

**TOWN OF SECAUCUS
MAYOR AND COUNCIL MEETING - OCTOBER 24, 2017
CAUCUS/EXECUTIVE SESSION 4:30 PM
MEETING TO COMMENCE 7:00 PM**

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

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

PLEDGE OF ALLEGIANCE

OPEN PUBLIC MEETINGS ACT

ROLL CALL

APPROVAL OF MINUTES

Resolution approving the minutes of the Regular Meetings of September 12, 2017, September 26, 2017 and October 10, 2017

ORDINANCES FOR PUBLIC HEARING

Ordinance No. 2017-25: Bond ordinance to authorize the making of various public improvements in, by and for the Town of Secaucus, in the County of Hudson, State of New Jersey, to appropriate the sum of \$500,000 to pay the cost thereof, to make a down payment, to authorize the issuance of bonds to finance such appropriation and to provide for the issuance of bond anticipation notes in anticipation of the issuance of such bonds

ORDINANCES FOR INTRODUCTION

Ordinance No. 2017-26: Ordinance amending Chapter 127-58B of the Code of the Town of Secaucus entitled "Designation of Locations at or Near Private Residences" (Deletion of handicapped parking spots on Born Street and First Street)

RESOLUTIONS (CONSENT AGENDA)

PLEASE SEE CONSENT AGENDA FOR LIST OF RESOLUTIONS

PAYMENT OF CLAIMS

BINGO/RAFFLE APPLICATIONS

1)Application for an Off-Premise Draw Raffle to be held on December 3, 2017, sponsored by Unico National Secaucus

COMMUNICATIONS REQUIRING ACTION BY MAYOR AND COUNCIL

1)Termination of Lexys Matias as a member of Rescue 1/Engine 2 for just cause

2)Request by John Mastropietro to use Kane Stadium from 5pm to 10pm on October 28 and 29 for baseball games

COMMITTEE REPORTS

UNFINISHED BUSINESS

NEW BUSINESS

REMARKS OF CITIZENS

ADJOURNMENT

Town of Secaucus
CONSENT AGENDA - 10/24/2017

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

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

- 1) Resolution appointing Victor Paone as additional seasonal part-time at the Ice Rink (#83000) Custodial Personnel, effective October 25, 2017, at the hourly rate of \$8.75
- 2) Resolution increasing the hourly rates for DPW (#5000) Bus Drivers Richard Pero and Thomas Thompson and Social Services (#74000) Bus Drivers Edward Kelly and Thelma Mahvan to \$16.83, effective October 23, 2017
- 3) Resolution increasing the base salaries of various employees in various departments to \$33,000, effective as of November 6
- 4) Resolution appointing Joseph Tagliareni as a seasonal part-time Laborer in the Department of Public Works, effective October 24, 2017 at the hourly rate of \$10.00
- 5) Resolution of the Town Council of the Town of Secaucus, in the County of Hudson, New Jersey, designating \$6,499,500 of notes, consisting of \$5,690,000 general bond anticipation notes and \$809,500 swimming pool utility bond anticipation notes, both issues dated October 20, 2017, payable October 19, 2018, as "Qualified Tax-Exempt Obligations" pursuant to section 265 (b) (3) of the Internal Revenue Code
- 6) Resolution appointing Robert Grewe as an additional seasonal part-time Lifeguard at the Recreation Center Pool, effective October 25, 2017, at the hourly rate of \$10.00
- 7) Resolution supporting the 2017 Drive Sober or Get Pulled Over Statewide Year End Holiday Crackdown
- 8) A resolution on behalf of the Town of Secaucus authorizing exploration of a Split Dollar Benefit Life Insurance Plan with Creative Financial Strategies

9)Resolution appointing Robert Grewe and Joseph Egan as Regular Part-Time Bus Drivers for DPW/Transportation (#5000), effective October 25, 2017, at the hourly rate of \$16.83

10)A resolution authorizing execution of a contract for the sale of temporary and permanent easements for Parcels UE112A and E112B as part of the Paterson Plank Road Bridge Replacement Project with the NJDOT

11)A resolution on behalf of the Town of Secaucus extending the contract for Court Interpretation Services to Sol's Interpreting Services

12)A resolution authorizing the execution of an agreement with Summit Energy Services, Inc., a Schneider Electric Company, for consulting services for utility bill analysis and management

13)Resolution ratifying termination of contract with Vektor Corporation for 2017 Secaucus Road Program, Maple Street and Arn Terrace

14)Resolution approving cancellation/refund of property taxes due to subdivision

**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 September 12, 2017, September 26, 2017 and October 10, 2017 are hereby approved.

October 24, 2017

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 24, 2017.

Town Clerk Mayor

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

Ordinance No. 2017-25

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE TOWN OF SECAUCUS, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$500,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Town of Secaucus, in the County of Hudson, State of New Jersey (the "Town") is hereby authorized to make various public improvements in, by and for said Town, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

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

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

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Undertaking of engineering design, permitting and other pre-construction activities in connection with the construction of a flood containment wall and related improvements along Mill Creek in the vicinity of Gail Place and Valley Court.

