

September 26, 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 26th day of September 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
Robert Costantino
William McKeever
James Clancy
Mark Dehnert
John Gerbasio
Absent: Susan Pirro

APPROVAL OF MINUTES

The following resolution was read: No. 2017-318

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 July 25, 2017, August 22, 2017, September 12, 2017 and the Special Meeting of August 2, 2017 are hereby approved.

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

AYES: Costantino, McKeever, Clancy, Pirro, Dehnert, Gerbasio, Gonnelli
NAYS: None
ABSTAIN: Costantino on July 25, 2017, McKeever in August 2, 2017, Dehnert on September 12, 2017.
ABSENT: Pirro Motion carried

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. 2017-319

RESOLUTION AUTHORIZING A
PROFESSIONAL SERVICE CONTRACT WITH McNERNEY & ASSOCIATES, INC

WHEREAS, the Mayor and Council of the Town of Secaucus ("Secaucus") require appraisal valuation and consulting services in connection with an appraisal report to be administered to the Tax Court of New Jersey concerning certain pending tax appeal matters for 400 Plaza Drive, for Block 227, Lot 7.02, for tax years 2015, 2016 and 2017 under Docket Nos.: 003816-2015, 000947-2016, and 000341-2017 (hereinafter the "Appraisal Report"); and

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

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

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NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the Mayor and Town Clerk are hereby authorized to execute a contract with McNerney &

Associates, Inc. for appraisal, valuation and consulting services in regards to the Appraisal Report.

BE IT FURTHER RESOLVED, that McNerney & Associates, Inc. shall be paid an amount not to exceed \$12,500 for a trial ready appraisal report (inclusive of all out-of-pocket expenses), and additional compensation in the amount of \$100.00 per hour with respect to additional litigation support services including trial preparation and appearances at depositions and trial.

Financial officers

Certification attached.

The following resolution was read:

No. 2017-320

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM

ENABLING RESOLUTION

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Town of Secaucus desires to further the public interest by obtaining a loan of \$398,425 and/or a grant of \$151,575 from the State to fund the following project(s):

GA #0909-14-046
Downtown Recreation Acquisition

NOW, THEREFORE, the governing body resolves that Gary M. Jeffas, Administrator for the Town of Secaucus, is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required,
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF SECAUCUS THAT:

1. The Gary M. Jeffas, Town Administrator, is hereby authorized to execute an agreement and any amendment thereto with the State known as Downtown Recreation Acquisition, and;
2. The applicant has its matching share of the project, if a match is required, in the amount of \$56,300.00.
3. In the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. This resolution shall take effect immediately.

CERTIFICATION

I, Michael Marra, Town Clerk, do hereby certify that the foregoing is a true copy of a resolution adopted by the Town Council for the Town of Secaucus at a meeting held on the 26th day of September, 2017.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 26 day of SEPT., 2017.

Michael Marra, Town Clerk

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The following resolution was read:

No. 2017-321

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 recommendation of the Superintendent of Recreation of the Town of Secaucus, that pending the successful completion of a background check and physical examination, the below replacements are hereby newly appointed to the position of regular Part Time Counselors for 2017 - 2018 school year in the Secaucus Before and After Care programs:

<u>Counselors (new hires)</u>	<u>Hourly Rate</u>
SCOLLAN, JESSICA	8.50 / Hour
BROWN, EMILY	8.50 / Hour
GONZALEZ, NIKO	8.50 / Hour
CONCEPCION, ARIEL	8.50 / Hour
LOOR, GENESIS	8.50 / Hour
TAYLOR, STEVEN	8.50 / Hour
KOSKY, KAITLYN	8.50 / Hour

The following resolution was read:

No. 2017-322

RESOLUTION AUTHORIZING THE INSERTION OF A SPECIAL ITEM OF
REVENUE AND AN APPROPRIATION OF EQUAL AMOUNT

Council offered and moved adoption of the following resolution:

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

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

NOW THEREFORE, BE IT RESOLVED that the Town Council of the Town of Secaucus Hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$240,000.00 which item is now available as revenue from:

STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION
FY 2017 MUNICIPAL AID PROGRAM

Pursuant to the provisions of the statute and,

BE IT FURTHER RESOLVED that a sum of \$240,000 be and the same hereby appropriated under the following caption:

FY 2017 MUNICIPAL AID PROGRAM

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

The following resolution was read:

No. 2017-323

RESOLUTION AUTHORIZING THE INSERTION OF A SPECIAL ITEM OF
REVENUE AND AN APPROPRIATION OF EQUAL AMOUNT

Council offered and moved adoption of the following resolution:

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

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

NOW THEREFORE, BE IT RESOLVED that the Town Council of the Town of Secaucus

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Hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$34,239 which item is now available as revenue from:

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)
ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM

Pursuant to the provisions of the statute and,

BE IT FURTHER RESOLVED that a sum of \$35,950.00 be and the same hereby appropriated under the following caption:

2017 ASSISTANCE TO FIREFIGHTERS GRANT-\$34,239.00
CASH MATCH - \$1,711.00

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

The following resolution was read:

No. 2017-324

RESOLUTION AUTHORIZING THE INSERTION OF A SPECIAL ITEM OF
REVENUE AND AN APPROPRIATION OF EQUAL AMOUNT

Council offered and moved adoption of the following resolution:

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

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

NOW THEREFORE, BE IT RESOLVED that the Town Council of the Town of Secaucus Hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of 5,500.00 which item is now available as revenue from:

NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY
CLICK OR TICKET MOBILIZATION GRANT

Pursuant to the provisions of the statute and,

BE IT FURTHER RESOLVED that a sum of \$5,500.00 be and the same hereby appropriated under the following caption:

2017 NJDHTS- CLICK OR TICKET MOBILIZATION GRANT

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

The following resolution was read"

No. 2017-325

RESOLUTION AUTHORIZING THE INSERTION OF A SPECIAL ITEM OF
REVENUE AND AN APPROPRIATION OF EQUAL AMOUNT

Council offered and moved adoption of the following resolution:

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

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

NOW THEREFORE, BE IT RESOLVED that the Town Council of the Town of Secaucus Hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of 5,500.00 which item is now available as revenue from:

NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY
DISTRATED DRIVING CRACKDOWN CAMPAIGN

Pursuant to the provisions of the statute and,

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BE IT FURTHER RESOLVED that a sum of \$5,500.00 be and the same hereby appropriated under the following caption:

2017 NJDHTS- DISTRATED DRIVING CRACKDOWN CAMPAIGN

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

The following resolution was read:

No. 2017-326

RESOLUTION AUTHORIZING THE AWARD OF PROFESSIONAL SERVICES BY THE ALTERNATE PROCESS FOR
ELLAS ENVIRONMENTAL SERVICES, LLC FOR ENVIRONMENTAL SERVICES FOR 1159 FARM ROAD

(FORMER BOULEVARD TIRE)

WHEREAS, the Town of Secaucus, County of Hudson needs to perform an environmental assessment consisting of soil sampling at the property leased by the Town located at 1159 Farm Road, Secaucus, ("The Property"); and

WHEREAS, the Town of Secaucus needs to appoint a licensed environmental firm with the skill and expertise to perform this work to conduct said assessment as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Ellas Environmental, LLC is a firm that possesses these attributes as set forth on the attached proposal for a fee of \$7,050.00 for the services; and

WHEREAS, Ellas Environmental, LLC, is in compliance with the State of New Jersey regulations and measures and meets the requirements of the alternate non-fair and open process; and

WHEREAS, Ellas Environmental, LLC, has completed and submitted a Business Entity Certification which certifies that Ellas Environmental, LLC has not made any reportable contributions to a political or candidate committee in the Town of Secaucus, County of Hudson, in the previous one (1) year, and that the contract will prohibit Ellas Environmental, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, after review and discussion by the Mayor and Council of the Town of Secaucus, County of Hudson, has determined to whom a contract should be awarded.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, ratify the contract that was awarded for professional environmental services for the property located at 1159 Farm Road to Ellas Environmental, LLC, subject to approval of funds in the 2017 Municipal Budget, through the non-fair and open process as set forth.

BE IT FURTHER RESOLVED, that the Town Administrator and/or Town Clerk shall be authorized to execute a contract for said services and execute any other documents or take any action to fulfill this resolution as follows:

Ellas Environmental, LLC in an amount not to exceed Seven Thousand Fifty Dollars (\$7,050.00) for the above referenced work, pursuant to the proposal.

The following resolution was read:

No. 2017-327

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 Leslie Ruiz is hereby appointed to the position of Park Attendant (#7600) part time (Relief) at the rate of \$13.50 per hour effective Tuesday, September 12, 2017.

The following resolution was read:

No. 2017-328

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 and/or 2017 Tax Duplicate; and

WHEREAS, Tax Assessor has confirmed that Block and Lots listed below were subdivided.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that

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the requested cancellation(s) and/or overpayment refund(s) be made.

