

December 16, 2019

MINUTES of the Regular Meeting of the Mayor and Board of Council of the Town of Secaucus, County of Hudson, State of New Jersey held on the 16th day of December 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 Jersey Journal on December 27, 2018.

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
Orietta Tringali

Cathy Wolf and several people from the Hygiene Project presented the Mayor and Council with food items that were donated. Ms. Wolf estimated there was enough food donated to feed 50 families.

ORDINANCES FOR PUBLIC HEARING

The following ordinance was read for public hearing: No. 2019-41

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>
John Street	West	On the west side of John St. Beginning at a point 114 feet South of the southwest corner Of John Street and Centre Ave Continuing south for a distance Of 22 feet in front of 709 John St.
Centre Ave.	West	Beginning at a point 75 feet From the southwest corner Of Hudson Avenue and Centre Avenue and continuing south on Hudson Avenue for a distance of 22 feet.
Pandolfi Avenue	East	On the east side of Minnie Place Beginning at a point 33 feet North of the northeast corner Of Pandolfi Ave, and Minnie Place continuing north for a Distance of 22 feet in front 178 Pandolfi Ave.

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

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circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such persons or circumstances, to which the ordinance or part thereof is held inapplicable, had been specifically exempted therefrom.

SECTION 3

REPEALER

BE IT FURTHER ORDAINED, that all other ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed, to the extent of such inconsistency.

SECTION 4

EFFECTIVE DATE

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

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

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

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

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

The following ordinance was read for public hearing: No. 2019-42

AN ORDINANCE REPEALING CHAPTER 102
OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED "POCKET SCOOTERS"

WHEREAS, the Town had previously adopted Chapter 102 of the Code of the Town of Secaucus on October 26, 2004, placing restrictions on the utilization of pocket scooters, which were defined powered-driven devices upon which the operator sits and which have a capability of being propelled at speeds up to twenty-five (25) miles per hour, and which were unregulated by the State of New Jersey at that time; and

WHEREAS, the Mayor and Council have determined that Chapter 102 should be repealed as "pocket scooters" are covered by state statutes, including N.J.S.A. 39:1-1 and N.J.S.A. 39:4-14.16, and Chapter 54 of the Code, which reflects the current laws and regulations in the State of New Jersey for E-scooters and E-bicycles.

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 102 of the Code of the Town of Secaucus entitled "Pocket Scooters" adopted on October 26, 2004 under Ordinance Number 2004-26 be repealed in its entirety. Relevant provisions are contained in Chapter 54 of the Code of the Town of Secaucus.
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,

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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 Clancy moved that the public hearing be closed, seconded by Councilman Dehnert.

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

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

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

The following ordinance was read for public hearing: No. 2019-43

AN ORDINANCE AMENDING CHAPTER 127 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED "VEHICLES AND TRAFFIC" ADD A PROHIBITED PARKING LOCATION ON JEFFERSON AVENUE

WHEREAS, the Mayor and Council recognize that the safety of all motorists, passengers, pedestrians, residents and visitors; and

WHEREAS, the Town enacted §127-1 et seq. to alleviate dangerous situations on the Town's streets, promote safe passage for motorists and vehicles, to address traffic flow, and specify penalties for violations; and

WHEREAS, upon the review and recommendation of the Secaucus Engineering Department and Secaucus Police Department Traffic Division, the Mayor and Council have determined an update to the Ordinance to prohibit parking on a section of Jefferson Avenue is warranted in the interest of public safety to allow an adequate turning radius.

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," §127-23" "Schedule I: No Parking" 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 ~~strikethroughs~~):

§ 127-23. Schedule I: No Parking.

In accordance with the provisions of § 127-7, no person shall park a vehicle at any time upon any of the following described streets or parts of streets:

Name of Street	Side	Location
Jefferson Avenue	South	From the eastern corner of the easternmost driveway of 505 Jefferson Avenue to the western corner of the Shetik Field Parking Lot.

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

3. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section,

subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed to be valid and effective.

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

IT IS FURTHER ORDAINED that the remainder of this Chapter 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 Costantino moved that the public hearing be closed, seconded by Councilman Dehnert.

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

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

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

The following ordinance was read for public hearing: No. 2019-44

AN ORDINANCE AMENDING CHAPTER 54 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED "BICYCLES" TO UPDATE PROVISIONS AND TO INCLUDE LOW-SPEED ELECTRIC BICYCLES AND LOW-SPEED ELECTRIC SCOOTERS

WHEREAS, the Mayor and Council recognize that the safety of all residents, visitors, cyclists and children is of paramount concern, and that low-speed electric bicycles and scooters are increasing in popularity and used as alternate forms of transportation; and

WHEREAS, after reviewing recent legislation, including changes to N.J.S.A. 39:1-1 and N.J.S.A. 39:4-14.16, and the existing town ordinances, the Mayor and Council believe that an update is warranted to Town Ordinance Chapter 54 to encompass low-speed electric bicycles and scooters and the importance of responsible riding and enforcement.

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. The Code of the Town of Secaucus be, and is hereby amended and supplemented to read as follows: (deletions are indicated by ~~excesses~~; additions are indicated in bold):

Ch. 54 BICYCLES, LOW-SPEED ELECTRIC BICYCLES AND ELECTRIC SCOOTERS

Article I Bicycles, low-speed electric bicycles and electric scooters

- § 54-1. Purpose and intent.
§ 54-2. Definitions.
§§ 54-3-54-6. Reserved.
§ 54-7. Safety rules and regulations.
§ 54-8. Renting, hiring or leasing of bicycles to the public.
§ 54-9. Safety programs.
§ 54-10. Incorporation of legislative provisions herein.
§ 54-11. Reserved. Riding prohibited in parks.
§ 54-12. Violations and penalties.
§ 54-13. Repealer.
§ 54-14. Severability.

§ 54-1. Purpose and intent.

