

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 13th day of December at 7:00 P.M Secaucus Municipal Government Center, 1203 Paterson Plank Road, Secaucus, NJ in Chamber II.

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 January 26, 2021.

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

Present: Councilmembers: Michael Gonnelli
William McKeever
James Clancy
Mark Dehnert
John Gerbasio
Orietta Tringali
Robert Costantino

Absent: None

Pledge of Allegiance

First item on the agenda:

ORDINANCES FOR PUBLIC HEARING

The following ordinance was read for public hearing: No. 2021-32

AN ORDINANCE OF THE CODE OF THE TOWN OF SECAUCUS AUTHORIZING AND ENCOURAGING ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) AND MAKE-READY PARKING SPACES

This Ordinance sets forth procedures for the installation of Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready parking spaces and establishes associated regulations and other standards within the Town of Secaucus, County of Hudson.

WHEREAS, supporting the transition to electric vehicles contributes to the Town of Secaucus' commitment to sustainability and is in the best interest of public welfare; and

WHEREAS, installation of EVSE and Make-Ready parking spaces encourages electric vehicle adoption; and

WHEREAS, the Town of Secaucus encourages increased installation of EVSE and Make Ready parking spaces; and

WHEREAS, adoption of this ordinance supports the State of New Jersey's goals to reduce air pollutants and greenhouse gas emissions from the transportation sector as outlined and supported by various programs related to NJ's 2019 Energy Master Plan, Global Warming Response Act (P.L.2007, c.112 (C.26:2C-37 et al.)) and EV Law (P.L. 2019, c. 362); and

WHEREAS, P.L. 2021, c.171, which Governor Murphy signed into law on July 9, 2021, requires EVSE and Make-Ready parking spaces be designated as a permitted accessory use in all zoning or use districts and establishes associated installation and parking requirements; and

WHEREAS, the Town of Secaucus encourages greater ownership and use of electric vehicles, thus the Town of Secaucus is amending the Code of the Town of Secaucus, Chapter 102 to establish standards and regulations for the safe and efficient installation of EVSE and Make-Ready parking spaces at appropriate locations.

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

§ 102-1: ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT

A. Purpose

The purpose of this ordinance is to promote and encourage the use of electric vehicles by requiring the safe and efficient installation of EVSE and Make-Ready parking spaces through municipal parking regulations and other standards. EVSE and Make-Ready parking spaces will support the State's transition to an electric transportation sector, reducing automobile air pollution, greenhouse gas emissions, and storm water runoff contaminants. The goals are to:

1. Provide adequate and convenient EVSE and Make-Ready parking spaces to serve the needs of the traveling public.
2. Provide opportunities for residents to have safe and efficient personal EVSE located at or near their place of residence.
3. Provide the opportunity for non-residential uses to supply EVSE to their customers and employees.
4. Create standard criteria to encourage and promote safe, efficient, and cost-effective electric vehicle charging opportunities in all zones and settings for convenience of service to those that use electric vehicles.

B. Definitions

Certificate of occupancy: The certificate provided for in N.J.A.C. 5:23-2, indicating that the construction authorized by the construction permit has been completed in accordance with the construction permit, the act and the regulations. See "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.) and regulations adopted pursuant thereto.

Charging Level: The amount of voltage provided to charge an electric vehicle varies depending on the type of EVSE as follows:

1. Level 1 operates on a fifteen (15) to twenty (20) amp breaker on a one hundred twenty (120) volt AC circuit.
2. Level 2 operates on a forty (40) to one hundred (100) amp breaker on a two hundred eight (208) or two hundred forty (240) volt AC circuit.
3. Direct-current fast charger (DCFC) operates on a sixty (60) amp or higher breaker on a four hundred eighty (480) volt or higher three phase circuit with special grounding equipment. DCFC stations can also be referred to as rapid charging stations that are typically characterized by industrial grade electrical outlets that allow for faster recharging of electric vehicles.

Electric vehicle: Any vehicle that is licensed and registered for operation on public and private highways, roads and streets; and operates either partially or exclusively using an electric motor powered by an externally charged on-board battery.

Electric Vehicle Supply/Service Equipment or (EVSE): The equipment, including the cables, cords, conductors, connectors, couplers, enclosures, attachment plugs, power outlets, power electronics, transformer, switchgear, switches and controls, network interfaces, point of sale equipment and associated apparatus designed and used for the purpose of transferring energy from the electric supply system to a plug-in electric vehicle. "EVSE" may deliver either alternating current or, consistent with fast charging equipment standards, direct current electricity. "EVSE" is synonymous with "electric vehicle charging station."

Make-Ready Parking Space: Means the pre-wiring of electrical infrastructure at a parking space or set of parking spaces, to facilitate easy and cost-efficient future installation of Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment, including, but not limited to, Level Two EVSE and direct current fast chargers. Make-Ready includes expenses related to service panels, junction boxes, conduit, wiring and other components necessary to make a particular location able to accommodate Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment on a "plug and play" basis. "Make-Ready" is synonymous with the term "charger ready," as used in P.L.2019, c.362 (C.48:25-1 et al.).

Private EVSE: EVSE that has restricted access to specific users (e.g., single and two-family homes, executive parking fleet parking with no access to the general public).

Publicly-accessible EVSE: EVSE that is publicly available (e.g., park & ride, public parking lots and garages, on-street parking, shopping center parking, non-reserved parking in multi-family parking lots, etc.).

C. Approvals and Permits

1. An application for development submitted solely for the installation of EVSE or Make-Ready parking spaces shall be considered a permitted accessory use and permitted accessory structure in all zoning or use districts and shall not require a variance pursuant to C.40:55D-70.
2. EVSE and Make-Ready Parking Spaces installed pursuant to Section D. below in development applications that are subject to site plan approval are considered a permitted accessory use as described in 1. above.
3. All EVSE and Make-Ready parking spaces shall be subject to applicable local and/or Department of Community Affairs permit and inspection requirements.
4. The Zoning Officer or their designee shall enforce all signage and installation requirements described in this ordinance. Failure to meet the requirements in

this ordinance shall be subject to the same enforcement and penalty provisions as other violations of the Town of Secaucus' land use regulations.