Appropriation and Estimated Cost	\$350,000
Down Payment Appropriated	\$ 16,700
Bonds and Notes Authorized	\$333,300
Period of Usefulness	15 years

B. Resurfacing of various roads in the Town, as set forth on a list prepared by the Town Engineer on file or to be placed on file with the Town Clerk, and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and upon approval by the Town Council, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being resurfaced are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$150,000
Down Payment Appropriated	\$ 7,300
Bonds and Notes Authorized	\$142,700
Period of Usefulness	10 years

Aggregate Appropriation and Estimated Cost	\$500,000
Aggregate Down Payment Appropriated	\$ 24,000
Aggregate Amount of Bonds and Notes Authorized	\$476,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$365,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. It is hereby determined and stated that moneys exceeding \$24,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Town or heretofore appropriated for down payments on capital improvements or for the capital improvement fund by an emergency appropriation, are now available to finance said purposes. The sum of \$24,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Town of an aggregate principal amount not exceeding \$476,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Town of an aggregate principal amount not exceeding \$476,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be

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

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 13.50 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Town Clerk of said Town, and that such statement so filed shows that the gross debt of said Town, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$476,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from private parties, the County of Hudson, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

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

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

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

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

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of an ordinance introduced and passed on first reading on October 10, 2017, and finally adopted by the Mayor and Council on October 24, 2017.

Town Clerk

Mayor

Introduction 10-10-17

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

Adoption 10-24-17

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

AN ORDINANCE OF
THE TOWN OF SECAUCUS, NEW JERSEY

ORDINANCE NO. 2017-26

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

SECTION 1

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

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Born Street	South	On the south side of Born Street, beginning at a point 98 feet west of the southwest corner of Paterson Plank Road & Born Street continuing for a distance of 22 feet directly in front of 247 Born Street
First Street	East	On the east side of First Street beginning at a point 55 feet south of the southeast corner of Centre Avenue and First Street continuing south for a distance of 22 feet directly in front of 740 First Street

SECTION 2

SEVERABILITY

BE IT FURTHER ORDAINED, that the provisions of this ordinance are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or

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

SECTION 3

REPEALER

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

SECTION 4

EFFECTIVE DATE

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

**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 pursuant to the recommendations of Michael Pero, Superintendent of Receptions, the following fill in person(s) is hereby appointed as additional seasonal part time at **Recreation Ice Rink (#83000)** Custodial personnel, effective Wednesday, October 25, 2017 as follows:

Custodian
Victor Paone

Hourly Rate
\$8.75 / 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 24, 2017.

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

**TOWN OF SECAUCUS
COUNTY OF HUDSON
RESOLUTION**

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, and State of New Jersey, pursuant to the recommendation of the Town Administrator and Director Human Resources salary survey conducted the below part time Bus Drivers hourly rates are hereby increased to **\$16.83 / Hour**, same as Board of Ed, effective as of Monday, October 23, 2017 as follows:

DPW (#5000)

Richard Pero
Thomas Thompson

Social Services (74000)

Edward Kelly
Thelma Mahvan

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 24, 2017.

Town Clerk

Mayor

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

**TOWN OF SECAUCUS
COUNTY OF HUDSON
RESOLUTION**

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, and State of New Jersey, pursuant to the recommendation of the Town Administrator and Director Human Resources salary survey conducted the below employees in the various Departments base salaries are hereby increased to **\$33,000.00 per annum**, effective as of Monday, November 6th, 2017 as follows:

Courts #17000

Sarah Repinski
Susan Guglielmi

Buildings & Grounds #19000

Juan Tous
Oscar Oliveros

Police Civilians #31002

Eleanor McGarrity
Jane Kelly
Victoria Ramirez

Fire Prevention #32001

Carol Gasser
Susan Flanagan
Frank Walters

Public Works #50000

Katrina Tavarez
Robert Davis
Adrian Matthews
Thomas Quinlan
Victor Rodriguez
Bernadette Bronowich

Social Services #74000

Karen Rand

Karen Pero

Tara Acquaviva

Recreation #81000

Kelly Capone

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 24, 2017.

Town Clerk

Mayor

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

**TOWN OF SECAUCUS
COUNTY OF HUDSON
RESOLUTION**

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, pursuant to the recommendation of Kevin O'Connor, Superintendent for the Department of Public Works (#5000), that the below individual(s) are hereby appointed to the seasonal part time positions effective as of Wednesday, October 24, 2017 at the rate of \$10.00 / Hour as follows:

- Joseph Tagliareni Laborer

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 24, 2017.

Town Clerk

Mayor

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

* * * * *

Member _____ introduced and moved
the adoption of the following resolution and Member
_____ seconded the motion:

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
SECAUCUS, IN THE COUNTY OF HUDSON, NEW JERSEY, DESIGNATING
\$6,499,500 OF NOTES, CONSISTING OF \$5,690,000 GENERAL BOND
ANTICIPATION NOTES AND \$809,500 SWIMMING POOL UTILITY BOND
ANTICIPATION NOTES, BOTH ISSUES DATED OCTOBER 20, 2017, PAYABLE
OCTOBER 19, 2018, AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" PURSUANT
TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS
AMENDED.

WHEREAS, the Town of Secaucus, in the County of
Hudson, New Jersey (the "Town") intends to issue \$6,499,500 of
notes, consisting of \$5,690,000 General Bond Anticipation Notes
and \$809,500 Swimming Pool Utility Bond Anticipation Notes, both
issues dated October 20, 2017, payable October 19, 2018
(collectively, the "Notes"); and

WHEREAS, the Town desires to designate the Notes as
"qualified tax-exempt obligations" pursuant to Section 265(b)(3)
of the Internal Revenue Code of 1986, as amended (the "Code");

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Secaucus, in the County of Hudson, New Jersey, as follows:

SECTION 1. The Notes are hereby designated as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code.

