

`TOWN OF SECAUCUS
MAYOR AND COUNCIL MEETING - OCTOBER 12, 2022
MEETING TO COMMENCE 7:00 PM

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

PLEDGE OF ALLEGIANCE

OPEN PUBLIC MEETINGS ACT

ROLL CALL

APPROVAL OF MINUTES

Resolution approving the minutes of the Regular Meetings of August 24, 2021, September 14, 2021 and September 28, 2021

ORDINANCES FOR INTRODUCTION

Ordinance No. 2022-27: An ordinance updating Chapter 141 of the Code to update regulations and licensing pertaining to electronic smoking devices and establishments

RESOLUTIONS (CONSENT AGENDA)

COMMMITTEE REPORTS

UNFINISHED BUSINESS

NEW BUSINESS

REMARKS OF CITIZENS

ADJOURNMENT

Town of Secaucus

CONSENT AGENDA – 10/12/22

THIS AGENDA IS FOR DISCUSSION PURPOSES AND IS SUBJECT TO CHANGE.

ITEMS MAY BE ADDED OR REMOVED AS DETERMINED BY THE TOWN COUNCIL.

1. A resolution approving Change Order #1 for the purchase of a 2023 Nissan Leaf from Hudson County Motors under a New Jersey State Contract
2. Resolution authorizing the submission of an application to the New Jersey Department of Transportation's Transportation Alternatives Set-Aside FY23 Grants Program
3. A resolution to award a professional service contract for Electric Truck Fleet Project Management Services to Climate Change Mitigation Technologies, LLC
4. Resolution appointing Lisette Lombardo to the Regular Part-Time Clerk position, who provides technical assistance to the prosecutor, pending the successful completion of a drug screening and background check, effective September 27, 2022, at the hourly rate of \$14.00
5. Resolution appointing Carol Douglas to the Replacement Regular Part-Time Animal Assistant Position in the Secaucus Animal Shelter, effective October 1, 2022, at the hourly rate of \$13.00
6. Resolution appointing a Fitness Attendant, Front Desk and Custodial Personnel to the Secaucus Recreation Center, pending successful completion of a background check and drug screening, effective October 13, 2022, each at the hourly rate of \$13.00
7. Resolution appointing Chris Harbas to the Regular Part-Time position of Medical Escort Driver in the Public Works Department, pending the successful completion of a drug screening and background check, effective October 13, 2022, at the hourly rate of \$14.50
8. A resolution to award a Professional Service Contract for the Revaluation Impact Study and Development of GIS Map and Provision of Software to the Meers Group, LTD

**TOWN OF SECAUCUS
COUNTY OF HUDSON
RESOLUTION**

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, that the minutes of the Regular Meetings of August 24, 2021, September 14, 2021 and September 28, 2021 are hereby approved.

October 12, 2022

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor and Council on October 12, 2022.

Town Clerk

Mayor

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

AN ORDINANCE OF
THE TOWN OF SECAUCUS, NEW JERSEY

ORDINANCE NO. 2022-27

AN ORDINANCE UPDATING CHAPTER 141 OF THE CODE TO UPDATE
REGULATIONS AND LICENSING PERTAINING TO ELECTRONIC SMOKING
DEVICES AND ESTABLISHMENTS

WHEREAS, the Chapter 141 of the Code of the Town of Secaucus has previously been adopted with amendments, placing restrictions on smoking in public areas, and setting licensing requirements for establishments that sell electronic smoking devices in the interest of public health; and

WHEREAS, upon the review and recommendation of the Board of Health, the Mayor and Council have determined that updates to this Chapter are needed to reflect updated licensing regulations and fees.

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 following provisions of Chapter 141 of the Code entitled “Control of Smoking,” Article II “General Prohibitions and Licensing Requirements” shall be amended as follows. (deletions are reflected by ~~crossouts~~; additions are in **bold**).

§ 141-7 Licensing of retail electronic smoking device establishments.

A.

No person shall conduct, maintain or operate a retail electronic smoking device establishment that sells, distributes, or gives electronic smoking devices without first obtaining from the Secaucus Health Department a written license approved to do so. No more than **eleven (11)** licenses may be issued to operate a retail electronic smoking device establishment within the boundaries of the Town of Secaucus.

...

C.

