

August 28, 2018

MINUTES of the Regular Meeting of the Mayor and Board of Council of the Town of Secaucus, County of Hudson, State of New Jersey held on the 28th day of August at 7:00 P.M Secaucus Municipal Government Center, 1203 Paterson Plank Road, Secaucus, NJ in Chamber II.

PLEDGE OF ALLEGIANCE

Mayor Gonnelli asked for a moment of silence in honor of the passing of Senator John McCain.

Adequate notice for this meeting, as required by the Open Public Meetings Act, has been provided by the filing of the notice of Meetings with the Municipal Clerk, the posting of said notice on the official bulletin board in the Municipal Building, and the delivery of same to the Jersey Journal on December 28, 2017.

This body wishes to advise you that in accordance with N.J.A.C.5:23-11.1, et seq. of the Indoor Air Quality Standards and Procedures for Buildings Occupied by Public Employees, smoking anywhere in this public building is prohibited by law.

Present: Councilmembers: Michael Gonnelli
William McKeever
James Clancy
Mark Dehnert
Absent: Orietta Tringali
Robert Costantino
John Gerbasio

APPROVAL OF MINUTES

The following resolution was read: No. 2018-246

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

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

Councilman Clancy moved to approve the foregoing resolution, seconded by Councilman Dehnert.

AYES: McKeever, Clancy, Dehnert, Tringali, Gonnelli
NAYS: None
ABSTAIN: McKeever on Special Meeting of June 18, 2018, Councilman Clancy on Regular Meeting of July 24, 2018, Mayor Gonnelli on Special Meeting of July 5, 2018
ABSENT: Costantino, Gerbasio Motion carried

ORDINANCE FOR PUBLIC HEARING

The following ordinance was read for public hearing: No. 2018-27

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

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

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

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

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Type 1 - \$42.00	\$54.00
Type 2 - \$166.00	\$214.00
Type 3 - \$331.00	\$427.00
Type 4 - \$497.00	\$641.00

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

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

- A. No person, regardless of whether such person is a new tenant or a new owner, shall occupy a one (1) or two (2) family house, condominium, apartment or any part thereof, after change of tenancy or ownership, regardless of the length of the rental tenancy or ownership, unless all such units and apartments thereof are equipped with smoke ~~detectors~~alarms, and carbon monoxide alarms and portable fire extinguishers in accordance with N.J.A.C. 5:70-2.3, N.J.A.C. 5:70-4.19 and the New Jersey Uniform Fire Code, and have issued with respect to such one (1) or two (2) family house, condominium or apartment, a certificate issued by the Secaucus Fire Inspector attesting that such is in compliance with N.J.A.C. 5:70-2.3, N.J.A.C. 5:70-4.19 and the New Jersey Uniform Fire Code. Whenever there shall be change in tenancy or ownership, regardless of the length of said tenancy or ownership, of a one (1) or two (2) family home, condominium, apartment or any part thereof, in the Town of Secaucus, prior to the effectiveness of such new tenancy or ownership, the municipality, through the Office of the Secaucus Fire Inspector, shall perform a physical inspection of the premises to determine that there is ~~smoke detector~~ compliance in accordance with N.J.A.C. 5:70-2.3, N.J.A.C. 5:70-4.19 and the New Jersey Uniform Fire Code.
- B. (1) Any certificates issued for smoke detector, and carbon monoxide alarm and portable fire extinguishers compliance inspections are not transferable.
(2) If the change in occupancy specified in the application does not occur within six (6) months, a new application will be required.
(3) Tenancy or rental shall refer to the occupancy or use of any one (1) or two (2) family house, condominium, apartment or any unit that is part thereof. For the purposes of this chapter, "unit" shall refer to a single unit providing complete, independent living facilities for one (1) or more persons, living together as a single family or domestic unit, including permanent provisions for living, sleeping, eating, cooking and sanitation. A dwelling unit does not include rooming houses, boarding houses or commercial residences. For the purposes of this chapter, "family" shall refer to either an individual or two (2) or more persons related by blood, marriage or adoption living together as a single housekeeping unit in a dwelling unit; or a group of persons, who need not be related by blood, marriage, or adoption living together as a single housekeeping unit in a dwelling unit; plus, in either case, usual domestic servants. A "family" may include any number of gratuitous guests or minor children not related by blood, marriage or adoption. A "family" does not include persons living together in rooming houses, boarding houses, or commercial residences.
- C. The fee for the aforesaid inspection to insure compliance herewith shall be ~~forty~~ fifty dollars (~~\$40.~~ \$50) per inspection for one (1) family homes, apartments and condominiums, ~~forty dollars (\$40.) per inspection for apartments,~~ sixty seventy-five dollars (~~\$60.~~ \$75.) per inspection for two- (2) family homes and ~~seventy-five~~ one-hundred dollars (~~\$75.~~ \$100.) per inspection

