

Township of South Hackensack
Bergen County, New Jersey
January 10, 2013 7:30 P.M.
Regular Meeting
MINUTES

Frank Cagas, Mayor.....Present
Gary BruggerPresent
Walter Eckel, Jr.....Present
William ReganPresent
Vincent Stefano.....Present

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

Call of Meeting to Order

Mayor Cagas called the Regular Meeting to order at 7:35 p.m. He advised that pursuant to the Open Public Meetings Act Annual Notice of the meeting had been provided to *The Record, the Herald and News* and by posting the Annual Notice on the bulletin board in the clerk's office where notices are customarily posted. Everyone saluted the flag. The Municipal Clerk called the roll. All members are present.

Correspondence & Reports

General Correspondence & Reports – December 2012

On a motion made by Gary Brugger and seconded by Bill Regan all were in favor of accepting the General Correspondence and Reports for December 2012 and placing them of file in the appropriate locations.

Mark C. Eckel- December 27, 2012- Letter of Resignation

On a motion made by Gary Brugger (with regret) and seconded by Bill Regan all were in favor of accepting this resignation letter. Walter Eckel abstained.

Boswell Engineering- December 7, 2012- Assessment Existing Generator for Municipal Complex and Senior Center. (Hold over correspondence from 12/13/2012).

On a motion made by Gary Brugger and seconded by Walter Eckel all were in favor of accepting this correspondence. **On the question:** *Vincent Stefano asks about the price quotes for these assessments. Is the price \$10,000.00? Mayor Frank Cagas agrees with Vincent Stefano for more clarification on this important subject.*

Boswell Engineering- December 7, 2012- Professional Engineering Design -New Emergency Generator for Municipal Complex and Senior Center. (Hold over correspondence from 12/13/2012)- On motion made by Gary Brugger and Seconded by Walter Eckel; all were in favor of accepting this correspondence and conducting more research on the questions raised by Vincent Stefano and Mr. Cagas.

Ptl. Robert Chinchar#46- January 7, 2013- Police Contract Negotiations – On a motion made by Gary Brugger and Seconded by Walter Eckel all were in favor of accepting this correspondence along with setting up a date for the Police Negotiations Committee to meet with Police Commissioner Cagas and Bill Regan. The clerk is directed to set up a meeting date.

County of Bergen- December 13, 2012- Employee Assistance Program- On a motion made by Frank Cagas and Seconded by Gary Brugger; all were in favor of accepting this correspondence and moving it to *New Business* at this time.

Old Business

New Incident Form For South Hackensack Fire Department- A discussion ensues regarding this new form; Vincent Stefano asks what was done in the past? Michael Nasta, Deputy Fire Chief would like to see this form be generated and used. He explains they use the form in the City of Newark and a copy is given to the fire inspector and can be used to give out zoning violations. Michael Frew, Chief of Police agrees a copy can be transmitted to the police as well. Vincent Stefano states that the police department can still punch a card and go out to the fire call. On a motion made by Gary Brugger and Seconded by Walter Eckel; all were in favor on accepting this incident form for use after review by Fire Prevention.

Transfer of Lease- T-Mobile Northeast, LLC to T-Mobile USA Tower, LLC- David Nasta, Township Attorney explains this transfer of lease to the Township Committee; this is an internal transfer of the lease located on Huyler Street in South Hackensack. On a motion made by Gary Brugger and seconded by Walter Eckel; all were in favor directing the clerk to sign the appropriate paperwork regarding this transfer.

Possible Revised Shade Tree Ordinance- The Shade Tree Commission is requesting the Township Committee report on the status of the proposed changes to the Shade Tree Ordinance. David Nasta, Esq. reports that he will revise the ordinance and report back to the Township Committee.

Upgrade to Microsoft 365 online service for Township E-mail Account-(governmental pricing)

Bill Regard reports that the administrative office needs at least 27 email accounts and this Microsoft upgrade looks secure and official; asks the township attorney for his review and feedback again to make sure the township emails are protected along with the server (back up).

