prior to arrival at the site from police, fire or other emergency responders, the alarm will not be considered a false alarm for the purpose of a service fee.
- D. Any false alarm fine shall be paid within thirty (30) days of imposition.
- E. The registration to operate any alarm as provided under this chapter shall be revoked or suspended for failure of any alarm user or alarm registrant to pay the prescribed penalty for a false alarm or for any violation of this chapter. All penalties must be paid before any registration is issued or renewed.
6. Sections §45-11 “Appeals” and §45-12 “Supplementing of regulations” be, and are hereby amended and supplemented to read as follows: (deletions are indicated by ~~crossouts~~; additions are indicated in **bold**):

§ 45-11. Appeals.

Whenever, under the provisions of this chapter, the **Fire Official**, Chief of Police ~~or his or their~~ designee ~~or any authorized representative he may have designated~~ is empowered to make a decision with respect to the installation, operation and maintenance of any alarm equipment or with respect to the issuance or denial of any application **or other decision pursuant to this**

~~chapter relating thereto~~, any person aggrieved by such decision may, within ten (10) **business** days following such decision, file a written appeal ~~therefrom~~ with the Town **Administrator**. ~~Clerk and with the Chief of Police or his designee, whereupon the Mayor and Council~~ **The Town Administrator** shall promptly conduct a hearing either in person or on the records, and affirm, modify or reverse the decision appealed from.

§ 45-12. Supplementing of regulations.

The ~~Director of the Office of Inspections or his~~ **Fire Official or their** designee may from time to time promulgate rules and regulations supplementing this chapter in order to provide for recordkeeping and efficient management of said system.

7. There are no other changes to this Chapter of the Code of the Town of Secaucus.
8. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
9. 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.
10. This Ordinance shall take effect immediately upon passage and publication in accordance with law.

IT IS FURTHER ORDAINED that the remainder of this Chapter 45 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 April 10, 2018 and finally adopted by the Mayor and Council on May 8, 2018.

Town Clerk

Mayor

Introduction 4-10-18

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

Adoption 5-8-18

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

Ordinance No. 2018-16

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS EQUIPMENT, AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWN OF SECAUCUS, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$4,650,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

BE IT ORDAINED by the Town Council of the Town of Secaucus, in the County of Hudson, State of New Jersey, as follows:

Section 1. The Town of Secaucus, in the County of Hudson, State of New Jersey (the "Town") is hereby authorized to make various public improvements and to acquire new additional or replacement equipment and machinery, new communication and signal systems equipment, new information technology and telecommunications equipment, and new automotive vehicles, including original apparatus and equipment, in, by and for said Town, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment

appropriated by this ordinance. It is anticipated that an \$89,375 grant shall be received by the Town from the New Jersey Department of Environmental Protection ("NJDEP") Green Acres Program to finance the cost of the property acquisition described in Section 4.B hereof. Said grant funds shall be applied as set forth in Section 12 hereof. It is further anticipated that the Town will receive a \$268,125 Green Acres loan (the "Green Acres Loan") from the NJDEP to finance the cost of such property acquisition. The Town's obligation to repay the Green Acres Loan shall constitute the issuance of bonds pursuant to this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Town.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such

purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Resurfacing of various roads in the Town, as set forth on a list prepared by the Town Engineer on file or to be placed on file with the Town Clerk, and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and upon approval by the Town Council, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being resurfaced are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

Appropriation and Estimated Cost	\$1,415,000
Down Payment Appropriated	\$ 67,400
Bonds and Notes Authorized	\$1,347,600
Period of Usefulness	10 years

B. Acquisition of real property located at 107 First Avenue (designated as Block 144, Lot 1.02 on the Tax Assessment Map of the Town (the "Tax Map")) and construction of a passive park thereon.