The purpose and intent of this chapter is to establish regulations and guidelines for the operation of bicycles, low-speed electric bicycles and low-speed electric scooters within the Town of Secaucus. It is not primarily intended to penalize individuals who operate bicycles in violation of the provisions contained herein, but rather to educate both children and adults regarding proper and safe

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bicycling riding practices, to ensure their safety and welfare and the safety and welfare of motorists and pedestrians, and to make bicycling riding an enjoyable experience.

§ 54-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BICYCLE - Any device having a wheel or wheels with solid or pneumatic tires twelve (12) inches or more in diameter, connected by a frame and so constructed as to be propelled by human power, except that bicycles equipped with training wheels and tricycles when used by young children shall not be so included.

"Low-speed electric bicycle" - As defined in N.J.S.A. 39:1-1, includes a two or three-wheeled vehicle with fully operable pedals and an electric motor of less than 750 watts, that meets the requirements of one of the following classifications: "class 1 low-speed electric bicycle" which means a low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour; or "class 2 low-speed electric bicycle" which means a low-speed electric bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour.

"Low-speed electric scooter" - Includes a scooter, as defined in N.J.S.A. 39:1-1, with a floorboard that can be stood upon by the operator, with handlebars, and with an electric motor that is capable of propelling the device with or without human propulsion at a maximum speed of less than 19 miles per hour. Shall also include a wheeled device that can be stood upon by the operator, with or without handlebars and with an electric motor that is capable of propelling the device with or without human propulsion.

~~§§ 54-3-54-6. Reserved.~~

§ 54-3. Low-speed electric bicycles or low-speed electric scooters.

Any use of low-speed electric bicycles or low-speed electric scooters shall be in accordance with applicable federal and state laws, including but not limited to N.J.S.A. 39:4-14.16 and any amendments to such.

§ 54-4. Safety rules and regulations for low-speed electric bicycles and low-speed electric scooters.

A. It shall be unlawful for any person to ride or operate a low-speed electric bicycle or a low-speed electric scooter upon the public rights-of-way in the Town of Secaucus unless such person rides or operates such low-speed electric bicycle or a low-speed electric scooter in accordance with the following rules and regulations:

(1) Lights and reflectors. Every low-speed electric bicycle or low-speed electric scooter when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred (500) feet to the front, and with a lamp on the rear which shall emit a red light visible from a distance of at least five hundred (500) feet to the rear.

(2) Audible signal device. No person shall operate a low-speed electric bicycle or a low-speed electric scooter with handlebars unless it is equipped with a device capable of giving a signal audible for a distance of at least one hundred (100) feet, except that such shall not be equipped with nor shall any person use upon such any siren or whistle.

(3) Positions of hands and feet. A person propelling or riding a low-speed electric bicycle or a low-speed electric scooter shall not ride other than upon or astride a permanent and regular seat attached thereto or in an upright position on a designated platform(s), nor shall any trick or fancy riding be performed.

(4) Hitching on vehicles prohibited. No person riding upon any low-speed electric bicycle or a low-speed electric scooter shall attach to any vehicle or moving device, and no operator of any vehicle or moving device shall knowingly allow any person riding upon a low-speed electric bicycle or a low-speed electric scooter to attach the same or themselves to such.

(5) Keeping to the right; passing; paths.

(a) Every person operating a low-speed electric bicycle or a low-speed electric scooter upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(b) Persons riding on a low-speed electric bicycle or a low-speed electric scooter shall ride in single file, except on paths or parts of roadways set aside for the use of such.

(c) Wherever a usable path for a bicycle has been provided adjacent to a roadway, low-speed electric bicycle or low-speed electric scooter riders can use such path.

(6) Rights and duties of persons on low-speed electric bicycles or low-speed electric scooters. Every person riding a low-speed electric bicycle or a low-speed electric scooter upon a roadway shall be granted all the rights and shall be subject to all the duties applicable to the driver of a vehicle by Chapter 4 of Title 39 of the New Jersey Revised Statutes, and all supplements thereto, except as to those provisions thereof which by their nature can have no application. In particular, any person operating a low-speed electric bicycle or a low-speed electric scooter shall obey the instructions of official traffic control signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police officer.

(7) Riding on sidewalks.

(a) No person over the age of 13 shall ride a low-speed electric bicycle or a low-speed electric scooter upon a sidewalk within the Town of Secaucus, or where signs prohibit the same. Whenever such person is riding a low-speed electric bicycle or a low-speed electric scooter upon a sidewalk or pedestrian right-of-way, such person shall ride in single file only, yield the right-of-way to any pedestrian and give an audible signal before overtaking and passing any pedestrian.

(b) No person, even those under the age of 13, shall ride a low-speed electric bicycle or a low-speed electric scooter upon a sidewalk in a business district between the hours of 9:00 a.m. and 9:00 p.m. within the Town of Secaucus, or where signs prohibit the same.

(c) The Police Department is hereby authorized to erect signs on any roadway or sidewalk within the Town of Secaucus where it is deemed necessary to prohibit the riding of low-speed electric bicycles or low-speed electric scooters thereon by any person; and when such signs are in place no person shall disobey the same.

(8) Carrying articles. No person operating a low-speed electric bicycle or a low-speed electric scooter shall carry any package, bundle or article which prevents the rider from keeping both hands upon the handlebars.

(9) Parking. No person shall park a low-speed electric bicycle or a low-speed electric scooter upon a street except where an appropriate rack or spots are provided. All low-speed electric bicycles or low-speed electric scooters, when parked on sidewalks, shall be parked only in such manner as not to obstruct or impede the normal movement of pedestrian or other traffic or access to adjacent buildings.

(10) Speed. No person shall operate a low-speed electric bicycle or a low-speed electric scooter at speeds faster than are reasonable or proper, which in no case shall be in excess of legal speed limits, unless participating in an officially sponsored or sanctioned rally or road race.

(11) Reckless or careless riding. No person shall ride a low-speed electric bicycle or a low-speed electric scooter in a reckless or careless manner which endangers or is likely to endanger the safety or welfare of other persons or property.