Fire Zones- Mayor Cagas reports that he wanted to see this put back on the agenda so it can be addressed. He states that in an emergency situation a fire engine may not be able to get down a street with the way he has observed cars parking. Chief Frew comments that it has been reported to him by Officer Chinchar 3 spots where NO PARKING signs should be put up. He states that he cannot pick and choose fire zones; certain spots will take away from residential parking. Chief Frew will submit a diagram to Mayor Cagas and David Nasta, Esq. will review it for the Township Committee.

New Business

Hiring of Municipal Treasurer- Discussion ensues regarding this position. Frank Cagas and Walter Eckel are on the personnel committee. Gary Brugger asks should the Township Committee go back to the received resumes and review them again? Vincent Stefano does not think it should be a Treasurers Position but a accounts payable clerk. More discussion on if the position should be full time or not. Walter Eckel believes it may need to be full time and not 25 hours a week. David Nasta, Esquire reminds the Committee that there is an ordinance in place for the Treasurers position. Gary Brugger motions and Bill Regan seconds the motion to hold off another month before advertising the position. Bill Regan adds that they need to agree on a salary range. After more discussion it is agreed that a full time position would be beneficial for the township administrative office. *Dolly Montenegro, (57 Phillips Avenue) explains to the public the Treasurers Position and she wants to see the Township hire someone for the position with experience. She adds that the CFO is not here during the day and the job will fall to one person. She advises the committee that the salary will have to be increased to hire someone with municipal experience.*

Discussion by David V. Nasta, 2013 Township of South Hackensack Personnel Policies and Procedures Manual- David Nasta, Esq. reports on the proposed changes to the Townships Personnel Manual. One matter at hand is using sick time for an employee's family member. Gary Brugger reminds everyone that certain sick policies are for members under contracts. Bill Regan states that some people are confusing the family leave policy with other sick policies and does not want to see a blatant abuse of sick days. He adds that is an employee is out sick; they should actually be at home sick. A discussion ensues regarding fit for duty exams and review of sick time procedures for the police department possibly during police negotiations. Vincent Stefano suggests that employees just receive a certain number of days off and they can use them for vacation and or sick time.

Opt-Out for Natural Gas Supply Service Agreement 2013-

Gary Brugger explains this service agreement and the Township normally votes not to opt out as a lower gas rate is usually the result from this agreement. On a motion made by Gary Brugger and Seconded by Walter Eckel; all were in favor of this agreement as previous years.

Announce public meeting date of January 23, 2013 at 7:00 PM- BCUA & Boswell Engineering regarding rain derived infiltration system information-

Mayor Cagas announces the above date for a special public meeting to explain the amnesty program regarding sump pump hook ups. He hopes all residents will participate in this free program and it only takes a little time for the inspections. Bill Regan asks if homeowners will be fined if they refuse inspection.

Pitney Bowes lease (same machine) for Township Offices-

On a motion made by Bill Regan and Seconded by Gary Brugger all were in favor of renewing this lease with Pitney Bowes.

Estimate to repair Township Offices Voicemail System-

On a motion made by Gary Brugger and Seconded by Bill Regan all were in favor of approving this repair as stated in the quote. (\$1200.00 for repair to Norman H. Pettersen & Son).

County of Bergen- December 13, 2012- Employee Assistance Program-

The clerk explains her research on this program and how there is a hotline available for employees who have disturbing personnel issues. The risk manager Frank Covelli agrees that certain aspects of this county program replicate benefits available under the BMED's plan. The clerk also adds that there is a fee involved with this program and does not see the benefit in the program. On a motion made by Gary Brugger and seconded by Bill Regan all were in favor of not utilizing this program with Bergen County at this time.

Ordinances

No Ordinances at this time for introduction or adoption.

Resolutions

Closed Executive Session –

On a motion made by Gary Brugger and Seconded by Walter Eckel all were in favor.

Consent Agenda 2013-01A-

On a motion made by Gary Brugger and Seconded by Walter Eckel all were in favor of Consent Agenda 2013-01A.

Resolution No. 2013-057- Extend contract for recycling with FORWI- On a motion made by Gary Brugger and Seconded by Bill Regan all members of the governing body voted affirmatively except for Walter Eckel.

Resolution No. 2013-059- Appointment of David Lafferty, Esquire- Special Council in matters of Frew v Township of South Hackensack & Evans v Township of South Hackensack-
On a motion made by Gary Brugger and Seconded by Frank Cagas; all were in favor of Resolution No. 2013-059; Bill Regain Abstained from voting.