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fewer than ~~two (2) business~~ four (4) days prior to the change of occupant shall be ~~one~~ two hundred dollars (~~\$100.~~ \$200.) per inspection.

D. The aforesaid certificate shall only be issued upon the requisite fees hereunder being paid.

E. ~~Certificate of smoke detector and carbon monoxide alarm compliance inspections~~ Certificate of Smoke Alarm, Carbon Monoxide Alarm and Portable Fire Extinguisher Compliance Inspections shall be required prior to the sale or rental, regardless of the length of the rental, of any multi-family dwelling or dwellings within the Town of Secaucus. All inspection requirements pertinent to multi-family dwellings pursuant to any applicable Uniform Fire Safety Act and Uniform Fire Safety Code shall be strictly adhered to.

2. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

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

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

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

Mayor Gonnelli asked if anyone wished to be heard regarding the foregoing proposed ordinance. There being no one requesting the floor, Councilman Clancy moved that the public hearing be closed, seconded by Councilman Dehnert.

AYES: McKeever, Clancy, Dehnert, Tringali, Gonnelli

NAYS: None

ABSENT: Costantino, Gerbasio

Motion carried.

Councilman Clancy moved that the foregoing ordinance be finally adopted, seconded by Councilman McKeever.

AYES: McKeever, Clancy, Dehnert, Tringali, Gonnelli

NAYS: None

ABSENT: Costantino, Gerbasio

Motion carried.

The following ordinance was read for public hearing:

No. 2018-28

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

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

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

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

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

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

Article VI Security Box "KnoxBox" System

§73-40 Purpose of KnoxBox System.

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

§73-41 Commercial buildings.

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

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

§ 73-42 Multi-family residential structures.

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

§73-43 Contents.

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

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

§73-44 KnoxBox Maintenance.

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

§73-45 Fees.

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

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§ 73-47 Violations; penalties.

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

§ 73-48 Repealer.

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

§ 73-49 Severability.

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

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

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

Mayor Gonnelli asked if anyone wished to be heard regarding the foregoing proposed ordinance. There being no one requesting the floor, Councilman Dehnert moved that the public hearing be closed, seconded by Councilman Clancy/.

AYES: McKeever, Clancy, Dehnert, Tringali, Gonnelli

NAYS: None

ABSENT: Costantino, Gerbasio

Motion carried.

Councilman Clancy moved that the foregoing ordinance be finally adopted, seconded by Councilman Dehnert.

AYES: McKeever, Clancy, Dehnert, Tringali, Gonnelli

NAYS: None

ABSENT: Costantino, Gerbasio

Motion carried.

The following ordinance was read for public hearing: No. 2018-29

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

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

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

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

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

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

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

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

Mayor Gonnelli asked if anyone wished to be heard regarding the foregoing proposed ordinance. There being no one requesting the floor, Councilman Clancy moved that the public hearing be closed, seconded by Councilman Dehnert.

AYES: McKeever, Clancy, Dehnert, Tringali, Gonnelli
 NAYS: None
 ABSENT: Costantino, Gerbasio Motion carried.