(12) Carrying passengers. No person operating a low-speed electric bicycle or a low-speed electric scooter shall allow another person to ride as a passenger unless the passenger is carried in a proper bike seat, trailer or other accessory that complies with current regulations and contains adequate provision for retaining the passenger in place and for protecting the passenger; and the passenger is wearing a properly fitted and fastened helmet meeting the standards set forth in N.J.S.A. 39:4-10.1.

B. The Police Department is hereby authorized to promulgate, with the approval of the Mayor and Town Council, such further rules and regulations concerning registration, operation, equipment and safety of low-speed electric bicycles and low-speed electric scooters as deemed necessary from time to time.

...

§ 54-7. Safety rules and regulations for bicycles.

A. It shall be unlawful for any person to ride or operate a bicycle upon the public rights-of-way in the Town of Secaucus unless such person rides or operates such bicycle in accordance with the following rules and regulations:

...

(3) Positions of hands and feet. A person propelling or riding a bicycle shall not ride other than upon or astride a permanent and regular seat attached

thereto, nor shall he ride with his feet removed from the pedals or with both hands removed from the handlebars, nor shall he practice there be any trick or fancy riding.

...
(5) Hitching on vehicles prohibited. No person riding upon any bicycle shall attach ~~the same or himself~~ to any vehicle or moving device upon a roadway, and no operator of any vehicle shall knowingly allow any person riding upon a bicycle to attach ~~the same or himself~~ to any vehicle or moving device.

...
(12) Reckless or careless riding. No person shall ride a bicycle in a reckless or careless ~~manner~~ manner which endangers or is likely to endanger the safety or welfare of other persons or property.

...
§ 54-8. Renting, hiring or leasing of bicycles, low-speed electric bicycles or low-speed electric scooters to the public.

All persons who rent, hire or lease bicycles, low-speed electric bicycles or low-speed electric scooters in the Town of Secaucus shall maintain proper registration tags and licenses for each bicycle, low-speed electric bicycle or low-speed scooter and keep each bicycle, low-speed electric bicycle or low-speed electric scooter in a safe operating condition, and shall advise the persons using said bicycles, low-speed electric bicycles or low-speed electric scooters of the regulations for use in the Town of Secaucus by posting a copy of this chapter in a conspicuous place where said ~~bicycles~~ are rented, hired or leased.

§ 54-9. Safety programs.

The Police Department is hereby authorized ~~and directed~~ to provide within the Town of Secaucus a bicycle, low-speed electric bicycle and low-speed electric scooter program, individually or in concert with the Board of Education of the Town, the Motor Vehicle Commission, the County of Hudson or any other governmental, volunteer or service organization. Such ~~bicycle~~ programs may include lectures, courses in traffic safety, inspection programs and distribution of informational material relating to bicycle, low-speed electric bicycle or low-speed electric scooter safety.

§ 54-10. Incorporation of legislative provisions herein.

This chapter incorporates the provisions of New Jersey Revised Statutes 39:4-10 through 39:4-14-2-14.16, and further supplements said provisions.

§ 54-11. ~~Reserved~~. Riding prohibited in parks.

The riding of bicycles, low-speed electric bicycles or low-speed scooters shall be prohibited in public parks in the interest of safety. Designated bicycle paths and public pathways shall be excluded from this prohibition.

§ 54-12. Violations and penalties.

A. Juvenile operators.

(1) Upon failure to comply with or violation of any of the provisions of this chapter, or with any other safety regulation promulgated by the Police Department, except for violations of §54-7A(13) or §54-7B, a juvenile operator shall be issued a verbal warning by the enforcing officer of the nature of the violation and a notation of such may be made in the Department's files. If deemed warranted, the juvenile's parent or legal guardian may also be notified. Upon second and subsequent offenses, the juvenile's parents or guardian shall be notified of the violations, and the notifying officer shall advise the parent or guardian of the importance and need for safe bicycling and riding practices. The juvenile and the parent or legal guardian may be liable for a fine not to exceed one hundred dollars (\$100.) and/or a period of community service.

(2) For any violations of §54-7A(13) or §54-7B involving the lack of a proper safety helmet, the juvenile shall be warned of the violation by the enforcing official. The parent or legal guardian of that juvenile may also be fined a maximum of twenty-five dollars (\$25.) for the juvenile's first offense and a maximum of one hundred dollars (\$100.) for a subsequent offense if it can be shown that the parent or guardian failed to exercise reasonable supervision or control over the juvenile's conduct. Penalties for failure to wear a safety helmet may be waived if the juvenile or their parent or legal guardian presents suitable proof that an approved helmet was owned at the time of the violation or subsequently purchased.

B. Adult operators. Any person eighteen (18) years of age or older found in violation of any provision of this chapter or any safety regulation promulgated by the

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Police Department shall be subject to a fine not to exceed five hundred dollars (\$500.) at the discretion of the Judge before whom such person is convicted.

C. Any person or business association engaged in renting, hiring or leasing bicycles, low-speed electric bicycles or low-speed electric scooters in the Town of Secaucus found to be in violation of § 54-8 of this chapter shall be issued a summons and may be subject to a fine not to exceed five hundred dollars (\$500.), at the discretion of the Judge before whom such person is convicted.

D. Enforcement of this chapter may be completed by the Secaucus Police Department.

...

1. There are no other changes to this Chapter of the Code of the Town of Secaucus.
2. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
3. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed to be valid and effective.
4. This Ordinance shall take effect immediately upon passage and publication in accordance with law.

IT IS FURTHER ORDAINED that the remainder of this Chapter 54 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 Costantino moved that the public hearing be closed, seconded by Councilman Dehnert.