SECTION 2. It is hereby determined and stated that (1) said Notes are not "private activity bonds" as defined in the Code and (2) the Town and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2017.

SECTION 3. It is further determined and stated that the Town has, as of the date hereof, issued the following tax-exempt obligations (other than the Notes) during the calendar year 2017:

<u>AMOUNT</u>	<u>DATED - DUE</u>
\$4,073,675 BAN	1/6/17 - 3/6/17
4,073,675 BAN	3/6/17 - 3/6/18
560,708 BAN	4/13/17 - 4/13/18
8,984,510 BAN	5/1/17 - 5/1/18
9,227,315 BAN	8/10/17 - 8/10/18

SECTION 4. The Town will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the

Code; however, said Town does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 5. The issuing officers of the Town are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Notes and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2017 dated as of the date of delivery of the Notes.

SECTION 6. This resolution shall take effect immediately upon its adoption.

The foregoing resolution was adopted by the following roll call vote:

Ayes:

Nays:

[SEAL]

ATTEST: _____
Town 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 pursuant to the recommendations of Michael Pero, Superintendent of Receptions, the following fill in person(s) is hereby appointed as additional seasonal part time at **Recreation Center Pool (#85000)** personnel, effective Wednesday, October 25, 2017 as follows:

Lifeguard

Robert Grewe

Hourly Rate

\$10.00 / Hour

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor and Council on October 24, 2017.

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

Resolution
Supporting the *2017 Drive Sober or Get
Pulled Over Statewide Year End Holiday
Crackdown*

Whereas, for the five year period 2011-2015, the state experienced approximately 39,485 alcohol involved crashes, resulting in 778 fatalities; and

Whereas, this project will provide funding to implement a statewide impaired driving enforcement campaign as part of the *2017 Drive Sober or Get Pulled Over Year End Holiday Crackdown*; and

Whereas, the Christmas holiday season is traditionally a time of social gatherings which include alcohol; and

Whereas, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *2017 Drive Sober or Get Pulled Over Statewide Year End Holiday Crackdown*; and

Whereas, the project objective is to reduce the rate of alcohol-related driving fatalities in the State by 24.20%; and

Whereas, the project will involve increased impaired driving enforcement from December 8, 2017 through January 1, 2018; and

Whereas, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

Therefore, be it resolved that the Town of Secaucus declares its support for the *2017 Drive Sober or Get Pulled Over Statewide Year End Holiday Crackdown* from December 8, 2017 through January 1, 2018 and pledges to increase awareness of the dangers of drinking and driving.

Resolution No. _____

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

**A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
AUTHORIZING EXPLORATION OF A SPLIT DOLLAR BENEFIT LIFE INSURANCE
PLAN WITH CREATIVE FINANCIAL STRATEGIES**

WHEREAS, the Town of Secaucus has a significant long term liability obligation for payment to employees for accumulated sick time at the time of their retirement; and

WHEREAS, the Town of Secaucus has been researching ways in which the Town can plan to fund this long term financial obligation; and

WHEREAS, the Town has been working with Creative Financial Strategies, a member of the MassMutual Financial Group, regarding development of a split dollar life insurance plan which would provide a financial vehicle for the Town to fund the future liability created by accumulated employee sick time; and

WHEREAS, the authorization to proceed would allow Creative Financial Strategies to complete an evaluation of each employee and determine the cost to the Town in the event the Town chooses to proceed with the plan prepared by Creative Financial Strategies:

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, hereby authorizes Creative Financial Strategies to proceed with the development of a split dollar life insurance plan and determination of the overall costs to the Town of Secaucus; and

BE IT FURTHER RESOLVED, that once all of the financial details are determined the Mayor and Council will further evaluate the program to decide as to whether or not they wish to proceed; and

BE IT FURTHER RESOLVED, that the Town Administrator or his designee is hereby authorized to take any action, execute any agreements and provide any necessary documentation to Creative Financial Strategies so that they can complete their evaluation; and

BE IT FURTHER RESOLVED, that the Town Administrator or his designee is not authorized, at this juncture, to obligate the Town to any financial payments or to bind any insurance policies.

Adopted: October 24, 2017

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 24, 2017.

Town Clerk

Mayor

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

**TOWN OF SECAUCUS
COUNTY OF HUDSON
RESOLUTION**

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, and State of New Jersey, pursuant to the recommendation of John Dubiel, Assistant Superintendent DPW/Transportation (#5000) that the below persons are appointed to regular part time Bus Drivers positions, effective as of Wednesday, October 25, 2017, at an hourly rate of \$16.83 as follows:

- Robert Grewe
- Joseph Egan

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 24, 2017.

