

Town of Secaucus
CONSENT AGENDA – 10/27/20

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

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

- 1) Resolution certifying that the Governing Body members have reviewed the 2019 Annual Audit “General Comments and Recommendations”
- 2) A resolution on behalf of the Town of Secaucus for approval of Change Order #1 to a contract with AJM Contractors, Inc. for the 2020 Mill/Overlay Program
- 3) A resolution on behalf of the Town of Secaucus authorizing the contract for the removal of contaminated soil at Farm Road Park to Hugerich Construction, Inc.
- 4) A resolution on behalf of the Town of Secaucus regarding authorization to advertise and receive bids for the provision of 2020 Road Program Meadow Lane Reconstruction
- 5) A resolution on behalf of the Town of Secaucus authorizing the award of a contract for the furnishing and installation of a motor and various components for a fire vessel to Nassau Marine holding under the FY 2020 Port Security Grant
- 6) A resolution on behalf of the Town of Secaucus authorizing the award of a contract for a GPS IMOD Needlepoint Bipolar Ionization System to Pow-R-Save
- 7) A resolution on behalf of the Town of Secaucus regarding authorization to advertise and receive bids for the provision of 2020 Road Program Secaucus Road Reconstruction
- 8) Resolution promoting Christine Aguilera to the position of Coordinator in Secaucus Health Department, effective October 26, 2020, at the annual salary of \$44,000.00
- 9) Resolution appointing Robert Williams and Charles Brucaliere each to the Regular Part-Time Position as a Custodian (evening shift) at the Recreation Center Department, effective October 23 and 27 respectively, each at the hourly rate of \$11.00
- 10) A resolution on behalf of the Town of Secaucus authorizing a change in professional service contracts of David Heintjes, Esq.
- 11) Resolution authorizing the submission of an application to the New Jersey Department of Transportation’s Transportation Alternatives Set-Aside Program 2020
- 12) Resolution of support for the Essex Hudson Greenway
- 13) A resolution on behalf of the Town of Secaucus opposing the construction of NJ Transit fossil fuel power plant
- 14) Budget Transfer Resolution

TOWN OF SECAUCUS
MAYOR AND COUNCIL MEETING - OCTOBER 27, 2020
CAUCUS/EXECUTIVE SESSION 4:30 PM
MEETING TO COMMENCE 7:00 PM

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

PLEDGE OF ALLEGIANCE

OPEN PUBLIC MEETINGS ACT

ROLL CALL

APPROVAL OF MINUTES

Resolution approving the minutes of the Regular Meetings of August 25, 2020, September 9, 2020, September 22, 2020 and October 13, 2020

ORDINANCES FOR INTRODUCTION

Ordinance No. 2020-22: An ordinance amending Chapter 28 of the Code of the Town of Secaucus entitled "Police Department" to update qualifications and procedures for appointments

Ordinance No. 2020-23: An ordinance updating Chapter 91 of the Code of the Town of Secaucus entitled Recycling in its entirety

RESOLUTIONS (CONSENT AGENDA)

PLEASE SEE CONSENT AGENDA FOR LIST OF RESOLUTIONS

PAYMENT OF CLAIMS

COMMUNICATIONS REQUIRING ACTION BY MAYOR AND COUNCIL

- 1) Request by the Hudson County Prosecutor's Office to use the Humboldt Street Recreation Center on October 30 for Rapid Deployment Team Training
- 2) Request by the New Jersey Flyers Aquatic Club to use the Pool at the Recreation Center from November 1 to November 30
- 3) Request by the ABL Sports League to use the Humboldt Street Recreation Center on November 1, 8, 15, 22, 29 and December 6 for a men's basketball league
- 4) Request by Maroons Hockey to use the Ice Rink on October 29, November 5, 12 and 19 for a hockey clinic
- 5) Acceptance of resignation of Jake Borrelli as a member of the Secaucus Fire Department
- 6) Acceptance of resignation of Frank Prezioso as a member of the Secaucus Fire Department

COMMITTEE REPORTS

UNFINISHED BUSINESS

NEW BUSINESS

REMARKS OF CITIZENS

ADJOURNMENT

**TOWN OF SECAUCUS
COUNTY OF HUDSON
RESOLUTION**

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, that the minutes of the Regular Meetings of August 25, 2020, September 9, 2020, September 22, 2020 and October 13, 2020 are hereby approved.

October 27, 2020

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 October 27, 2020.

Town Clerk

Mayor

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

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

ORDINANCE NO. 2020-22

**AN ORDINANCE AMENDING CHAPTER 28 OF THE CODE OF THE TOWN OF
SECAUCUS ENTITLED "POLICE DEPARTMENT" TO UPDATE QUALIFICATIONS
AND PROCEDURES FOR APPOINTMENTS**

WHEREAS, the Mayor and Council have determined that changes to the Ordinance entitled "Police Department" shall be made based upon the review and recommendation of the Secaucus Police Department and Police Committee.

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 28 entitled "Police Department," "§28-8. Procedures for appointment." of the Code of the Town of Secaucus be, and is hereby amended and supplemented to read as follows: (additions are indicated in **bold**, deletions indicated by ~~strike~~throughs):

A.

Applications for appointment to the Police Department shall be made on a form and in a manner approved by the Town Administrator. When the Council from time to time determines to fill vacancies, applicants meeting the requirements of Section 28-7 hereof shall be provided with a written examination, with a necessary passing grade of ~~70%~~ **65%**. If successful, then a physical fitness examination shall be completed, with a passing score necessary for all events. Then, if successful, an oral examination with a passing grade of 70% is needed. Eligible Class I and Class II applicants will first be offered the opportunity to take the oral examination, if all other requirements are met. The remaining applicant classes shall be offered the opportunity to take the oral examination after Class I and Class II applicants are exhausted for appointments. In the event of a tie of the final tabulated score based on the above, the applicant with the higher written score shall receive precedence in ranking of the tied applicants. If an applicant successfully passes all the testing components described above, a Police Department background investigation shall be completed. The names of all applicants who pass the aforementioned procedures for appointment shall be brought before the Mayor and Council for consideration for appointment and ranked based upon test results and Section 28-7.1 above. Once given a conditional offer of employment, an applicant must also successfully complete a psychological and medical fitness evaluation for service as a police officer. The testing agencies and physicians shall be those designated by the Town Administrator and approved by the Mayor and Council.