5. An application for development for the installation of EVSE or Make-Ready spaces at an existing gasoline service station, an existing retail establishment, or any other existing building shall not be subject to site plan or other land use board review, shall not require variance relief pursuant to C.40:55D-1 et seq. or any other law, rule, or regulation and shall be approved through the issuance of a zoning permit by the administrative officer, provided the application meets the following requirements:
 - a. the proposed installation does not violate bulk requirements applicable to the property or the conditions of the original final approval of the site plan or subsequent approvals for the existing gasoline service station, retail establishment, or other existing building;
 - b. all other conditions of prior approvals for the gasoline service station, the existing retail establishment, or any other existing building continue to be met; and
 - c. the proposed installation complies with the construction codes adopted in or promulgated pursuant to the "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.), any safety standards concerning the installation, and any State rule or regulation concerning electric vehicle charging stations.
6. An application pursuant to Section 5. above shall be deemed complete if:
 - a. the application, including the permit fee and all necessary documentation, is determined to be complete,
 - b. a notice of incompleteness is not provided within twenty (20) days after the filing of the application, or
 - c. a one-time written correction notice is not issued by the Zoning Officer within twenty (20) days after filing of the application detailing all deficiencies in the application and identifying any additional information explicitly necessary to complete a review of the permit application.
7. EVSE and Make-Ready parking spaces installed at a gasoline service station, an existing retail establishment, or any other existing building shall be subject to applicable local and/or Department of Community Affairs inspection requirements.
8. A permitting application solely for the installation of electric vehicle supply equipment permitted as an accessory use shall not be subject to review based on parking requirements.

D. Requirements for New Installation of EVSE and Make-Ready Parking Spaces

1. As a condition of preliminary site plan approval, for each application involving a multiple dwelling with five (5) or more units of dwelling space, which shall include a multiple dwelling that is held under a condominium or cooperative form of ownership, a mutual housing corporation, or a mixed-use development, the developer or owner, as applicable, shall:
 - a. prepare as Make-Ready parking spaces at least fifteen (15%) percent of the required off-street parking spaces, and install EVSE in at least one-third (1/3) of the fifteen (15 %) percent of Make-Ready parking spaces;
 - b. within three (3) years following the date of the issuance of the certificate of occupancy, install EVSE in an additional one-third of the original fifteen (15 %) percent of Make-Ready parking spaces; and
 - c. within six (6) years following the date of the issuance of the certificate of occupancy, install EVSE in the final one-third (1/3) of the original fifteen (15 %) percent of Make-Ready parking spaces.
 - d. Throughout the installation of EVSE in the Make-Ready parking spaces, at least five (5) percent of the electric vehicle supply equipment shall be accessible for people with disabilities.
 - e. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
2. As a condition of preliminary site plan approval, each application involving a parking lot or garage not covered in 1. above shall:
 - a. Install at least one Make-Ready parking space if there will be fifty (50) or fewer off-street parking spaces.
 - b. Install at least two (2) Make-Ready parking spaces if there will be 51 to 75 off-street parking spaces.
 - c. Install at least three Make-Ready parking spaces if there will be 76 to 100 off-street parking spaces.
 - d. Install at least four Make-Ready parking spaces, at least one of which shall be accessible for people with disabilities, if there will be 101 to 150 off-street parking spaces.
 - e. Install at least four (4%) percent of the total parking spaces as Make-Ready parking spaces, at least five (5%) percent of which shall be accessible for

- people with disabilities, if there will be more than 150 off-street parking spaces.
- f. In lieu of installing Make-Ready parking spaces, a parking lot or garage may install EVSE to satisfy the requirements of this subsection.
 - g. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
 - h. Notwithstanding the provisions of this Section, a retailer that provides twenty-five (25) or fewer off-street parking spaces or the developer or owner of a single-family home shall not be required to provide or install any electric vehicle supply equipment or Make-Ready parking spaces.

E. Minimum Parking Requirements

- 1. All parking spaces with EVSE and Make-Ready equipment shall be included in the calculation of minimum required parking spaces, pursuant to the applicable parking requirements for the zone, TO §135, Article IV or N.J.A.C. 19:4-8.4 (a).
- 2. A parking space prepared with EVSE or Make-Ready equipment shall count as at least two (2) parking spaces for the purpose of complying with a minimum parking space requirement. This shall result in a reduction of no more than ten (10%) percent of the total required parking.
- 3. All parking space calculations for EVSE and Make-Ready equipment shall be rounded up to the next full parking space.
- 4. Additional installation of EVSE and Make-Ready parking spaces above what is required in Section D. above may be encouraged, but shall not be required in development projects.

F. Reasonable Standards for All New EVSE and Make-Ready Parking Spaces

- 1. Location and layout of EVSE and Make-Ready parking spaces is expected to vary based on the design and use of the primary parking area. It is expected flexibility will be required to provide the most convenient and functional service to users. Standards and criteria should be considered guidelines and flexibility should be allowed when alternatives can better achieve objectives for provision of this service.
- 2. Installation:
 - a. Installation of EVSE and Make-Ready parking spaces shall meet the electrical subcode of the Uniform Construction Code, N.J.A.C. 5:23-3.16.
 - b. Each EVSE or Make-Ready parking space that is not accessible for people with disabilities shall be not less than 9 feet wide or 18 feet in length. Exceptions may be made for existing parking spaces or parking spaces that were part of an application that received prior site plan approval.
 - c. To the extent practical, the location of accessible parking spaces for people with disabilities with EVSE and Make Ready equipment shall comply with the general accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
 - d. Each EVSE or Make-Ready parking space that is accessible for people with disabilities shall comply with the sizing of accessible parking space requirements in the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
- 3. EVSE Parking:
 - a. Publicly-accessible EVSE shall be reserved for parking and charging electric vehicles only. Electric vehicles shall be connected to the EVSE.
 - b. Electric vehicles may be parked in any parking space designated for parking, subject to the restrictions that would apply to any other vehicle that would park in that space.
 - c. Public Parking. Pursuant to N.J.S.A. 40:48-2, publicly-accessible EVSE parking spaces shall be monitored by the municipality's police department and enforced in the same manner as any other parking. It shall be a violation of this Section to park or stand a non-electric vehicle in such a space or to park an electric vehicle in such a space when it is not connected to the EVSE. Any non-electric vehicle parked or standing in a EVSE parking space or any electric vehicle parked and not connected to the EVSE shall be is subject to fine and/or impoundment of the offending vehicle as described in the general penalty provisions of this Municipal Code §1-15 or § 127-76. Signage indicating the penalties for violations shall comply with Section 5. below. Any vehicle parked in such a space shall make the appropriate payment for the space and observe the time limit for the underlying parking area, if applicable.
 - d. Private Parking. The use of EVSE shall be monitored by the property owner or designee.
- 4. Safety
 - a. Each publicly-accessible EVSE shall be located at a parking space that is designated for electric vehicles only and identified by green painted pavement