Town Clerk

Mayor

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

Resolution No. _____

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

**A RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT FOR THE SALE
OF TEMPORARY AND PERMANENT EASEMENTS FOR PARCELS UE112A AND
E112B AS PART OF THE PATERSON PLANK ROAD BRIDGE REPLACEMENT
PROJECT WITH THE NJDOT**

WHEREAS, the Town of Secaucus is working with the New Jersey Department of Transportation (“NJDOT”) on a planned construction and rehabilitation project on the Paterson Plank Road Bridge over Route 3 in an effort to improve the Town’s infrastructure in the interest of the health, safety and welfare of residents and the public; and

WHEREAS, the NJDOT is acquiring easements for the property located at Block 132, Lot 3, which consists of a permanent utility easement on Parcel UE112A to construct, maintain and repair an existing utility pole, and a temporary construction easement on Parcel E112B for the purpose of staging personnel, equipment and temporary utilities and facilities as set forth on the attached Schedule A and depiction; and

WHEREAS, the Town of Secaucus, County of Hudson, State of New Jersey, shall receive compensation in the amount of \$12,625.00 from the NJDOT for the easements and if the project extends past seven (7) months, a fee of \$1,660.00 per month will be paid to the Town by the NJDOT.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that the above statements shall be incorporated herein and that the Mayor and/or Town Administrator are hereby authorized to execute an Agreement of Sale of easements, both temporary and permanent located on Block 132, Lot 3, within the Town of Secaucus, with the NJDOT; and

BE IT FURTHER RESOLVED that the Mayor and/or Town Administrator are hereby authorized to execute an agreement for the sale of easements, both temporary and permanent, in accordance with the terms set forth above; and

BE IT FURTHER RESOLVED that the Mayor and/or Town Administrator 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 24, 2017

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 24, 2017.

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

SCHEDULE A

(LG 02/16)

Easements in that certain land and premises situate, lying and being in the Town of Secaucus, County of Hudson and State of New Jersey and more particularly described as follows:

Parcels UE112A and E112B as indicated on a map entitled: "NEW JERSEY DEPARTMENT OF TRANSPORTATION, GENERAL PROPERTY PARCEL MAP, ROUTE 3 (1953) SECTION 4, 8th Street To U.S. 1 & 9, Showing Existing Right Of Way And Parcels To Be Acquired In The City Of Union City, Township Of North Bergen And Town Of Secaucus, County Of Hudson, February 2016"; and as shown more particularly on a map attached hereto and made a part hereof, marked "Exhibit B", entitled: "NEW JERSEY DEPARTMENT OF TRANSPORTATION, ROUTE 3 (1953) SECTION 4, 8th Street TO U.S. 1 & 9, PARCELS UE112A & E112B, Town Of Secaucus, County Of Hudson, February 2016"; and also being Construction Project: PATERSON PLANK ROAD OVER NJ ROUTE 3 BRIDGE DECK AND SUPERSTRUCTURE REPLACEMENT, CONTRACT ID NO. 15-16024;

Parcel UE112A, at about Station 18+30, (Baseline Paterson Plank Road Stationing), consisting of the permanent right to construct, maintain and repair utility pole guy wires and guy anchor above and below ground and appurtenances as far as the line marked "Utility Easement Line", as shown on the aforesaid maps";

Being also known as an easement in Lot 3 in Block 132 on the tax map of the Town of Secaucus, Hudson County;

Parcel E112B, at about station 18+50 (Baseline Paterson Plank Road stationing), consisting of the temporary right to enter upon the remaining lands of the owner or assigns with personnel and equipment for the purpose of constructing sidewalk, driveway and appurtenances, and also to construct, operate and maintain temporary utility poles and aerial facilities and to close temporarily the northerly property driveway as far as the line marked "Temporary Construction Easement Line", as shown on the aforesaid maps. This temporary right shall begin from the date of notice from the State's Resident Engineer, and shall terminate upon completion of said work, which shall be for a duration of seven months. If the State, within its sole discretion, determines that the temporary easement or right needs to be extended in order to complete the Work, such right may be extended simply by written notice from the Resident Engineer to the owner or its assigns. In such event that this temporary right is extended, payment will be made semi-annually during the extended term of the temporary right, based upon the 'per-monthly' rate set forth in the State's offer letter;

Being also known as an easement in Lot 3 in Block 132 on the tax map of the Town of Secaucus, Hudson County;

The location of all permanent easements and improvements constructed therein shall not be changed or modified in any manner without the specific written permission of the Division of ROW, New Jersey Department of Transportation within its sole discretion and upon such terms and conditions as it determines;

SUBJECT, HOWEVER, to all public utility easements, recorded or unrecorded, affecting the herein described premises;

The above described premises are color coded on "Exhibit B" in the following manner: Blue - Utility Easement Line and Brown - Temporary Construction Easement Line.

Resolution No. _____

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

**A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
EXTENDING THE CONTRACT FOR COURT INTERPRETATION SERVICES
TO SOL'S INTERPRETING SERVICES**

WHEREAS, Resolution No. 2014-264, dated June 24, 2014, awarded an initial two (2) year contract to Sol's Interpreting Services to provide Municipal Court interpretation services to the Town of Secaucus with two (2), one (1) year automatic renewal periods; and

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

WHEREAS, the Town of Secaucus is continuing the existing contract as set forth in the specifications, bid and this Resolution for a one (1) year period, constituting the final year of this contract.

