

March 14, 2017

MINUTES of the a Regular Meeting of the Mayor and Board of Council of the Town of Secaucus, County of Hudson, State of New Jersey held on the 14th day of March at 7:00 P.M Secaucus Municipal Government Center, 1203 Paterson Plank Road, Secaucus, NJ in Chamber II.

PLEDGE OF ALLEGIANCE

Adequate notice for this meeting, as required by the Open Public Meetings Act, has been provided by the filing of the notice of Meetings with the Municipal Clerk, the posting of said notice on the official bulletin board in the Municipal Building, and the delivery of same to the Secaucus Home News on December 22, 2016.

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

Present: Councilmembers: Michael Gonnelli
William McKeever
Susan Pirro (via Telephone)
Mark Dehnert
John Gerbasio
Absent: Robert Costantino
James Clancy

First item on the agenda is as follows:

The following ordinance was read for public hearing: No. 2017-1

AN ORDINANCE AMENDING CHAPTER 127 OF THE CODE OF
THE TOWN OF SECAUCUS ENTITLED "VEHICLES AND TRAFFIC"
TO DESIGNATE FIRE ZONES ON JACOB'S LANDING WAY

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

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

WHEREAS, upon the recommendation of the Secaucus Police Traffic Division and Fire Chief that the Town amend the fire zone to be inclusive of the full roadway due to the width of the roadway and need for access by emergency apparatus in the complex known as Jacob's Landing, located off of Village Place in the Town of Secaucus; and

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

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

§ 127-61. Descriptions.

PP. Jacob's Landing. ~~From the entrance of the Jacob's Landing complex proceeding along the northern curb line for a distance of 333 feet.~~

From the entrance of the Jacob's Landing complex proceeding for the entire length of Jacob's Landing Way, both sides, with the exception of designated parking stalls.

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.

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

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

AYES: McKeever, Pirro, Dehnert, Gerbasio, Gonnelli

NAYS: None

ABSENT: Costantino, Clancy

Motion carried

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

AYES: McKeever, Pirro, Dehnert, Gerbasio, Gonnelli

NAYS: None

ABSENT: Costantino, Clancy

Motion carried

The following ordinance was read for public hearing:

No. 2017-2

AN ORDINANCE UPDATING THE CODE OF THE TOWN OF SECAUCUS, CHAPTER 127, ARTICLE XXIII
TRAFFIC CONTROL MONITORING SYSTEM

WHEREAS, the Town previously adopted §127-76 to -80 of the Code of the Town of Secaucus in 2008 to address a Traffic Control Monitoring System; and

WHEREAS, the Town of Secaucus never installed a traffic control monitoring system for the purposes of violations and legal authority to run the red light cameras was revoked by the Department of Transportation on December 16, 2014; and

WHEREAS, the review of the Secaucus Police Department and the advice of Counsel on the current state of the law have necessitated that §127-76 to -80 be repealed.

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. Article XXIII Traffic Control Monitoring Systems of Chapter 127 of the Code of the Town of Secaucus adopted June 24, 2008 under Ordinance Number 2008-18 be repealed in its entirety. This Article encompasses §127-76 to -80.
2. This repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed.
3. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.
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 shall take effect immediately upon passage and publication in accordance with law.

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

AYES: McKeever, Pirro, Dehnert, Gerbasio, Gonnelli

NAYS: None

ABSENT: Costantino, Clancy

Motion carried

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

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

Motion carried

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The following ordinance was read for introduction:

No. 2017-8

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

Councilman Dehnert moved that the foregoing ordinance be introduced and passed on first reading, seconded by Councilman McKeever.

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

Motion carried

The following ordinance was read for introduction:

No. 2017-9

AN ORDINANCE UPDATING THE CODE OF THE TOWN OF SECAUCUS, CHAPTER 10,
ENVIROMENTAL ADVISORY COMMITTEE

Councilman Dehnert moved that the foregoing ordinance be introduced and passed on first reading, seconded by Councilman McKeever.

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

Motion carried

The following ordinance was read for introduction:

No. 2017-10

AN ORDINANCE CREATION ARTICLE - OF CHAPTER - OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED "ABANDONED REAL PROPERTY;" PROVIDING FOR PURPOSE, INTENT AND APPLICABILITY OF THE ORDINANCE ; REQUIRING THE REGISTRATION AND MAINTENEANCE OF CERTAIN REAL PROPERTY BY MORTGAGEES; PROVIDING FOR PENALTIES AND ENFORCEMENT , AS WELL AS THE REGULATION, LIMITATION AND REDUCTION OF REGISTERABLE REAL PROPERTY WITHIN THE TOWN OF SECAUCUS ; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE.