- and/or curb markings, a green painted charging pictograph symbol and appropriate signage pursuant to Section 5. below.
- b. Where EVSE is installed, adequate site lighting and landscaping shall be provided in accordance with all applicable ordinances and regulations of the Town of Secaucus.
 - c. Adequate EVSE protection such as concrete-filled steel bollards shall be used for publicly-accessible EVSE. Non-mountable curbing may be used in lieu of bollards if the EVSE is setback a minimum of twenty-four (24") inches from the face of the curb. Any stand-alone EVSE bollards should be three (3) to four (4') feet high with concrete footings placed to protect the EVSE from accidental impact and to prevent damage from equipment used for snow removal.
 - d. EVSE outlets and connector devices shall be no less than thirty-six (36") inches and no higher than forty-eight (48") inches from the ground or pavement surface where mounted and shall contain a cord management system as described in e. below. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designated and located as to not impede pedestrian travel, create trip hazards on sidewalks, or impede snow removal.
 - e. Each EVSE shall incorporate a cord management system or method to minimize the potential for cable entanglement, user injury or connector damage. Cords shall be retractable or have a place to hang the connector and cord a safe and sufficient distance above the ground or pavement surface. Any cords connecting the charger to a vehicle shall be configured so that they do not cross a driveway, sidewalk, or passenger unloading area.
 - f. Where EVSE is provided within a pedestrian circulation area, such as a sidewalk or other accessible route to a building entrance, the EVSE shall be located so as not to interfere with accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23 and other applicable accessibility standards.
 - g. Publicly-accessible EVSEs shall be maintained in all respects, including the functioning of the equipment. A twenty-four (24) hour on-call contact shall be provided on the equipment for reporting problems with the equipment or access to it. To allow for maintenance and notification, the Town of Secaucus shall require the owners/designee of publicly-accessible EVSE to provide information on the EVSE's geographic location, date of installation, equipment type and model and owner contact information.

5. Signs

- a. Publicly-accessible EVSE shall have posted regulatory signs, as identified in this section, allowing only charging electric vehicles to park in such spaces. For purposes of this section, "charging" means that an electric vehicle is parked at an EVSE and is connected to the EVSE. If time limits or vehicle removal provisions are to be enforced, regulatory signs including parking restrictions shall be installed immediately adjacent to, and visible from the EVSE. For private EVSE, installation of signs and sign text is at the discretion of the owner.
- b. All regulatory signs shall comply with visibility, legibility, size, shape, color and reflectivity requirements contained within the Federal Manual on Uniform Traffic Control Devices as published by the Federal Highway Administration.
- c. Wayfinding or directional signs, if necessary, shall be permitted at appropriate decision points to effectively guide motorists to the EVSE parking space(s). Wayfinding or directional signage shall be placed in a manner that shall not interfere with any parking space, drive lane or exit and shall comply with b. above.
- d. In addition to the signage described above, the following information shall be available on the EVSE or posted at or adjacent to all publicly-accessible EVSE parking spaces:
 - 1) Hour of operations and/or time limits if time limits or tow-away provisions are to be enforced by the municipality or owner/designee;
 - 2) Usage fees and parking fees, if applicable; and
 - 3) Contact information (telephone number) for reporting when the equipment is not operating or other problems.

6. Usage Fees

- a. For publicly-accessible municipal EVSE: In addition to any parking fees, the fee to use parking spaces within the municipality identified as EVSE spaces shall be in accordance with T.O. §127-55 for each hour that the electric vehicle is connected to the EVSE.
- b. This fee may be amended by a resolution adopted by the governing body.
- c. Private EVSE: Nothing in this ordinance shall be deemed to preclude a private owner/designee of an EVSE from collecting a fee for the use of the EVSE, in accordance with applicable state and federal regulations. Fees shall be available on the EVSE or posted at or adjacent to the EVSE parking space.

SECOND: SEVERABILITY

If any section, paragraph, clause, or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or

provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

THIRD: REPEAL OF PRIOR ORDINANCES

All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

FOURTH: EFFECTIVE DATE

This ordinance shall take effect after final passage and publication as provided by law, noting that standard provisions of the Model Statewide Municipal Electric Vehicle (EV) Ordinance was published by DCA on September 1, 2021 and effective as of said date.

Don Evanson spoke regarding Ordinance No. 2021-32

Councilman Costantino moved to close the public hearing, seconded by Councilman Clancy.

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

NAYS: None

ABSENT: None Motion carried.

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

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

NAYS: None

ABSENT: None Motion carried.

The following ordinance was read for public hearing: No. 2021-33

AN ORDINANCE AMENDING CHAPTER 127 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED "VEHICLES AND TRAFFIC" DESIGNATING PORTIONS OF SECOND STREET AND FOURTH STREET ONE WAY ROADWAYS

WHEREAS, Chapter 127 of the Code of the Town of Secaucus addresses various topics concerning vehicles and traffic in the Town in the interest of safety, including but not limited to the designation of streets as one-way; and

WHEREAS, the Secaucus Police Department Traffic Division has reviewed traffic patterns and data regarding the area between Front Street and Flanagan Way from Minnie Place to Fifth Street; and

WHEREAS, the Secaucus Police Department Traffic Division, in consultation with the Engineering Department, has recommended directional changes of Second Street and Fourth Street; and

WHEREAS, the Mayor and Council accept the Department's recommendation in the interest of motorist and pedestrian safety and believe that updates to Chapter 127 are needed based upon the larger traffic plan presented.

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," §127-29 "Schedule VII: One-Way Streets" of the Code of the Town of Secaucus be, and is hereby amended as follows: (deletions are indicated by ~~excesses~~; additions are indicated in bold):

§ 127-29. Schedule VII: One-Way Streets.

In accordance with the provisions of § 127-13, the following described streets or parts of streets are hereby designated as one-way streets in the direction indicated:

Name of Street	Direction	Limits
...		
Fourth Street	Southbound	Flanagan Way to Front Street
...		
Second Street	Northbound	Front Street to State Highway Route No. 153

Second Street	Southbound	Front Street Flanagan Way to Centre Avenue
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2. There are no other changes to this Article of this Chapter of the Code of the Town of Secaucus.
3. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
4. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed to be valid and effective.
5. This Ordinance shall take effect immediately upon passage and publication in accordance with law.
6. Appropriate signage denoting the above shall be posted in accordance with all applicable regulations.

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.

Councilman Costantino moved to close the public hearing, seconded by Councilwoman Tringali.