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

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

AYES: Costantino, Clancy, Dehnert, Gerbasio, Tringali, Gonnelli
NAYS: None
ABSENT: None 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. 2019-335

RESOLUTION AUTHORIZING A
PROFESSIONAL SERVICE CONTRACT WITH McNERNEY & ASSOCIATES,
INC. FOR PROFESSIONAL APPRASAIL SERVICES FOR THE PROPERTY
LOCATED AT 110 MEADOWLANDS PARKWAY

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 provided to the Tax Court of New Jersey concerning certain pending tax appeal matters for Block 52, Lot 3.01; 110 Meadowlands Parkway, for tax years 2015, 2016, 2017, 2018 and 2019 under Docket Nos.: 007422-2015, 007551-2016; 006308-2017, 005337-2018 and 004205-2019 (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

WHEREAS, in accordance with N.J.S.A. 40A:11-5(a) (i) any contract for Professional Services may be negotiated and awarded by the governing body without public advertising, and shall be awarded by resolution of the governing body; and

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

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey award the professional service contract to McNerney & Associates, Inc. for the appraisal valuation and consulting services as described herein; and

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

BE IT FURTHER RESOLVED, that the Mayor, Town Administrator or their designee are hereby authorized to execute any documents regarding the award of a professional service contract with McNerney & Associates, Inc. for appraisal, valuation and consulting services in regards to the Appraisal Report for 110 Meadowlands Parkway; and

BE IT FURTHER RESOLVED, that McNerney & Associates, Inc. shall be paid an amount not to exceed Seven Thousand Five Hundred and 00/100 (\$7,500.00) for a trial ready appraisal report, 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: and

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

The following resolution was read:

No. 2019-334

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
AUTHORIZING CANCELLATION OF 2019 TAX OVERPAYMENTS
OR DELINQUENT AMOUNTS LESS THAN \$10.00

WHEREAS, N.J.S.A. 40A:5-17.1 allows for the cancellation of property tax overpayments or delinquent amounts in the amount of less than \$10.00 and for the cancellation of delinquencies for any charges and fees imposed by the municipality in the amount of less than \$10.00; and

WHEREAS, the governing body may authorize the Tax Collector to process, without further action on their part, any cancellation of property tax overpayments or delinquencies of less than \$10.00 and any delinquencies of less than \$10.00 for any charges and fees imposed by the municipality.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey to hereby authorize the Tax Collector to cancel said tax amounts as deemed necessary.

BE IT FURTHER RESOLVED that the Tax Collector or their designee is hereby authorized to take any action necessary to effectuate said purpose and intent.

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

The following resolution was read:

No. 2019-337

A RESOLUTION AUTHORIZING A PROPRIETARY CONTRACT TO PURCHASE A HURST S799E2 EDRAULIC
CUTTER AND RELATED ITEMS TO STATE LINE FIRE & SAFETY, INC.

WHEREAS, the Town of Secaucus Fire Department has the need to purchase a Hurst S799E2 eDraulic Cutter and related items; and

WHEREAS, State Line Fire & Safety, Inc. of 50 Park Avenue, Park Ridge, NJ 07656 has provided a quote for these products in the amount of Thirteen Thousand Forty-Seven Dollars and 50/100 (\$13,047.50); and

WHEREAS, State Line Fire & Safety, Inc. is the only Hurst dealer for the fire service market whose sales territory for the Hurst S799E2 eDraulic Cutter includes the County of Hudson in the State of New Jersey, and whose personnel have been factory trained and certified by Hurst Jaws of Life, Inc.; and

WHEREAS, N.J.A.C. 5:34-9.1(A)(1)(ii) identifies Proprietary as "Specialized in Nature" and "The good or service is patented and the patented feature is essential for operational performance;" and

WHEREAS, the Hurst S799E2 eDraulic is of a Proprietary nature, a procurement governed by N.J.S.A. 40A:11-13(d) and regulated by N.J.A.C. 5:34-9.1; and

WHEREAS, the Finance Director certifies that funds are available for these items under line item 10-2150-55-70605-006.

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey award the purchase of a Hurst S799E2 eDraulic Cutter and related items from State Line Fire & Safety, Inc. in an amount not to exceed Thirteen Thousand Forty-Seven Dollars and 50/100 (\$13,047.50); and

BE IT FURTHER RESOLVED, that State Line Fire & Safety, Inc. shall provide any and all compliance information requested by the Town of Secaucus Office of Purchasing; and

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

Financial officers
Certification attached.

The following resolution was read:

No. 2019-338

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 the Christine Conte, Manager Town Administrator, the below person is hereby re-appointed to the seasonal part time Animal Shelter Assistant position in the Animal Shelter/DPW Department (#50000) as follows:

Brucaliere, Catherine #5040 start 12/18/19 \$10.00 / Hour

The following resolution was read:

No. 2019-339

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, that the attached dates for Caucus Meetings of the Mayor and Council of the Town of Secaucus for the year 2020 are hereby approved.

In accordance with the provisions of Chapter 231, Public Laws 1975, Annual Notice of the schedule of the Regular Meetings of the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey for the year 2020 is hereby given.

The location of said regular meetings is Council Chamber II, second floor of the Municipal Government Center, 1203 Paterson Plank Road, Secaucus, New Jersey and the dates and times are as follows:

<u>Date</u>	<u>Day</u>	<u>Time</u>
January 7, 2020	Tuesday	4:30 PM
January 28, 2020	Tuesday	4:30 PM
February 11, 2020	Tuesday	4:30 PM
February 25, 2020	Tuesday	4:30 PM
March 10, 2020	Tuesday	4:30 PM
March 24, 2020	Tuesday	4:30 PM
April 14, 2020	Tuesday	4:30 PM
April 28, 2020	Tuesday	4:30 PM
May 12, 2020	Tuesday	4:30 PM
May 27, 2020	Wednesday	4:30 PM
June 23, 2020	Tuesday	4:30 PM
July 28, 2020	Tuesday	4:30 PM
August 25, 2020	Tuesday	4:30 PM
September 9, 2020	Wednesday	4:30 PM
September 22, 2020	Tuesday	4:30 PM
October 13, 2020	Tuesday	4:30 PM
October 27, 2020	Tuesday	4:30 PM
November 10, 2020	Tuesday	4:30 PM
November 24, 2020	Tuesday	4:30 PM
December 14, 2020	Monday	4:30 PM

The following resolution was read:

No. 2019-340

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, that the attached dates for Regular Meetings of the Mayor and Council of the Town of Secaucus for the year 2020 are hereby approved.