NOW, THEREFORE, BE IT RESOLVED that the Town of Secaucus, County of Hudson, State of New Jersey, that the automatic renewal of the Town's contract with Sol's Interpreting Services to provide court interpretation services pursuant to N.J.S.A. 40A:11-1 *et seq.* be ratified and continued for a one (1) year period through June 24, 2018, constituting the final year of this contract from the date of the original award; and

BE IT FURTHER RESOLVED that the Town's initial Contract, as reflected in **Resolution No. 2014-264** and the bid documents, setting forth specific items and pricing, shall continue in this extension period, at a rate of One Hundred and Fifty Dollars (\$150.00) per Municipal Court session for Spanish language interpretation and at the rates set forth in the specifications and bid for other language services; and

BE IT FURTHER RESOLVED that the specifications, bid 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 Sol's Interpreting Services 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 Finance Director certifies that funds are available for these services under line item 01-2010-00-11072-069; and

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

Adopted: October 24, 2017

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 24, 2017.

Town Clerk

Mayor

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

Resolution No. _____

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

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH
SUMMIT ENERGY SERVICES, INC., A SCHNEIDER ELECTRIC COMPANY, FOR
CONSULTING SERVICES FOR UTILITY BILL ANALYSIS AND MANAGEMENT**

WHEREAS, the Town of Secaucus through its Environmental Department, strives to operate and support an environmentally sustainable and friendly community by undertaking a variety of initiatives; and

WHEREAS, the Town of Secaucus on March 24, 2015, under **Resolution No. 2015-126**, authorized participation in the National IPA Cooperative; and

WHEREAS, the National IPA Cooperative offers the contract **R5238** for Energy Performance Contracting Services and the firm, Schneider Electric holds said award through February 28, 2018; and

WHEREAS, the Town wants to work with Summit Energy Services, Inc., through its locally based company, Schneider Electric, to provide utility bill analysis and management services including an energy management data platform to consolidate the Town's invoices and monitor for accuracy.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and/or Town Administrator or their designee of the Town of Secaucus, County of Hudson, State of New Jersey, is hereby authorized to enter into the attached Consulting Agreement with Summit Energy Services, Inc., through its locally based company, Schneider Electric, located in Secaucus, New Jersey for services of utility bill analysis and management services, including an energy management data platform as detailed in the attached Consulting Agreement, for a period of one (1) year, for a fee of Six and 40/100 Dollars (\$6.40) per utility invoice per month, in addition to travel and interval data collection fees as set forth in the attached Consulting Agreement; and

BE IT FURTHER RESOLVED that the current contract is for a term of one (1) year at the rate specified above with the Town reasoning an option to renew for an additional two (2), one (1) year terms with a fee increase of four percent (4%), per annum if renewed; and

BE IT FURTHER RESOLVED that the Mayor and/or Town Administrator or their designee is hereby authorized to provide any information, bills or documentation in connection with this service to Summit Energy Services, Inc., through its locally based company, Schneider Electric; and

BE IT FURTHER RESOLVED that the Mayor and/or Town Administrator or their designee is hereby authorized to enter into any necessary agreements and take any necessary

actions with Summit Energy Services, Inc., through its locally based company, Schneider Electric, necessary to effectuate said purpose and intent.

Adopted: October 24, 2017

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 24, 2017.

Town Clerk

Mayor

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

Resolution No. _____

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

**RESOLUTION RATIFYING TERMINATION OF CONTRACT WITH VEKTOR
CORPORATION FOR 2017 SECAUCUS ROAD PROGRAM, MAPLE STREET AND
ARN TERRACE**

WHEREAS, the Town of Secaucus, County of Hudson entered into a contract with Vektor Corporation (“Contractor”) pursuant to **Resolution No. 2017-170**, dated May 9, 2017 and updated by **Resolution No. 2017-181**, dated May 23, 2017 for the street reconstruction of Maple Street and Arn Terrace as part of the 2017 Secaucus Road Project; and

WHEREAS, Remington & Vernick Engineers, the Town’s Consulting Engineer Firm overseeing the project, made numerous attempts and forwarded correspondence to Vektor Corporation requesting performance of the work on a timely basis, correction of numerous performance issues and adequate management of the project; and

WHEREAS, to date, Vektor Corporation has not addressed several issues set forth by the Engineer and there has been a negative impact on completion and residents’ environment, thus breaching the contractual agreement of the award; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that the termination of the contract with Vektor Corporation, awarded under **Resolution No. 2017-170** and updated under **Resolution 2017-181**, is hereby ratified; and

BE IT FURTHER RESOLVED, that the Mayor and/or Town Administrator is hereby authorized to execute any documents necessary to finalize the contract termination.

BE IT FURTHER RESOLVED, that the a notice of claim should also be filed with the contractor’s bonding company as to Secaucus’ herein resolution memorializing its finding of breach and resulting termination.

Adopted: October 24, 2017

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 24, 2017.

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

Resolution No. 2017-170

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

**A RESOLUTION TO AWARD THE CONTRACT FOR THE
2017 SECAUCUS ROAD PROGRAM FOR MAPLE STREET AND
ARN TERRACE**

WHEREAS, on May 5, 2017, the following seven (7) bids were received for the 2017 Secaucus Road Program for street reconstruction of Maple Street & Arn Terrace:

<u>BIDDER</u>	<u>BID AMOUNT</u>
1) Vektor Corporation	\$ 462,855.20
2) A Team Concrete	\$ 487,308.00
3) 4 Clean – Up, Inc.	\$ 490,890.20
4) D.L.S Contracting, Inc.	\$ 545,844.50
5) Smith - Sony	\$ 561,246.85
6) S. Batata Construction	\$ 563,525.00
7) JTG Construction, Inc.	\$ 583,720.00

WHEREAS, it has been determined that Vektor Corporation, Inc. of 8 Dante Road, Monroe Twsp, New Jersey 088321 is the lowest responsible bidder; and

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

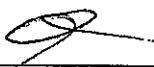
NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey award the contract for the 2017 Secaucus Road Program for street reconstruction of Maple Street & Arn Terrace to Vektor Corporation, Inc. in an amount not to exceed \$ 462,855.20.