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

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

AYES: McKeever, 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. 2021-330

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
 AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH THE PROPERTY OWNER OF 27 RAYDOL
AVENUE, SECAUCUS, NEW JERSEY, BLOCK 92, LOT 1

WHEREAS, through outside Counsel, the Town has reviewed and negotiated a limited license agreement (hereinafter "agreement") between Michael Lienhard and Cathleen Lienhard, the property owners of 27 Raydol Avenue, Secaucus, New Jersey, Block 92, Lot 1 and the Town of Secaucus.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, hereby approve and authorize the execution of the attached license agreement related to the property located at 27 Raydol Avenue, Secaucus, New Jersey, formally identified as Block 92, Lot 1, by the Town Administrator or their designee; and

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

The following resolution was read: No. 2021-331

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
AUTHORIZING THE EXECUTION OF AN ENERGY SERVICES CONTRACT AND PERFORMANCE ASSURANCE
SUPPORT SERVICES AGREEMENT WITH SCHNEIDER ELECTRIC BUILDING AMERICA, INC. ("ESCO")
WITH REGARD TO ENERGY SAVINGS PROJECTS TO VARIOUS BUILDINGS

WHEREAS, through outside Counsel, the Town is reviewing and finalizing negotiations on an Energy Service Contract and Performance Assurance Support Service Agreement (hereinafter "Agreements") between Schneider Electric Buildings America, Inc., ("ESCO"), and the Town of Secaucus, and;

WHEREAS, the Agreements relate to the Town's Energy Savings Investment Program (ESIP), which has been under development.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, hereby approve and authorize the Mayor, Town Administrator, or their designee to execute the Agreements once the Town Attorney has completed negotiations and the Agreements are finalized; and

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

The following resolution was read:

No. 2021-332

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
AUTHORIZING CANCELLATION OF 2021 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; and

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; and

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. 2021-333

RESOLUTION AUTHORIZING THE SETTLEMENT OF THE TAX APPEAL REGARDING LOT 2.02
IN BLOCK 21 AS SET FORTH ON THE OFFICIAL TAX MAPS OF THE TOWN
OF SECAUCUS OWNED DURING THE SUBJECT TAX YEARS BY GTH 101
INC, C/O WWOR TV CHANNEL 9

WHEREAS, GTH 101 Inc, c/o WWOR TV Channel 9 was the owner of real property located at 42 Meadowland Parkway, otherwise designated as Lot 2.02 in Block 21 on the official tax maps of the Town of Secaucus, has taken appeals to the Tax Court of the State of New Jersey from the Assessed Value of said real property for the Tax Years 2016, 2017 and 2018; and

WHEREAS, the Town's assessment for 2016-2018, inclusive was:

Land:	\$
Improvement:	\$
Total:	\$11,231,700

WHEREAS, the Parties have agreed to adjust the Assessment Value for Tax Years 2016, 2017 and 2018, as follows:

	Original Assessment	Adjusted Assessment
Tax Year 2016	\$11,231,700	\$7,000,000
Tax Year 2017	\$11,231,700	\$3,250,000
Tax Year 2018	\$11,231,700	\$3,250,000

WHEREAS, the parties have agreed to adjust the Assessment Value for Tax Years 2017 and 2018.

WHEREAS, the Governing Body has determined that it is in the best interests of the Town of Secaucus to consent to 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 Total Assessment Value of the property located at 43 Meadowland Parkway (Lot 2.02, Block 21) (together with the other terms of settlement) shall be as follows:

Tax Year 2016	\$7,000,000
Tax Year 2017	\$3,250,000
Tax Year 2018	\$3,250,000

2. The Town Tax Assessor is hereby directed to amend its records accordingly.

3. The Taxpayer shall receive a total Tax Repayment in the amount of \$733,467.13 with the sum to be paid to the Taxpayer in equal annual installments of \$244,489.04 commencing with the first payment in 2022.

4. The Town Tax Appeal attorney is hereby authorized to withdraw the Town's counterclaims filed in these tax appeal matters for each of the years in which Counterclaims were filed.

5. The Town Tax Collector is hereby authorized to effectuate the tax repayment and to make any other adjustments to same as necessary in her judgment.

6. This Resolution shall take effect immediately or as otherwise provided by law.

The following resolution was read:

No. 2021-334

RESOLUTION AUTHORIZING THE SETTLEMENT OF THE TAX APPEALS REGARDING LOT 2.02 BLOCK 21 AS SET FORTH ON THE OFFICIAL TAX MAPS OF THE TOWN OF SECAUCUS OWNED BY 43 MEADOWLAND PARKWAY LLC

WHEREAS, 43 Meadowland Parkway LLC, the owner of real property located at 43 Meadowland Parkway, otherwise designated as Lot 2.02 in Block 21 on the official tax maps of the Town of Secaucus, during the tax years in which it has taken appeals to the Tax Court of the State of New Jersey from the Tax Years 2019 and; and

WHEREAS, the Parties have agreed to adjust the Assessment Values for Tax Years 2019 and 2020 based upon a judgment to be issued by the Tax Court for Tax Year 2018:

Original Assessment	Adjusted Assessment
---------------------	---------------------

- | | | |
|----|----------------------------|-------------|
| 1. | Tax Year 2018 \$11,231,700 | \$3,250,000 |
| 2. | Tax Year 2019 \$ 8,941,000 | \$3,250,000 |
| 3. | Tax Year 2020 \$ 5,941,000 | \$3,250,000 |

WHEREAS, the Town Tax Assessor has agreed to these adjustments due to the statutory requirements of the Freeze Act (N.J.S.A. 54:51A-8 in the Total Assessment Value on the real property in accordance with the settlement; and,

WHEREAS, the adjustments to the assessments required under the Freeze Act will result in the Taxpayer's receipt of a tax repayment in the amount of three hundred eleven thousand seven hundred and eighty-six dollars (\$311,786) which amount shall be repaid to Taxpayer in three (3) annual payments of one hundred three thousand nine hundred and twenty-eight dollars (\$103,928); and,

WHEREAS, the Governing Body has determined that it is in the best interests of the Town of Secaucus to consent to 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 Total Assessment Value of the property located at 43 Meadowland Parkway (Lot 2.02, Block 21) pursuant to the Freeze Act shall be as follows:

Tax Year 2019 \$3,250,000

Tax Year 2020 \$3,250,000

2. The Taxpayer shall receive a Tax Repayment in the amount of three hundred eleven thousand seven hundred and eighty-six dollars (\$311,786) with the sum to be paid to the Taxpayer in equal annual installments of one hundred three thousand nine hundred and twenty-eight dollars (\$103,928), as allowed by the applicable law.