In accordance with the provisions of Chapter 231, Public Laws 1975, Annual Notice of the schedule of the Regular Meetings of the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey for the year 2020 is hereby given.

The location of said regular meetings is Council Chamber I, first floor of the Municipal Government Center, 1203 Paterson Plank Road, Secaucus, New Jersey and the dates and times are as follows:

<u>Date</u>	<u>Day</u>	<u>Time</u>
January 7, 2020	Tuesday	7:00 PM
January 28, 2020	Tuesday	7:00 PM
February 11, 2020	Tuesday	7:00 PM
February 25, 2020	Tuesday	7:00 PM
March 10, 2020	Tuesday	7:00 PM
March 24, 2020	Tuesday	7:00 PM
April 14, 2020	Tuesday	7:00 PM
April 28, 2020	Tuesday	7:00 PM
May 12, 2020	Tuesday	7:00 PM
May 27, 2020	Wednesday	7:00 PM
June 23, 2020	Tuesday	7:00 PM
July 28, 2020	Tuesday	7:00 PM
August 25, 2020	Tuesday	7:00 PM
September 9, 2020	Wednesday	7:00 PM
September 22, 2020	Tuesday	7:00 PM
October 13, 2020	Tuesday	7:00 PM
October 27, 2020	Tuesday	7:00 PM
November 10, 2020	Tuesday	7:00 PM
November 24, 2020	Tuesday	7:00 PM
December 14, 2020	Monday	7:00 PM

The following resolution was read:

No. 2019-341

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, accepts the resignation of Deborah A. Santoro from the position of alternate member of the Planning Board effective as of December 3, 2019; and

The following resolution was read:

No. 2019-342

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
AUTHORIZING EXECUTION OF AN AMENDMENT TO THE USE AGREEMENT FOR THE RECREATION SOCCER
FIELD AT 46 MEADOWLANDS PARKWAY WITH HARTZ MOUNTAIN INDUSTRIES, INC.

WHEREAS, the Town of Secaucus Department of Recreation strives to offer a variety of recreational activities and programming to the residents of the Town, and

WHEREAS, the Town of Secaucus previously executed a Recreation Field Use Agreement ("Agreement") for the recreation soccer field at 46 Meadowlands Parkway with Hartz Mountain Industries, Inc. on September 28, 2016, which was for a term of thirty (30) years; and

WHEREAS, modifications to the Agreement to reflect use terms have been presented to permit the Town to utilize the recreation field for an additional period

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of up to twenty-five (25) years for a fee as outlined in the Agreement and allow for the exploration of a recreation facility on the site (see Exhibit A).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, that approval has been given for the Mayor, Town Administrator or his designee to enter into an Amendment to the Recreation Field Use Agreement with Hartz Mountain Industries, Inc. for the field at 46 Meadowlands Parkway, which would encompass expansion of the use period for an additional twenty-five (25) years at a fee as outlined in the Agreement and allow for the exploration of a recreation facility on the site for the use by the Town; and

BE IT FURTHER RESOLVED that the Amendment to the Recreation Field Use Agreement with Hartz Mountain Industries, Inc. for the field at 46 Meadowlands Parkway will also allow for further extension options beyond said time at an agreed upon fee or fee structure; and

BE IT FURTHER RESOLVED that the Mayor and/or Town Administrator or his designee is hereby authorized to continue to review and negotiate the Amendment terms pertaining to the time period, as well as, take any action or execute any Agreements necessary to effectuate said Amendment purpose and intent.

The following resolution was read:

No. 2019-343

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 Public Works Department the below person(s) is hereby appointed to the replacement position of regular part time Laborer in the Public Work Department (#50000) as follows:

Williams, Trenn	start 12/3/2019	\$10.00 / Hour
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The following resolution was read:

No. 2019-344

A RESOLUTION OF THE TOWN OF SECAUCUS AUTHORIZING THE
EXECUTION OF A CONSENT ORDER IN THE BANKRUPTCY MATTER OF KARTZMAN V. TOWN OF
SECAUCUS; IN RE GALAXY RECYCLING, INC.

WHEREAS, the matter of Kartzman v. Town of Secaucus; In Re Galaxy Recycling, Inc. was brought before the Court by Steven P. Kartzman, the Chapter 7 Trustee for the recovery of payments made to the Town of Secaucus during the pre- and post-petition period to Galaxy Recycling, Inc.; and

WHEREAS, Joshua H. Raymond, Esq. of McManimon, Scotland & Baumann, LLC, has represented the Town of Secaucus throughout these proceedings, and upon his review and based on the exchange of discovery, has recommended the entry of this Consent Order; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, in the County of Hudson, State of New Jersey, that the attached "Consent Order Resolving Claim for Turnover of Payments Made to The Town of Secaucus During the Pre And Post-Petition Period Subject To Potential Avoidance Under 11 U.S.C. §§ 547, 548 and 549" is approved and sets forth the settlement terms; and

BE IT FURTHER RESOLVED, that Secaucus shall pay the sum of twelve thousand dollars (\$12,000.00) to the Trustee in full satisfaction of the claims asserted by the Trustee against Secaucus for the recovery of payments during the pre and post-petition period; and

BE IT FURTHER RESOLVED, that the terms of the Consent Order are subject to the United States Bankruptcy Court District of New Jersey's approval and the issuance of a Notice of Settlement; and

BE IT FURTHER RESOLVED, that the Town's attorney in this matter, Joshua H. Raymond, Esq. of McManimon, Scotland & Baumann, LLC, shall be authorized to execute the attached and any other documents related to this settlement; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately or as otherwise provided by law.