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 2017 Secaucus Road Program for street reconstruction of Maple Street & Arn Terrace.

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

Adopted: May 9, 2017

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor and Council on May 9, 2017.

Michael Marra 

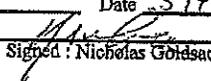
Town Clerk

Mayor

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

I, Nicholas Goldsack, Chief Financial Officer of the Town of Secaucus, do hereby certify that funds are available in accordance with the Local Budget Law NJS.A 40A:4-1, in Account Number:

01 2010 00 5930 44
 Amount \$ 462,855.00 Date 5/19/17


 Signed: Nicholas Goldsack

Resolution No. 2017-181

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

**CORRECTED RESOLUTION TO AWARD THE CONTRACT FOR THE
2017 SECAUCUS ROAD PROGRAM FOR MAPLE STREET AND
ARN TERRACE**

WHEREAS, on May 9, 2017, Resolution No. 2017 - 170 was approved awarding the Contract for 2017 Secaucus Road Program for Maple Street and Arn Terrace to Vektor Corporation, Inc., of 8 Dante Road, Monroe Township, New Jersey 08321 the low bidder, in the amount of \$462,855.20; and

WHEREAS, after awarding the contract it was determined the cost extension on line item 6 for Police Traffic Directors had a miscalculation in favor of the Town in the amount of \$3,200.00 and the cost extension on line item 51 for Sawing and Sealing Joints had a miscalculation in favor of the Town in the amount of \$308.50; and

WHEREAS, based on the adjustments the correct contract amount is \$459,346.70; and

WHEREAS, it has been determined that Vektor Corporation, Inc. of 8 Dante Road, Monroe Township, New Jersey 088321 remains the lowest responsible bidder; and

WHEREAS, the Contract amount is hereby amended to the corrected amount of \$459,346.70; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey award the contract for the 2017 Secaucus Road Program for street reconstruction of Maple Street & Arn Terrace to Vektor Corporation, Inc. in an amount not to exceed \$459,346.70; and

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 2017 Secaucus Road Program for street reconstruction of Maple Street & Arn Terrace.

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

Adopted: May 23, 2017

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor and Council on May 23, 2017.

Michael Marra [Signature]

Town Clerk

Mayor

Motion: <u>WM</u>	Yes	No	Abstain	Absent
Second: <u>JL</u>				
Councilman Costantino	✓			
Councilman McKeever	✓			
Councilman Clancy	✓			
Councilwoman Pirro				✓
Councilman Dehnert	✓			
Councilman Gerbasio	✓			
Mayor Gonnelli	✓			

I, Nicholas Goldsack, Chief Financial Officer of the Town of Secaucus, do hereby certify that funds are available in accordance with the Local Budget Law NJSA 40A:4-1, in Account Number:

01 - 2010 - DP - 59387 04 Date 5/24/17
 Amount \$ 459,346.70

[Signature]
 Signed: Nicholas Goldsack



REMINGTON
& VERNICK
ENGINEERS

One Harmon Plaza, Suite 210
Secaucus, NJ 07094
O: (201) 624-2137
F: (201) 624-2136

October 18, 2017

Arnold Kleyman, President
Vektor Corporation
8 Dante Road
Monroe Township, NJ 08831

**Re: Termination of Contract
Town of Secaucus
2017 Secaucus Road Program, Maple Street & Arn Terrace
RVE File # 0909-T-186**

Dear Mr. Kleyman:

Pursuant to our telephone conversation yesterday morning, you are hereby notified that the Town of Secaucus has terminated your contract for this project. As verbally conveyed in the telephone call, you are hereby directed to immediately cease all work on the project.

This action was taken because of your failure to perform the project work on a timely basis and is in accordance with Section 1.11 of the project specifications, OWNER'S RIGHT TO STOP WORK OR TERMINATE CONTRACT. Specifically, Section 1.11 (e) reads as follows:

The Owner has the right to stop work or terminate the contract, if:

(e) The contractor shall refuse or fail to prosecute to work or any part thereof with such diligence as will ensure its completion within the period herein specified (or any duly authorized extension thereof) or shall fail to complete the work within said period.

Your contract expired on September 17, 2017 at which time you still had concrete work to complete on Arn Terrace, as well as the milling, paving, saw cutting/ sealing of asphalt overlay, regrading, top soil / seeding, striping and fence installation. As of the date of this letter, the tree planting still remains outstanding.