3. The Town Tax Appeal attorney is hereby authorized to withdraw the Town's counterclaims filed in these tax appeal matters for each of the years in which Counterclaims were filed.

4. The Town Tax Assessor is hereby authorized to adjust its tax records to reflect the adjusted assessment values set forth above.

5. The Town Tax Collector is hereby authorized to effectuate the tax repayment and to make any other adjustments to same as necessary in her judgment.

6. This Resolution shall take effect immediately or as otherwise provided by law.

The following resolution was read:

No. 2021-335

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
AUTHORIZING EXECUTION OF AN AGREEMENT FOR MUNICIPAL SERVICES FOR JACOB'S LANDING
CONDOMINIUM ASSOCIATION, INC.

WHEREAS, pursuant to the Municipal Services Act, N.J.S.A. 40:67-23.2 et seq. and amendments (collectively the "Act"), qualified private communities within the Town's boundaries are entitled to receive specified municipal services; and

WHEREAS, it is necessary for the Town to enter into a Municipal Services Agreement with Jacob's Landing Condominium Association, Inc. located within the Town of Secaucus under the Act which sets forth the municipal services that the Town will be responsible for and will reimburse for, namely the lighting of qualified streets and roadways and the removal of snow and ice from qualified roadways, for the periods 2022 through 2026 with reimbursement for prior periods as set forth in the Agreement upon Association submittal.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, in the State of New Jersey, that approval is given for the Mayor, Town Administrator or their designee to execute an Agreement for Municipal Services with the qualified private community, Jacob's Landing Condominium Association, Inc. for the period of 2022 to 2026; and

BE IT FURTHER RESOLVED, that the Mayor and/or Town Administrator or their designee is hereby authorized to take any action or execute any Agreements necessary to effectuate said purpose and intent.

The following resolution was read:

No. 2021-336

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
AUTHORIZING EXECUTION OF AN AGREEMENT FOR MUNICIPAL SERVICES FOR HOPS COMMONS
CONDOMINIUM ASSOCIATION

WHEREAS, pursuant to the Municipal Services Act, N.J.S.A. 40:67-23.2 et seq. and amendments (collectively the "Act"), qualified private communities within the Town's boundaries are entitled to receive specified municipal services; and

WHEREAS, it is necessary for the Town to enter into a Municipal Services Agreement with Hops Commons Condominium Association located within the Town of Secaucus under the Act which sets forth the municipal services that the Town will be responsible for and will reimburse for, namely the lighting of qualified streets and from qualified roadways, for the periods 2022 through 2026 with reimbursement for prior periods as set forth in the Agreement upon Association submittal.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, in the State of New Jersey, that approval is given for the Mayor, Town Administrator or their designee to execute an Agreement for Municipal Services with the qualified private community, Hops Commons Condominium Association, for the period of 2022 to 2026; and

BE IT FURTHER RESOLVED, that the Mayor and/or Town Administrator or their designee is hereby authorized to take any action or execute any Agreements necessary to effectuate said purpose and intent.

The following resolution was read:

No. 2021-337

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
AUTHORIZING EXECUTION OF AN AGREEMENT FOR MUNICIPAL SERVICES FOR RIVERVIEW GARDENS
CONDOMINIUM ASSOCIATION

WHEREAS, pursuant to the Municipal Services Act, N.J.S.A. 40:67-23.2 et seq. and amendments (collectively the "Act"), qualified private communities within the Town's boundaries are entitled to receive specified municipal services; and

WHEREAS, it is necessary for the Town to enter into a Municipal Services Agreement with Riverview Gardens Condominium Association located within the Town of Secaucus under the Act which sets forth the municipal services that the Town will be responsible for and will reimburse for, namely the lighting of qualified streets and roadways and the removal of snow and ice from qualified roadways, for the periods 2022 through 2026 with reimbursement for prior periods as set forth in the Agreement upon Association submittal.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, in the State of New Jersey, that approval is given for the Mayor, Town Administrator or their designee to execute an Agreement for Municipal Services with the qualified private community, Riverview Gardens Condominium Association through 2026; and

BE IT FURTHER RESOLVED, that the Mayor and/or Town Administrator or their designee is hereby authorized to take any action or execute any Agreements necessary to effectuate said purpose and intent.

The following resolution was read:

No. 2021-338

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
AUTHORIZING EXECUTION OF AN AGREEMENT FOR MUNICIPAL SERVICES FOR CHATEAU GARDENS AT
SECAUCUS CONDOMINIUM ASSOCIATION, INC.

WHEREAS, pursuant to the Municipal Services Act, N.J.S.A. 40:67-23.2 et seq. and amendments (collectively the "Act"), qualified private communities within the Town's boundaries are entitled to receive specified municipal services; and

WHEREAS, it is necessary for the Town to enter into a Municipal Services Agreement with Chateau Gardens at Secaucus Condominium Association, Inc. located within the Town of Secaucus under the Act which sets forth the municipal services that the Town will be responsible for and will reimburse for, namely the lighting of qualified streets and roadways and the removal of snow and ice from qualified roadways, for the periods 2022

through 2026 with reimbursement for prior periods as set forth in the Agreement upon Association submittal..

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, in the State of New Jersey, that approval is given for the Mayor, Town Administrator or their designee to execute an Agreement for Municipal Services with the qualified private community, Chateau Gardens at Secaucus Condominium Association, Inc., for the period of 2022 to 2026.

BE IT FURTHER RESOLVED, that the Mayor and/or Town Administrator or their designee is hereby authorized to take any action or execute any Agreements necessary to effectuate said purpose and intent.

The following resolution was read:

No. 2021-339

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
AUTHORIZING EXECUTION OF AN AGREEMENT FOR MUNICIPAL SERVICES FOR NORTH END VILLAGE
CONDOMINIUM ASSOCIATION, INC.

WHEREAS, pursuant to the Municipal Services Act, N.J.S.A. 40:67-23.2 et seq. and amendments (collectively the "Act"), qualified private communities within the Town's boundaries are entitled to receive specified municipal services; and

WHEREAS, it is necessary for the Town to enter into a Municipal Services Agreement with the North End Village Condominium Association, Inc. located within the Town of Secaucus under the Act which sets forth the municipal services that the Town will be responsible for and will reimburse for, namely the lighting of qualified streets and roadways and the removal of snow and ice from qualified roadways, for the periods 2022 through 2026 with reimbursement for prior periods as set forth in the Agreement upon Association submittal.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, in the State of New Jersey, that approval is given for the Mayor, Town Administrator or their designee to execute an Agreement for Municipal Services with the qualified private community, North End Village Condominium Association, Inc. for the period of 2022 to 2026; and

BE IT FURTHER RESOLVED, that the Mayor and/or Town Administrator or their designee is hereby authorized to take any action or execute any Agreements necessary to effectuate said purpose and intent.