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

BLOCK	LOT	ADDRESS	AMOUNT
42	9	179 Washington Avenue	\$ 1,688.12
52	4.01	50 Meadowland Parkway	721,741.78
52	4.02	48 Meadowland Parkway	48,191.00
52	4.03	46 Meadowland Parkway	30,119.38
124	13	181 Front Street (now: 775-777 First St.)	3,959.29

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.

The following resolution was read:

No. 2017-329

RESOLUTION AUTHORIZING CANCELLATION OF PROPERTY TAXES

WHEREAS, the Tax Collector of the Town of Secaucus has determined that action is required as a result of a certain property listed twice in the 2017 Tax Duplicate; and

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is authorized to cancel 2017 billing and 1st and 2nd Quarter 2018 billing for Block 227 Lot 5.0303 Qualifier: T01DUP in the amount shown below.

1st, 2nd, 3rd, & 4th Q. 2017\$ 4,669.29
1st & 2nd Q. 2018\$ 2,334.65

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

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

The following resolution was read:

No. 2017-330

RESOLUTION APPROVING
TAX OVERPAYMENT REFUND(S)

WHEREAS, it has been determined by the Tax Collector that the taxpayer(s) indicated are entitled to tax overpayment refund(s) for 3rd Quarter 2017 and;

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

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

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

BLOCK	LOT	QUALIFIER	ADDRESS	AMOUNT
21	12	C0581	581 Sanderling Ct.	1,220.03
21	15	C0735	735 Harmon Cove Towers	1,197.14
38	8		159 Weigands Lane	17.13
101	5.01	C000B	741 10th Street	1,041.55
101	5.01	CGAR1	741 10th Street	93.31
123	2.01		758 3rd Street	1,397.84
159	3.01	C0001	1 Mallard Place	2,734.94
179	17		169 Huber Street	774.62
191	13	C0036	36 Northend Drive	974.44
193	20		1121 Farm Road	2,756.06

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

NOW, THEREFORE BE IT FURTHER RESOLVED that the Tax Collector is hereby authorized to

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execute any documents or take any other action necessary to effectuate the spirit and purpose of this Resolution.

The following resolution was read:

No. 2017-331

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, Suez Water New Jersey, Inc. is hereby requested to erect one (1) fire hydrant at the following designated place, to be used for fire purposes only, in accordance with the Rules and Regulations of the Company, and its rates as set forth in its Schedule of Rates filed with the New Jersey Board of Public Utilities in Newark, NJ.

Invest # 55673-200 Riverside Station Blvd, Secaucus, NJ
Install (1) new public fire hydrant

The following resolution was read:

No. 2017-332

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND

OPEN CONTRACT TO ELEVATOR MAINTENANCE CORP (EMCO) FOR MAINTENANCE OF THE TOWN'S
ELEVATORS AND RESCINDING RESOLUTION NUMBER 2017-158

WHEREAS, the Town of Secaucus, County of Hudson has elevators in their buildings located at 1203 Paterson Plank Road, 1379 Paterson Plank Road, 1200 Koelle Boulevard and 145 Front Street which, in the interest of public safety and welfare, need to be properly maintained; and

WHEREAS, the Town of Secaucus needs to appoint a qualified company with the skill and expertise to perform elevator maintenance as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Elevator Maintenance Corp. ("EMCO"), Kearny, New Jersey, is a company that possesses these skills as set forth on the attached proposal and will perform elevator maintenance at the required locations for an annual fee of \$7,200.00 (billed monthly at \$600.00); and

WHEREAS, EMCO, is in compliance with the State of New Jersey regulations and measures and meets the requirements of the alternate non-fair and open process; and

WHEREAS, EMCO, has completed and submitted a Business Entity Disclosure Certification which certifies that EMCO, has not made any reportable contributions to a political or candidate committee in the Town of Secaucus in the previous year and that the contract will prohibit EMCO from making any reportable contributions through the term of the contract, in compliance with necessary regulations and measures of the State of New Jersey under N.J.S.A. 19:44A-20.27.