Councilman Clancy moved that the foregoing ordinance be finally adopted, seconded by Councilman McKeever.

AYES: McKeever, Clancy, Dehnert, Tringali, Gonnelli
 NAYS: None
 ABSENT: Costantino, Gerbasio Motion carried.

The following ordinance was read for public hearing: No. 2018-30

AN ORDINANCE AMENDING SECTION 127-58B OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED "DESIGNATION OF LOCATIONS AT OR NEAR PRIVATE RESIDENCES"

SECTION 1

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Town of Secaucus that Section 127-58B - "Designation of Locations at or Near Private Residences" shall be amended by adding the following locations:

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

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

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

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

If the license plate for the persons utilizing the parking spaces at the above listed address changes, then the parking space designation shall be changed to the new plate with proof from the resident that it is for the same person that the person is still entitled to handicapped parking.

SECTION 2

SEVERABILITY

BE IT FURTHER ORDAINED, that the provisions of this ordinance are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of the regulation or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such persons or circumstances, to which the ordinance or part thereof is held inapplicable, had been specifically exempted therefrom.

SECTION 3

REPEALER

BE IT FURTHER ORDAINED, that all other ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed, to the extent of such inconsistency.

SECTION 4

EFFECTIVE DATE

BE IT FURTHER ORDAINED, that this ordinance shall take effect upon passage and publication as provided by law.

Mayor Gonnelli asked if anyone wished to be heard regarding the foregoing proposed ordinance. There being no one requesting the floor, Councilman Clancy moved that the public hearing be closed, seconded by Councilman McKeever.

AYES: McKeever, Clancy, Dehnert, Tringali, Gonnelli

NAYS: None

ABSENT: Costantino, Gerbasio

Motion carried.

Councilman Dehnert moved that the foregoing ordinance be finally adopted, seconded by Councilman Tringali.

AYES: McKeever, Clancy, Dehnert, Tringali, Gonnelli

NAYS: None

ABSENT: Costantino, Gerbasio

Motion carried.

ORDINANCES FOR INTRODUCTION

The following ordinance was read introduction:

No. 2018-32

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AYES: McKeever, Clancy, Dehnert, Tringali, Gonnelli
NAYS: None
ABSENT: Costantino, Gerbasio

Motion carried.

Public Hearing for the aforementioned Ordinance will be on September 11, 2018.

CONSENT AGENDA

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

The following resolution was read:

No. 2018-247

RESOLUTION APPROVING
HUDSON COUNTY BOARD OF TAXATION REDUCTIONS

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

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

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

TAX REDUCTIONS GRANTED BY THE
HUDSON COUNTY BOARD OF TAXATION

BLOCK	LOT	QUAL.	ADDRESS	AMOUNT
21	2.04	CO1FL	4 HARMON PLAZA 1 ST FLOOR	\$7,220.00
21	2.04	CO2FL	4 HARMON PLAZA 2 ND FLOOR	\$7,220.00
178	17		23 RADIO AVENUE	\$ 541.50

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

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

The following resolution was read:

No. 2018-248

RESOLUTION APPROVING
VETERAN DEDUCTION REFUND(S)

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

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

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

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BLOCK LOT TAXPAYERS/ADDRESS AMOUNT

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The following resolution was read:

No. 2018-249

RESOLUTION AUTHORIZING CANCELLATION OF OVERBILLED PROPERTY TAXES

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

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

WHEREAS, property taxes for 1st half 2018 are paid.