Appropriation and Estimated Cost	\$ 560,000
Down Payment Appropriated	\$ 26,700
Bonds and Notes Authorized	\$ 533,300
Period of Usefulness	40 years

C. Acquisition of new information technology equipment consisting of computer servers for the use of the Police Department.

Appropriation and Estimated Cost	\$ 12,000
Down Payment Appropriated	\$ 575
Bonds and Notes Authorized	\$ 11,425
Period of Usefulness	7 years

D. Acquisition of new automotive vehicles, including original apparatus and equipment, consisting of SUVs for the use of the Police Department.

Appropriation and Estimated Cost	\$ 162,000
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Down Payment Appropriated	\$ 7,750
Bonds and Notes Authorized	\$ 154,250
Period of Usefulness	5 years

E. Acquisition of new communication and signal systems equipment and new additional or replacement equipment and machinery for the use of the Police Department consisting of (i) a computer-aided dispatch/field reporting system and (ii) an electronic evidence system.

Appropriation and Estimated Cost	\$ 156,000
Down Payment Appropriated	\$ 7,500
Bonds and Notes Authorized	\$ 148,500
Period of Usefulness	10 years

F. Acquisition of a new automotive vehicle, including original apparatus and equipment, consisting of a bucket truck for the use of the Department of Public Works ("DPW").

Appropriation and Estimated Cost	\$ 155,000
Down Payment Appropriated	\$ 7,400
Bonds and Notes Authorized	\$ 147,600
Period of Usefulness	5 years

G. Acquisition of new additional or replacement equipment and machinery consisting of a front end loader for the use of the DPW.

Appropriation and Estimated Cost	\$ 170,000
Down Payment Appropriated	\$ 8,100
Bonds and Notes Authorized	\$ 161,900
Period of Usefulness	15 years

H. Undertaking of various improvements to public buildings and facilities. It is hereby determined and stated that said public buildings being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

Appropriation and Estimated Cost	\$ 340,000
Down Payment Appropriated	\$ 16,200
Bonds and Notes Authorized	\$ 323,800
Period of Usefulness	15 years

I. Acquisition of new additional or replacement equipment and machinery consisting of a self-contained breathing apparatus system for the use of the Fire Department.

Appropriation and Estimated Cost	\$ 700,000
Down Payment Appropriated	\$ 33,400
Bonds and Notes Authorized	\$ 666,600
Period of Usefulness	10 years

J. Undertaking of various storm sewer and flood mitigation improvements.

Appropriation and Estimated Cost	\$ 200,000
Down Payment Appropriated	\$ 9,525
Bonds and Notes Authorized	\$ 190,475
Period of Usefulness	40 years

K. Undertaking of streetscape improvements at the intersection of Front Street and Minnie Place.

Appropriation and Estimated Cost	\$ 100,000
Down Payment Appropriated	\$ 4,800
Bonds and Notes Authorized	\$ 95,200
Period of Usefulness	10 years

L. Construction of a parking lot for public safety vehicles on municipal property located on Paterson Plank Road (designated as Block 148, Lot 10 on the Tax Map).

Appropriation and Estimated Cost	\$ 125,000
Down Payment Appropriated	\$ 6,000
Bonds and Notes Authorized	\$ 119,000
Period of Usefulness	10 years

M. Acquisition of various equipment and undertaking of various improvements for the Recreation Center.

Appropriation and Estimated Cost	\$ 105,000
Down Payment Appropriated	\$ 5,000
Bonds and Notes Authorized	\$ 100,000
Period of Usefulness	10 years

N. Construction of a passive park on municipal property located on Farm Road (designated as Block 203, Lots 41 and 42 on the Tax Map).

Appropriation and Estimated Cost	\$ 150,000
Down Payment Appropriated	\$ 7,150
Bonds and Notes Authorized	\$ 142,850
Period of Usefulness	15 years

O. Undertaking of the Secaucus Plaza Façade Program Redevelopment Project.

Appropriation and Estimated Cost	\$ 200,000
Down Payment Appropriated	\$ 9,525
Bonds and Notes Authorized	\$ 190,475
Period of Usefulness	10 years

P. Acquisition of new information technology and telecommunications equipment for the use of various Town departments, offices and agencies.