The following resolution was read:

No. 2021-340

RESOLUTION OF THE TOWN OF SECAUCUS AUTHORIZING THROUGH THE
SECAUCUS POLICE DEPARTMENT (LEA) TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW
ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM
TO ENABLE THE SECAUCUS POLICE DEPARTMENT TO REQUEST AND
ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

WHEREAS, the United States Congress authorizes the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and state law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 program at no cost to the municipality and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county, approve, by a majority of the full membership, both enrollment in and the acquisition of any property through the 1033 Program.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, that the Secaucus Police Department is hereby authorized to enroll in the 1033 Program for a one (1) year period from January 1, 2022 to December 31, 2022; and

BE IT FURTHER RESOLVED, that the Secaucus Police Department is hereby authorized to acquire items of non-controlled property designed "DEMIL A," which may include office

supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars and any other supplies or equipment of a non-military nature identified by LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Secaucus Police Department, without restrictions; and

BE IT FURTHER RESOLVED, that the Secaucus Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED, that the Secaucus Police Department is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Secaucus Police Department, without restrictions: highwater rescue vehicles, trucks, cargo, personnel transports, utility vehicles, dump trucks, miscellaneous weapons/rifles and drones; and

BE IT FURTHER RESOLVED, that the Secaucus Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately and shall be valid to authorize requests to acquire "DEMIL A" property and "DEMIL B through Q" property that may be made available through the 1033 Program during the one (1) year period from January 1, 2022 to December 31, 2022.

The following resolution was read:

No. 2021-341

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS AUTHORIZING
THE PURCHASE AND INSTALLATION OF HVAC SYSTEMS AND EQUIPMENT FROM DONNELLY ENERGY

WHEREAS, the Town of Secaucus has the need to purchase and have installed new HVAC systems and equipment to increase air flow and incorporate virus killing technology into the systems to protect employees and the public from COVID-19 and other viruses; and

WHEREAS, this resolution is being done to correct previous resolution number 2021-283 as that resolution failed to provide a complete list of building for which the HVAC systems were being replaced; and

WHEREAS, the total monetary allotment in resolution 2021-283 remains unchanged; and

WHEREAS, Donnelly Energy, located at 557 NJ 23, Wayne, New Jersey 07470, provided quotes to replace the HVAC systems in the following Town facilities:

1. Secaucus Recreation Center - 123 Humboldt Street
2. Town Hall Annex - 20 Centre Avenue
3. Secaucus North End Firehouse - 1567 Paterson Plank Road
4. Secaucus Teen & Tot Center - 145 Front Street
5. Secaucus Recreation Center, 1200 Koelle Boulevard
6. Secaucus Pump Station - Golden Avenue

WHEREAS, the total cost of quotes provided by Donnelly Energy to the Town of Secaucus for all of the above projects is Two Hundred Forty-Nine Thousand Four Hundred Eighty-Two Dollars and 25/100 (\$249,482.25); and

WHEREAS, Donnelly Energy is a member of the NJBPU Direct Install Program, which is overseen by the State of New Jersey as authorized under N.J.S.A. 40A:11-4.6 and 18A:18A-4.6; and

WHEREAS, competitive bidding was undertaken in connection with the NJBPU Direct Install Program, which satisfied New Jersey bidding requirements, and Donnelly Energy

was the low bidder for HVAC/direct install projects, and is therefore the approved vendor for said projects; and

WHEREAS, final approval of the above captioned projects is contingent on payment being authorized from the federal CARES Act funds made available to the Town of Secaucus through the County of Hudson; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, authorize and award the purchase of HVAC systems and equipment from Donnelly Energy. at an amount not to exceed Two Hundred Forty-Nine Thousand Four Hundred Eighty-Two Dollars and 25/100 (\$249,482.25); and

BE IT FURTHER RESOLVED, that Donnelly Energy 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.

The following resolution was read:

No. 2021-342

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that the Chief Financial Official be and is hereby authorized to make the following transfers for 2021 budget year effective 12/13/2021 in accordance with N.J.S.A 40a:4-58, two thirds of the full membership of the Town Council concurring:

The following resolution was read:

No. 2021-343

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT
TO IMPRESSIVE PRINTING FOR GENERAL PRINTING SERVICES

WHEREAS, the Town of Secaucus has a continuing need for General Printing Services for the Town; and

WHEREAS, Impressive Printing of 313 10th Street, Carlstadt, NJ 07092 has submitted a proposal for the required printing services.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, authorize the award a Non-Fair and Open contract to Impressive Printing for General Printing Services for a one (1) year term, from January 1, 2022 to December 31, 2022, at an amount not to exceed One Hundred Seventy Thousand Dollars 00/100 (\$170,000.00); and

BE IT FURTHER RESOLVED, that the Finance Director certifies that funds are available for these services under line item 01-2010-00-11012-065; and

BE IT FURTHER RESOLVED, that Impressive Printing has submitted a Pay to Play disclosure form which certifies that Impressive Printing 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 them from making any reportable contributions through the term of the contract, in compliance with necessary regulations and measure of the State of New Jersey under N.J.S.A. 19:44A-20.27; and

BE IT FURTHER RESOLVED, that Impressive Printing 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.

The following resolution was read:

No. 2021-344

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

RESOLUTION OF THE TOWN OF SECAUCUS
APPROVING THE AGREEMENT TO RENEW THE MEMBERSHIP
IN THE SUBURBAN METRO JOINT INSURANCE FUND

WHEREAS, the Suburban Metro Joint Insurance Fund (hereinafter the Fund) is a duly chartered Municipal Insurance Fund as authorized by N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the Town of Secaucus is currently a member of said Fund; and

WHEREAS, effective December 31, 2021, said membership will expire unless earlier renewed; and

WHEREAS, the Town of Secaucus has reviewed the renewal terms and the alternate insurance fund options in conjunction with its Risk Manager; and

WHEREAS, the governing body of the Town of Secaucus has resolved to renew said membership.

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

1. The Town of Secaucus agrees to renew its membership in the Suburban Metro Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Governing Body shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Suburban Metro Joint Insurance Fund evidencing the Board's intention to renew its membership.