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

3 rd Q. 2018	\$ 795.08
4 th Q. 2018	\$ 795.08

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

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

The following resolution was read:

No. 2018-250

RESOLUTION APPROVING
TAX OVERPAYMENT REFUND(S)

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

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

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

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

BLOCK	LOT	ADDRESS	AMOUNT
227	4.03	100 PARK PLAZA DRIV	\$26,153.62
227	4.04	100 PARK PLAZA DRIVE	\$30,996.37

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

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

The following resolution was read:

No. 2018-251

RESOLUTION APPROVING
REFUND OVERBILLED TAXES

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

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

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

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

The following resolution was read:

No. 2018-252

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

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

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

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

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

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

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

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

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

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

NOW THEREFORE be it resolved by the Town Council of the Town of Secaucus in

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1. The tax assessment on the property located at 425 Meadowland Parkway and otherwise designated as Lot 5.041 in Block 18 on the official tax maps of the Town of Secaucus shall be reduced from a total of \$9,888,300 to a total of \$8,872,500 for tax year 2016 and from a total of \$9,888,300 to a total of \$8,372,500 for tax year 2017.

2. The Town Tax Collector is hereby authorized to issue a check to the property owner upon receipt of the Tax Court Judgments representing the tax refund attributable to the reduction in the assessment for the 2016 and 2017 tax years.

3. The Town Tax Appeal attorney is hereby authorized to withdraw the Town's counterclaims filed for tax years 2017 and 2018.

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

The following resolution was read:

No. 2017-253

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

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

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

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

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

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

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

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

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

WHEREAS, the Town Council of the Town of Secaucus has determined that it is in

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1. The tax assessment on the property located at 55 Hartz Way and otherwise designated as Lot 3 in Block 51 on the official tax maps of the Town of Secaucus shall be reduced from a total of \$8,349,300 to a total of \$6,900,000 for tax year 2018.

2. The Town Tax Collector is hereby authorized to apply the tax refund attributable to the reduction in the assessment for the 2018 tax year as a credit against future taxes on the property commencing with the first quarterly tax payment due date following the issuance of the Tax Court Judgment.

3. The Town Tax Appeal attorney is hereby authorized to withdraw the Town's counterclaims filed for tax years 2017 and 2018.

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

The following resolution was read:

No. 2018-254

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

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

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

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

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

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

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

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

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

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The following resolution was read:

No. 2018-255

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

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

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

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

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

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

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

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

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

The following resolution was read:

No. 2018-256

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

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

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

WHEREAS; the Town duly advertised for bids in the Jersey Journal; and

WHEREAS, on August 9, 2018 @ 10:00am, the following two (3) bids were received for 2018 Road Program Minnie Place:

BIDDER

BID AMOUNT

August 28, 2018

WHEREAS, it has been determined that Cifelli & Son General Contracting, Inc., of 81 Franklin Avenue Nutley, NJ 07110, is the lowest responsive and responsible bidder; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds to award this contract are available under line item 10-2150-55-70607-001;

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 2018 Road Program Minnie Place to Cifelli & Son General Contracting, Inc. in an amount not to exceed \$228,651.00 in accordance with the specifications utilized in connection with the bidding; and

BE IT FURTHER RESOLVED, that Cifelli & Son General Contracting, Inc. shall provide any and all compliance information requested by the Town of Secaucus Office of Purchasing; and

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

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

Financial officers
Certification attached.

The following resolution was read:

No. 2018-257

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

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

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

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

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

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

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

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

Financial officers
Certification attached.

The following resolution was read:

No. 2018-258

August 28, 2018

<u>Life Guard #87000 (effective 8/4/18)</u>	<u>Hourly Rate</u>
Lin, Sihang	\$10.00 / hour
Lees, Zachary	\$10.00 / Hour
Virgen, Daniel	\$10.00 / Hour
Pacheco, Mary	\$10.00 / Hour
Rodriguez, Damaris	\$10.00 / Hour
Sarmiento, Tristan	\$10.00 / Hour
Schwartz, Jodi	\$10.00 / Hour
Villegas, Paola	\$10.00 / Hour

<u>Clerical #87000 (effective 8/18/18)</u>	<u>Hourly Rate</u>
Ambrosio Kristen	\$8.60 / Hour
Vega, Jasmine	\$8.60 / Hour
Pero, Zoe	\$8.60 / Hour