2. There are no other changes to this Chapter of the Code of the Town of Secaucus.
3. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

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

IT IS FURTHER ORDAINED that the remainder of this Chapter 28 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 _____, 2020 and finally adopted by the Mayor and Council on _____, 2020.

Town Clerk

Mayor

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

ORDINANCE NO. 2020-23

**AN ORDINANCE UPDATING CHAPTER 91 OF THE CODE OF THE TOWN OF
SECAUCUS ENTITLED RECYCLING IN ITS ENTIRETY**

WHEREAS, the Town of Secaucus' Environmental Department continuously strives to promote environmentally friendly practices and sustainable growth through a variety of Town initiatives and programs; and

WHEREAS, the Town of Secaucus' has an active and successful recycling program, recycling an estimated 50,000 tons to 80,000 tons from all sources, residential and commercial, in a year; and

WHEREAS, the Town of Secaucus' Environmental Department has recently recommended substantial updates to the Recycling Chapter of the Code of the of Secaucus to expand definitions, address dual stream recycling and disposal of different materials and set forth enforcement provisions to achieve the Town's recycling goals.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, as follows: Chapter 91 of Code of the Town of Secaucus "Recycling" with initial adoption on July 25, 1985 under Ordinance Number 85-40, amended in its entirety March 22, 1988 under Ordinance Number 88-8 and subsequent amendments to sections, is to be repealed in its entirety and replaced with the following:

§ 91-1 Definitions.

As used in this chapter, the following words, phrases, and terms shall have the meaning indicated as follows:

ALUMINUM CANS

All disposable cans made of aluminum used for food and beverages. Specifically excluded are aluminum foils, pie tins, trays, cookware and other such aluminum products.

ANTIFREEZE

All automotive engine coolant consisting of a mixture of ethylene glycol and water or propylene glycol and water.

BATTERIES

Includes lead-acid batteries (batteries from automobiles, trucks, other vehicles and machinery and equipment); rechargeable batteries (Nickel Cadmium (Ni-Cd), Nickel Metal Hydride (Ni-MH), Lithium Ion (Li-on) and Small Sealed Lead (Pb); and Alkaline batteries.

CARTONS

Food and beverage cartons made with paper and wax (for milk, soup, juice, and broth).

COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS

All public or private establishments, including but not limited to, manufacturing, retailing and/or service establishments, food establishments in business for the purposes of consumption (on or off premises) as well as food distribution and/or processing and professional and/or non-profit or for-profit corporate entities.

COMMINGLED RECYCLING

A combining of source-separated recyclable materials, including aluminum cans, glass bottles and jars, cartons and plastics (Nos. 1, 2 and 5) for the purpose of recycling. Commingled recycling shall be empty, clean and dry.

COMPOSTING

A process by which organic materials are turned into "humus" (similar to topsoil).

CORRUGATED CARDBOARD

Cardboard containers used primarily for the packaging, boxing, and/or transportation of products of any type.

CARDBOARD AND PAPER RECYCLING

Includes cardboard containers used primarily for the packaging, boxing and/or transportation of products of any type, and mixed paper.

DESIGNATED RECYCLABLE MATERIALS

All materials designated by the Town of Secaucus and/or designated in the Hudson County District Solid Waste Management Plan to be source separated from the solid waste stream for the purpose of recycling.

DUAL-STREAM RECYCLING

A separating of commingled recycling from cardboard and paper recycling for the purpose of curbside recycling collection.

DWELLING UNIT

Any one-family, two-family or multi-family home; apartments and high rises; condominiums and/or cooperatives.

ELECTRONIC WASTE

Equipment utilizing electricity as defined at N.J.S.A. 13:1E-99.94 et seq., which currently includes televisions, facsimile machines, personal computers, computer monitors and printers.

FERROUS METAL

Includes all discarded products made of steel, or ferrous metal, cast iron components.

GLASS BOTTLES AND JARS

Transparent or translucent containers made from silica or sand, soda ash and limestone, used for the packaging or bottling of various products. Specifically excluded are dishware, broken glass, glass shards, light bulbs, window glass, ceramics and other such glass products.

HAZARDOUS WASTE

Includes all waste as defined in N.J.S.A 12:1E-38, N.J.S.A. 12:1E-51 and N.J.A.C. 7:26-8.1 et seq.

LEAVES

Foliage from plants and trees only.

METAL

All cans, other than aluminum, consisting entirely of steel, tin, or bimetel and used in the storage of food and beverages.

MIXED OFFICE PAPER

White office paper, white copy paper, white computer printout paper, white bond paper and white typing paper.

MIXED PAPER

Any combination of newspaper, high grade paper, "junk mail" and advertisements and nonwhite paper.

NEWSPAPERS

Paper of any type commonly referred to as newsprint and distributed at stated intervals usually daily or weekly, having printed thereon news and opinions and containing advertisements and other matters of public interest.

PERSON

Any individual, firm, partnership, corporation or association of persons.

PLASTIC CONTAINERS

Plastic bottles and food containers limited to plastic resin type #1 PET, plastic resin type #2 HDPE and plastic resin type #5, PP. Specifically excluded are other resin types (#3, #4, #6 and #7) and other consumer items and packages, such as film plastics, blister packaging, boxes, baskets, toys and other such products.

RECYCLING

The process by which designated materials, which would otherwise become solid waste, are separated, collected, processed and returned to the economic mainstream in the form of raw materials or products.