Committee Reports-

Bill Regan- Wants to congratulate the new officers of the Fire Department. He reports on the new proposed email program and hopes to have the website for the township brought into the present day. He commends Jeff Badre and all his hard work for the township regarding the new email and backup system as it is a cost savings to everyone.

Walter Eckel- Wants to congratulate Leo Rossi as our new Fire Chief. He explains his endorsement of the community development program regarding the Grove Garden generator. He will report on its timetable when possible. Walter Eckel also thanks Loni Bidel with all his help with this project at Grove Garden and states that Loni keeps him on his toes.

Gary Brugger- Reported that department heads will have a post Hurricane Sandy Meeting on January 14; he also attended his first ambulance corps meeting of the year where third party billing was brought up as a possible budgetary solution. Residents will not be balanced billed if they do not have insurance. Gary Brugger also reported that he attended the NJ Meadowlands Commission meeting for Mayors with Frank Cagas. He believes there is legislative support for legal action regarding the paying communities. The master plan for the meadowlands communities has not been revised since the 1970's. Our tax sharing payments could go down by thousands if a new system goes into effect. *Bill Regan* asks what happens when the Super bowl comes next year as the World Cup costs over \$130,000 to tax payers for extra police. He also asks how to offset these costs as no one wants to help us out. Gary Brugger finishes his report by announcing the TANNAC meeting on January 23rd.

Vincent Stefano- Wants to congratulate the new Fire Department Officers & thanks Leo Rossi and Michael Nasta for the new incident forms for the Fire Department. We recently had a fire call at an illegal day care center hopes this will help with alerting specific departments as to potential risks in our community. He acknowledges that the township phone system is from the 1980's and our Fire Equipment is from the 1960's. Our rescue vehicle is very old and certain parts are not available any more. Firemen cannot do their job with outdated equipment. A new rescue truck is needed and townspeople need to see there tax dollars NOT be spent on lawsuits. He looks forward to seeing the Fire Department and Ambulance Corps get the equipment they need. He also reports that he has good ideas for Memorial School and will share them with Bill Regan.

Frank Cagas- He congratulates the new Fire & Ambulance Corps officers and hope we have a quiet year as compared to last year. He reports he will sit down with each department as needed at anytime as it will be a challenging and interesting year.

Public Comments-

Mr. Nasta, Jr.- 57 Kinzley Street- Complains that the recycling company leaves cans spilled all over the neighborhood and cans are thrown around.

Michael Nasta, Deputy Fire Chief- He disagrees with Vincent Stefano on sick days. They should just be for sick time only. He explains where he works you have to home sick if you call out. (or at a doctor and or pharmacy) You can see patterns in people's sick time especially if they are on vacation and they call out before or after their return date. He also states he cannot believe we do not have a light duty policy. He also explains if an employee has unlimited sick time; it won't accumulate at the end of a contract

Dolly Montenegro- 57 Phillips Avenue- Asks if we are under contract with the JIF regarding Light Duty. She also explained 3 scams that are going around targeted at senior citizens and she spoke about them at the last senior meeting. She also states that the NJMC does not intend to give any money back to the taxpaying towns and asks how the project in Garfield Park will add to enrollment in Memorial School?

Kim Rerecich, 67 Dyer Avenue- has some complaints about the recycling company – they scratch and dent cans. Kim asks if the beefsteak dinner announcement can be put on the town sign as it is in February.

Chief Michael D. Frew- Advises the Township Committee about the unfair labor suit filed previously in the Police Department in regards to Light Duty. He also states that employees who call out sick needlessly is an abuse of sick time. Confirms that Frank Corvelli, Risk Manager is on board with some type of policy.

On a motion made by Gary Brugger and seconded by Walter Eckel all were in favor to close the meeting for public comments.

Closed Session

On a motion made by Gary Brugger and seconded by Frank Cagas, all were in favor of entering into closed executive session at 9:20 PM. Minutes of closed session were recorded and will be made available to the public when authorized by the governing body and permitted by law.

On a motion made by Gary Brugger and seconded by Walter Eckel; all were in favor to returning to open session.

Adjournment

On a motion made by Gary Brugger and seconded by Bill Regan all were in favor to adjourn the meeting at 10:05PM.