<u>Custodian #87000 (effective 8/18/18)</u>	<u>Hourly Rate</u>
Syracuse, Julia	\$8.75 / Hour

The following resolution was read:

No. 2018-259

TOWN OF SECAUCUS, COUNTY OF HUDSON
STATE OF NEW JERSEY

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

Football Program

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

Cheerleading Program

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

Soccer Program

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

The following resolution was read:

No. 2018-260

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

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

The following resolution was read:

No. 2018-261

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

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

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

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

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey authorize the award a Non-Fair and

August 28, 2018

reportable contributions through the term of the contract, in compliance with necessary regulations and measure of the State of New Jersey under N.J.S.A. 19:44A-20.27; and

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

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

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

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

Financial officers
Certification attached.

The following resolution was read:

No.2018-262

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

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

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

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

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

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

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

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

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

August 28, 2018

The following resolution was read:

No. 2018-263

TOWN OF SECAUCUS, COUNTY OF HUDSON
STATE OF NEW JERSEY

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

<u>Counselors (returning)</u>	<u>Hourly Rate</u>
Dubiel, Lillian (Coordinator)	\$20.22 / Hour
Imperato, Denise (Coordinator)	\$20.22 / Hour
Bayracharya, Shreya	\$8.76 / Hour
Carcamo, Maritza	\$10.93 / Hour
Castillo, Patrick	\$10.93 / Hour
Claudio, Margaret	\$15.30 / Hour
Chokas, Steven	\$8.76 / Hour
Cirone, Margaret	\$9.27 / Hour
Fonseca, Wanda	\$9.27 / Hour
Gill, Roxanne	\$11.47 / Hour
Hundevadt, Sheila	\$12.36 / Hour
Kalakowski, Carlene	\$14.00 / Hour
Keegan, Ashley	\$9.27 / Hour
Kosky, Kaitlyn	\$8.76 / Hour
Kalena, Linda	\$10.93 / Hour
Loor, Genesis	\$8.76 / Hour
Mastropietro, Donna	\$11.47 / Hour
Masullo, Patricia	\$10.93 / Hour
Maurin, Amber	\$10.93 / Hour
Meli, Ryan	\$10.93 / Hour
Nitschke, Maryann	\$11.47 / Hour
Pascarello, Anna	\$11.47 / Hour
Pizzuta, Rena	\$10.93 / Hour
Ponit, Barbara	\$10.93 / Hour
Retana, Silvia	\$9.27 / Hour
Sanducci, Caroline	\$15.30 / Hour
Simerman, Phyllis	\$11.47 / Hour
Taylor, Steven	\$8.76 / Hour
Testa, Robert	\$8.76 / Hour
Thompson, Lorraine	\$13.39 / Hour
Torraco, Lauren	\$11.47 / Hour
Torres, Evenlyn	\$11.47 / Hour
Waiver, Donna	\$16.39 / Hour

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

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

The following resolution was read:

No. 2018-265

TOWN OF SECAUCUS, COUNTY OF HUDSON
STATE OF NEW JERSEY

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

August 28, 2018

The following resolution was read:

No. 2018-266

TOWN OF SECAUCUS, COUNTY OF HUDSON
STATE OF NEW JERSEY

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

	<u>Hourly Rate</u>
Gomez, Isaiah	\$14.50 / Hour

The following resolution was read:

No. 2018-267

TOWN OF SECAUCUS, COUNTY OF HUDSON
STATE OF NEW JERSEY

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

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

The following resolution was read:

No. 2018-268

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

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

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

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

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

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

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

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

WHEREAS, it was assessed and recommended at that time by the Buildings and Grounds Department that three current projects, Secaucus Fire Department Engine 1 Renovation, Coast Guard Auxiliary Project and Plaza Center Firehouse Generator

August 28, 2018

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

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

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

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

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

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

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

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

The following resolution was read:

No. 2018-269

TOWN OF SECAUCUS, COUNTY OF HUDSON
STATE OF NEW JERSEY

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

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

The following resolution was read:

No. 2018-270

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

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

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

August 28, 2018

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

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

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

Financial officers
Certification attached.