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The following resolution was read:

No. 2019-345

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 Michael Pero, Superintendent Recreation that the below person (s) are hereby re-appointed to the seasonal part time position(s) in the Recreation Basketball/Winter Sports Programs (#81076) effective December 14th, 2019 as follows:

<u>Directors</u>	<u>Voucher</u>
Basketball - Pero, Mike	0
Wrestling - Olsen, Steven	\$3,000.00
Hockey - Robinson, Cory	\$3,000.00
Gymnastic - Severino-Feil, Kerry	\$3,000.00
<u>Referees (rehires)</u>	<u>Voucher Rec Game /Travel Game</u>
Mitchell, Jason	\$25.00 / \$45.00
McCaffery, Jacqueline	\$25.00 / \$45.00
Santaniello, Joseph	\$25.00 / \$45.00
Waters, Shannon	\$25.00 / \$45.00
<u>Table Staff (rehires)</u>	<u>Voucher</u>
Kashian, Natalie	\$8.85 / Hour
Kashian, Aaron	\$10.00/ Hour
Kelly, Megan	\$10.00 / Hour
Pero, Zoe	\$10.00 / Hour
Petruzzelli, Sabino	\$10.00 / Hour
Pascarello, Zachary	\$8.85 / Hour
Rocco, Julian	\$10.00 / Hour
Schwartz, Jodi	\$8.85 / Hour
Toman, Matthew - new	\$8.85 / Hour
Wolf, Robert - new	\$10.00 / Hour
<u>Instructional:</u>	<u>Voucher</u>
Dalton, Jade - new	\$10.00 / Hour
Kelly, Kaitlyn	\$8.85 / Hour
Kelly, Nicole	\$10.00 / Hour
O'Connell, John	\$10.00 / Hour
McCaffery, DJ	\$40.00 / game (travel team)
Riccardi, Antonia	\$25.00 / game

The following resolution was read:

No. 2019-346

RESOLUTION AUTHORIZING THE SETTLEMENT OF THE TAX APPEAL REGARDING LOT 5.041 IN BLOCK 18 AS SET FORTH ON THE OFFICIAL TAX MAPS OF THE TOWN OF SECAUCUS FILED BY CPR MEADOWLANDS PARKWAY, LLC GROUND LESSEE AND OWNER OF THE IMPROVEMENTS IN A PARCEL OWNED BY 425 MEADOWLAND PKWY LLC. C/O HARTZ MTN

WHEREAS, CPR Meadowlands Parkway, LLC, the ground lessee of the real property and owner of improvements located at 425 Meadowlands Parkway, otherwise designated as Lot 5.041 in Block 18 on the official tax maps of the Town of Secaucus, has taken an appeal to the Tax Court of the State of New Jersey from the Assessed Value of said property for the Tax Year 2019; and

WHEREAS, the Parties have agreed to a reduction in the real property's Assessed Values from a total of \$9,888,330 to \$7,898,150 for Tax Year 2019.; and

WHEREAS, the Parties have further agreed to a total assessment on the property of \$7,898,150 for Tax year 2020; and

WHEREAS, the Town has agreed to withdraw its counterclaims filed for Tax Year 2019; and

WHEREAS, the Town Tax Assessor has agreed to the reduction in value on the property for the 2019 and 2020 Tax Years in accordance with the settlement; and,

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WHEREAS, the Town Tax Assessor has further agreed to place a total assessment on the property of \$7,898,150 for Tax Year 2020; and

WHEREAS, any overpayment of real property taxes resulting from the settlement of this matter shall be made in the form of a credit and shall be applied against the next tax bill and due and owing after the issuance of a Judgment by the New Jersey Tax Court; and

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

WHEREAS, the Town Council of the Town of Secaucus has determined that it is in the best interest of the Town to adjust the assessment on the aforesaid property for the 2019 and 2020 tax years in accordance with the Settlement.

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

1. The Assessed Value of the Property located at 425 Meadowlands Parkway and otherwise designated as Lot 5.041 in Block 18 on the official tax maps of the Town of Secaucus shall be reduced from a total of \$9,888,300 to \$7,898,150.
2. The agreed upon Assessed Value for Tax Year 2020 shall be \$7,898,150.
3. The Town Tax Collector is hereby authorized to apply a credit for the overpayment (if any) against the next tax bill due and owing following the issuance of a Judgment by the New Jersey Tax Court.
4. The Town Tax Appeal attorney is hereby authorized to withdraw the Town's counterclaims filed for the subject year(s).
5. This Resolution shall take effect immediately or as otherwise provided by law.

The following resolution was read:

No. 2019-347

RESOLUTION AUTHORIZING THE SETTLEMENT OF THE TAX APPEAL REGARDING LOT
2.01 IN BLOCK 46 AS SET FORTH ON THE OFFICIAL TAX MAPS OF
THE TOWN OF SECAUCUS OWNED BY SINAI ASSOCIATES, INC.

WHEREAS, Sinai Associates, Inc., the owner of real property located at 700 Penhorn Avenue, otherwise designated as Lot 2.01 in Block 46 on the official tax maps of the Town of Secaucus, has taken an appeal to the Tax Court of the State of New Jersey from an Added Assessment levied upon said property for the 2016 Tax Year; and

WHEREAS, the Parties have agreed to rescind the Added assessment and adjust the real property's Overall Assessed Value accordingly; and

WHEREAS, the Complaint filed for 2016 shall be withdrawn along with the Town's withdrawal of its Counterclaim; and

WHEREAS, by further agreement of the Taxpayer the Freeze Act shall not apply to the 2017 and 2018 Tax Years, respectively; and

WHEREAS, the overall Assessed Value for the 2019 Tax Year shall reflect the rescission of the Added Assessment sum; and

WHEREAS, for Tax Year 2016 the following values shall apply:

Land:	\$1,006,500
<u>Improvement:</u>	<u>\$4,768,500</u>
Total	\$5,775,000

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

WHEREAS, the Town Tax Assessor has agreed to the rescission of the Added Assessment on the real property for the subject Tax Year in accordance with the settlement; and,

WHEREAS, the agreed upon rescission of the Added Assessment has resulted in a total tax recapture by the Taxpayer for the property in the amount of \$30,060 and

WHEREAS, the total tax recapture shall be provided to the Taxpayer as a credit against any unpaid 2019 Taxes and 2020 Taxes if necessary; and

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WHEREAS, the Governing Body has determined that it is in the best interests of the Town of Secaucus to adjust the Assessed Values on the subject real property in accordance with the terms of settlement set forth herein