SCRAP METAL

All discarded products made of steel, aluminum or other materials used for any purpose, excluding food and/or beverage packing.

SOLID WASTE

All garbage and rubbish that is collected for disposal, as defined in N.J.S.A. 13:1E-38, N.J.S.A. 13:1E-51 and N.J.A.C. 7:26-8.1, et seq., and amendments thereto.

SOURCE SEPARATION

The process by which recyclable materials are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling.

TIRES

Rubber wheels used on motorized transport or equipment whether bias-ply, cross ply or radial.

WHITE GOODS

Includes household or commercial appliances made of steel or any other form of metal, including refrigerators, freezers, washing machines, dryers, furnaces, stoves, ranges, hot water heaters, air conditioners, trash compactors, dishwashers, and other household or commercial appliances.

YARD WASTE

Grass clippings, hedge trimmings, Christmas trees, twigs, sticks, branches and/or shrubbery.

USED MOTOR OIL

All waste crank case oils used with internal combustion engines, generators, turbines, etc.

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§ 91-2 Purpose; persons responsible.

- A. It is the purpose of this chapter to establish a mandatory program for the source separation of the following designated recyclable materials to be source-separated from the solid waste generated within the Town of Secaucus for the purpose of recycling.
- B. The following are designated recyclable materials to be source-separated from solid waste:
 - Aluminum cans, antifreeze, batteries, brush/tree parts, cartons, concrete/asphalt and masonry/paving materials, corrugated cardboard, electronic waste, glass bottles and jars, leaves, metal, mixed paper and mixed office paper, plastic containers, used motor oil and used motor oil filters, whites goods, yard waste, and untreated wood.

This above list reflects the most recent list of designated recyclable materials, which may be amended as markets develop for other materials or as required by the State of New Jersey or the County of Hudson.

All owners, lessees, or occupants of dwelling units, and all owners, lessees, and occupants of business, commercial and/or industrial establishments, and all owners, lessees, and occupants of private, public and governmental institutions and facilities, shall comply with all the provisions and obligations set forth in this chapter.

The owner of any property shall be responsible to inform all occupants of their property of the provisions of this chapter and the designated collection regulations.

For multifamily dwelling units, the owner or management is responsible for maintaining the recycling system, including collection of commingled recycling and cardboard and paper recycling. Violations and penalties will be directed to property owners or management in instances where the violator is not easily identifiable. The owner or management shall issue notification and collection rules to new tenants when they arrive and every six months thereafter.

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§ 91-3 Compliance.

- A. It shall be unlawful for all persons who are owners, lessees, or occupants of dwelling units, and all owners, lessees, and occupants of business, commercial and/or industrial establishments, and all owners, lessees, and occupants of private, public and governmental institutions and facilities within the Town of Secaucus, to fail to separate designated

recyclable materials listed in § 91-2 from solid waste and to recycle said materials in the following manner:

- (1) Regular curbside collection of designated recyclable materials by the Town of Secaucus includes commingled recycling and cardboard and paper recycling.
 - a) Commingled recycling shall be separated from cardboard and paper recycling, as dual-stream recycling.
 - b) Under no circumstances shall commingled recycling and/or cardboard and paper recycling be placed in plastic bags of any type.
 - c) Containers or receptacles shall be placed at designated collection or pick-up site(s) on day(s) to be determined by the Town of Secaucus or its authorized agent, in accordance with all applicable regulations.
- (2) All other designated recyclable materials shall be recycled in accordance with Recycling Instructions published by the Town of Secaucus the County of Hudson or in accordance with applicable state and federal regulations, including but not limited to, antifreeze, batteries, brush/tree parts, concrete/asphalt and masonry/paving materials, electronic waste, leaves, metal, used motor oil and used motor oil filters, whites goods, yard waste, and untreated wood.

B. Cardboard and paper recycling.

- (1) Cardboard shall be flattened and have any other attached materials such as Styrofoam or plastic removed. Cardboard and paper recycling shall be tied securely in bundles with twine, rope, cord or other such binding to facilitate handling or kept in an enclosed bin or container to ensure that it will not be windblown or distributed onto the public thoroughfare.
- (2) Bundles or open collection containers containing cardboard, newspapers, mixed paper or mixed office paper should not be exposed to moisture or rainfall and kept contained in covered storage if such is likely to occur.
- (3) If bundled, bundles should not exceed a weight of 30 pounds each or a height of more than 12 inches each.

C. Commingled recycling.

- (1) Glass containers, aluminum cans, plastics, and cartons used for the storage of food and/or beverages shall be clean, empty, and dry.
- (2) Occupants of dwelling units shall place all commingled recyclables in containers or receptacles provided by the Town of Secaucus, building or complex management or self-supplied.
- (3) Notwithstanding the foregoing, any owners, lessees, or occupants of a dwelling unit, may utilize glass food and beverage containers and/or aluminum cans for the disposal of non-hazardous liquid wastes and place same with other regular solid waste.

D. Liquid and Hazardous Waste Exclusions.

- (1) No liquids of any type shall be placed with collected recyclable materials.
- (2) No chemicals, liquid paints, pesticides, herbicides, reactive polishes or cleansers, cleaning or automotive products, propane tanks or other Hazardous Wastes shall be placed with collected recyclable materials or with designated collected solid waste for collection.

E. Non-residential establishment compliance requirements.

- (1) The arrangement for collection of designated recyclables hereunder shall be the responsibility of the commercial, institutional or industrial property owner or their designee. All commercial, institutional or industrial properties which provide outdoor litter receptacles and disposal service for their contents shall also provide receptacles for commingled recycling and cardboard and paper recycling, for those materials commonly deposited, in the location of the litter receptacle, and shall provide for separate recycling service for their contents. The property owner or their designee is responsible for setting up and maintaining the recycling system, including collection of commingled recycling and cardboard and paper recycling, and placement at curbside for collection on the designated collection day(s) and time(s) only. Violations and penalty notices may be directed to the property owner, representative or management.
- (2) Every business, institution or industrial facility shall report on an annual basis to the Town's Recycling Coordinator, on such forms as may be prescribed, on recycling activities at its premises, including the amount of recycled material collected and recycled, by material type, and the vendor(s) providing recycling service.
- (3) All food service establishments shall, in addition to compliance with all other recycling requirements, be required to recycle grease created in the processing of food or food products, and maintain such records as may be prescribed, for inspection by any code enforcement officer.