The following resolution was read:

No. 2018-271

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

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

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

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

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

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

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

Assessment Affirmed:

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

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

August 28, 2018

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

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

BE IT FURTHER RESOLVED, that the Town of Secaucus will agree to withdraw its counterclaim for the 2014 tax year.

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

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

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

All in accordance with the discussions held at a certain meeting of the Town Council on AUGUST 28, 2018.

The following resolution was read:

No. 2018-272

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

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

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

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

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

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

Financial officers

Certification attached.

The following resolution was read:

No. 2018-273

RESOLUTION AUTHORIZING A
PROFESSIONAL SERVICES CONTRACT WITH

August 28, 2018

2017 and 2018 under Docket Nos.: 002449-2016; 002273-2017 and 003520-2018 (hereinafter the "Appraisal Report"); and

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

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

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

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

Financial officers

Certification attached.

The following resolution was read:

No. 2018-274

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

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

WHEREAS, the Systems require regular maintenance and support; and

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

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

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

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

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

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

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

Financial officers

Certification attached.

August 28, 2018

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

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

NOW THEREFORE, BE IT RESOLVED that the Town Council of the Town of Secaucus Hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of \$76,500.00 which item is now available as revenue from:

US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
COUNTY OF HUDSON COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

Pursuant to the provisions of the statute and,

BE IT FURTHER RESOLVED that a sum of \$76,500.00 be and the same hereby appropriated under the following caption:

2018 CDBG 1st ROADWAY IMPROVEMENTS - \$76,500.00

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

The following resolution was read:

No. 2018-276

TOWN OF SECAUCUS, COUNTY OF HUDSON
STATE OF NEW JERSEY

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, pursuant to the recommendation of Carl Leppin, Construction Official the following person is hereby appointed to the full-time position of Housing Inspector in the Construction Department (#32000) effective August 28, 2018 as follows:

Joseph Preinfalk \$60,000.00/Annum

Councilman Dehnert moved to approve the foregoing resolutions on the Consent Agenda, seconded by Councilman McKeever.

AYES: McKeever, Clancy, Dehnert, Tringali, Gonnelli

NAYS: None

ABSENT: Costantino, Gerbasio

Motion carried.

PAYMENT OF CLAIMS

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

Town of Secaucus Payroll Acct. w/ending 8/10/2018 \$649,546.42

Adm. & Exec	16,861.73
Mayor & Council	18,086.44
Municipal Clerk	7,202.67
Community Shuttle Bus	964.25
Legal Dept.	6,816.25
Municipal Court	18,596.49
Engineering	8,492.53
Pub. Bldgs. & Grds.	52,311.64
Off. Of Inspect.	10,515.33
Planning Board	71.94
Bd. Of Adjustments	67.46
Comm. & Security Adm	5,965.39
Environmental	3,442.94
Construction	20,710.91
Treasurer	25,565.68