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

1. The Assessed Value of the Property located at 700 Penhorn Avenue (Lot 2.01 Block 46) (together with the other terms of settlement) shall be as follows:
 - Tax Year 2016 \$5,750,000
 - Tax Year 2017 \$5,750,000
 - Tax Year 2018 \$5,750,000
2. Tax Year 2016 Complaint shall be withdrawn.
3. The Freeze Act shall not apply to Tax Years 2017 and 2018, respectively.
4. The Town Tax Collector is hereby authorized to correct her records to reflect the Town's determination not to require issuing of a check to the Taxpayer upon receipt of the Tax Court Judgments representing fifty (50%) of the Total Tax Recapture attributable to the reduction in Assessed Values set forth herein \$30,060.
5. The Town Tax Collector is hereby authorized to apply a credit in the amount of \$30,060 to the Taxpayer's Tax Years 2019 and 2020 tax bills.
6. The Town Tax Appeal attorney is hereby authorized to withdraw the Town's counterclaims filed for each of the subject years.
7. This Resolution shall take effect immediately or as otherwise provided by law.

The following resolution was read:

No. 2019-348

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 Programs for the Town of Secaucus, the below persons is hereby reappointed to the position of regular part time Counselors for the 2019/2020 school year at the Before and After Care Programs Department #81082 with a correction to hourly rate retro to October 3, 2019 as follows:

<u>Counselors (returning)</u>	<u>Hourly Rate</u>
Donesa, Rasanjanie	\$10.00/hour (correction)

The following resolution was read:

No. 2019-349

A RESOLUTION OF THE TOWN OF SECAUCUS AUTHORIZING THE
SALE OF SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC USE
ON AN ONLINE AUCTION WEBSITE WWW.GOVDEALS.COM

WHEREAS, the Town of Secaucus has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus property no longer needed for public use pursuant to N.J.S.A. 40A:11-36 through the use of an online auction service; and

WHEREAS, the Town of Secaucus intends to utilize the online auction services of GovDeals, Inc., with a website of pursuant to Resolution 2019-114.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, in the County of Hudson, State of New Jersey, that the Town of Secaucus is hereby authorized to sell the surplus personal property as indicated on Schedule A on an online auction website entitled www.GovDeals.com; and

BE IT FURTHER RESOLVED, the Town of Secaucus shall utilize the online auction services of GovDeals, Inc., with a website of www.GovDeals.com pursuant to the fee schedule, terms and conditions through *Sourcewell* cooperative; and

BE IT FURTHER RESOLVED, that the auction for the items listed on Schedule A will start online on or about January 3, 2020 and end on or about January 10, 2020, with dates certain to be set forth in the auction notice and the auction shall be in accordance with the following:

- a) The surplus property is no longer needed for public use.
- b) The sale will be online at www.GovDeals.com.

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- c) The sales are being conducted pursuant to the Division of Local Government Services' Local Finance Notice 2008-9.
- d) The surplus property as identified in Schedule A shall be sold in an "as is" condition without express or implied warranties.
- e) Arrangements to see the vehicles can be made by contacting Det./Sgt. Michael Torres at (201) 330-2052.
- f) All bidders participating must agree to the terms and conditions contained on the online website and agree to be bound by such. A copy of said terms and conditions are available on the online website www.GovDeals.com and in the Town Clerk's Office.
- g) The Town of Secaucus reserves the right to accept or reject any bid submitted.
- h) Buyer is responsible for all aspects of removal of any purchased items, including loading and transport, from Town property. All items must be removed within ten (10) business days of the close of the auction or ownership shall revert to the Town of Secaucus; and

BE IT FURTHER RESOLVED, that the Town Administrator or his designee shall be authorized to execute any document related to this online auction; and

BE IT FURTHER RESOLVED, that the Town Clerk shall advertise the auction pursuant to N.J.S.A. 40A:11-36.

The following resolution was read: No. 2019-350

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

Cancellation of Unexpended Balances of Improvement Authorizations

Whereas, the Town of Secaucus did adopt the following various ordinances; and

Whereas, all purchases and agreements have been completed and there remains unexpended balances as listed below.

Now, Therefore, be it resolved by the Town Council of the Town of Secaucus that the unexpended balance of these various Ordinances be cancelled to Deferred charge to future taxation as follows:

Ordinance	Purpose	Amount
2013-06	Renovation construction county avenue Fire House	\$ 221.99
2014-08	IT Equipment & Communications	\$ 587.63
2015-16	Kane Stadium Renovations	\$ 860.00
2015-16	Paving of Various Streets	\$ 7,458.25
2016-11	Paving of Various Streets	\$ 643.73
2016-11	Improvements to Municipal Buildings	\$ 0.02
2016-22	Improvements to Municipal Buildings	\$ 3,080.00
2016-22	Meadowlands Pkwy Bike Path	\$68,130.74
2017-15	Acquisitions of Vehicles DPW	\$ 8,079.60
2018.16	Acquisition of SUV Police Vehicles	\$ 480.00
2018-16	Acquisition of Bucket Truck DPW	\$ 550.00
		<u>\$ 82,012.36</u>