Respectfully submitted to The Township Committee by Donna L. Gambutti, Municipal Clerk, Township of South Hackensack.

Donna L. Gambutti

Consent Resolution 2013-01A January 10, 2013

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. 2013-052- Cancellation of 2012 Sewer User Charges Balances**

Resolution No. 2013-053- Cancellation of 2012 Tax Balances

Resolution No. 2013-054 Approval of Township Minutes

Resolution No. 2013-055- Extend the employment of Loretta D' Ambrosio

Resolution No. 2013-056- Appoint Board of Adjustment member Kevin Kubat

Resolution No. 2013-058- Confirm endorsement of Community Development project at Grove Garden- Emergency Generator

Resolution No. 2013-060- Bill List 12/28/2012-12/31/2012

Resolution No. 2013-061- Extend the employment Durene Ayer

Resolution No. 2013-062- License Report for December 2012

Motion: Eckel

Second: Brugger

Roll Call Vote: Brugger, Cagas, Eckel, Regan & Stefano

Approval Date: January 10, 2013

Resolution No. 2013 – 052 Cancellation of 2012 Sewer User Charges Balances

WHEREAS certain sewer user balances exist at year-end,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack that the following balances and overpayments be cancelled:

<u>Balance Adjustment</u>		<u>Overpayments</u>	
<u>Account</u>	<u>Amount</u>	<u>Account</u>	<u>Amount</u>
16520550-0	6.32	16520850-0	.58
16521675-0	.12	16529950-0	2.29
16522500-0	8.05	41006900-0	.02

16522955-0	4.57	41012000-0	.14
16529700-0	.83	41012200-0	.06
41002500-2	.74	42505800-0	.10
41003800-0	.10	46127800-2	3.80
41004600-0	.50	46128050-0	.35
41004600-7	1.89	46128300-0	.30
41004700-0	2.57	49501500-2	8.65
41005700-0	.52		
41010500-0	.21		
41012600-0	.07		
41015800-0	1.95		
42501400-0	1.86		
42501600-0	.22		
42501600-2	.15		
42501600-3	.59		
42501600-4	.38		
42503000-0	.10		
42503100-0	1.11		
42506400-0	.29		
46127600-0	.47		
46127600-1	.54		
46127600-2	.36		
46127900-0	.45		
48228150-0	.91		

Consent Agenda Resolution 2013-01(a)

Date: January 10, 2013

Resolution No. 2013 – 053 Cancellation of 2012 Tax Balances
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WHEREAS N.J.S.A 54:4-91.1 requires that the Tax Collector file with the Township Committee, a list of delinquent taxes for 20121 which she believes are not collectible, and

WHEREAS, the Township Committee of the Township of South Hackensack on being satisfied that the taxes listed below are not collectible, shall by resolution release the Tax Collector from the collection thereof and order the same be cancelled.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack that the following balances and overpayments be cancelled pursuant to N.J.S.A. 54:4-91-1.

<u>Overpayments</u>			<u>Balance Adjustment</u>		
<u>Block</u>	<u>Lot</u>	<u>Amount</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
1.03	1	5.92	1.05	1	9.32
2.01	8.03	.97	2.01	8.04	5.68
5.01	10	7.38	2.01	13.04	.50
7.01	23	.30	5.01	1.03	.58
7.03	6	.05	5.01	16	.55
7.05	25.07	1.80	7.02	2.01	2.01

10	31	.10	7.03	4	.50
13.03	3.04	9.90	7.05	29	5.58
13.03	3.05	.71	8	17	4.88
14	2	.31	10	27	.11
15	43	6.28	13.04	1.10	.30
29	1	.08	15	29	.50
37	1	.04	41	11	.20
37	11	.24	47	2	5.79
44	4	.38	48	15	1.00
48	21	.13	101	1.01	6.04
52	2.01	2.96	102	8	.07
52	5	.14	102	62	.47
58	18	.60	105	2.01	.77
59	1.07	1.42			
59	1.08	.91			
100	2	4.79			
100	4	1.54			
102	40	1.30			

Consent Agenda Resolution 2013-01(A)
Dated: January 10, 2013

Resolution No. 2013 – 054 Approve Minutes
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BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey that the following minutes be and are hereby approved as submitted.