August 28, 2018

Sewer System	000.00	
Recycling Coord.	7,273.68	
Bd.of Health	3,626.80	
Mosquito	000.00	
Social Services	23,670.45	
Fire Dept. Incentives	000.00	
Pks. & Play Grds.	000.00	
Supv. Of Play Act.	136,781.73	
Rec. Activities	657.00	
Social Security	47,895.57	
Pool Social Security	2,532.40	
Pool Oper.	32,673.70	
Grant Fund (OEM)	00.00	
CDBG	00.00	
Town of Secaucus Tax Escrow Acct. w/ending 7/13/18		\$317,697.16
Town of Secaucus Payroll Acct. w/ending 8/24/18		\$618,768.92
Adm. & Exec	16,296.91	
Mayor & Council	1,801.92	
Municipal Clerk	9,141.16	
Community Shuttle Bus	1,220.26	
Legal Dept.	6,741.25	
Municipal Court	17,534.25	
Engineering	5,419.42	
Pub. Bldgs. & Grds.	54,986.70	
Off. Of Inspect.	10,197.07	
Planning Board	71.94	
Bd. Of Adjustments	67.46	
Comm. & Security Adm	5,705.77	
Environmental	2,966.81	
Construction	21,182.12	
Treasurer	25,414.40	
Tax Assessor	6,808.13	
Tax Collector	6,238.51	
Police Dept.	376,633.40	
School Cross Grds.	446.95	
Office of Emergency Man.	612.00	
Road Repair/Maintenance	143,727.64	
Unif. Fire Safety Off.	000.00	
Sewer System	340.82	
Recycling Coord.	6,682.56	
Bd.of Health	3,179.88	
Mosquito Control	00.00	
Social Services	22,519.92	
Fire Department	1,500.00	
Pks. & Play Grds.	000.00	
Supv. Of Play Act.	133,255.77	
Rec. Activities	605.05	
Social Security	45,390.32	
Total Current Fund	000.00	
Pool Social Security	2,265.17	
Pool Oper.	29,226.46	
Town of Secaucus Tax Escrow Acct. w/ending 8/24/18		\$291,755.61
Total Amount Claims	Check No. 55966-565246	\$ 1,754,781.53
Recreation Acct	Check No. 1054	\$ 127,774.30
Recreation On-Line	none	

Note: Current and Trust Account checks are now part of the Total amount of Claims.

AYES: McKeever, Clancy, Dehnert, Tringali, Gonnelli

NAYS: None

ABSTAIN: Gonnelli on all Secaucus Fire Department bills and RAC bills.

ABSENT: Costantino, Gerbasio

Motion carried.

August 28, 2018

Councilman Dehnert moved to approve the foregoing Raffle Licenses applications, seconded by Councilman McKeever.

AYES: McKeever, Clancy, Dehnert, Tringali, Gonnelli
NAYS: None
ABSENT: Costantino, Gerbasio Motion carried.

COMMUNICATIONS REQUIRING ACTION BY MAYOR AND COUNCIL

Request by Harish Sachanandani to use Mill Creek Point for a ceremony.
Request by Jim Pilla for use of the Mill Ridge Fields for a softball tournament
Request by Marcos Flores of Grappling Industries to use the Recreation Center for a Martial Arts Tournament.
Request by Scott Marshman to use the Recreation Center for Color Guard Practice.

Councilman Dehnert moved to approve the foregoing communications, seconded by Councilman McKeever.

AYES: McKeever, Clancy, Dehnert, Tringali, Gonnelli
NAYS: None
ABSENT: Costantino, Gerbasio Motion carried.

COMMITTEE REPORTS

Councilman Clancy spoke about the Junior Firefighter division of the Secaucus Fire Department. He also stated that the Fire Department received a grant for a new fire boat.

Councilwoman Tringali congratulated Trish Smeyers as she was named Hudson County Teacher of the Year.

Councilman McKeever stated that the Flu shots will be available at Marra's Drug Store.

Mayor Gonnelli reminded the public about the Back to School Night being held at the Swim Center.

UNFINISHED BUSINESS

Mayor Gonnelli stated that the Town has received of a grant to be used to reconstruct Meadowlands Parkway.

Councilman Dehnert spoke about upcoming events.

NEW BUSINESS

Councilman Clancy spoke about upcoming events to be held by the Immaculate Conception Church.

Councilman McKeever spoke about upcoming computer classes for senior citizens. He added information on the Town Museum.

Mayor Gonnelli spoke about grants that have been received by the Town.

Councilman McKeever spoke about an event to be held at the VFW.

REMARKS OF CITIZENS

Donald Evanson

Councilman Clancy moved to adjourn the meeting at 7:35 pm, seconded by Councilman Dehnert.

AYES: McKeever, Clancy, Dehnert, Tringali, Gonnelli
NAYS: None
ABSENT: Costantino, Gerbasio Motion carried.

