

Township of South Hackensack
Bergen County, New Jersey
March 25, 2013 7:00 PM
Special Meeting
MINUTES

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

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

Call of Meeting to Order

Mayor Cagas called the Special Meeting to order at 7:00 p.m. The Clerk advised that 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 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. Mayor Cagas led the flag salute. The Municipal Clerk called the roll. All members are present. Gary Vinci, Municipal Auditor is present for the introduction of the 2013 Municipal Budget.

New Business

2013 Approved Municipal Budget – On a motion made by Walter Eckel and seconded by Bill Regan; all members were in favor of introducing the 2013 Municipal Budget. Discussion ensues regarding reviewing all municipal fees including construction fees. Mayor Cagas volunteers to ask H. Jim Riley, Construction Code Official to do a possible study. Bill Regan suggests that we conduct a survey of surrounding towns for all municipal fees to see where we stand. Everyone agrees that the township does not have a spending problem but a revenue problem as discussed last week with the CFO, Christopher Eilert. Walter Eckel asks about the rescue truck for the fire department and reminds the committee that it is an important purchase. Gary Brugger requests a meeting with George Reggo to confirm the information for a re-

evaluation. Gary Vinci, Municipal Auditor agrees to meet with Chris Eilert, CFO and George Reggo to review finances (regarding the re-evaluation cost).

Resolutions

Resolution Closed Executive Session- On a motion made by Gary Brugger and Seconded by Walter Eckel; all were in favor.

Resolution No. 2013-90- Authorizing the Transfer of 2012 Budget Appropriation Reserves
On a motion made by Walter Eckel and Seconded by Gary Brugger: all were in favor by roll call vote.

Resolution No. 2013-92- Introduction of 2013 Municipal Budget- Public Hearing- May 2, 2013 7:30PM- On a motion made by Bill Regan and Seconded by Walter Eckel: all were in favor by roll call vote.

Public Comments-No public comments from the public are made.

Closed Session-

On a motion made by Gary Brugger and seconded by Bill Regan, all were in favor of entering into closed executive session at 8:15 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.

Adjournment

On a motion made by Walter Eckel and seconded by Gary Brugger; all were in favor to returning to open session and adjourning the meeting at 7:45PM.

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:

Account	From	To
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
TOTAL	\$ 95,000.00	\$ 95,000.00

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***