The following resolution was read:

No. 2021-345

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS AUTHORIZING
THE RENEWAL OF THE AWARD OF AN EXTRAORDINARY UNSPECIFIABLE SERVICE CONTRACT FOR RISK
MANAGEMENT SERVICES TO
FAIRVIEW INSURANCE AGENCY ASSOCIATES, INC.

WHEREAS, the Town of Secaucus is a member of the Suburban Essex Joint Insurance Fund (SEJIF), and utilizes the services of a Risk Management Consultant licensed by the State of New Jersey Department of Insurance as the consultant to the Town in reviewing and securing appropriate insurance coverage; and

WHEREAS, such insurance services are exempt from public bidding requirements pursuant to N.J.S.A. 40A:11-5(1)(m) as "extraordinary, unspecifiable services;" and

WHEREAS, the Town received the attached quotation from Fairview Insurance Agency Associates, Inc., 25 Fairview Avenue, Verona, New Jersey, dated February 3, 2020; and

WHEREAS, the Qualified Purchasing Agent has provided a certification that the contract award complies with the Local Public Contracts Law governing "extraordinary, unspecifiable services."

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, that a contract be awarded to Fairview Insurance Agency Associates, Inc. for Risk Management Consultant services pursuant to N.J.S.A. 40A:11-5(1)(m) as an "extraordinary, unspecifiable service" for the period of January 1, 2022 to December 31, 2022 in an amount not to exceed Forty-five Thousand Dollars (\$45,000.00). This renewal is two (2) of two (2) one (1) year renewals available pursuant to Resolution 2020-64; and

BE IT FURTHER RESOLVED, that the attached quote, Resolution and any supplemental terms presented by the Town of Secaucus or the Suburban Metro Joint Insurance Fund, shall constitute the requisite contract upon their execution in this matter and be kept on file with the Town Clerk, available for public inspection; and

BE IT FURTHER RESOLVED, that Fairview Insurance Agency Associates, Inc. shall provide any and all updated compliance information requested by the Town of Secaucus'

Office of Purchasing, which may include but is not limited to, proof of continued insurance coverage; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified that the funds are available in the 2022 Municipal Budget: and

BE IT FURTHER RESOLVED, that the Town Clerk shall publish the above award in the official newspaper of the Town; and

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

The following resolution was read: No. 2021-346

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 Michael Pero Superintend Recreations the that the following below person are hereby appointed to the seasonal part time position at the Ice Rink (#83000), effective December 14, 2021, as follows:

<u>Custodian</u> Worthington, Kris (NEW)	\$11.10 / Hour
<u>Clerical</u> Angulo, Marietta #5737	\$11.10 / Hour
Fasciano, Samantha #5369	\$11.10 / Hour
Guzman, Brianna #5463	\$11.10 / Hour
Guzman, Destiny #5218	\$11.10/ Hour

<u>Custodian</u> Pascarello, Zachery #5459	\$11.10 / Hour
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BE IT FURTHER RESOLVED that the below persons are hereby appointed to the various part time positions at the Rec Center (#85000) effective December 14, 2021, as follows:

<u>Lifeguards (SNL/fill ins)</u> Ragauckas, Bria	\$13.00 / Hour
Ragacukas, Jady	\$13.00 / Hour
<u>Clerical (RPT floater)</u> Goldsack, Diane#5133	\$12.00 / Hour
<u>Fitness Instructor (RPT)</u> Paine, Christopher	\$40.00 / session

The following resolution was read: No. 2021-347

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 Animal Shelter Manager that the below person is hereby appointed to the regular part time Animal Assistant position, in the Animal Shelter Department (#85000), effective January 3rd, 2022, as follows:

Heller, Kristi	\$12.00 / Hour
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The following resolution was read: No. 2021-348

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 2022 are hereby approved.

The following resolution was read: No. 2021-349

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 2022 are hereby approved.

The following resolution was read:

No. 2021-350

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, hereby appointed Maryam Eldesouki as Secretary to the Planning Board with a base salary increase from \$46,000.50 to \$48,000.50, which reflects a \$2,000.00 annual stipend (built into the annual salary). The employee as Board Secretary shall also receive a stipend of \$200.00 per meeting. Should the employee be removed or step down from the position of Secretary to the Planning Board, any stipend associated will be deducted from the annual salary. This resolution becomes effective as of December 14, 2021.

The following resolution was read:

No. 2021-351

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
TO AWARD THE CONTRACT FOR THE PROVISION OF POLICE RADIOS TO MOTOROLA

WHEREAS, the Town of Secaucus' Police Department has the need to purchase an additional thirty-five (35) Police Radios in order to individually assign them to officers in the effort to limit the risk of cross contamination and exposure to Covid-19; and

WHEREAS, the Town of Secaucus' Police Department has obtained a quote from Motorola located in Paramus, NJ, that was provided to the Qualified Purchasing Agent, in the amount of One Hundred Eighty-Eight Thousand Two Hundred Seventy-Three Dollars and 50/100 (\$188,273.50); and

WHEREAS, Motorola holds New Jersey State Contract #83909, previously authorized for use under Resolution 2021-12; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, award the purchase of Police Radios from Motorola at an amount not to exceed One Hundred Eighty-Eight Thousand Two Hundred Seventy-Three Dollars 50/100 and (\$188,273.50); and

BE IT FURTHER RESOLVED, that Motorola 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.

The following resolution was read:

No. 2021-352

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS TO AWARD THE CONTRACT FOR THE PROVISION
OF OEM RADIOS TO MOTOROLA

WHEREAS, the Town of Secaucus Office of Emergency Management has the need to purchase additional Radios in order to individually assign them to employees in the effort to limit the risk of cross contamination and exposure to Covid-19; and

WHEREAS, the Town of Secaucus Office of Emergency Management has obtained a quote from Motorola located in Paramus, NJ, that was provided to the Qualified Purchasing

Agent, in the amount of Thirty-Eight Thousand Fifty-Four Dollars and 85/100 (\$38,054.85); and

WHEREAS; Motorola holds New Jersey State Contract #83909, previously authorized for use under Resolution 2021-12; and

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

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey award the purchase of Radios from Motorola at an amount not to exceed Thirty-Eight Thousand Fifty-Four Dollars and 85/100 (\$38,054.85); and

BE IT FURTHER RESOLVED, that Motorola 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.

The following resolution was read:

No. 2021-353

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS AUTHORIZING
THE AWARD OF A CONTRACT FOR REPAIRS TO FRONT STREET TO CAPTAIN CONSTRUCTION, INC.