Appropriation and Estimated Cost	\$ 100,000
Down Payment Appropriated	\$ 7,975
Bonds and Notes Authorized	\$ 92,025
Period of Usefulness	5 years

Aggregate Appropriation and Estimated Cost	\$4,650,000
Aggregate Down Payment Appropriated	\$ 225,000
Aggregate Amount of Bonds and Notes Authorized	\$4,425,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$30,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such

obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. It is hereby determined and stated that moneys exceeding \$225,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Town, are now available to finance said purposes. The sum of \$225,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Town of an aggregate principal amount not exceeding \$4,425,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Town of an aggregate principal amount not exceeding \$4,425,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance

of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Town and attested by the Town Clerk or Deputy Town Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 15.16 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Town Clerk of said Town, and that such statement so filed shows that the gross debt of said Town, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$4,425,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from private parties, the County of Hudson, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes (other than the Green Acres Loan, which shall be applied to the cost of said purpose and the payment of outstanding bond anticipation notes, but shall not reduce the amount of bonds authorized), shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of

Local Government Services, is on file with the Town Clerk and is available for public inspection.

Section 14. The Town intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Town incurs such costs prior to the issuance of the bonds or notes, the Town hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 15. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Town, and the Town shall levy ad valorem taxes upon all the taxable real property within the Town for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

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 April 10, 2018, and finally adopted by the Mayor and Council on May 8, 2018.

Town Clerk

Mayor

Introduction 4-10-18

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

Adoption 5-8-18

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

Ordinance No. 2018-17

BOND ORDINANCE TO AUTHORIZE VARIOUS CONCRETE WORK AT THE SWIM CENTER IN, BY AND FOR THE SWIMMING POOL UTILITY OF THE TOWN OF SECAUCUS, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$80,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

BE IT ORDAINED by the Town Council of the Town of Secaucus, in the County of Hudson, State of New Jersey, as follows:

Section 1. The Town of Secaucus, in the County of Hudson, State of New Jersey (the "Town") is hereby authorized to undertake various concrete work at the Swim Center in, by and for the Swimming Pool Utility of the Town. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$80,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Town, and (2) it is necessary to finance said purpose by the issuance of obligations of said Town pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$80,000, and (4) \$4,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$76,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$2,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$4,000, appropriated for down payments on capital improvements or for the capital improvement fund in Swimming Pool Utility budgets heretofore adopted for said Town, are now available to finance said purpose. The sum of \$4,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Town of an aggregate principal amount not exceeding \$76,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Town of an aggregate principal amount not exceeding \$76,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date

of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Town and attested by the Town Clerk or Deputy Town Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of fifteen years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Town Clerk of said Town, and that such statement so filed shows that the gross

debt of said Town, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$76,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from the County of Hudson, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The Town intends to issue the bonds or notes to finance the cost of the improvements described in Section 1 of this bond ordinance. If the Town incurs such costs prior to the issuance of the bonds or notes, the Town hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 12. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and

the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Town, and the Town shall levy ad valorem taxes upon all the taxable real property within the Town for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Town Clerk and is available for public inspection.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

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 April 10, 2018, and finally adopted by the Mayor and Council on May 8, 2018.

Town Clerk

Mayor

Introduction 4-10-18

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

Adoption 5-8-18

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

TOWN OF SECAUCUS, NEW JERSEY

ORDINANCE NO. 2018-18

CALENDAR YEAR 2018

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Town Council of the Town of Secaucus, in the County of Hudson, finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Town Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$411,764.45 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Mayor and Town Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Town Council of the Town of Secaucus, in the County of Hudson, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2018 budget year, the final appropriations of the Town of Secaucus shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$1,441,175.58, and that the CY 2018 municipal budget for the Town of Secaucus be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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 April 10, 2018, and finally adopted by the Mayor and Council on May 8, 2018.

