

Township of South Hackensack
Bergen County, New Jersey
May 9, 2013 7:30 P.M.
Regular Meeting
MINUTES

Frank Cagas, Mayor.....*Not Present*
Gary Brugger *Present*
Walter Eckel, Jr..... *Present*
William Regan *Present*
Vincent Stefano..... *Not Present*

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

Call of Meeting to Order

Deputy Mayor Bill Regan called the Regular Meeting to order at 7:30 p.m. The Clerk advised that 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. Bill Regan led the flag salute. The Municipal Clerk called the roll. Mayor Frank Cagas and Vincent Stefano are not present.

Special Presentation by Fire Chief Leo Rossi & Deputy Mayor Bill Regan-
Certificates of Recognition for Volunteers during Hurricane Sandy at South Hackensack Fire Department-

<i>Allie Hum</i>	<i>Rebecca Grater</i>
<i>Brittany Grater</i>	<i>Andy Severino</i>
<i>Joey Nasta</i>	<i>Alex Severino</i>
<i>Michael Thorpe</i>	<i>Jake Gambo</i>
<i>Autumn Thorpe</i>	

- Deputy Mayor Bill Regan announces that the meeting will go out of order; The Township Committee needs to go into closed session first with CFO, Chris Eilert and Gary Vinci; municipal auditor. The budget cannot be adopted as two members of the Township Committee are not present.

Closed Session

On a motion made by Walter Eckel and seconded by Gary Brugger, all were in favor of entering into closed executive session at 7:45 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 Walter Eckel; and seconded by Gary Brugger all were in favor to returning to open session at 8:10 PM.

Correspondence

Correspondence and Reports April 2013- On a motion made by Gary Brugger; and seconded by Walter Eckel; all were in favor of accepting and filing the correspondence & Reports for April 2013.

-Boswell McClave Engineering, April 29, 2013- Assessment of Existing Emergency Generator at South Hackensack Municipal Complex

-Boswell McClave Engineering, April 29, 2013- Assessment of Emergency Power Requirements at South Hackensack Firehouse

-Boswell McClave Engineering, April 29, 2013- of Emergency Power Requirements at South Hackensack Department of Public Works Building

On a motion made by Gary Brugger and Seconded by Walter Eckel all were in favor of tabling this related correspondence as two members are not present to discuss this important matter.

Larry Paladino, April 19, 2013- Fence Netting & repairs to park fence- On a motion made by Gary Brugger; and seconded by Bill Regan; all were in favor of accepting the quote from American Fence.

Ray DeRiso, South Hackensack Relief Association, April 24, 2013- Active Firemen's Membership Report for 2012 & Green Sheet Update 2012- On a motion made by Walter Eckel; and seconded by Gary Brugger all were in favor of accepting this report.

Professional Insurance Associates, Inc., April 29, 2013- Annual Loss Control Report- On a motion made by Gary Brugger; and seconded by Walter Eckel all were in favor accepting this report.

George Reggo, Tax Assessor, April 25, 2013- Clarification of Reassessment proposal- On a motion made by Gary Brugger; and seconded by Bill Regan all were in favor accepting this memo. Gary Brugger comments on the reassessments and how all the properties inspected by the end of 4 years. 25% per year (inspections). The Township Committee authorizes David Nasta, Esq. to draw up resolution for next week with Appraisal Systems.

Insurance Services Offices, April 5, 2013- Fire Department Evaluation- - On a motion made by Gary Brugger; and seconded by Walter Eckel all were in favor accepting this report.

John Schettino, LLC, April 29, 2013- Zoning Ordinance No. 2013-03- - On a motion made by Gary Brugger; and seconded by Bill Reagan all were in favor accepting this correspondence. David Nasta explains that John Schettino reviewed the proposed Zoning Ordinance.

Chief Michael D. Frew, April 26, 2013- CPR Recertification- - On a motion made by Gary Brugger; and seconded by Bill Regan all were in favor accepting this request and keeping it on file.

Chief Michael D. Frew, April 24, 2013- Request for Police Officers- On a motion made by Gary Brugger; and seconded by Walter Eckel all were in favor accepting this request and keeping it on file.

Chief Michael D. Frew, May 3, 2013- Police Department internship recommendation- On a motion made by Bill Regan; and seconded by Walter Eckel all were in favor of granting this request.

Larry Paladino, May 7, 2013- removal of dead trees- price quotes- On a motion made by Gary Brugger; and seconded by Walter Eckel all were in favor of approving the quote from R & P Landscaping (disregarding Chestnut Avenue).

Crown Castle, May 6, 2013- Notice of Sublease- On a motion made by Gary Brugger; and seconded by Walter Eckel all were in favor accepting this notice.

Boswell McClave Engineering, May 7, 2013- Condeimi International Inc. - On a motion made by Gary Brugger; and seconded by Bill Regan; all were in favor of accepting this correspondence.

Lydia Heinzelman, May 8, 2013- Shade Tree Budget Request Joe Marrella, Shade Tree Member states that more CORE training is needed now that Linda Lo Piccolo has retired . The money is needed for trees, plantings and education. On a motion made by Gary Brugger and Seconded by Walter Eckel; all members were in favor of this request. The CFO will need to be notified.

Lydia Heinzelman, May 8, 2013- Quotes for flower box plantings from The Shade Tree Commission- Gary Brugger suggests that the plantings (business planters) be taken out of the DPW budget if possible.

Elliot Sachs, Boswell Engineering , May 7, 2013- 2012 County Road Paving Program- (Email to the Township Committee)- David Nasta explains late email to the committee regarding Huyler Street. On a motion made by Gary Brugger; and seconded by Walter Eckel; all were in favor of approving this correspondence.