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

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

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PAYMENT OF CLAIMS

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

Town of Secaucus Payroll Acct. w/ending 12/13/19	\$ 1,194,243.20
Adm. & Exec	21,284.03
Mayor & Council	18,539.14
Municipal Clerk	8,507.12
Community Shuttle Bus	2,446.87
Legal Dept.	8,445.51
Municipal Court	21,475.03
Engineering	4,893.71
Pub. Bldgs. & Grds.	82,137.62
Off. Of Inspect.	12,937.63
Planning Board	000.00
Bd. Of Adjustments	000.00
Comm. & Security Adm	7,442.75
Environmental	2,988.31
Construction	28,571.81
Treasurer	30,833.86
Tax Assessor	7,850.10
Tax Collector	7,542.50
Police Dept.	494,016.65
School Cross Grds.	20,124.77
Office of Emergency Man.	000.00
Unif. Fire Safety Off.	000.00
Rd. Repair & Maint.	232,021.00
Sewer System	151.44
Recycling Coord.	11,423.46
Bd.of Health	5,854.68
Mosquito	000.00
Social Services	26,089.17
Fire Dept. Incentives	000
Pks. & Play Grds.	000.00
Retiress Health	000.00
Supv. Of Play Act.	69,466.98
Rec. Activities	11,533.09
Social Security	57,685.97
Pool Social Security	000.00
Pool Oper.	000.00
Grant Fund (OEM)	00.00
CDBG	00.00
Town of Secaucus Tax Escrow Acct. weekending 12/13/19	\$ 119,245.05
Town of Secaucus Payroll Acct. w/ending 12/27/19	\$ 931,389.92
Adm. & Exec	18,024.14
Mayor & Council	1,878.85
Municipal Clerk	7,277.20
Community Shuttle Bus	2,428.61
Legal Dept.	6,975.42
Municipal Court	19,634.44
Engineering	5,515.93
Pub. Bldgs. & Grds.	52,689.00
Off. Of Inspect.	11,038.14
Planning Board	200.00
Bd. Of Adjustments	000.00
Comm. & Security Adm	5,851.03
Environmental	2,289.00
Construction	25,127.87
Treasurer	26,767.18
Tax Assessor	7,062.83
Tax Collector	6,423.21
Police Dept.	395,927.01
School Cross Grds.	23,687.43
Office of Emergency Man.	000.00
Road Repair/Maintenance	154,370.95
Unif. Fire Safety Off.	000.00
Sewer System	182.09
Recycling Coord.	7,683.99
Bd.of Health	3,835.42
Mosquito Control	00.00
Social Services	25,217.57
Fire Department	000.00
SHBP Waiver	000.00
Supv. Of Play Act.	000.00
Rec. Activities	65,438.27

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Rec. Activities Parttime	12,149.33	
Social Security	43,727.08	
Pool Social Security	000.00	
Pool Oper.	-12.07	
Town of Secaucus Tax Escrow Acct. weekending 12/27/19	\$121,684.28	
Total Amount Claims	Check No. 60346-60538	\$ 1,855,867.63
Recreation Acct	Check No. 1074	\$ 91,640.77
Recreation On-Line	none	

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

AYES: Costantino, McKeever, Clancy, Dehnert, Gerbasio, Tringali, Gonnelli
NAYS: None
ABSTAIN: Gerbasio on Bill No. 67741 only Gonnelli on Secaucus Fire Department bills
ABSENT: None Motion carried

BINGO AND RAFFLE

R-1574 IMMACULATE CONCEPTION CHURCH OFF-PREMISE 50/50
R-1575 IMMACULATE CONCEPTION CHURCH ON PREMISE 50/50
R-1576 PBA LOCAL #84 OFF -PREMISE 50/50
R-1577 PTSA SECAUCUS HS ON-PREMISE DRAW RAFFLE
R-1578 PTSA SECAUCUS HS OFF-PREMISE 50/50
R-1579 PTSA SECAUCUS HS OFF-PREMISE 50/50

Councilman Clancy moved to approve the foregoing raffle applications, seconded by Councilman Costantino.

AYES: Costantino, Clancy, Dehnert, Gerbasio, Tringali, Gonnelli
NAYS: None
ABSTAIN: Dehnert on PTSA Secaucus Highschool only
ABSENT: None Motion carried

COMMUNICATIONS REQUIRING ACTION BY MAYOR AND COUNCIL

Request by Cheryl Kline of Good Fight to use the Recreation Center for a martial arts tournament.

Request by Eric Harse of Cougar Aquatic Team to use the Recreation Center for a swim meet.

Councilman Gerbasio moved to approve the foregoing requests, seconded by Councilman Costantino.

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

Washington Hook and Ladder informed the Mayor and Council that Kevin Calderone is no longer a member of the Secaucus Fire Department.

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

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

COMMITTEE REPORTS

Councilman Gerbasio reminded residents to be aware of telephone scams.

Councilman Costantino spoke about the PSEG assistance plan.

Councilman McKeever gave details on the move of the Senior Center to 145 Front Street. He added details on an upcoming event. He also spoke about a new event to be held at the Library.

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Town Administrator gave an update on the work being done at the Senior Center at 101 Centre.

Councilman Gerbasio added information of other services that have moved to 145 Front Street.

UNFINISHED BUSINESS

Councilman Clancy gave information on the Town Museum.

Councilwoman Tringali stated that Alternate Side of the Street Parking will be suspended from December 16, 2019 thru March 126, 2020.

NEW BUSINESS

Councilman Costantino announced that there will be a plaque placed at 220 Centre Avenue honoring past volunteer EMS unit.

Councilman Costantino moved to reappoint Cathy Gerbasio to the Secaucus Board of Health, seconded by Councilman Dehnert.

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

Councilman Costantino moved to reappoint Anthony Gerbasio to the Secaucus ABC Board, seconded by Councilman Dehnert.

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

Councilman Clancy moved to reappoint Joseph Kane to the Secaucus Board of Health, seconded by Councilman Gerbasio.

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

Councilman Clancy moved to reappoint Daniel Conroy to the Secaucus ABC Board, seconded by Councilman Costantino.

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

Mayor Gonnelli made the following reappointments to the following Boards:

- 1) Jennifer Modi to the Secaucus Planning Board as a Class II Member
- 2) Raymond Spellmeyer to the Secaucus Municipal Utilities Authority Board.
- 3) Joan Millevoi, Keith Scaglione and Joseph Kane to the Secaucus Library Board.

Councilman Dehnert moved to reappoint Jack Spero to the Secaucus Board of Adjustments, seconded by Councilman Costantino.

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

Councilman McKeever moved to reappoint John Gerbasio to the Secaucus Planning Board, seconded by Councilman Costantino.

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

REMARKS OF CITIZENS

Don Evanson

December 16, 2019

Mayor Gonnelli wished all Happy Holidays.

Councilman Gerbasio moved to adjourn the meeting 7:41pm seconded by Councilman Costantino.

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

NAYS: None

ABSENT: None

Motion carried

Michael Marra, Town Clerk