Town Clerk

Mayor

Introduction 4-10-18

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

Adoption 5-8-18

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. 2018-20

**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 12:01 a.m. and end on the following Saturday at 12:00 a.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.

Resolution No. _____

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

**A RESOLUTION OF THE TOWN OF SECAUCUS ACCEPTING THE WITHDRAWAL
OF THE BID OF REIVAX CONTRACTING CORP. FOR THE FIRST AVENUE MILL
AND PAVE LOT PROJECT**

WHEREAS, the Mayor and Council of the Town of Secaucus received responses to its Fair and Open Solicitation Process for the Mill and Pave Lot Project on April 26, 2018 pursuant to N.J.S.A. 40A:11-1 *et seq.*; and

WHEREAS, on April 26, 2018, Reivax Contracting Corp. notified the Town in writing, through its agent, that it was formally requesting to withdraw its bid; and

WHEREAS, based on the reasons presented, legal considerations and the recommendation of the Town of Secaucus' Office of Purchasing, Council is accepting the withdrawal.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that the above statements are incorporated herein and that the request of Reivax Contracting Corp. to withdraw its bid for the First Avenue Mill and Pave Lot Project is accepted pursuant to N.J.S.A. 40A:11-23.3; and

BE IT FURTHER RESOLVED that any bid bond or guarantee put forth by Reivax Contracting Corp. shall be returned and Reivax Contracting Corp. shall be disqualified from future bidding on the same project; 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.

Adopted: May 8, 2018

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 Chris Conte, Manager Animal Shelter (#50000) the following person is hereby appointed to the seasonal part time worker position effective as of May 21, 2018 as follows:

Catherine Brucaliere

\$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 May 8, 2018.

Town Clerk

Mayor

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

**TOWN OF SECAUCUS
COUNTY OF HUDSON
RESOLUTION**

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, pursuant to the recommendation of Kevin Flaherty, Chief of the Police Department (#31002) the following person is hereby appointed to the part time position of Dispatcher effective as of May 1, 2018 as follows:

Nicholas Mattiello

\$16.00 / Hour

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor and Council on May 8, 2018.

Town Clerk

Mayor

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

**TOWN OF SECAUCUS
COUNTY OF HUDSON
RESOLUTION**

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, pursuant to the recommendation of Nicholas Goldsack, CFO of the Finance Department (#13000) the following full time employee, Dianne Wolf, be granted an unpaid Leave of Absence from April 25, through June 11, 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 May 8, 2018.

Town Clerk

Mayor

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

**TOWN OF SECAUCUS
COUNTY OF HUDSON
RESOLUTION**

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, pursuant to the recommendation of Carl Leppin, Construction Official of the Construction Department (#3200), that contingent on the successful completion of a background check and physical the following person is hereby appointed to the full time Plumbing Sub-code position effective as of May 8, 2018 as follows:

- Sal Trippi \$70,000.00 / 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 May 8, 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 AUTHORIZING A DIGITAL SIGNBOARD MAINTENANCE
CONTRACT FOR THE TOWN OF SECAUCUS PUBLIC ANNOUNCEMENT BOARDS**

WHEREAS, the Town of Secaucus through its IT Department utilizes Grandwell Admax digital signboard equipment (the "System") at two locations within the Town, Paterson Plank Road (North End) and County Avenue, for public announcements; and

WHEREAS, the Systems require maintenance at regular intervals, as well as, system administration, connectivity and repair as needed; and

WHEREAS, the Town's IT Director obtained quotes from four (4) vendors for the services needed; and

WHEREAS, after review and discussion of such responses, that the Mayor and the Council have determined to whom a contract should be awarded based on cost and other factors considered; and