The following is a partial listing of performance issues encountered on this project:

1. Failure to provide subcontractor declaration and associated paperwork with the contract. You claimed sub-contractors would not be used but later utilized subcontractors for the milling/ paving of the roadway and saw cutting and sealing of the pavement joints as well as for the tree and bush plantings.
2. Failure to provide all submittals;
3. Provided substandard pre-construction video;
4. Failure to provide a complete itemized schedule;
5. Failure to follow and update construction schedule;
6. Failure to provide adequate communication with inspector;
7. Failure to remove construction debris from the site in a timely manner;

October 18, 2017
Arnold Kleiman, President
Termination of Contract
Town of Secaucus
2017 Secaucus Road Program, Maple Street & Arn Terrace
RVE File # 0909-T-186
Page 2 of 3

8. Failure to maintain a clean site. It was necessary to have the Secaucus Police Department issue you \$4,000 in summons to force your compliance after you had been issued both verbal and written warnings;
9. Failure to maintain dust control;
10. Your construction activities damaged and/or buried multiple utility valves;
11. Construction debris was left in an active travel way;
12. Sloppy concrete work including:
 - A. Meandering sidewalks
 - B. Inconsistent sidewalk joints
 - C. Debris found in skim coat after surface failure;
13. Failure to follow construction plans;
14. Failure to ensure work is performed within designated hours;
15. Failure to schedule subcontracted work:
 - A. Subcontractors were not set up for work in advance.
 - B. Plans and specs were not provided to subs
16. Failure to adequately close the road during paving operation;
17. Provided fraudulent information for tree planning including:
 - A. Originally stated Vektor was performing the planting while a subcontractor was anticipated to perform the work
 - B. Stated trees were reserved at the nursery then:
 - Requested time extension
 - Stated trees needed time to mature
 - Delayed planting because average temperature was too high to safely plant
18. Failure to follow through with site issue corrections, and;
19. Failure to protect or repair residential sprinkler systems

Several of the above issues were outlined in my August 18, 2017 letter which is attached, and remained unaddressed beyond the response date set forth in the letter.

In addition to the above, you have not provided a continuous and fluid work flow in the contracted time frame, but routinely started and stopped work. This was an indication that you were utilizing manpower on other projects instead of focusing completing a task once the work commenced. This sporadic work performance was highly irritating to the residents that were impacted by the project and led to numerous calls/ complaints to the Mayor and Town Business Administrator office's as well as to Remington & Vernick Engineers inspector.

Lastly, the Town of Secaucus has expressed frustration with your management of this project because you have not provided forthright responses in a timely manner.

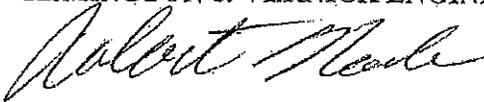
October 18, 2017
Arnold Kleyman, President
Termination of Contract
Town of Secaucus
2017 Secaucus Road Program, Maple Street & Arn Terrace
RVE File # 0909-T-186
Page 3 of 3

The Town of Secaucus has put a hold on payments to you. The Town with Remington & Vernick Engineers input will be reviewing payment options including direct payment of your subcontractors. You will be advised as to how the monies will be dispensed once a decision has been made.

The Town of Secaucus maintains all rights for the recouping of all monies as outlined in Section 1.11 (g) of the project specification.

If you have any questions, please contact our office at (201) 624-2137.

Sincerely,
REMINGTON & VERNICK ENGINEERS



Robert S. Nash, PE, PTOE, CME
Project Manager

cc: Town of Secaucus Mayor Michael Gonnelli
Gary Jeffas, Town of Secaucus Business Administrator
Michael Marra, Town of Secaucus Clerk
Nick Goldsack, Town of Secaucus Chief Financial Officer
Vincent Prieto, Town of Secaucus Construction Code Official
Kevin O'Connor, Town of Secaucus Superintendent of Public Works
Ken Porro, Esq. Town of Secaucus Attorney
Scott Goodman, RVE

REMINGTON & VERNICK ENGINEERS

Professional Excellence Since 1901

PRINCIPALS

Edward Vernick, PE, CEM, President
Craig F. Remington, PLS, PE, Vice President
Michael D. Vena, PE, PE, CMC (deceased 2006)
Edward J. Walberg, PE, PE, CMC, CEH
Thomas F. Deach, PE, CMC
Richard G. Arango, PE, CMC
Klin Wendell Gibbs, PE, CMC
Marc DeBlasio, PE, PE, CMC, CEH, CEM
Alan Dillenholer, PE, PE, CMC
Leonard A. Falola, PE, PE, CMC
Christopher J. Faslo, PE, CMC
Terence Vogt, PE, PE, CMC
Dennis K. Yoder, PE, PE, CMC

SENIOR ASSOCIATES

Charles E. Adamson, PLS, PEI
John J. Cantwell, PE, PE, CMC
Richard B. Czekański, PE, CMC, HCL
Annino Hogan, PE, PE, CMC, CEH, CEM, CCO-AP
Kenneth C. Ressler, PE, CMC
Frank J. Soney, Jr., PE, PE, CMC, HHS
Gregory J. Sullivan, PE, PE, CMC, SEA

PLEASE REPLY TO THE NOTED OFFICE

Remington & Vernick Engineers
232 Kings Highway East
Haddonfield, NJ 08033
☐ (856) 796-9596

51 Haddonfield Road, Suite 260
Cherry Hill, NJ 08002
☐ (856) 795-9595

Remington, Vernick
& Vena Engineers
9 Allen Street
Toms River, NJ 08753
☐ (732) 286-9220

3 Jocama Boulevard, Suite 300-400
Old Bridge, NJ 08857
☐ (732) 955-8000

Remington, Vernick
& Walberg Engineers
845 North Main Street
Pleasantville, NJ 08232
☐ (609) 646-7110