WHEREAS, the Purchasing Agent has certified in writing that the value of the acquisition of said goods and services will not exceed an annual amount of \$7,200.00; and

WHEREAS, the anticipated term of this contract is for one year; and

WHEREAS, the Town of Secaucus wishes to utilize the Alternate Process, also known as a Non-Fair and Open Contract, to secure elevator maintenance services from EMCO; and

WHEREAS, Resolution 2017-158, which was adopted by the Town Council on _____ authorizing to secure bids for elevator maintenance is hereby rescinded; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, award the contract between the Town of Secaucus and EMCO, to supply elevator maintenance service as described herein for annual fee of \$7,200.00 (billed monthly at \$600.00); and

BE IT FURTHER RESOLVED that EMCO shall provide the Business Entity Disclosure Certification and any and all updated compliance information requested by the Town of Secaucus' Office of Purchasing; and

BE IT FURTHER RESOLVED said award is subject to approval of funds in the 2017 Municipal Budget.

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

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The following resolution was read:

No. 2017-333

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS EXTENDING THE CONTRACT FOR PRINTING
SERVICES TO IMPRESSIVE PRINTING, LLC

WHEREAS, Resolution No. 2012-356, dated September 22, 2014, awarded an initial two (2) year contract to Impressive Printing, LLC to provide general printing services to the Town of Secaucus, which was extended for a one (1) year period under Resolution No. 2016-318, dated September 13, 2016; and

WHEREAS, the Town of Secaucus would like to continue the existing contract as set forth in the specifications, bid and this Resolution for a one (1) year period from the date of original award expiration; said extension is the second of two (2) available one (1) year extensions of this contract.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, that the Town's contract with Impressive Printing, LLC, to provide printing services pursuant to N.J.S.A. 40A:11-1 et. seq. be continued for a one (1) year period, constituting the fourth and final year of this contract from the date of original award; and

BE IT FURTHER RESOLVED, that the Town's initial Contract, as reflected in Resolution No. 2012-356, setting forth specific items and pricing shall continue in this extension period, not to exceed Seventy-Five Thousand Dollars (\$75,000.00); 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 Impressive Printing, LLC shall provide any and all updated compliance information requested by the Town of Secaucus' Office of Purchasing, which may include, but is not limited to, proof of continued insurance coverage; and

BE IT FURTHER RESOLVED, that the Finance Director certifies that funds are available for these services under various and appropriate department line items.

The following resolution was read:

No. 2017-334

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BOSWELL ENGINEERING FOR THE GAIL PLACE
AND VALLEY COURT FLOOD CONTAINMENT PROJECT

WHEREAS, the Town of Secaucus would like to move forward with a Flood Containment Project on Gail Place and Valley Court in the interest of safety, health and welfare and the protection of property and infrastructure; and

WHEREAS, pursuant to Resolution 2017-67, Boswell Engineering, 330 Phillips Avenue, South Hackensack, New Jersey 07606 was named as the alternate Consulting Engineer for the Town of Secaucus; and

WHEREAS, with the Town's alternate Consulting Engineer, Boswell Engineering, will be assuming responsibility for the project, as set forth in the attached proposal dated September 8, 2017, from the Town's Consulting Engineer, Remington Vernick & Arango Engineers, who began the initial steps of this Flood Containment Project.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, that the Town Administrator or his designee is authorized to accept and sign on behalf of the Town of Secaucus, the proposal and agreement dated September 8, 2017, for the engineering, environmental, survey, analysis, design and regulatory services related to the Gail Place and Valley Court Flood Containment Project with Boswell Engineering, in an amount not to exceed \$350,000.00.

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that funds are available.

BE IT FURTHER RESOLVED, that the Town Administrator or his designee is hereby authorized to take any action or execute any agreements, contracts and other documents related to the Gail Place and Valley Court Flood Containment Project with Boswell Engineering necessary to effectuate the purpose and intent of this Resolution and the Flood Containment Project.

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The following resolution was read:

No. 2017-335

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
EXTENDING THE CONTRACT FOR COURT COLLECTION SERVICES

WHEREAS, the Town of Secaucus advertised for qualified bidders regarding Court Collection Services to collect debt owed to the Town of Secaucus for Fines and Penalties issued by the Secaucus Municipal Court; and

WHEREAS, on April 23, 2015, two (2) sealed bids were received pursuant to New Jersey Local Public Contracts Law, N.J.S.A. 49A:11-1, et seq.; and

WHEREAS, Resolution No. 2015-336, dated September 22, 2015, awarded a two (2) year contract to Penn Credit Corp. with an available one (1) year extension; and

WHEREAS, the bid proposal of Penn Credit Corp. was reviewed and accepted by the Deputy Court Administrator at that time and re-reviewed for this renewal, which requires no fee to the Town.