Councilman Gerbasio moved that the foregoing ordinance be introduced and passed on first reading, seconded by Councilman Dehnert.

Town Attorney, Keri Eglentowicz, explained what this ordinance represents.

Councilman McKeever asked if there would be a contact. Mayor Gonnelli stated that there will be a contact and this will be very helpful to the Town.

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

Motion carried

Public Hearing on the foregoing ordinances will be on April 11, 2017.

CONSENT AGENDA

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

The following resolution was read:

No. 2017-99

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

WHEREAS, the Town of Secaucus requires the Professional Services for the Consulting Services related to: Wetlands and Park Development, Flood Control, Property Development, etc.; and

WHEREAS, the Town of Secaucus wishes to utilize the specialized services of the firm: RCM Ceberio, LLC. of Wayne, New Jersey: and;

WHEREAS, the Chief Financial Officer has sufficient funds for these Professional Services, allocated on line item 01-2010-00-11012-069; and

NOW, THEREFORE, BE IT RESOLVED BY the Mayor and Council of the Town of Secaucus, to award RCM Cerberio, LLC; a contract in the amount of \$15,000.00.

The following resolution was read:

No. 2017-100

A RESOLUTION SUPPORTING THE HACKENSACK RIVERKEEPER IN
URGING THE NJ DEP TO CONCUR WITH THE USEPA'S FINDINGS

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WHEREAS, a comprehensive study of the Hackensack River by the United States Environmental Protection Agency ("USEPA") has now concluded, the decision to list the Hackensack River on the National Priorities List, commonly referred to as Superfund, is close at hand; and

WHEREAS, for well over a century the Hackensack River was subjected to extreme pollution from multiple industrial sources and only since the 1970's has an sort of recovery commenced; and

WHEREAS, despite those improvements over time, time alone cannot bring the Hackensack River back to a truly fishable and swimmable state as promised by the Clean Water Act; and

WHEREAS, only direct action through a Superfund listing can ensure a clean Hackensack River; and

WHEREAS, while the ecology of the Hackensack River continues to improve, a Superfund designation will mean access to federal monies for a complete cleanup that will include heavy metals still present in the river's sediments; and

NOW, THEREFORE, BE IT RESOLVED BY the Mayor and Council of the Town of Secaucus, County of Hudson, as supporters of the Hackensack Riverkeeper's efforts of cleaning up the Hackensack River, we strongly urge the New Jersey Department of Environmental Protection ("NJ DEP") to concur with the USEPA'S findings.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the NJDEP'S Commissioner and to Hackensack Riverkeeper.

The following resolution was read:

No. 2017-101

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
APPOINTING ROBERT COSTANTINO LIAISON TO THE SECAUCUS AFFORDABLE HOUSING BOARD

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that Robert Costantino is hereby appointed council liaison to the Secaucus Affordable Housing Board.

The following resolution was read:

No. 2017-102

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
FOR APPROVAL OF CHANGE ORDER #1 TO CONTRACT WITH EMCO FOR EMERGENCY ELEVATOR REPAIR

WHEREAS, the Town of Secaucus has a contract with EMCO, for repair work to the elevator located in Town Hall, 1203 Paterson Plank Road, Secaucus, New Jersey; and

WHEREAS, the present contract was awarded under Resolution 2017-64 on February 14, 2017, in the amount of \$64,810.00; and

WHEREAS, there is the need for a Change Order #1 to increase the contract with EMCO, in the amount of \$41,404.00; and

WHEREAS, the Change Order No. 1, will increase the contract amount to \$106,214.00; and

WHEREAS, Change Order #1 is necessary to RE-drill hole up to 20" diameter in order to install a PVC cylinder as is required by current code; and

WHEREAS, the Chief Financial Officer certifies that there are sufficient funds for said contract;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus to award Change Order No. 1, to EMCO, in the amount of \$41,404.00.

The following resolution was read:

No. 2017-103

A RESOLUTION SUPPORTING THE APRIL DISTRACTED DRIVING
CRACK DOWN U DRIVE. U TEXT. U PAY CAMPAIGN

WHEREAS, the Town of Secaucus is applying for funding to conduct a Distracted Driving U Drive. U Text. U Pay Campaign within the Town of Secaucus; and

WHEREAS, distracted driving is a dangerous epidemic on America's roadways. In 2014 alone, 3,179 people were killed in distracted driving crashes; and

WHEREAS, because using a hand held cell phone while driving to make calls or send text messages requires visual, manual and cognitive attention from the driver, they are by far the most alarming distractions; and

WHEREAS, April is National Distracted Driver Month, which is a time to remind
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New Jersey motorists of the state's distracted driving laws, which include a ban on hand-held cell phone use and text messaging by all drivers and a ban on all cell phone use (hand held or hands free) by novice drivers; and

WHEREAS, from April 1-21, 2017, police officers from the Town of Secaucus will conduct special enforcement patrols targeting distracted drivers. The patrols will consist of roving patrols and fixed checkpoints.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that support is given for the submission of a grant application for the Distracted Driving *U Drive. U Text. U Pay* Campaign and authorizes the Chief of Police to implement the campaign.