4907 New Jersey Avenue
Wilwood City, NJ 08260
☐ (609) 622-6160

Mellord Plaza I, Suite 400
16701 Mellord Boulevard
Bowie, MD 20715
☐ (240) 544-6382

Remington, Vernick
& Beach Engineers
922 Fayette Street
Conshohocken, PA 19428
☐ (610) 940-1050

1000 Church Hill Road, Suite 220
Pittsburgh, PA 15205
☐ (412) 263-2200

Univ. Office Plaza, Bellevue Building
262 Chapman Road, Suite 105
Newark, DE 19702
☐ (302) 266-0212

Remington, Vernick
& Arango Engineers
The Presidential Center, Lincoln Building
Suite 600, 101 Route 138,
Cincinnati, NJ 08077
☐ (856) 303-1245

One Harmon Plaza, Suite 210
Secaucus, NJ 07094
☐ (201) 624-2137

August 18, 2017

Arnold Kleyman – President
Vektor Corporation
8 Dante Road
Monroe Twp, NJ 08831

Re: Town of Secaucus
2017 Secaucus Road Program – Maple Street & Arn Terrace
Project Issues
File # 0909-T-186

Dear Mr. Kleyman:

This letter serves to notify your company of administrative and site issues that need to be addressed by the end of business day August 25, 2017.

1. Change Order Cost Proposal

This office is currently awaiting your company to submit a cost proposal for substituting the proposed chain link fence with a decorative vinyl fence. While the change order was verbally discussed and agreed upon, you have not submitted it in writing, which we have been awaiting for three weeks.

2. Ongoing Site Issues

This office has observed a variety of site issues, however the listed below must be noted as they are a violation of your required work practices and procedures as outlined in the contract.

You received a memorandum Wednesday regarding site cleanliness and the removal of construction debris. That day one laborer was sent out to Maple to clean for a few hours, however the site still has a substantial amount of debris. No crew members were observed the following day cleaning the site.

Resident notices are required to be provided 48 hours in advance of the performed work and no parking signs must be posted a minimum of 24 hours in advance. Yesterday you distributed notices and posted no parking signs at 7:00 a.m. only a few hours before you began work. We received several complaints from residents on the block.

On Tuesday, you performed an area of full depth restoration. The inspector was only able to arrive to the site after the asphalt was completed. However, after reviewing the details of the situation and the equipment available, our office has rejected this asphalt. Based on the weather, asphalt thickness, and available equipment, it was not possible for you to adequately lay and compact the asphalt base course per our contract and NJDOT standards.

Town of Secaucus
2017 Secaucus Road Program - Maple Street & Arn Terrace
Project Issues
File # 0909-T-186

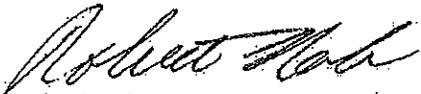
The asphalt will need to be excavated and removed. Well compacted DGA shall be filled 6" below the final surface elevation. The Inspector must be on site while this work is being performed. Please schedule the inspection with him at least one day in advance.

Asphalt base course shall be laid in lifts in the appropriate thickness in conjunction to the available equipment on site. The broken block in the catch basin must be replaced and mortared.

Lastly, there has been a serious concern with your rate of work performance and your ability to complete this job within the contract time frame. To date you began the concrete work on Maple Street starting June 27, 2017 and completed it August 15, 2017. That is an average rate of 7.5 CY of concrete per working day. Continuing at this rate you are projected to complete the concrete work for Arn Terrace on September 19, 2017, two days after your contract completion date. Before the deadline you are also required to complete; milling, paving, saw cutting / sealing of asphalt overlay, regrading, top soil / seeding, fence installation, striping and tree planting. Our current schedule does not itemize all these procedures. Please provide a revised schedule which outlines all of the items mentioned above.

If you have any questions, please contact our office at (201) 624-2137.

Sincerely,
REMINGTON, VERNICK & ARANGO ENGINEERS, INC.



Robert S. Nash, PE, PTOE, CME
Project Manager

cc: Mayor Michael Gonnelli
Gary Jeffas, BA
Michael Marra, Clerk
Nick Goldsack, CFO
Vincent Prieto, Construction Code Official
Kevin O'Connor, Superintendent of Public Works
Ken Porro, Esq.
Lt. Martin Morada, Secaucus Police Department
Scott Goodman, RVA

RESOLUTION No. _____ 2017

**RESOLUTION APPROVING CANCELLATION/REFUND OF PROPERTY TAXES
DUE TO SUBDIVISION**

WHEREAS, the Tax Collector of the Town of Secaucus has determined that action is required as a result of certain properties not reflected in the 2016 Tax Duplicate; and

WHEREAS, the Town's Tax Assessor has confirmed that the Block and Lot(s) listed below were subdivided; and

WHEREAS, payments plus interest were posted to Block 113 Lot 7, such which should be posted to subdivision Block 113 Lot 7 Qualifier: C000B; and

WHEREAS, said posting resulted in a 6% YEP (year-end penalty) with interest on subdivision Block 113 Lot 7 Qualifier: C000B.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the above statements are incorporated herein and the requested transfer(s), cancellation(s) and/or overpayment refund(s) be made.

From: Block 113 Lot 7 To: Block 113 Lot 7 Q: C000B \$ 1,832.20

Block 113 Lot 7 Q: C000B ... 6% YEP/INT. \$ 1,089.72

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

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.