Renewal. Licenses issued under the provisions of this article, unless forfeited or revoked by the Secaucus Health Department, shall expire annually on the 31st of December. In order to continue selling electronic smoking device(s), each establishment shall apply for a renewal of their license for each retail location, and the annual license renewal fee shall be \$1,000 per retail electronic smoking device establishment location, payable no later than January 31 of the year following renewal. **If a renewal application and payment are not**

received by January 31, the Secaucus Department of Health has right to deem the license forfeited.

New applications. Applications for new licenses will be accepted on a rolling basis, however if the maximum number of licenses to operate a retail electronic smoking device establishment established in 141-7(A) is met, new applications will be held in the order received for the calendar year in which received. The list shall expire annually on the 31st of December.

§ 141-7A Disqualifying violations barring issuance or renewal of license; suspension or revocation; hearing.

- a. No such license shall be issued to or renewed for any person who has a disqualifying violation, nor shall any such license be issued to any corporation or limited liability corporation in which any stockholders/members holding 5% or more of any of the stock thereof or in which any director, officer or member shall have a disqualifying violation. A license applicant may request a waiver of this bar by submitting a letter with an explanation of the disqualifying violations and how they have been remedied, along with any supporting documentation. The Board of Health shall have the authority to grant such a waiver after reviewing the applicant's request, if they determine that the disqualifying violations have been remedied, are unlikely to recur, and denial of a license would be contrary to the interests of the Town and would cause undue hardship to the applicant.
- b. Suspension or revocation of a license may occur at any time in the discretion of the Secaucus Health Department for a disqualifying violation, provided that said licensee shall be afforded a hearing before the Town Administrator and reasonable notice of such hearing provided prior to such suspension or revocation.

Notice of the hearing for suspension or revocation of a license shall be given in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be given personally or mailed to the licensee at their last known address at least five (5) days prior to the date set for such hearing.

A licensee may appeal any decision of the Town Administrator to the Board of Health by the filing of a written notice to appeal within seven (7) days of the Town Administrator's decision. The Board of Health shall hear such appeal within ten (10) days of the notice to appeal by the applicant. An appeal to the Board of Health shall stay a suspension or revocation. The Board of Health shall affirm, reverse, modify or

remand back to the Town Administrator such decision, to the licensee within fifteen (15) days of such hearing.

c. Convictions, negative findings or findings of liability shall qualify as Disqualifying Violations for the purposes of this Chapter:

(1)

A violation of health and safety laws or codes, including, but not limited to, building safety, fire safety, and health codes which occurred within the past three years.

(2)

A violation of labor laws or codes which occurred within the past three years.

(3)

A violation of laws or codes pertaining to tobacco products, electronic smoking device, Smoke Free Air Act or medicinal or recreational cannabis which occurred within the past three years.

(4)

A willful violation of any of the provisions of Chapter 141 which occurred within the past three years.

2. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.
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 141 of the Code of the Town of Secaucus shall remain in full force and effect.

Resolution No. _____

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

**A RESOLUTION APPROVING CHANGE ORDER #1 FOR THE PURCHASE OF A
2023 NISSAN LEAF FROM HUDSON COUNTY MOTORS UNDER A NEW JERSEY
STATE CONTRACT**

WHEREAS, the Town approved the purchase of a 2023 Nissan Leaf from Hudson County Motors in the amount of \$22,181.00 for the Secaucus Park Patrol under Resolution 2022-314; and

WHEREAS, the vendor supplied a corrected quote of \$23,920.00 for said vehicle; and

WHEREAS, there is a need for Change Order #1 to increase the contract with Hudson County Motors in the amount of One Thousand Seven Hundred Thirty-Nine Dollars and 00/100 (\$1,739.00), increasing the total contract to Twenty-Three Thousand Two Hundred Ninety Dollars and 00/100 (\$23,290.00); and

WHEREAS, the Chief Financial Officer has determined that sufficient funds to award this contract are available under line item 10-2150-55-70613-001.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, that the above statements are incorporated herein and Change Order #1 for Hudson County Motors in the amount of One Thousand Seven Hundred Thirty-Nine Dollars and 00/100 (\$1,739.00) is hereby approved.