- October 4, 2012 – Worksession
- October 11, 2012 – Regular
- October 16, 2012 – Special
- October 23, 2012 - Special
- November 20, 2012 - Special

Consent Resolution No. 2013-01(a)
Date: January 10, 2013

RESOLUTION NO. 2013- 055 APPOINTING LORETTA D’AMBROSIO AS CLERK/TYPIST(Extension of Employment)

WHEREAS, their exists within the Township administration the need for general clerical services; and

WHEREAS, Loretta D’Ambrosio is familiar with the tasks and functions of the office and has indicated a willingness to provide general clerical services and assistance.

NOW THEREFORE BE IT RESOLVED, that Loretta D’Ambrosio be and is hereby appointed as a clerk/typist for the period effective January 1, 2013 and not to extend beyond February 1, 2013.

BE IT FURTHER RESOLVED, that she shall be considered a part time temporary employee, her hours shall be set by the Township Committee and she shall be compensated at the sum of \$20.00 per hour.

Consent Agenda Resolution No. 2013-01A
Date: January 10, 2013

Resolution No. 2013-056 Board of Adjustment Member – Kevin Kubat

BE IT RESOLVED by the Mayor of the Township of South Hackensack that the following be and are hereby appointed to the South Hackensack Planning Board:

Kevin Kubat Alternate No. 21 yr. term/expire 12-31-2013

Consent Agenda Resolution No. 2013-01A
Date: January 10, 2013

**RESOLUTION NO. 2013- 057
AUTHORIZING THE EXECUTION OF AN EXTENSION OF CONTRACT WITH FIRST OCCUPATIONAL CENTER OF NEW JERSEY**

WHEREAS, the Township of South Hackensack (Township) and the First Occupational Center of New Jersey (FORWI) heretofore entered into a contract whereby FORWI is to collect and dispose of certain Class A recyclables generated within the township through December, 31, 2012; and

WHEREAS, the Township prepared specifications, advertised for and received bids for the collection and disposal of certain Class A recyclables for a period beginning January 1, 2013; and

WHEREAS, the Township received multiple bids for said service on October 26, 2012 and reviewed and discussed the same at its general public meetings on December 6 and December 13, 2012; and

WHEREAS, the Township Committee determined that the said bids did not meet the financial parameters and service needs of the community and it concluded and directed that said bids be rejected. Upon further analysis and discussion at its December 13, 2012 meeting the Township Committee concluded that it would be in the best interest of the Township to withhold a re-bid of recycling service and extend the current contract with FORWI through September 30, 2013.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that the Mayor and Township Clerk are hereby authorized to enter into an extension of the existing contract with FORWI in a form and substance approved by the Township Attorney and the Township Clerk is directed to provide written notice to FORWI that said service is to be continued under the same terms and conditions of the present contract until September 30, 2013.

ATTEST

Frank Cagas, Mayor

Donna L. Gambutti, Municipal Clerk

Motion: Brugger

Second: Regan

Roll Call Vote: Brugger, Cagas, Regan & Stefano

Negative Vote: Eckel

<p>Resolution No. 2013 – 058 Municipality to Confirm Endorsement of Community Development Projects – Generator for Grove Gardens</p>

WHEREAS, a Bergen County Community Development grant of \$97,250 has been proposed by the Housing Development Corporation for Grove Gardens in the Township of South Hackensack, New Jersey, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

WHEREAS, the aforesaid project is in the best interest of the people of South Hackensack, and

WHEREAS, this resolution does not obligate the financial resources of the Municipality and is intended solely to expedite expenditure of the aforesaid CD funds,

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of South Hackensack hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

Consent Agenda Resolution No. 2013-01(a)

Date: January 10, 2013

<p style="text-align:center">RESOLUTION NO. 2013-059 APPOINTING DAVID S. LAFFERTY, ESQ. AS SPECIAL COUNSEL IN THE MATTERS OF FREW V. TOWNSHIP OF SOUTH HACKENSACK AND EVANS V. TOWNSHIP OF SOUTH HACKENSACK</p>

WHEREAS, there exists two matters of litigation filed in the Superior Court of New Jersey, Bergen County entitled Frew v. Township of South Hackensack et. al, Docket No. BER-L-945-12 and Evans v. Township of South Hackensack et.al, Docket No. BER-L-84444-12 (hereinafter “ the Litigation”); and