§ 91-4 Collection by authorized persons.

- A. The Town of Secaucus may use municipal personnel to collect the recyclable materials set forth herein at designated curbside and/or collection or pick-up site(s) and shall dispose of or sell said recyclable materials, if a market exists therefor, pursuant to N.J.S.A. 40A:11-1, et seq. and amendments thereto.
- B. The Town of Secaucus may elect to enter into agreements with qualified persons, partnerships, or corporations for the purpose of authorizing them to collect all said recyclable materials, or any portion thereof, at curbside or collection or pick-up site(s).
- C. The Recycling Coordinator(s) shall, upon receipt of a completed and approved application, issue approvals to any person, civic, fraternal, non-profit, or for-profit organization, authorizing a drop-off collection point for the aggregation of certain specific recyclable materials. Issuance of an approval shall not, however, authorize said person, civic, fraternal, non-profit, or for-profit organization to pick-up or collect said specific recyclable materials from any curbside, or from any designated municipal collection or pick up site(s) in the Town of Secaucus.
- D. Nothing herein shall prohibit the Town from using its own personnel to collect leaves and yard waste, commingled recycling, cardboard and paper recycling, or such other designated

recyclable materials, or contract out the cost of said collection, as may be determined to be in the best interests of the municipality.

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§ 91-5 Collection by unauthorized persons prohibited.

- A. Designated recyclable materials, as defined herein, shall be the property of the Town of Secaucus once placed at the designated collection or pick-up site(s) authorized by the Town of Secaucus or its designated agent.
- B. No unauthorized person shall pick up or cause to be picked-up said recyclable materials. Each such unauthorized collection will be illegal and in violation of this chapter and shall constitute a separate and distinct offense, punishable as hereinafter provided.

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§ 91-6 Direct disposal of recyclable materials by owners.

Notwithstanding the provisions of this chapter, any owner, lessee, or occupant of a dwelling unit, public or private institution, or commercial or industrial establishment, may donate or sell recyclable materials as defined herein, to any person, partnership, or corporation, whether or not operating for profit. However, said person, partnership, or corporation shall not pick-up said recyclable materials at curbside or at any collection or pick-up site(s) designated by the Town or its designated agent.

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§ 91-7 Collection.

- A. The Recycling Coordinator(s) of the Town of Secaucus shall establish the collection or pick-up site(s) and the day(s) of collection for the designated recyclable materials defined herein. Said information shall be kept on file with the Superintendent of the Department of Public Works.
- B. Labeling of containers: Owners, lessees, or occupants of dwelling units, and all owners, lessees, and occupants of business, commercial and/or industrial establishments, and all owners, lessees and occupants of private, public and governmental institutions and facilities shall provide separate and clearly marked containers for solid waste and the various types of recyclables, as appropriate.

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§ 91-8 Verification of private recycling tonnage.

- A. Any owner, lessee or occupant of any dwelling unit, public or private institution and commercial or industrial establishment, actively participating in a recycling program within the Town of Secaucus, which is not operated by the Town of Secaucus or its authorized agent, shall submit biannual documentation in accordance with the requirements of the State of New Jersey, which verifies the tonnage of materials recycled.
- B. Such biannual documentation of tonnage shall be submitted to the Recycling Coordinator(s) no later than twenty (20) days following July 31 and December 31 of each year. Failure to provide this information may cause the program to be terminated at the option of the Town Recycling Coordinator(s).

§ 91-9 Prohibition of the Collection of Solid Waste Mixed with Recyclable Materials.

- A. Solid waste collectors shall not collect solid waste that is mixed with, or contains visible signs of, designated recyclable materials. It is also not permitted for solid waste collectors to remove for disposal those bags or containers of solid waste which visibly display a warning notice sticker or some other device indicating that the load of solid waste contains designated recyclable materials.
- B. It shall be the responsibility of the owner, lessee or occupant to properly segregate the uncollected solid waste for proper disposal or recycling. Allowing such unseparated solid waste and recyclables to accumulate will be considered a violation of this article and the local sanitary code.
- C. Once placed in the designated collection or pick-up site(s) authorized by the Town of Secaucus or its designated agent, no person, other than those authorized by the municipality, shall tamper with, collect, remove, or otherwise handle designated recyclable materials.

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§ 91-10 Enforcement.

Members of the Secaucus Police Department, the Secaucus Health Department, the Secaucus Environmental Department, the Recycling Coordinator(s), the Property Maintenance Officer(s), and the Superintendent of the Department of Public Works are hereby designated to enforce this chapter and amendments thereto. The respective enforcing official may, in their discretion, post warning notice tags, mail notices of violation, or issue summons for any offense, after sight or sound inspection. An inspection may consist of sorting through containers and opening of solid waste bags to detect, by sound or sight, the presence of any recyclable material.

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§ 91-11 Penalties.