Adopted: October 12, 2022

Christine Smith

From: Himmelman,John <JHimmelman@penskeautomotive.com>
Sent: Wednesday, September 28, 2022 2:41 PM
To: Jennifer Schneider
Cc: Velez,Gabriela; Michael Pero; Christine Smith; Birchmeier, Bryan; Vansertima,Anita
Subject: RE: Town of Secaucus - Nissan Leaf

***** CAUTION: This email originated from outside the Town Of Secaucus *****

Jennifer – please note contract price on 2023 model is \$23920.00. Also, please advise color required. Actually, will be receiving initial units late October. Please scan corrected PO

Thank you

John Himmelman
Director of Fleet Operations
Hudson Toyota/Nissan/CJD

585 Route 440 South
Jersey City, NJ 07305
Tel: 732-216-7094
Fax: 201-432-6781
jhimmelman@penskeautomotive.com

From: Jennifer Schneider <jschneider@secaucus.net>
Sent: Wednesday, September 28, 2022 11:33 AM
To: Himmelman,John <JHimmelman@penskeautomotive.com>
Cc: 'Arie Tehrani' <Ari@GoMotopia.com>; Velez,Gabriela <Gabriela.Velez@penskeautomotive.com>; Michael Pero <mpero@secaucus.net>; Christine Smith <csmith@secaucus.net>
Subject: RE: Town of Secaucus - Nissan Leaf

WARNING: This is from an EXTERNAL source. Please exercise caution opening attachments or clicking links and forward suspicious emails with the PhishAlarm button or emailing

Good afternoon John,

Please find PO 82630 attached for a 2023 Nissan Leaf. If still possible based on availability, we request the color "Gunmetal" to match the 2022 Nissan Leaf we purchased this past March.

Thank you,
Jennifer

Jennifer Schneider
Environmental Director
Secaucus Environmental Department
201-86-GREEN (47336)

Resolution No. _____

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

**RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE
NEW JERSEY DEPARTMENT OF TRANSPORTATION'S TRANSPORTATION
ALTERNATIVES SET-ASIDE FY23 GRANTS PROGRAM**

WHEREAS, the Town of Secaucus, State of New Jersey, desires to apply to the New Jersey Department of Transportation for funding under the Transportation Alternatives Set-Aside FY23 Grants Program; and,

WHEREAS, The Town of Secaucus has designed the Plaza Center Streetscape Project to meet all criteria necessary to receive funding under the Transportation Alternatives Set-Aside FY23 Grants Program, and to maximize accessibility of multiple modes of surface transportation in the area of the Plaza Center; and,

WHEREAS, the primary activity of the Plaza Center Streetscape Project will be to complete a number of streetscape improvements that will allow for better pedestrian access to the Plaza Center and beautify the Plaza Center area; and,

WHEREAS, this primary activity involves land that is owned by the Town of Secaucus, and the Town of Secaucus hereby commits to maintain the streetscape after the improvements are completed; and,

WHEREAS, responsibilities for administering the proposed project in accordance with federal and state guidelines (to be known as the Responsible Charge) will be Gary Jeffas, full-time Town Administrator;

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Secaucus, County of Hudson, State of New Jersey, formally authorizes submission of the electronic grant application identified as TA-2023-Plaza Center Streetscape Improvement-00067 to the New Jersey Department of Transportation for funding under the Transportation Alternatives Set-Aside FY23 Grants Program on behalf of the Town of Secaucus.

Certified as a true copy of the Resolution adopted by the Council on this 12th day of October, 2022.

Michael Marra

Town Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approved execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

Michael Marra

Town Clerk

Michael Gonnelli

Mayor

Resolution No. _____

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

**A RESOLUTION TO AWARD A PROFESSIONAL SERVICE CONTRACT FOR ELECTRIC
TRUCK FLEET PROJECT MANAGEMENT SERVICES TO CLIMATE CHANGE
MITIGATION TECHNOLOGIES, LLC**

WHEREAS, the Town of Secaucus is the recipient of a grant from the State of New Jersey to fund the Replacement of a diesel garbage truck with a 100% electric garbage truck and associated infrastructure; and

WHEREAS, Climate Change Mitigation Technologies, LLC (CCMT) of Montclair, NJ submitted a proposal for said services with a rate of \$175.00 per hour, at an amount not to exceed Forty-Three Thousand Five Hundred Dollars 00/100 (\$43,500.00); and

WHEREAS, the services provided for in the proposal submitted by CCMT are classified as a professional service; 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 Chief Financial Officer has determined that sufficient funds to award this contract are available under line item 10-2150-55-70613-001.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey, award the Professional Service Contract for Electric Truck Fleet Project Management Services to Climate Change Mitigation Technologies, LLC at an amount not to exceed Forty-Three Thousand Five Hundred Dollars and 00/100; and

BE IT FURTHER RESOLVED, that Climate Change Mitigation Technologies, LLC 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.