WHEREAS, John J. D’Anton, Esq. (hereinafter “D’Anton) has been named as a party defendant in the Frew matter and David V. Nasta, Esq.(hereinafter “Nasta”) has been named as a party defendant in the Evans matter; and

WHEREAS, both D’Anton and Nasta were named as defendants as a result of service rendered in their capacity as Special Counsel and Township Attorney for the Township of South Hackensack respectively; and

WHEREAS, the allegations against D’Anton and Nasta are not in the nature of professional malpractice but instead allege causes of action under other civil law relating to their actions in the capacity as officers and/or agents of the Township; and

WHEREAS, D’Anton and Nasta have requested pursuant to Chapter 40 Article III of the Township Ordinances indemnification and defense relative to the Litigation and the Township Committee did consider at its December 13, 2012 meeting said request and determined that it is in the best interest of the Township that D’Anton and Nasta be indemnified and held harmless and that each be provided with a defense with a limit of \$10,000 of defense cost for each individual; and

WHEREAS, the Township requested from its insurance carrier and did receive a list of approved attorneys for selection by D'Anton and Nasta and provided the same to them; and

WHEREAS, D'Anton and Nasta selected David S. Lafferty, Esq. of the law firm of Kelly, Kelly, Marotta & Lafferty, LLC., 25 East Spring Valley Avenue, Suite 320, Maywood, New Jersey 07607 to represent them in the Litigation.

NOW THEREFORE BE IT RESOLVED, that David S. Lafferty be and is hereby appointed as Special Counsel to represent D'Anton and Nasta in the Litigation; and

BE IT FURTHER RESOLVED, that he shall compensated at the rate of \$150.00 hour to a maximum of \$20,000.00 funds permitting and that David S. Lafferty, Esq. be immediately provided with a copy of this resolution of appointment.

Motion: Brugger

Second: Cages

Roll Call Vote Ayes: Brugger, Eckel, Stefano, Cages

Abstain: Regan

January 10, 2013

ATTEST;

Donna L. Gambutti, Township Clerk

Frank Cagas, Mayor

Resolution No. 2013-060- Payment of Bill List 12/28/2012-12-31/2012- See Attached

Consent Agenda Resolution No. 2013-01A

Date: January 10, 2013

RESOLUTION NO. 2013-061
EXTEND THE EMPLOYMENT of DURENE AYER AS TEMPORARY CLERK TYPIST

WHEREAS, the Township is in need of an individual to perform its payroll duties; and

WHEREAS, Durene Ayer previously performed said function as the Township's CFO and Treasurer until her resignation from said positions effective September 27, 2012 but has agreed to continue to perform the payroll service until such time that a permanent replacement for said function is appointed.

NOW THEREFORE BE IT RESOLVED, that be and is hereby appointed as the Township's Clerk/Typist for the period effective upon passage of this resolution but not to extend beyond February 28, 2013 and that she be provided a copy of this said resolution which shall be kept on file with Township Clerk. She shall be compensated in accordance with the terms of the Township salary ordinance at a rate of \$65.00/hr. for the performance of all payroll duties..

Consent Agenda Resolution No. 2013-01A
Date: January 10, 2013

Resolution No. 2013 –062 Licenses – December 2012
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WHEREAS, the following have made applications and paid a fee for various licenses, and WHEREAS, the Township Committee has no exception to the issuance of these licenses, NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that the following licenses by and are hereby approved unless noted and with conditions as noted.

GENERAL LICENSES

<u>Received</u>	<u>Business</u>	<u>License #</u>	<u>Fee</u>	<u>Type</u>
12/12/12	G. Money	4101	\$ 300	Place of Entertainment
12/18/12	Pleasure Lounge	4102	\$ 300	Place of Entertainment

TOTAL: \$ 600

FIRE PERMITS

<u>Received</u>	<u>Business</u>	<u>License #</u>	<u>Fee</u>	<u>Type</u>
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TOTAL FIRE: \$ 0

GRAND TOTAL ALL LICENSES/PERMITS: \$ 600

Resolution Authorizing Executive Session- January 10, 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.

____(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.

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.

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____(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 **January 10, 2013.***