WHEREAS, Axtel Consulting, located at 11 Barbara Lane, Oakland, New Jersey, has submitted a proposal to supply the necessary maintenance and support of the Grandwell Admax digital signboard System at a cost of One Thousand Six Hundred (\$1,600.00) for one (1) year.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, that the Mayor and/or Town Administrator or their designee is hereby authorized to execute a contract with Axtel Consulting to provide maintenance and support of the Grandwell Admax digital signboard System at a cost of One Thousand Six Hundred (\$1,600.00) for a one (1) year term; 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 Axtel Consulting 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 continued insurance coverage; and

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

BE IT FURTHER RESOLVED that the Mayor, Town Administrator and 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.

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 OG - 1192 029

Amount \$ 1,600.00

Date 5/4/18

Signed:  Nicholas Goldsack

Resolution No. _____

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

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, and State of New Jersey, pursuant to the recommendation of Kevin Flaherty, Police Chief, that the below person pending the successful completion of a background check and physical is hereby appointed to the full time Administrative Assistant position in the Police Annex Department (**#31002**) effective as of May 9, 2018, as follows:

- Pia Valentin \$35,000.00/ 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 May 8, 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**

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, and State of New Jersey, pursuant to the recommendation of Kevin Flaherty, Police Chief, that the below person pending the successful completion of a background check and physical is hereby appointed to the vacant Administrative Clerk position in the Police Records Department (**#31002**) effective as of May 9, 2018, as follows:

- Katia Sanci \$35,000 / 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 May 8 , 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 Town Administrator the following person(s) is hereby appointed to the regular part time Clerk (Floater) (#1000) position effective as of May 8, 2018 as follows:

Karin Lee

\$11.00 / 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 May 8, 2018.

Town Clerk

Mayor

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

RESOLUTION: _____

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

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that Deputy Town Clerk Marie Eck is hereby appointed as Registrar of Vital Statistics for the Town of Secaucus for a three year term commencing on June 1, 2018 and ending on May 31, 2021.

May 8, 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 May 8, 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 appointed to the summer part time positions effective as of May 9, 2018 as follows:

Bethany Mancuso (Admin #1000)	\$10.00 / Hour
Suhail Kapoor (Health #7000)	\$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 May 8, 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 TO EXTEND THE
CONTRACT FOR THE PROVISION OF A CONCESSIONAIRE/TOWN CONCESSION
STAND AT THE SECAUCUS SWIM CLUB**

WHEREAS, the Town of Secaucus has the continued need for the Contract for the concession services at the Secaucus Swim Club; and

WHEREAS, bids were received for the above-mentioned service on April 7, 2016 and a one (1) year contract awarded to DMD Concessions, LLC of 669 Ninth Street, Secaucus, New Jersey pursuant to N.J.S.A. 40A:11-1 *et seq.* by **Resolution No. 2017-159**, dated May 9, 2017; and

WHEREAS, the Town of Secaucus wishes to extend the contract for an additional one (1) year term pursuant to the bid documents; Said extension is the final of two (2) one (1) year extensions that were available for this contract.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, in the State of New Jersey, that the Town's contract with DMD Concessions, LLC to provide concessionaire/concession stand services for the Secaucus Swim Club pursuant to N.J.S.A. 40A:11-1 *et seq.* be continued for a one (1) year period, constituting the third and final year of this contract from the date of original award; and

BE IT FURTHER RESOLVED, that the Town's initial Contract, as reflected in **Resolution No. 2016-184**, setting forth specific items and pricing, shall continue in this extension period, in the amount of Four Thousand Dollars (\$4,000.00); and

BE IT FURTHER RESOLVED, that the specifications, bid form and bid package shall constitute the requisite contract and costs in this matter and be kept on file with the Town Clerk; and

BE IT FURTHER RESOLVED, that DMD Concessions, 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, said award is subject to the approval of funds in the 2018 Municipal Budget; 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: May 8, 2018