NOW, THEREFORE, BE IT RESOLVED that the Town of Secaucus, County of Hudson, State of New Jersey, that the Town's contract with Penn Credit Corp. to provide Court Collection Services pursuant to N.J.S.A. 40A 11-1 et seq. be continued for a one (1) year period, constituting the last and final year of this contract from the date of the original award.

BE IT FURTHER RESOLVED that the specifications, base bid and Resolution shall constitute a contract for such services in accordance with the documents maintained on file with the Town Clerk's Office.

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.

The following resolution was read:

No. 2017-336

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, that the below individual is hereby promoted effective as of Wednesday, September 27, 2017 to the following:

<u>Name</u>	<u>Position</u>	<u>Salary</u>
• Adel Mikhail	Maintenance Worker Buildings & Grounds	\$ 38,377.00

The following resolution was:

No 2017-337

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 starting hourly rate for Bus Drivers part time with CDL passenger endorsement certification be adjusted to a rate of \$16.83 /per hour effective as of Wednesday, September 27, 2017.

The following resolution as read:

No. 2017-339

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 Construction Official the below Administrative Assistants in the Construction Department base salaries are hereby increased by \$3,000.00 per annum, effective as of Wednesday, September 27, 2017 as follows:

• Nancy Kessler	\$38,050.00 to \$41,050.00 per annum	
• Donna O'Connell	\$37,000.00 to \$40,000.00 per annum	September 26, 2017

The following resolution was read:

No. 2017-340

RESOLUTION ENDORSING THE ADOPTED HOUSING ELEMENT AND FAIR SHARE PLAN AND AUTHORIZING ITS SUBMISSION TO THE NEW JERSEY SPORTS AND EXPOSITION AUTHORITY AND IN CONJUNCTION WITH THE SETTLEMENT OF IN THE MATTER OF THE DETERMINATION OF THE AFFORDABLE HOUSING OBLIGATION OF THE TOWN OF SECAUCUS, NJ, SUPERIOR COURT OF NEW JERSEY, LAW DIVISION, HUDSON COUNTY, DOCKET NO. HUD-L-2911-15, WITH FAIR SHARE HOUSING CENTER

WHEREAS, the Town of Secaucus ("Town") filed a lawsuit entitled In the Matter of the Determination of the Affordable Housing Obligation of the Town of Secaucus, New Jersey in the Superior Court of New Jersey, Law Division, Hudson County, under Docket No. HUD-L-2911-15, on July 6, 2015, seeking immunity, along with all of its applicable Boards and subsidiary entities, from the filing and service of any third party or builder's remedy lawsuits with respect to the Town's satisfaction of its Mount Laurel obligations and a declaration of its compliance with the Mount Laurel doctrine and Fair Housing Act of 1985 ("FHA"), N.J.S.A. 53:27D-301 et seq.; and

WHEREAS, over the course of the litigation, Fair Share Housing Center ("FSHC") and the Town met directly and also appeared before the Hon. Joseph A. Turula in a

series of Case Management Conferences, resulting in the entry of various Case Management Orders and the appointment of a Special Master, Christine Nazzaro-Cofone, AICP/PP; and

WHEREAS, through that process, the Town and FSHC, with the consent and approval of the Special Master, have negotiated a settlement of the litigation and presented that settlement to the trial court with jurisdiction over this matter for review on June 15, 2017 in a Fairness Hearing which settlement was approved by Court Order entered on June 15, 2017; and

WHEREAS, a Housing Element and Fair Share Plan has been prepared and presented to the Planning Board of the Town of Secaucus ("Planning Board") on September 25, 2017 pursuant to the terms of the settlement with Fair Share Housing Center; and

WHEREAS, the Planning Board adopted the Housing Element and Fair Share Plan on September 25, 2017; and

WHEREAS, a true copy of the Resolution of the Planning Board adopting the Housing Element and Fair Share Plan is attached hereto; and

WHEREAS, as part of the implementation of the Housing Element and Fair Share Plan, the Town seeks certain revisions to the New Jersey Sports and Exposition Authority ("NJSEA") Secaucus Transit Village Redevelopment Plan;

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Town of Secaucus hereby endorse the Housing Element and Fair Share Plan, as adopted by the Town of Secaucus Planning Board; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Town of Secaucus submits the Housing Element and Fair Share Plan to the NJSEA and petitions the NJSEA to

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adopt the following amendments to the Secaucus Transit Village Redevelopment Plan in accordance with N.J.A.C. 19:3-5.15:

- In the Transition Zone, add "Dwelling, Multi-Family" as a permitted use under Section IV(B)2a;
- In the Riverfront Landing Zone, add Block 5.03, Lots 3.051 and 3.052 in Section IV(B)3;
- Under Design Criteria, Section IV(C)2d, increase the maximum number of market rate dwelling units from 1,805 to 2,205 in the Riverfront Landing Zone;
- Under Design Criteria, Section IV(C)2, include a provision to permit a maximum of 280 market rate dwelling units in the Transition Zone;
- Amend Design Criteria, Section IV(C)2g to provide that all affordable housing units required by applicable New Jersey regulations, or court-approved fair share plan, shall be provided on-site, unless otherwise provided at an off-site location by agreement with the municipality, in which instance, the number of affordable housing units required on-site may be reduced accordingly;

- Under Design Criteria, Section IV(C)4c, increase the number of permitted stories from a maximum of 12 stories to a maximum of 15 stories in the Riverfront Landing Zone.

BE IT FURTHER RESOLVED that the Mayor and Council of the Town of Secaucus submits this Resolution and Housing Element Fair Share Plan in evidence in In the Matter of the Determination of the Affordable Housing Obligation of the Town of Secaucus, New Jersey, Superior Court of New Jersey, Law Division, Hudson County, Docket No. HUD-L-2911-15, for a determination that it is compliant with the constitutional obligations of the Fair Housing Act, N.J.S.A. 52:27D-301 et seq.

The following resolution was read:

No. 2017-341

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 Recreations, the following persons are hereby appointed as seasonal part time at Ice Rink as Assistant Manager, Custodial/Zamboni Drivers, Custodians, Skate guards and Clerical personnel effective Wednesday, September 27, 2017 as follows:

<u>Assistant Managers</u>	<u>Hourly Rate</u>
Michael Ducusin	\$13.00 / Hour
John Flanagan	\$12.00 / Hour
Robert Liccardo	\$12.00 / Hour

<u>Custodial/Zamboni Driver</u>	<u>Hourly Rate</u>
Greg Van Es (Maintenance/Zamboni)	\$14.00 / Hour
James Flanagan	\$10.00 / Hour
Joseph Ferrara	\$10.00 / Hour
Lauren Guillen	\$10.00 / Hour
Arthur Buckel	\$10.00 /Hour

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John Bartlett	\$10.00 / Hour
John Woeckner	\$10.00 /Hour

<u>Custodians</u>	<u>Hourly Rate</u>
James Fragliossi	\$8.75 / Hour
Neel Patel	\$8.75 / Hour
Matthew Dragone	\$8.75 / Hour
Joseph Morales	\$8.75 / Hour

<u>Skateguards</u>	<u>Hourly Rate</u>
Noah Andriani	\$8.50 / Hour
Anthony Costantino	\$8.50 /Hour
Tom Devany	\$8.50 /Hour
Emily Dunning	\$8.50 / Hour
Alex Ianuale	\$8.50 / Hour
Jon Logan	\$8.50 / Hour
Ryan Moloughney	\$8.50 / Hour
Robert Schaefer	\$8.50 / Hour
Alex Leon	\$8.50 / Hour
Brandon Tabasco	\$8.50 / Hour
Ysabelle Calara	\$8.50 / Hour

<u>Skateguards</u>	<u>Hourly Rate</u>
Brian Devany	\$8.50 / Hour
Michael Garcia	\$8.50 / Hour
Skyler Eccles	\$8.50 / Hour
Emma Ramirez	\$8.50 / Hour
Sam Kim	\$8.50 / Hour
Gabrielle Calara	\$8.50 / Hour

<u>Clerical</u>	<u>Hourly Rate</u>
Amanda Dehnert	\$8.50 / Hour
Melissa Deluccio	\$8.50 / Hour
Nick Ducusin	\$8.50 /Hour
Jessica Ghode	\$8.50 / Hour
Dylan Langhrer	\$8.50 / Hour

Nick Pascarello	\$8.50 / Hour
Jarred Semelmacher	\$8.50 / Hour
Kayla Ducusin	\$8.50 / Hour
Olivia Ramirez	\$8.50 / Hour
Victoria D'Avanzo	\$8.50 / Hour
Melissa Dehnert	\$8.50 / Hour
Kyra Korres	\$8.50 / Hour

The following resolution was read:

No. 2017-342

RESOLUTION AUTHORIZING CANCELATION OF CONTRACT WITH AJM CONTRACTORS FOR
"MEADOWLANDS PARKWAY GREENWAY AND BIKE PATH"

WHEREAS, the Town of Secaucus, County of Hudson entered into a contract with AJM Contractors ("Contractor") by Resolution No.2016-303, for construction of the "Meadowlands Parkway Greenway and Bike Path" project; and

WHEREAS, nearly all work on the project has been completed, however, there are "punch list" items which have yet to be performed by the contractor; and

WHEREAS, Remington & Vernick, the Engineers overseeing the project, made numerous phone calls and forwarded correspondence to AJM Contractors requesting the punch list items be addressed and providing a time frame to do so; and

WHEREAS, to date, AJM Contractors has not responded to any request for completion of the punch list items, therefore, the Town needs to terminate the contract in order to have the work completed; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, that the contract with AJM Contractors, awarded under Resolution No.2016-303, is hereby canceled.

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

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The following resolution was read:

No. 2017-343

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO J.A. ALEXANDER, INC., FOR COMPLETION
OF THE "MEADOWLANDS PARKWAY GREENWAY AND BIKE PATH" PROJECT

WHEREAS, the Town of Secaucus, County of Hudson, State of New Jersey, previously awarded a contract to AJM Contractors under Resolution No. 2016-303 for construction of "Meadowlands Parkway Greenway and Bike Path" project; and

WHEREAS, AJM Contractors did not complete numerous "punch list" items, thereby, resulting in cancellation of their contract; and

WHEREAS, there remains Eight Thousand Two Hundred Eighteen Dollars and 21/100 (\$8,218.20) in retainage under the AJM Contract; and

WHEREAS, in the interest of public safety, health and welfare, the Town needs to have the final punch list items completed; and

WHEREAS, J.A. Alexander, Inc. has provided proposal for labor and equipment rates to complete the project, which is attached hereto; and

WHEREAS, based on engineering estimates, the work to be perform by J. A. Alexander Inc., will not exceed Eight Thousand Two Hundred Eighteen Dollars and 21/100 (\$8,218.20); and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, award the contract between the Town of Secaucus and J.A. Alexander Inc., to complete all punch list items on the Meadowlands Parkway Greenway and Bike Path project in an amount not to exceed Eight Thousand Two Hundred Dollars and 21/100 (\$8,218.20); and

BE IT FURTHER RESOLVED, that J.A. Alexander shall provide the Business Entity Disclosure Certification and any and all updated compliance information requested by the Town of Secaucus' Office of Purchasing; and

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

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

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

Motion carried

PAYMENT OF CLAIMS

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

Town of Secaucus Payroll Acct. w/ending 09/08/17		\$535,968.214
Adm. & Exec	19,079.42	
Mayor & Council	13,056.59	
Municipal Clerk	6,601.58	
Community Shuttle Bus	3,326.28	
Legal Dept.	6,586.68	
Municipal Court	16,861.64	
Engineering	5,770.41	
Pub. Bldgs. & Grds.	50,21.75	
Off. Of Inspect.	10,237.92	
Planning Board	69.82	
Bd. Of Adjustments	65.10	
Public Defender	00.00	
Comm. & Security Adm	5,605.14	
Environmental	3,078.77	
Construction	20,595.38	
Treasurer	23,179.21	
Tax Assessor	6,844.72	
Tax Collector	5,929.20	
Police Dept.	378,250.64	
School Cross Grds.	000.00	
Office of Emergency Man.	594.23	
Unif. Fire Safety Off.	000.00	
Rd. Repair & Maint.	143,115.82	
Sewer System	1,150.77	
Recycling Coord.	9,337.30	
Bd. of Health	7,344.79	
Mosquito Control	0.00	
Social Services	23,129.43	