- A. Unless another penalty is expressly provided in this Chapter, any person violating or failing to comply with any provision of this chapter, or any regulations promulgated hereto, shall upon conviction thereof be punishable by a fine of not less than \$50 nor more than \$1,000, at the discretion of the Municipal Court Judge. The continuation of such violation, and each violation or the continuation of such violation, shall constitute a separate and distinct offense, punishable as provided for herein.
- B. The following fines for various sections of Chapter 91 of the Code of the Town of Secaucus entitled "Recycling" shall be as follows:

Section	Description	Penalty
§91-3(A)	Mandated recyclable items observed with solid waste	\$54
§91-3 (A)(1)(a)	Failure to separate cardboard and paper recycling from commingled recycling	\$54

§91-3 (A)(1)(b)	Use of prohibited plastic bags for placement of recyclables	\$54
§91-3 (A)(1)(c)	Violation of recycling schedule or designated location	\$54
§91-3 (B)(1)	Cardboard recyclables violation: not contained or covered; exposed to moisture	\$54
§91-3 (C)	Comingled recyclables violation: contaminated; not contained in containers or receptacles	\$54

Fines levied and collected pursuant to the provisions of this Ordinance shall be immediately deposited into the Municipal Recycling Fund. Monies in the Municipal Recycling Trust Fund shall be used for

§ 91-12 Repealer.

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

§ 91-13 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.

§ 91-14 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.

2. There are no other changes to this Chapter of the Code of the Town of Secaucus.

IT IS FURTHER ORDAINED that the remainder 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 _____, 2020 and finally adopted by the Mayor and Council on _____, 2020.

Town Clerk

Mayor

TOWN OF SECAUCUS
COUNTY OF HUDSON
RESOLUTION

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Clerk of Town Council pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated a regulation N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled: "Schedule of Findings and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled: "Schedule of Findings and Recommendations" as evidenced by the group affidavit form of the governing body attached hereto: and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Secaucus, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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 October 27, 2020.

Town Clerk

Mayor

Motion:	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Ciancy				
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
FOR APPROVAL OF CHANGE ORDER #1 TO A CONTRACT WITH AJM
CONTRACTORS, INC. FOR THE 2020 MILL/OVERLAY PROGRAM**

WHEREAS, the Town of Secaucus has a contract with AJM Contractors, Inc. for the 2020 Mill/Overlay Program, under Resolution 2020-145, in the amount of \$182,740.00; and

WHEREAS, it has been determined that additional work is needed, including additional grading, which will increase the total cost by Forty-Seven Thousand Nine Hundred Sixty Dollars and 00/100 (\$47,960.00); and

WHEREAS, there is a need for a Change Order #1 to increase the contract with AJM Contractors, Inc. in the amount of Forty-Seven Thousand Nine Hundred Sixty Dollars and 00/100 (\$47,960.00) for the work set forth, which will increase the overall contract amount to Two Hundred Thirty Thousand Seven Hundred Dollars and 00/100 (\$230,700.00); and

WHEREAS, the Chief Financial Officer certifies that there are sufficient funds under account 10-2150-55-70608-001 for said contract.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, that the above statements are incorporated herein and Change Order #1 for AJM Contractors, Inc. in the amount of Forty-Seven Thousand Nine Hundred Sixty Dollars and 00/100 (\$47,960.00) is hereby approved.

Adopted: October 27, 2020

I, Sheetal Nagpal, Treasurer of the Town of Secaucus,
do hereby certify that funds are available in accordance
with the Local Budget Law N.J.S.A. 40A:4-1 in
Account Number:

10-2150-55-70608-001

Amount \$ 47,960.00 Date 10/27/20

Sheetal Nagpal
Sheetal Nagpal

Resolution No. _____

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

**A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS AUTHORIZING THE
CONTRACT FOR THE REMOVAL OF CONTAMINATED SOIL AT FARM ROAD
PARK TO HUGERICH CONSTRUCTION, INC.**

WHEREAS, the Town of Secaucus has the need for the Removal of Contaminated Soil at Farm Road Park; and

WHEREAS, Hugerich Construction, Inc. was awarded a contract for Heavy Equipment Leasing Services on February 13, 2018 per Resolution 2018-58, and was extended under Resolution 2019-30, and Resolution 2020-49;

WHEREAS, the Town of Secaucus received a proposal from Hugerich Construction of Secaucus, NJ for the Removal of Contaminated Soil at Farm Road in an amount of Two Hundred Forty-Eight Thousand Six Hundred Seventy-Seven Dollars and 00/100 (\$248,677.00); and

WHEREAS, the proposal includes a deposit of Seventy-Four Thousand Six Hundred Three Dollars and 10/100 (\$74,603.10), to be paid prior to the start of work; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds to award this contract are available under line items 01-2030-00-11233-069 \$193,212.38 and 01-2010-00-11233-069 \$55,464.62 ; 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 a contract to Hugerich Construction, Inc., for the Removal of Contaminated Soil for an amount not to exceed Two Hundred Forty-Eight Thousand Six Hundred Seventy-Seven Dollars and 00/100 (\$248,677.00); and

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

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

Adopted: October 27, 2020

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 October 27, 2020.

Town Clerk

Mayor

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

I, Sheetal Nagpal, Treasurer of the Town of Secaucus, do hereby certify that funds are available in accordance with the Local Budget Law NJSA 40A:4-1 in Account Number:

Amount \$ _____ Date 11/1

Sheetal Nagpal

I, Sheetal Nagpal, Treasurer of the Town of Secaucus, do hereby certify that funds are available in accordance with the Local Budget Law NJSA 40A:4-1 in Account Number:

Amount \$ 248,677.00 Date 10/27/2020

Sheetal Nagpal
Sheetal Nagpal

01-2030-00-11233-069 \$193,212³⁸

01-2010-00-11233-069 \$ 55,464⁶²

\$ 248,677⁰⁰



66 Henry St Secaucus, NJ 07094
 Phone: 201-864-7777 Fax: 201-864-7005

Date 10/19/2020
 Customer Town of Secaucus
 Project Name Secaucus T&M
 Job Number 1006-1
 Location Farm Rd
 Invoice No 1006-1-91
 Sheet No 1 of 1
 Invoice Date 10/19/2020

Description of work: 30% Deposit for rail transfer of environmentally impacted soil

Description	Unit	Quantity	Rate	Material Cost
100 Ton Gondala to Waste Mangement Emelle AL	EA	10	\$22,607.00	\$226,070.00
Material Subt Total				\$226,070.00
O/P(10%)				\$22,607.00
Total				\$248,677.00
30% Deposit				\$74,603.10
Amount Due				\$74,603.10

Resolution No. _____

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

**A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
REGARDING AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS FOR THE
PROVISION OF 2020 ROAD PROGRAM MEADOW LANE RECONSTRUCTION**

WHEREAS, the Town of Secaucus requires the provision of the 2020 Road Program Meadow Lane Reconstruction

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Town Council for the Town of Secaucus, County of Hudson, State of New Jersey that the Town Clerk is hereby authorized to advertise for and receive bids from vendors for the provision of the 2020 Road Program Meadow Lane Reconstruction.