WHEREAS, the Town of Secaucus has a contract with AJM Contractors, Inc. for the Front Street Preservation Project under Resolution 2021-126; and

WHEREAS, some of the work involved under said contract is needed on a time sensitive basis due to imminent weather, and AJM Contractors are not available to complete the necessary work in a timely manner; and

WHEREAS, Boswell Engineering obtained three (3) quotes for the work required; and

WHEREAS, Captain Construction, Inc., located at 104 George Street, South River, NJ 08882 has submitted a proposal, that was presented to the qualified purchasing agent, providing for the Front Street Repairs for a contract price of Seven Thousand Three Hundred Fifteen Dollars and 00/100 (\$7,315.00); and

WHEREAS, Captain Construction, Inc. was the lowest responsible quote and is immediately available; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds to award this contract are available under line item 10-2150-55-70609-021

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey award the contract for Repairs to Front Street to Captain Construction at an amount not to exceed Seven Thousand Three Hundred Fifteen Dollars and 00/100 (\$7,315.00); and

BE IT FURTHER RESOLVED, that Captain Construction, 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.

The following resolution was read:

No. 2021-354

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
TO AWARD THE CONTRACT FOR THE PROVISION AND INSTALLATION OF AIR FILTRATION SYSTEMS TO
GRAINGERS, INC.

WHEREAS, the Town of Secaucus Department of Public Works has the need for the Provision and Installation of Air Filtration Systems to limit the risk of exposure to Covid-19; and

WHEREAS, the Town of Secaucus Department of Public Works has obtained a quote from Graingers, Inc located in South Plainfield, NJ, that was provided to the Qualified Purchasing Agent, in the amount of Nine Thousand Four Hundred Fourteen Dollars and 72/100 (\$9,414.72); and

WHEREAS, Graingers, Inc. holds New Jersey State Contract #19-FLEET-00677, previously authorized for use under Resolution 2021-12; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, award the Contract for the Provision and Installation of Air Filtration Systems to Graingers, Inc. at an amount not to exceed Nine Thousand Four Hundred Fourteen Dollars and 72/100 (\$9,414.72); and

BE IT FURTHER RESOLVED, that Grainger, 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.

The following resolution was read: No. 2021-355

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS
AUTHORIZING EXECUTION OF AN AGREEMENT FOR MUNICIPAL SERVICES FOR GREEN VALLEY VILLAGE
CONDOMINIUM ASSOCIATION

WHEREAS, pursuant to the Municipal Services Act, N.J.S.A. 40:67-23.2 et seq. and amendments (collectively the "Act"), qualified private communities within the Town's boundaries are entitled to receive specified municipal services; and

WHEREAS, it is necessary for the Town to enter into a Municipal Services Agreement with Green Valley Village Condominium Association located within the Town of Secaucus under the Act which sets forth the municipal services that the Town will be responsible for and will reimburse for, namely the lighting of qualified streets and roadways, for the periods 2022 through 2026 with reimbursement for prior periods as set forth in the Agreement upon Association submittal.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, in the State of New Jersey, that approval is given for the Mayor, Town Administrator or their designee to execute an Agreement for Municipal Services with the qualified private community, Green Valley Village Condominium Association for the period of 2022 to 2026; and

BE IT FURTHER RESOLVED, that the Mayor and/or Town Administrator or their designee is hereby authorized to take any action or execute any Agreements necessary to effectuate said purpose and intent.

The following resolution was read: No. 2021-356

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

RESOLUTION CANCELLING GRANT BALANCES

WHEREAS, the following grant appropriation balances have been previously approved in prior year budgets, and

WHEREAS, these grants have now been completed, and

WHEREAS, it is necessary to formally cancel the appropriation reserve balance from the balance sheet in the 2021 budget year, and

NOW, THEREFORE, BE IT RESOLVED that the following grant appropriation reserve balance be cancelled:

<u>Grant Title</u>	<u>Grant Appropriation Reserve</u>
NJ Transit-FTA 2020	\$100,000.00
Drug Free Community Support-2018	232,530.83
Drug Free Community Support-2019	<u>90,150.98</u>

Totals \$422,681.81

The following resolution was read: No. 2021-357

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

A RESOLUTION ON BEHALF OF THE TOWN OF SECAUCUS AUTHORIZING
THE AWARD OF A PROPRIETARY CONTRACT FOR TURF REPAIR TO LANDTEK GROUP, INC.

WHEREAS, the Town of Secaucus Recreation Department has the need for Turf Repair at Kane Stadium following damage caused by Storm Ida; and

WHEREAS, LandTek Group, Inc., located at 105 Sweeneydale Avenue Bayshore, NY 11706, has submitted Proposal #21-1341, that was presented to the qualified purchasing agent, providing for Turf Repair for a total contract price of Seventy-Three Thousand Dollars and 00/100 (\$73,000); and

WHEREAS, LandTek (formerly FieldTurf) was awarded the original contract for the provision and installation of Turf at Kane Stadium under Resolution 2015-35; 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 existing Turf, and the repairs of such, provided by LandTek 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 Chief Financial Officer has determined that sufficient funds to award this contract are available under line item 12-2830-00-02900-001.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey award the contract for Turf Repair at Kane Stadium to LandTek Group, Inc. at an amount not to exceed Seventy-Three Thousand Dollars and 00/100 (\$73,000.00); and

BE IT FURTHER RESOLVED, that LandTek Group, 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.

Councilwoman Tringali moved to approve the foregoing resolutions on the consent agenda, seconded by Councilman Costantino.

Councilman Dehnert abstained on resolution No. 2021-330. He voted yes on all remaining resolutions.

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

PAYMENT OF CLAIMS

BINGO/RAFFLE APPLICATIONS

Application for an Off-Premise 50/50 to be held on August 25, 2022, sponsored by the Secaucus PBA Local 84 Civic Association, Inc.

Councilman Clancy moved to approve the foregoing bingo/raffle applications, seconded by Councilman Dehnert.

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

COMMUNICATIONS REQUIRING ACTION BY MAYOR AND COUNCIL

Request by Ridgewood High School to use the Secaucus Ice Rink on December 16, 2022 for use by Ridgewood High Students.

December 13, 2021

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

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

COMMITTEE REPORTS

NEW BUSINESS

REMARKS OF CITIZENS

Don Evanson

Councilman Clancy moved to adjourn the meeting 7:31 pm seconded by Councilman Dehnert.

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

Michael Marra, Town Clerk