BE IT FURTHER RESOLVED that upon award and funding, the Chief of Police or his designee is hereby authorized to execute any other documents or take any other necessary action to effectuate the spirit and intent of this Resolution.

The following resolution was read: No. 2017-104

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
REGARDING AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS FOR THE SERVICE OF CONCRETE
SUPPLIER AND INSTALLER

WHEREAS, the Town of Secaucus requires the services of a Contractor for the General Services of Concrete Supplies and Installation; Such services will be as needed on a per project basis as determined by the Governing Body for various projects and repairs throughout the Town.

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 for the service of Concrete Supplier and Installer to provide General Services of Concrete Supplies and Installation for various projects throughout the Town.

The following resolution was read: No. 2017-105

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
REGARDING AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS
FOR THE SERVICE OF TREE SUPPLIER AND PLANTER

WHEREAS, the Town of Secaucus requires the services of a Contractor for Tree Supply, Planting and associated services; Such services will be as needed on a per project basis as determined by the Governing Body for various projects throughout the Town.

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 for the service of Tree Supplier and Planter to provide tree supplies, planting and associated services for various projects throughout the Town.

The following resolution was read: No. 2017-106

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 Shawn Higgins is hereby appointed to the position of Coordinator for the girls Softball Program effective Tuesday, March 10th, 2017, and will receive a stipend in the amount of \$3,000 for all work performed in connection with the program.

The following resolution was read: No. 2017-107

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 Matthew Galen is hereby appointed to the position of DPW Laborer/Recycling part time, effective March 14, 2017 at the rate of \$10.00 per hour.

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Councilman Dehnert moved that the foregoing resolutions on the Consent Agenda be approved, seconded by Councilman McKeever.

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

The following resolution was read: No. 2017-108

A RESOLUTION AUTHORIZING PRESENTATION OF AN OFFER AND EXECUTION OF CONTRACT FOR THE ACQUISITION OF THE PROPERTY LOCATED AT BLOCK 134, LOT 24

WHEREAS, the Town of Secaucus has an interest in acquiring the property located at Block 134, Lot 24, otherwise known as 148 Centre Avenue, in an effort to improve the health, safety and welfare of the residents of the Town; and

WHEREAS, this parcel is located in a residential neighborhood abutting the Town of Secaucus Engine #3 Company with growing emergency response calls; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and/or Town Administrator is hereby authorized to present and sign an offer for, and negotiate for the purchase of Block 134, Lot 24, otherwise known as 148 Centre Avenue, for a price not to exceed the property listing amount of \$399,000.00 subject to Mayor and Council approval of financing; and

BE IT FURTHER RESOLVED, that the Mayor and/or Town Administrator is hereby authorized to execute an agreement for the purchase said property in accordance with the terms set forth above; 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.

Councilman Dehnert moved to adopt the foregoing resolution, seconded by Councilman McKeever.

Mayor Gonnelli explained what is planned for that property.

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

BINGO / RAFFLE APPLICATIONS

R-1444 PTA Huber Street School On-Premise 50/50

Councilman Gerbasio moved to approve the foregoing applications, seconded by Councilman Dehnert.

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

COMMUNICATIONS REQUIRING ACTION BY MAYOR AND COUNCIL

Request by Indian Caucus of Secaucus to use Mill Ridge Park area on April 29, 2017.

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

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

COMMITTEE REPORTS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

Councilman Gerbasio reported on an upcoming event to be sponsored by the Town.

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Councilman Dehnert offered information on an upcoming Easter Celebration. He also reported on an upcoming Recreation Event. He added information on Recreation Programs that have had much success this season.

Councilman McKeever stated that the Mayor and Council have Yankee Tickets for Senior Citizen.

Mayor Gonnelli stated that Goya gave a \$5,000 donation to the Fire Department.

REMARKS OF CITIZENS

Councilman McKeever moved to adjourn the meeting at 7:25 pm, seconded by Councilman Dehnert.

AYES: McKeever, Pirro, Dehnert, Gerbasio, Gonnelli

NAYS: None

ABSENT: Costantino, Clancy

Motion carried

Michael Marra, Town Clerk