Adopted: October 12, 2022

RESOLUTION: _____

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

BE IT RESOLVED, by the Mayor and Town Council of Secaucus, County of Hudson, State of New Jersey, pursuant to the recommendation of Judge Karen Boylan, and the Personnel Committee that the below person is hereby appointed to the regular part time clerk position, who provides technical assistance to the prosecutor, pending the successful completion of a drug screening and background check, effective September 27, 2022 as follows:

Lombardo, Lisette

\$14.00 / hour

BE IT FURTHER RESOLVED, that this is a corrective resolution to previously adopted resolution no. 2022-330, with the only change clarifying the employee will be providing assistance to the prosecutor.

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor and Council on October 12, 2022

Town Clerk

Mayor

Motion:	Yes	No	Abstain	Absent
Second:				
Councilman Costantino				
Councilman McKeever				
Councilman Clancy				
Councilman Dehnert				
Councilman Gerbaslo				
Councilwoman Tringali				
Mayor Gonnelli				

RESOLUTION: _____

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

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 replacement regular part time Animal Assistant position, in the Animal Shelter Department (#50000), effective October 1, 2022, as follows:

Douglas, Carol

\$13.00 / Hour

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor and Council on October 12, 2022.

Town Clerk

Mayor

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

RESOLUTION: _____

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

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 Superintendent of Recreation that the following staff are hereby appointed to **regular** part time various positions, pending successful completion of a background check and drug screening, at the Rec Center Department (#85000), effective, October 13, 2022, as follows:

Fitness Attendant

Castillo, James \$13.00 / Hour

Front Desk

Craven, Lisa \$13.00/Hour

Custodial

Lin, Li \$13.00/Hour

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of as of October 12, 2022.

Town Clerk

Mayor

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

RESOLUTION_____

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

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 Superintendent of DPW, that the below person is hereby hired to a regular part time Medical Escort Driver in the Public Works Department (**#50000**), pending the successful completion of a background check and drug screening, effective October 13, 2022 as follows:

Hourly Rate

Harbas, Chris

\$14.50 / Hour

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor and Council on October 12, 2022.

Town Clerk

Mayor

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

Resolution No. _____

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

**A RESOLUTION TO AWARD A PROFESSIONAL SERVICE CONTRACT FOR THE
REVALUATION IMPACT STUDY AND DEVELOPMENT OF GIS MAP AND PROVISION
OF SOFTWARE TO THE MEERS GROUP, LTD.**

WHEREAS, the Town of Secaucus had the need for a Revaluation Impact Study and Development of GIS Map and Related Software; and

WHEREAS, The Meers Group, LTD. Of Monmouth Beach, NJ provided a proposal for said services in the amount of Sixteen Thousand Eight Hundred Dollars and 00/100 (\$16,800.00); and

WHEREAS, The Meers Group, LTD. was awarded a contract under Purchase order No.81618 for these services; and

WHEREAS, additional work was needed, including a website update and workshop meeting attendance, in the amount of Three Thousand Four Hundred Dollars and 00/100 (\$3,400.00), increasing the total contract for the current year to Twenty Thousand Two Hundred Dollars and 00/100 (\$20,200.00); and

WHEREAS, in accordance with N.J.S.A. 40A:11-1 et seq., the total cost of these services now requires a resolution to award this contract; 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 Chief Financial Officer has determined that sufficient funds to award this contract are available under line item 01-2010-00-11012-069

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Secaucus, County of Hudson, State of New Jersey award the Professional Service Contract for the Revaluation Impact Study and Development of GIS Map and Related Software to The Meers Group, LTD. an amount not to exceed Twenty Thousand Two Hundred Dollars and 00/100 (\$20,200.00): and

BE IT FURTHER RESOLVED, that The Meers Group, LTD. 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.

Adopted: October 12, 2022