

Township of South Hackensack  
Bergen County, New Jersey  
March 25, 2013 7:00 PM  
*Special 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 Special Meeting of the Township Committee of South Hackensack. The date, time and location of this meeting has been advertised in the official Newspaper 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~

New Business~

- 2013 Approved Municipal Budget –

Resolutions~

- Resolution Closed Executive Session
- Resolution No. 2013-90- Authorizing the Transfer of 2012 Budget Appropriation Reserves.
- Resolution No. 2013-92- Introduction of 2013 Municipal Budget- Public Hearing- May 2, 2013 7:30PM.

Public Comments~

Adjournment~

**RESOLUTION NO. – 2013-90**

**Resolution Re: Authorizing the Transfer of 2012 Budget Appropriation Reserves**

WHEREAS, N.J.S. 40A:4-59 provides that if, during the first three months of any fiscal year, the amount of any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during said preceding year which were chargeable to said appropriation, and there shall be an excess in any appropriation reserves over and above the amount deemed to necessary to fulfill its purpose, the governing body may, by resolution adopted by not less than a 2/3 vote of the full membership thereof, transfer the amount of such excess to an appropriation reserve or any appropriation in the prior budget deemed to be insufficient to fulfill its purpose or for which no reserve was provided.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that the following transfers in the 2012 Budget Appropriation Reserves be authorized:

<u>Account</u>	<u>From</u>	<u>To</u>
Municipal Clerk OE	\$ 1,000.00	
Financial Admin OE	\$ 6,000.00	
Engineering Services	\$ 2,000.00	
Police Department OE	\$ 1,000.00	
Aid to Volunteer Fire Company OE	\$ 9,500.00	
Fire Dept OE	\$ 2,000.00	
Land Fill Solid Waste Disposal	\$ 4,000.00	
Buildings & Grounds OE	\$ 18,000.00	
Vehicle Maint. OE	\$ 10,000.00	
Celebration of Events	\$ 5,000.00	
Electricity	\$ 7,500.00	
Telephone	\$ 8,500.00	
Water	\$ 1,000.00	
Gasoline	\$ 18,500.00	
Municipal Court OE	\$ 1,000.00	
Twp Committee SW		\$ 85,000.00
Public Works OE		\$ 10,000.00
<b>TOTAL</b>	<b>\$ 95,000.00</b>	<b>\$ 95,000.00</b>

ATTEST

\_\_\_\_\_  
Donna L. Gambutti, Township Clerk

\_\_\_\_\_  
Frank Cagas, Mayor

Motion:

Second:

Roll Call Vote:

**Resolution No. 2013-092- Introduction of 2013 Municipal Budget**

**BE IT RESOLVED**, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Township of South Hackensack, Bergen County, New Jersey for the year 2013.

**BE IT FURTHER RESOLVED**, that the said budget be published in the Record in the issue March 28, 2013 and that a hearing on the budget be held at Township Hall on May 2, 2013 at 7:30 PM or soon thereafter as the matter may be reached.

Motion:

Second:

Roll Call Vote:

March 25, 2013

Approved:

Attest:

\_\_\_\_\_  
Frank Cagas, Mayor

\_\_\_\_\_  
Donna L. Gambutti, Municipal Clerk

**Resolution Authorizing Executive Session- March 25, 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.

Litigation- Montenegro, Kaiser & Riotta Vs Tsh,  
Frew V. South Hackensack  
Evans V. South Hackensack

\_\_\_(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.

\_\_\_(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 25, 2013***