Resolution No. _____

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

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, and State of New Jersey, pursuant to the recommendation of the Town Administrator that the below tenure Tax Collector's salary is hereby increased, effective May 3, 2018 as follows:

- Lorraine Carr \$83,676.34 (inclusive of \$5,000.00 /stipend)

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor and Council on May 8, 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 Mike Pero, Superintendent Recreation the following person(s) are hereby appointed to the summer part time Special Events positions effective as of May 8, 2018 as follows:

Rahul Nagpal	\$10.00 / Hour
Suhil Nagpal	\$8.60 / Hour
Peter Vu	\$8.60 / Hour

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor and Council on May 8, 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. _____-2018

TOWN OF SECAUCUS
COUNTY OF HUDSON, STATE OF NEW JERSEY

RESOLUTION AUTHORIZING THE REFUND OF PREMIUM MONIES COLLECTED
AT THE TAX SALE

WHEREAS, the Tax Collector collected premium money at a prior tax sale as permitted by N.J.S.A. 54:5-33; and

WHEREAS, N.J.S.A. 54:5-33 states that any premium payment shall be held by the Town of Secaucus and returned to the purchaser of the fee if and when a redemption is made; and

WHEREAS, the Tax Collector certifies that the tax lien has been paid for the Block and Lot listed below before the 5 year limit and therefore the Town of Secaucus must refund the premium to the lienholder; and

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector be authorized to refund the premium fee to the outside lienholder as listed below:

BLOCK	LOT	ADDRESS	LIENHOLDER	AMOUNT
76	24	719 5 th Street	US Bank for BV001 Trust & Crdtrs.	\$14,300.00

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

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

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

**RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS AUTHORIZING THE
AWARD OF A CONTRACT FOR INSTALLATION OF PAVERS AT THE SECAUCUS
SWIM CLUB**

WHEREAS, the Town owns the property located at 2000 Koelle Blvd which is the location of Secaucus Swim Club; and

WHEREAS, as part of improvements to the Swim Club complex there is a need for installation of pavers near the side entrance; and

WHEREAS, the anticipated term of this contract is for the length of the contract work as approved by the governing body; and

WHEREAS, the Town of Secaucus' Department of Public Works, has obtained three (3) quotes for completion of the work; and

WHEREAS, Fred Gallo Construction LLC, submitted a proposal that was presented to the Qualified Purchasing Agent on April 27, 2018, indicating that they will provide installation of pavers as outlined in the attached proposal at a price of Twelve Thousand Nine Hundred Seventy Five Dollars (\$12,975.00); and

WHEREAS, Fred Gallo Construction LLC has completed or will complete an Acknowledgment of the Town of Secaucus Pay To Play Ordinance.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that Fred Gallo Construction LLC, be awarded a Contract for installation of a pavers at the side entrance of the Secaucus Swim Club, in an amount not to exceed Twelve Thousand Nine Hundred Seventy Five Dollars (\$12,975.00); and

BE IT FURTHER RESOLVED, that Fred Gallo Construction LLC, 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, with said contract contingent on the Purchasing Agent confirming compliance; and

BE IT FURTHER RESOLVED, that the Mayor and/or Town Administrator or his designee is hereby authorized to enter a contract with Fred Gallo Construction LLC, as described herein and to take any action or execute any documents necessary to effectuate said purpose and intent; and

BE IT FURTHER RESOLVED, the Chief Financial Officer certifies that there are sufficient funds in the 2018 Municipal Budget for this Contract.

May 8, 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 May 8, 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:

01-1621
Amount \$ 12,975.00 Date 5/14/18

Nicholas 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
TO AWARD CONTRACT FOR THE "2018 MILL/OVERLAY PROGRAM"
TO 4 CLEAN-UP INC.**

WHEREAS, on April 26, 2018, the following four (4) bids were received for the 2018 Secaucus Mill Overlay Program:

<u>BIDDER</u>	<u>BID AMOUNT</u>
1) 4 Clean – Up, Inc	\$ 351,715.00
2) AJM Contractors, Inc	\$ 359,775.00
3) D.L.S Contracting, Inc	\$ 364,225.00
4) D & L Contractors, Inc	\$ 443,600.00

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey award the contract for the 2018 Secaucus Mill Overlay Program in an amount not to exceed \$ 351,715.00.