Old Business

Department of Public Works Proficiency and Evaluation- tabled to next meeting.

Municipal Generator (Town Hall) - tabled to next meeting.

Red Light Cameras –David Nasta explains that Frank Cagas requested this on the agenda and he is still waiting from approval from the State of NJ.

New Business

Hiring of accounts payable clerk, payroll clerk and assistant to the CFO- Full or Part-time position-
Discussion- On a motion made by Gary Brugger; and seconded by Walter Eckel; all were in favor of tabling the discussion until next month meeting.

Township of South Hackensack Zoning Board's of Adjustment 2012 Annual Report & Action Item-
208-4(B)(1) of the Zoning Ordinance- The committee agrees to refer this to the Township Attorney for review.

Curb Cut Application- 10 Veprek Lane-police report included- On a motion made by Gary Brugger; and seconded by Bill Regan; all were in favor of approval of this application.

Master Plan amendment discussion- a discussion ensues regarding the master plan and the vision for this township. Things have to change to bring other types of business to this township.

CSI Technology Group- INFO Share system for Police Department- State of New Jersey contract pricing- On a motion made by Gary Brugger; and seconded by Bill Regan; all were in favor of accepting this proposal and keeping it on fire. It is noted that the Mayor- Frank Cagas and Chief Frew are interested in this technology.

Announcements by the Deputy Mayor:

2012 Bergen County Mobile Document Shredding Program scheduled for June 1, 2013 – 9AM-1:00PM- Town Hall Parking Lot- (all Bergen County Residents are invited)

Student Government day 2013- 8th Grade- May 29th- 1st Grade-June 6th

Ordinances~ Second Reading, Public Hearing and Adoption of: **TABLED***

Ordinance No. 2013-05

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14).

On a motion made by Gary Brugger; and seconded by Bill Regan; all were in favor of tabling Ordinance No. 2013-05 to June 6, 2013.

Resolutions

* 2013 Municipal Budget* Not adopted *

Public Hearing on Resolution No. 2013-106 Amending the 2013 Budget

- Open Public Hearing-
- Close Public Hearing-
- Resolution No. 2013-107 Authorizing Self-Examination of 2013 Municipal Budget
- Resolution No. 2013-108 Adopt 2013 Approved Municipal Budget

On a motion made by Gary Brugger; and seconded by Bill Regan; all were in favor of tabling the above budget resolutions to June 6, 2013.

- Closed Executive Session - On a motion made by Walter Eckel and seconded by Gary Brugger, all were in favor.
- Consent Agenda 2013-05- On a motion made by Walter Eckel and seconded by Gary Brugger, all were in favor of approving consent agenda 2013-05.
- Resolution No. 2013-105-Tax Appeal-105 C&T Enterprises , LLC VS South Hackensack- 69 Leuning Street Block 54 Lot 1.02- * may be voted on after Executive Session*

Committee Reports

Walter Eckel- No report at this time.

Gary Brugger- Reports he attended the last Meadowlands Mayor's meeting; makes comments regarding garbage pick-up.

Bill Regan- Reports that the garbage company is coming to early on Dyer Avenue; they cannot come down this street by the school during school rush hour. Announces the Recreation Department will have some type of event schedule soon.

Public Comments-

Larry Paladino, DPW Superintendent has comments regarding Moonachie Road flooding- 3 houses are affected. Jim Reilly states the Cemetery Association has to be contacted. Larry also comments on the DEP's recent visit and how we passed the inspection. Submitted storm water report. Larry comments on recent visit with the township engineer to the Garfield Park pump station. The system will have to be upgraded for the new condos in the future. Frank Cagas could not attend due to illness. Gary Brugger suggest a call be made to Bergen County Road Dept regarding the cemetery run off as the basins may need to be cleaned.

Closed Session

On a motion made by Walter Eckel and seconded by Gary Brugger, all were in favor of entering into closed executive session at 9:15 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.

On a motion made by Walter Eckel; and seconded by Gary Brugger all were in favor to returning to open session at 10:00 PM

- . Resolution No. 2013-105-Tax Appeal-105 C&T Enterprises, LLC VS South Hackensack- 69 Leuning Street Block 54 Lot 1.02- On a motion made by Gary Brugger and seconded by Walter Eckel; all were in favor of approving Resolution No. 2013-105

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, and Township of South Hackensack.

Donna L. Gambutti

Consent Resolution 2013-05

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- 099- Redemption of Tax Sale Certificate No. 12-00007 (Tax & Sewer) – 252 Green Street

Resolution No. 2013-100- Redemption of Tax Sale Certificate No. 12-00004 (Tax & Sewer) – 70 Worth Street

Resolution No. 2013-101- Payment of Bills- May 2013

Resolution No. 2013-102- April 2013 License Report

Resolution No. 2013-103- DISCHARGING ELIZABETH DONNARUMMA AS ACCOUNTS PAYABLE CLERK, PAYROLL CLERK AND ASSISTANT TO THE CHIEF FINANCIAL OFFICER

Resolution No 2013-104- Approve minutes

Motion:

Second:

Roll Call Vote:

Date: May 9, 2013

.....

Resolution Authorizing Executive Session-May 9, 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.

XX (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.

Police PBA Negotiations

Teamsters Local Union No. 11-Addendum to Agreement

 (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 & Riotto V. TSH,

Frew V. South Hackensack

Evans V. South Hackensack

Anticipated Litigation-COAH

Tax Appeal- C&T Enterprises- 69 Leuning Street-Block 54, Lot 1.2

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.

-Chief Michael D. Frew

-Finance Dept. (CFO) Retirement Analysis

-Ptl. Lance Richard Kelly

(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 May 9, 2013.

.....