Adopted: October 27, 2020

Resolution No. _____

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

**A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS AUTHORIZING
THE AWARD OF A CONTRACT FOR THE FURNISHING AND INSATALLATION OF A
MOTOR AND VARIOUS COMPONENTS FOR A FIRE VESSEL TO NASSAU MARINE
HOLDING UNDER THE FY 2020 PORT SECURITY GRANT**

WHEREAS, the Town of Secaucus' Fire Department has the need for the Furnishing and Installation of a Motor and Various Components for their Fire Vessel; and

WHEREAS, the Town of Secaucus' Fire Department has obtained three (3) quotes for these services; and

WHEREAS, Nassau Marine Holding, located at 3245 Rt. 35 South, Lavallette, NJ 08735, has submitted a proposal, that was presented to the qualified purchasing agent, providing for the Furnishing and Installation of a Motor and Various Components for a Fire Vessel at an amount not to exceed Thirteen Thousand Two Hundred Thirty-Five Dollars and 97/100 (\$13,235.97); and

WHEREAS, Nassau Marie Holding was the lowest responsible quote; and

WHEREAS, this contract will be funded by the FY 2020 Port Security Grant; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds to award this contract are available under line item 09-3000-00-92347-002.

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 Furnishing and Installation of a Motor and Various Components to Nassau Marine Holding at an amount not to exceed Thirteen Thousand Two Hundred Thirty-Five Dollars and 97/100 (\$13,235.97); and

BE IT FURTHER RESOLVED, that Nassau Marine Holding shall provide any and all compliance information requested by the Town of Secaucus Office of Purchasing; and

BE IT FURTHER RESOLVED, that the Mayor, Town Administrator, or their designee are hereby authorized to execute any documents regarding the awarding of the contract with Nassau Marine Holding for the services as described herein; and

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

Adopted: October 27, 2020

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 October 27, 2020.

Town Clerk

Mayor

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

I, Sheetal Nagpal, Treasurer 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:

08-3000-00-92349-002

Amount \$ 13,235.97 Date 10/27/20

Sheetal Nagpal
Sheetal Nagpal

Resolution No. _____

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

**A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS AUTHORIZING
THE AWARD OF A CONTRACT FOR A GPS IMOD NEEDLEPOINT BIPOLAR
IONIZATION SYSTEM TO POW-R-SAVE**

WHEREAS, the Town of Secaucus has determined the need for a GPS IMOD Needlepoint BiPolar Ionization System for Secaucus Town Hall to help protect Town staff and residents from Covid-19; and

WHEREAS, the Town of Secaucus has obtained three (3) quotes for a GPS IMOD Needlepoint BiPolar Ionization System; and

WHEREAS, Pow-R-Save, located at 15 Somerset Place Clifton, NJ 07012 has submitted a proposal, dated October 7, 2020, that was presented to the qualified purchasing agent, providing for a GPS IMOD Needlepoint BiPolar Ionization System at an amount of Twelve Thousand Four Hundred Fifty Dollars and 00/100 (\$12,450.00); and

WHEREAS, Pow-R-Save was the lowest responsible quote; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds to award this contract are available under line item 12-2830-00-02900.

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 a GPS IMOD Needlepoint BiPolar Ionization System 1203 Paterson Plank Road to Pow-R-Save at an amount not to exceed Twelve Thousand Four Hundred Fifty Dollars and 00/100 (\$12,450.00); and

BE IT FURTHER RESOLVED, that Pow-R-Save shall provide any and all compliance information requested by the Town of Secaucus' Office of Purchasing; and

BE IT FURTHER RESOLVED, that the Mayor, Town Administrator, or their designee are hereby authorized to execute any documents regarding the awarding of the contract with Pow-R-Save for a GPS IMOD Needlepoint BiPolar Ionization System as described herein; and

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

Adopted: October 27, 2020

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 October 27, 2020.

Town Clerk

Mayor

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

I, Sheetal Nagpal, Treasurer 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:

12-2830-00-02900

Amount \$ 12,450.00 Date 10/27/20

Sheetal Nagpal
Sheetal Nagpal

Resolution No. _____

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

**A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
REGARDING AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS FOR THE
PROVISION OF 2020 ROAD PROGRAM SECAUCUS ROAD RECONSTRUCTION**

WHEREAS, the Town of Secaucus requires the provision of the 2020 Road Program Secaucus Road Reconstruction.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Town Council for the Town of Secaucus, County of Hudson, State of New Jersey, that the Town Clerk is hereby authorized to advertise for and receive bids from vendors for the provision of the 2020 Road Program Secaucus Road Reconstruction.

Adopted: October 27, 2020

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 and Human Resources Director the below person is hereby promoted to the position of Coordinator in the Health Department (#070000) at the salary noted below, effective October 26, 2020:

Aguilera, Christine

\$44,000.00 / 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 October 27, 2020.

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
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 recommendations of Michael Pero, Superintendent of Receptions, the below individuals are hereby appointed to the regular part time Custodian position (shifts evening & weekend) at the Rec Center Department (#085000) effective October 27, 2020 as follows:

Williams, Robert (start 10/23/20)	\$11.00 / Hour
Brucaliere, Charles #5041	\$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 October 27th, 2020.