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 the 2018 Secaucus Mill Overlay Program.

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: May 8, 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 May 8, 2018.

 Town Clerk Mayor

01-1610


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

Resolution No. _____

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

**A RESOLUTION TO AWARD THE CONTRACT FOR THE
CONSTRUCTION OF THE FIRST AVENUE PARKING LOT (107 FIRST AVENUE)**

WHEREAS, on April 26, 2018, the following six (6) bids were received for the Construction of a municipal parking lot at 107 First Avenue:

<u>BIDDER</u>	<u>BID AMOUNT</u>
1) Reivax Contracting	\$ 128,480.00
2) Your Way Construction, Inc.	\$ 162,999.36
3) D.L.S. Contracting, Inc.	\$ 165,363.00
4) Seacoast Construction, Inc.	\$ 173,313.45
5) Diamond Construction	\$ 179,973.00
6) A Team Concrete	\$ 223,126.00

WHEREAS, Subsequent to submission of their bid, Reivax Contracting requested the bid be withdrawn as a result of a mathematical error and the Town agreed to the withdrawing of the bid; and

WHEREAS, it has been determined that Your Way Construction, Inc. of 404 Coit Street, Irvington, New Jersey 07111 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 award the contract for the construction of the First Avenue Parking Lot to Your Way Construction, Inc. in an amount not to exceed One Hundred Sixty-Two Thousand Nine Hundred Ninety-Nine Dollars and Thirty-Six Cents (\$162,999.36).

BE IT FURTHER RESOLVED, that the Mayor, Town Administrator and/or their designee are hereby authorized to execute any documents regarding the awarding of the contract for the construction of the First Avenue Parking Lot.

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: May 8, 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 May 8, 2018.

01-1610



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

Resolution No. _____

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

**RESOLUTION OF THE TOWN OF SECAUCUS
ENABLING AGENT AND CONTRACTING FOR ONLINE POWER PURCHASE**

WHEREAS, the New Jersey Department of Community Affairs, Division of Local Government Services, permits public entities as per P.L.2001, c.30 to utilize Division-approved online purchasing agents to secure energy supply contracts through an online bidding/reverse auction process; and

WHEREAS, the services of said approved agents are exempt from public bidding, as per P.L.2001, c.30; and

WHEREAS, the Mayor and Town Council of the Town of Secaucus desires to utilize Taurus Advisory Group LLC, a BPU certified and a DCA approved provider of online energy procurement services, to secure natural gas and electricity supply contracts; and

WHEREAS, the NJDCA and NJBPU advise that contracts for power supply should be awarded shortly after an online auction is conducted in order to ensure the lowest possible rates.

THEREFORE, BE IT RESOLVED, that the Mayor and Town Council of the Town of Secaucus, County of Hudson, in the State of New Jersey, authorizes Taurus Advisory Group LLC to investigate market conditions and when directed and approved by the Mayor and/or Town Administrator, conduct online auctions for the purpose of securing natural gas and electricity supply contracts for its utility accounts at no direct financial cost to the Town of Secaucus; and

BE IT FURTHER RESOLVED, that the Mayor and Town Council of the Town of Secaucus authorizes Gary M. Jeffas, Esq., Town Administrator, to award and sign power supply contracts for natural gas and electricity accounts on the day that the auctions close, provided that the average rates procured are lower than those provided by the local utility company and/or the Hudson/Essex Co-Op; 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.

Adopted: May 8, 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 May 8, 2018.

Town Clerk

Mayor

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