

Township of South Hackensack
Bergen County, New Jersey
March 14, 2013 7:30 P.M.
Regular Meeting
AGENDA

Frank Cagas, Mayor
Gary C. Brugger
Walter Eckel, Jr.
William Regan
Vincent Stefano

Donna L. Gambutti, Municipal Clerk
David V. Nasta, Esq., Municipal Attorney

Call of Meeting to Order~

This is a Regular Meeting of the Township Committee of South Hackensack. The date, time and location of this meeting has been advertised in the official Newspapers of the Township, filed with the Township Clerk and posted on the bulletin board in the Municipal Building. All notice requirements of the Open Public Meetings Act for this meeting have been fulfilled.

Flag Salute~

Roll Call~

Special Presentations~

- Sgt. Licamara- Commendations from Township Committee and Special Guest Assemblywoman Connie Wagner.
- 2013 Police Academy Graduates – James Donatello, Brian Kropp, Gary Yannetti, and Justin Zanca
- South Hackensack Volunteer Fire Department- Presentation of funds raised by The South Hackensack Senior Center.
- 2012-2013 - 7th & 8th Grade Cheerleading Squad- State Championship Winners.

8th Grade:
Natalie Alpizar
Isabella Cutri
Kiana DelVillar
Eileen Matias
Elaine Morilo
Kassidy Orzechowski
Keysha Santiago
Helen Solis

7th Grade:
Arlene Grullon
Jeya Lacap
Marisa Pelikan
Alexa Regan
Ashley Rincon

Correspondence & Reports~

- ❑ General Correspondence- February 2013.
- ❑ Monthly Reports -February 2013.
- ❑ Francesco A. Maceri- March 8, 2013- Fire Prevention Parking Spot

Old Business~

- ❑ Department of Public Works Proficiency and Evaluation- Discussion

New Business~

- ❑ Potential/Sale Agreement of Lease (s)- Cellular Monopole
- ❑ Gateway BMED Fund- Out of Network Schedule Option
- ❑ Blue Light Permit- Fire Department- Kevin Kubat

Ordinances~

Introduction of and set the date for public hearing: Adoption: April 11, 2013~7:30PM

- ❑ **Ordinance No. 2013-03**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 208 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED "ZONING"

Introduction of and set the date for public hearing: Adoption: April 11, 2013~ 7:30PM

- ❑ **Ordinance No. 2013-04-**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 155 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED "PARKING"

Resolutions~

- ❑ Closed Executive Session
- ❑ Consent Resolution No. 2012-03
- ❑ Resolution 2013-089-Consent Decree for Settlement in the action- NJDEP V Occidental Chemical Corp.

Committee Reports~

Public Comments~

Closed Session~

Adjournment~

Consent Resolution 2013-03

WHEREAS, the Township Committee of the Township of South Hackensack, has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Township Committee of the Township of South Hackensack is not desirous of removing a resolution from the consent agenda,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of South Hackensack that the following resolutions on the Consent Agenda are hereby approved and adopted:

- Resolution No. 2013-078- Redemption of Tax Sale Certificate- 60 Romanelli Avenue**
- Resolution No. 2013-079- Redemption of Tax Sale Certificate- 202 West Street**
- Resolution No. 2013-080- Sewer Appeal- 289 Huyler Street**
- Resolution No. 2013-081- Payment of Bills- March 2013**
- Resolution No. 2013-082-- Resolution authorizing the offering of Health Benefit Coverage to Eligible Dependants to age 31, as promulgated by State Statute**
- Resolution No. 2013-083- License Report for February 2013**
- Resolution No. 084- Authorizing the award of contract for Monopole**
- Resolution No-085- Authorizing Tax Appeal for Schmidt V Township of South Hackensack – 143 Leuning Street**
- Resolution No- 086- Authorizing Tax Appeal for Meior Donmor v Township of South Hackensack – 240 South Main Street**
- Resolution No- 087- Authorizing Appointment Award for Professional Services Contract – Robinson & Cole LLP – Meadowlands Tax Sharing Attorney**
- Resolution No. 2013-088 – Approval of Minutes**

Motion:
 Second:
 Roll Call Vote:
 Date: March 14, 2013

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Resolution Authorizing Executive Session- March 14, 2013

A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4–12.

Whereas, the Township Committee of the Township of South Hackensack is subject to certain requirements of the *Open Public Meetings Act, N.J.S.A. 10:4–6, et seq.,* and

Whereas, the *Open Public Meetings Act, N.J.S.A. 10:4–12,* provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

Whereas, it is necessary for the Township Committee of the Township of South Hackensack to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

 (1) *Matters Required by Law to be Confidential*: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

 (2) *Matters Where the Release of Information Would Impair the Right to Receive Funds*: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

 (3) *Matters Involving Individual Privacy*: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

 (4) *Matters Relating to Collective Bargaining Agreements*: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

 (5) *Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds*: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

 (6) *Matters Relating to Public Safety and Property*: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.

XX (7) *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege*: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is require in order for the attorney to exercise his ethical duties as a lawyer.

**Chief Michael D. Frew
Litigation- Montenegro, Kaiser & Riotto Vs TSH,
Frew V. South Hackensack
Evans V. South Hackensack**

XX (8) *Matters Relating to the Employment Relationship*: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

Jamie Januzzi

Lydia Heinzelman

(9) Matters relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

Now, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack assembled in public session on this date, that an Executive Session closed to the public shall be held in the South Hackensack Township Municipal Complex, 227 Phillips Avenue, South Hackensack, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

The foregoing resolution was duly adopted by the Township Committee of the Township of South Hackensack at a public meeting held on March 14, 2013