	Mayor			
Town Clerk	Yes	No	Abstain	Absent
Motion:				
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**

**A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
AUTHORIZING A CHANGE IN PROFESSIONAL SERVICE CONTRACTS
OF DAVID J. HEINTJES, ESQ.**

WHEREAS, the Mayor and Council of the Town of Secaucus seek the services of various professionals for one (1) year contract terms, and sought such last on January 15, 2020; and

WHEREAS, David J. Heintjes, Esq., was awarded a Professional Service Contract for Labor Attorney and Alcoholic Beverage Control Board Counsel pursuant to **Resolution 2020-65** dated February 25, 2020.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Secaucus, County of Hudson, in the State of New Jersey, accept that the contract with David J. Heintjes, Esq. for Labor Attorney and Alcoholic Beverage Control Board Counsel will be through the firm Weiner Law Group LLP, 629 Parsippany Road, Parsippany, New Jersey as Attorney Heintjes is now associated with that firm; and

BE IT FURTHER RESOLVED, that the Purchasing and Finance Departments be advised of the address change for the services of David J. Heintjes, Esq. for the remainder of the professional service contract period through February 14, 2020; and

BE IT FURTHER RESOLVED, that the Mayor, Town Administrator 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: October 27, 2020

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 October 27, 2020.

Town Clerk

Mayor

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

**COUNCIL OF THE TOWN OF SECAUCUS
HUDSON COUNTY, NEW JERSEY**

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING THE SUBMISSION OF AN
APPLICATION TO THE NEW JERSEY DEPARTMENT OF
TRANSPORTATION'S TRANSPORTATION ALTERNATIVES
SET-ASIDE PROGRAM 2020**

WHEREAS, the Town of Secaucus, State of New Jersey, desires to apply to the New Jersey Department of Transportation for funding under the 2020 Transportation Alternatives Set-Aside Program; and,

WHEREAS, the Town of Secaucus has designed the Plaza Center Streetscape Project to meet all criteria necessary to receive funding under the Transportation Alternatives Set-Aside Program, and to maximize accessibility of multiple modes of surface transportation in the area of Plaza Center; and,

WHEREAS, the primary activity of the Plaza Center Streetscape Project will be to complete a number of streetscape improvements that will improve pedestrian access to Plaza Center and beautify the Plaza Center area; and,

WHEREAS, this primary activity involves land that is owned by the Town of Secaucus, and the Town of Secaucus hereby commits to maintain the streetscape after the improvements are completed; and,

WHEREAS, responsibilities for administering the proposed project in accord with federal and state guidelines (to be known as the Responsible Charge) will be Gary Jeffas, full-time Town Administrator; and,

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Secaucus, County of Hudson, State of New Jersey, formally authorizes submission of the electronic grant application identified as TA-2020-Plaza Center Streetscape Project-00035 to the New Jersey Department of Transportation for funding under the Transportation Alternatives Set-Aside Program on behalf of the Town of Secaucus.

Certified as a true copy of the Resolution adopted by the Council on this 27th day of October, 2020.

Michael Marra

Town Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approved the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

Michael Marra

Town Clerk

Michael Gonnelli

Mayor

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

Resolution No. _____

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

RESOLUTION OF SUPPORT FOR THE ESSEX HUDSON GREENWAY

WHEREAS, the Old Boonton Right-of-Way which averages 100' in width passes through portions of two (2) counties and eight (8) municipalities including the Town of Secaucus, and will connect users to a myriad of schools, businesses, transit stations, and facilities providing a safe corridor of travel for students and commuters alike; the proposed Essex-Hudson Greenway ("Greenway") will provide new recreational and alternative transportation opportunities for residents of the towns within the Greenway, as well as the surrounding communities throughout the counties; and

WHEREAS, the project will provide Town residents, employees and visitors with safe bicycle connections to the communities, parks, colleges, commerce and other destinations along the route; increase property values; ease local congestion on roads; provide a close-to-home, inexpensive venue for regular outdoor exercise; and

WHEREAS, the Open Space Institute Land Trust, Inc., a regional charity active in the development of parks and rail trails, has entered into a Purchase and Sale Agreement with Norfolk Southern Railway Company; owners, to acquire the 8.63-mile rail right-of-way of the former New York & Greenwood Lake Railroad beginning at the point of abandonment in Montclair Township at Mile Post WD 11.6 (near Station 600+46), and lying within the municipalities of Montclair Township, Glen Ridge Borough, Bloomfield Township, Belleville Township, and the City of Newark in Essex County and the Town of Kearny, the Town of Secaucus to the point of abandonment in the City of Jersey City in Hudson County at Mile Post WD 2.9 (near Station 255 + 61) (hereinafter referred to as the "Old Boonton Right of Way"); and

WHEREAS, the design and construction of the Essex-Hudson Greenway will incorporate stormwater mitigation measures and 'green' infrastructure designed to mitigate stormwater flooding and Combined Sewer Outfall (CSO) overflows in the communities where such Greenway will be located; and

WHEREAS, the Town of Secaucus will work with stakeholders to request the support of state and federal agencies, including the State Department of Environmental Protection, Department of Transportation, Department of Community Affairs, and the Economic Development Authority, as well as the Essex and Hudson State Legislature Representatives and the congressional delegations whenever possible to identify additional financial resources.

NOW, THEREFORE, BE IT RESOLVED, the Town of Secaucus, County of Hudson, State of New Jersey, formally supports the Essex Hudson Greenway project through this act of resolution; and

BE IT FURTHER RESOLVED the Council of Secaucus applauds the reuse of the Old

Boonton Right of Way for the purpose of conservation and recreation and to enable the establishment and construction of a multi-use trail along the right-of-way to be known as the Essex-Hudson Greenway.