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Fire Dept. Incentives	000.00	
Pks. & Play Grds.	000.00	
Supv. Of Play Act.	43,595.15	
Rec. Activities	1,123.25	
Social Security	41,836.32	
Pool Social Security	000.00	
Pool Oper.	29,277.17	
Grant Fund (OEM)	000.00	
CDBG	000.00	
Town of Secaucus Tax Escrow Acct. w/ending 09/08/17		\$297,900.05
Town of Secaucus Payroll Acct. w/ending 9/21/17		\$507,172.19
Adm. & Exec	19,090.36	
Mayor & Council	000.00	
Municipal Clerk	7,127.56	
Community Shuttle Bus	2,398.98	
Legal Dept.	6,511.68	
Municipal Court	16,197.06	
Engineering	6,214.49	
Pub. Bldgs. & Grds.	42,661.70	
Off. Of Inspect.	9,994.64	
Planning Board	69.82	
Bd. Of Adjustments	265.10	
Public Defender	00.00	
Comm. & Security Adm	5,384.62	
Environmental	2,390.68	
Construction	21,337.11	
Treasurer	22,816.72	
Tax Assessor	6,749.37	
Tax Collector	5,841.72	
Police Dept.	370,742.11	
School Cross Grds.	000.00	
Office of Emergency Man.	594.23	
Unif. Fire Safety Off.	000.00	
Rd. Repair & Maint.	147,524.18	
Sewer System	347.09	
Recycling Coord.	9,122.55	
Bd. of Health	6,876.01	
Mosquito Control	00.00	
Social Services	29,131.63	
Fire Department	000.00	
Retirees Health	000.00	
Pks. & Play Grds.	000.00	
Supv. Of Play Act.	32,606.42	
Rec. Activities	758.07	
Social Security	39,409.63	
Total Current Fund	000.00	
Pool Social Security	1,034.42	
Pool Oper.	30,186.76	
Town of Secaucus Tax Escrow Acct. w/ending 9/22/17		\$293,015.53

Total Amount Claims Check No.52857-53114 \$3,878,490.59

Recreation Acct No checks written

Recreation On-Line No checks written

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

Councilman Clancy moved to approve the bills on the Claims Register, seconded by Councilman Dehnert.

One bill pulled for Remington, Vernick and Arango.

AYES: Costantino, McKeever, Clancy, Dehnert, Gerbasio, Gonnelli

ABSTAIN: Gonnelli on Secaucus Fire Department bills and s bill from Pierce Manufacturing for a new fire truck.

NAYS: None

ABSENT: Pirro

Motion carried

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BINGO/RAFFLE APPLICATION

R-1471 Friends of the Secaucus Animal Shelter On Premise 50/50
R-1472 Friends of the Secaucus Animal Shelter on Premise Draw Raffle

Councilman Gerbasio moved to approve the foregoing applications, second by Councilman Costantino.

AYES: Costantino, McKeever, Clancy, Pirro, Dehnert, Gerbasio, Gonnelli

NAYS: None

ABSENT: Pirro

Motion carried

COMMUNICATIONS REQUIRING ACTION BY MAYOR AND COUNCIL

Request to use of the Senior Center by Secaucus Martial Arts.

Request to use Buchmuller Park by Angela Cinciarelli

Request to use the Recreation Center by Mary Garcia and St. Jude fundraisers.

Councilman Clancy moved to approve the first three communications, second by Councilman Costantino.

AYES: Costantino, McKeever, Clancy, Pirro, Dehnert, Gerbasio, Gonnelli

NAYS: None

ABSENT: Pirro

Motion carried

COMMITTEE REPORTS

Councilman Clancy spoke about putting garbage out at the correct time and the container that it should be placed in.

Councilman McKeever gave details about an upcoming event for the Senior Citizens of the Town.

UNFINISHED BUSINESS

Councilman Costantino spoke about the upcoming Restaurant Night. He added details on an upcoming concert to be held at the Radio Avenue Park.

Mayor Gonnelli noted that the Town received a grant to purchase the property.

Councilman Dehnert offered information on upcoming events.

NEW BUSINESS

Councilman Gerbasio gave details on the upcoming Town wide garage sale. He added details on an upcoming Fundraiser for the Secaucus Emergency Fund. Lastly he gave details on the Ragamuffin Parade and other activities for the youth.

Councilman Costantino spoke about the upcoming Health Day to be held at the Recreation Center.

Councilman Clancy gave details on upcoming events as well as a Job Fair.

Don Evanson gave some details on the Job Fair and what they are looking for.

Councilman Dehnert spoke about the need for items to be placed at the Secaucus Museum. He added information about the upcoming Community Ball.

Councilman McKeever gave details on an upcoming Halloween Event to be held at La Reggia Restaurant.

REMARKS OF CITIZENS

George Stafford
Donald Evanson

Councilman Clancy moved to adjourn the meeting at 7:28pm, seconded by Councilman Dehnert.

AYES: Costantino, McKeever, Clancy, Pirro, Dehnert, Gerbasio, Gonnelli

NAYS: None

ABSENT: Pirro

Motion carried

Michael Marra, Town Clerk