Adopted: October 27, 2020

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 October 27, 2020.

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
OPPOSING THE CONSTRUCTION OF NJ TRANSIT FOSSIL FUEL POWER PLANT**

WHEREAS, NJ Transit has proposed to build a gas-fired power plant (“NJ TRANSITGRID Traction Power System”) in Kearny, New Jersey, in a region whose five counties, Bergen, Hudson, Passaic, Union, and Essex have 3.5 million residents, making it among the most densely populated in the country; and

WHEREAS, NJ Transit will use \$546 million of taxpayer money to construct this plant; and

WHEREAS, Northern New Jersey already suffers high levels of air pollution from eight fossil-fuel power plants which are among the largest sources of such pollution in New Jersey; and

WHEREAS, NJ Transit’s environmental impact statement estimates this power plant would emit at least 577,000 tons of GHG (greenhouse gases) annually and emissions would be in direct opposition to the goals of the NJ Clean Energy Act, EO 28, EO 100, the 2019 Energy Master Plan and New Jersey’s EJ policies; and

WHEREAS, based on scientific studies NJ Transit’s environmental impact statement understates the lifecycle methane emissions from the plant, which would bring its total annual emissions to over 1 M tons of GHG (an increase of 1% in total NJ GHG emissions); and

WHEREAS, according to *International Journal of Environmental Research and Public Health*, gas infrastructure facilities can annually emit hundreds of tons of pollutants including particulate matter, toxic chemicals such as sulfur dioxide, mercury, and known carcinogens such as benzene and formaldehyde, and are known to increase the severity of asthma and other respiratory diseases; and

WHEREAS, the American Lung Association “State of the Air 2020” report gives Bergen and Hudson counties grades of “F” and Passaic and Essex counties grades of “D” for ground-level ozone air pollution and are out of compliance with EPA limits on ozone, but this proposed plant will be allowed to increase the concentration of ozone precursors (volatile organic compounds and nitrogen oxides) resulting in increased ground-level ozone in this region through the purchase of “ozone credits;” and

WHEREAS, the American Lung Association “State of the Air 2020” report shows Northern New Jersey already has significant populations with pediatric and adult asthma, COPD, and other conditions such as cardiovascular disease, diabetes, cancer, nervous disorders, and mental disorders which will be exacerbated by additional volumes of air pollution, and studies have shown ground-level ozone causes premature death; and

WHEREAS, the long-term negative impact of polluted air and the poor health conditions it creates or aggravates contributed to the high death toll from COVID-19 in New Jersey and will continue to put these populations at higher than average risk, especially in our minority communities; and

WHEREAS, the location of this gas-fired power plant in a flood-prone area already highly contaminated with toxic chemicals represents poor land-use planning and its construction increases the risk of existing contaminants migrating into the Hackensack River, and poses a direct threat to one of the state's most crucial ecological resources, the Meadowlands; and

WHEREAS, the rapidly declining cost of solar energy and storage have already caused the cancellation of projects using gas to generate electricity and is forecasted to become significantly cheaper than gas in the coming years, and other renewable energy sources and improvement in energy storage technology will likely leave NJ Transit with a stranded asset thus wasting \$546 million in taxpayer funds; and

WHEREAS, hybrid microgrids using a combination of primarily renewable energy and storage technologies with backup emergency fossil fuel or tidal power (to be used only when the commercial grid is down) have been demonstrated to be cost-effective approaches when compared to all fossil fuel designs for microgrids whose purpose is to provide power when commercial power is not available; and

WHEREAS, hybrids microgrids have potentially better resiliency (through multiple, synergistic sources of power) that may better serve the needs of NJ Transit, while eliminating virtually all air pollution emissions; and

WHEREAS, NJ Transit has never considered such a state-of-the art hybrid microgrid solution; and

WHEREAS, the Mayor and Town Council of the Town of Secaucus do not oppose NJ Transit's efforts to improve the resiliency of public transportation and recognizes that the many jobs involved in this project, if not more, will still be created by using a hybrid microgrid solution instead of a gas-fired power plant: and

WHEREAS, trade union workers in our state deserve economic expansion and infrastructure projects that don't negatively impact our public health and environment, and which are forward-looking and will develop needed skills and expertise in renewable energy technologies; and

WHEREAS, the Mayor and Town Council of the Town of Secaucus have a principal responsibility to protect the health and safety of the Town's residents and businesses as well as to ensure the prudent spending of tax dollars paid by its citizens; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Secaucus, County of Hudson, State of New Jersey, in the interest of protecting its residents and businesses opposes construction of this gas-burning NJ Transit power plant; and

BE IT FURTHER RESOLVED, that Michael Marra, Town Clerk shall forward this Resolution to Governor Phil Murphy, Congressman Bill Pascrell Jr., Commissioner of the New Jersey Department of Environmental Protection Catherine McCabe, NJ Transit Executive Direction Kevin Corbett, State Senator Robert Menendez, Assemblywoman Angelica Jimenez, Assemblyman Pedro Mejia, County Executive Tom DeGise, and Hackensack Meadowlands Municipal Committee.

CERTIFICATION

I, Michael Marra, MUNICIPAL CLERK OF THE TOWN OF SECAUCUS, CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND TOWN COUNCIL ON OCTOBER 27, 2020.

Michael Marra
MUNICIPAL CLERK

**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, that the Chief Financial Official be and is hereby authorized to make the following transfers for 2020 budget year effective 11/01/2020 in accordance with N.J.S.A 40a:4-58, two thirds of the full membership of the Town Council concurring:

Transfer from		Transfer to	
Recreational Activities	\$60,000.00	Community Shuttle S/W	\$20,000.00
(Account 51811)		Social Services S/W	\$32,000.00
		Board of Health S/W	\$ 5,000.00
		Board of Health O/E	<u>\$ 3000.00</u>
	<u>\$60,000.00</u>		<u>\$60,000.00</u>