

Township of South Hackensack
Bergen County, New Jersey
January 9, 2014 7:00PM
Regular Meeting
MINUTES

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

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

Call of Meeting to Order

Mayor Regan called the Worksession Meeting to order at 7:00 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. Mayor Regan led the flag salute. The Municipal Clerk called the roll. All members are present. Vincent Stefano arrives at 7:15PM.

Closed Session

Closed Executive Session Resolution

On a motion made by Gary Brugger and seconded by Walter Eckel all were in favor of entering into closed executive session at 7:05 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 Bill Regan; all were in favor to returning to open session at 7:30PM.

Special Presentation~ Recognition of Lenny Falato- Mayor Regan and all the members of the Township Thank Lenny for helping the township by filing in as temporary construction code official. The Mayor presents him with a certificate and a gift to show their appreciation.

Correspondence & Reports

- ❑ General Correspondence & Reports – December 2013- All are in favor to accept and file.
- ❑ Lydia Heinzelman, Shade Tree Secretary, December 26, 2013- Forestry Management Plan- On a motion made by Frank Cagas and seconded by Gary Brugger to authorize this request.
- ❑ Michael Ward, South Hackensack Ambulance Corps Former Chief, December 17, 2013- Officers for 2014. On a motion made by Gary Brugger and seconded by Walter Eckel; all were in favor to accept and congratulate.
- ❑ Christopher J Gnazzo, January 3, 2014- SHVAC unit # 658- On a motion made by Gary Brugger and seconded by Bill Regan; all were in favor of considering request with mandatory conditions. The clerk is directed to draft a letter with the restrictions of use.
- ❑ Mary Terraccino, Tax Collector/Deputy Clerk, December 31, 2013- Vacation Day Request- On a motion made by Gary Brugger and seconded by Bill Regan; all were in favor of approving this request.
- ❑ Richard Napolitano January 7, 2014- 30 Calicooneck Road Sewer Line- Follow-up- The township committee establishes a sub-committee including the Armand Marini, David Nasta, Frank Cagas & Mayor Regan.
- ❑ Carol Perone, December 20, 2013- Request for Leave of Absence until May 1, 2014- On a motion made by Gary Brugger and seconded by Bill Regan; all were in favor.
- ❑ John Schettino, Esquire, December 26, 2013(via fax)- Letter to James P. Mullen, Esquire-regarding Conde International- 71 Saddle River Avenue- On a motion made by Gary Brugger and seconded by Bill Regan; all were in favor of filing this correspondence.
- ❑ Larry Paladino, CPWM, January 2, 2014- Intent of Retirement- On a motion made by Gary Brugger and seconded by Bill Regan; all were in favor. David Nasta is directed to meet with Larry Paladino.

Old Business~

- ❑ Department of Public Works Proficiency and Evaluation- Bill Regan will meet with Moonachie regarding snow plowing and possible shared equipment & services.
- ❑ Authorize Mayor Regan to sign Wallington Shared service agreement for snowplowing- On a motion made by Gary Brugger and seconded by Bill Regan; all were in favor.

- ❑ Recycling Contract- The Township Committee discusses the possibility of sharing the service with another town such as Little Ferry.
- ❑ Chief of Police- open position- Mayor Regan explains the process is moving right along. We should have a plan next month and hope to set up interviews for the next step.
- ❑ Quality of Life Park Committee- Vinnie Stefano hopes to have a meeting soon. He would like to talk to Captain Terraccino and find an officer that lives in town to be on committee.
- ❑ Fire Alarm System for Municipal Hall- Authorize Township Engineer to work on specs with Charlie Flenner, Fire Sub-Code Official- All members are in favor of moving forward with this project; the system needs to be upgraded.
- ❑ 2012 Bergen County Open Space Trust Fund Program- Grant Award for Veterans Park-Matching Grant Project- Approve or Deny Project- Gary Brugger asks Mary Terraccino to comment on this grant. She explains it is a matching fund grant. The committee discusses the options of fixing the ball field, etc and how they need to think about what the vision will be for the park. Frank Cagas adds the walking path needs to be redone too. The committee admits the field is not really is use like in the past. Gary Brugger motions to deny the grant; Walter Eckel seconds the motion and all members are in favor of deny the grant now and reapplying in the future.

New Business~

- ❑ Huyler Street Monopole-Possible Bid Specs- David Nasta, Esquire explains he has been received some inquiries on the Township selling the leases to the Huyler Street Monopole. He advises the committee to consider it or not. Gary Brugger asks what it is worth. On a motion made by Bill Regan and seconded by Gary Brugger all members are in favor of authorizing the Township Attorney to draft bid specs.
- ❑ Long Term Equipment & Vehicle Plan- Mayor Regan directs department heads to submit a 3 year plan (replacement) along with status and condition of all current vehicles. Frank Cagas reminds the Committee that if the DPW purchases a new hook truck they can use recycling tonnage grant money.
- ❑ Establish Sub-Committee for Review of Township Fees- Armand Marini is recommending that the building construction department fees be reviewed/modified. Armand Marini, Ray DeRiso, Gary Brugger and Frank Cagas are appointed to the sub-committee.
- ❑ Appointment of Dolly Montenegro, Township Historian- On a motion made by Walter Eckel and seconded by Vincent Stefano; all members are in favor of Appointing Dolly Montenegro as the Township Historian. Dolly comments she feels honored and can see both sides of the issues and feels everyone is being represented.

Ordinances~

- **ORDINANCE NO. 2014-01** - *Introduction; First Reading- Public Hearing on February 13, 2014* noted with corrections*

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 183 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED “SIGN ORDINANCE OF THE TOWNSHIP OF SOUTH HACKENSACK”

On a motion made by Gary Brugger and seconded by Walter Eckel; all were in favor by Roll Call Vote to introduce ordinance No 2014-01.

- **ORDINANCE NO. 2014-02**- *Introduction; First Reading- Public Hearing on February 13, 2014*

AN ORDINANCE CREATING THE DEPARTMENT OF ECONOMIC DEVELOPMENT OF THE TOWNSHIP OF SOUTH HACKENSACK, PRESIBING THE TERM AND DUTIES OF THE OFFICERS THEREOF AND PROVIDING FOR APPOINTMENTS THERETO AND COMPENSATION THEREFORE

On a motion made by Bill Regan and seconded by Frank Cagas; all were in favor by Roll Call Vote to introduce Ordinance No. 2014-02. The township committee agrees they may need to make minor tweaks’ in the next 10 days. There may be a revised ordinance. Bill comments on how important this ordinance is and Vinnie Stefano agrees that the Township has to get redevelopment going and this advisory board cannot be a political football. Everyone has to be involved from the Township Committee, Zoning Officer, Planner and Tax Assessor. He feels this would be an economic summit. The committee discusses this matter amongst themselves. David Nasta explains the past South Hackensack and what his future vision includes. Memorial School is a great asset to the town to attract developers/ratable to the Township. He has 28 years experience and advises the committee to take proactive action towards the goal and commitment.

Resolutions~

- Consent Agenda 2014-01(A)- On a motion made by Walter Eckel and seconded by Bill Regan; all were in favor of Consent Agenda 2014-01A. No resolutions were removed.
- Resolution No. 2014-065- Agreement with The State of New Jersey, Division of Local Finance with Regard to the availability of Health Benefits for Elected Officials- On a motion made by Gary Brugger and seconded by Bill Regan; all were in favor by Roll Call Vote.

Committee Reports~

Frank Cagas- Thanks Lenny Falato as he helped to keep things moving in town. Explains PSE&G may be having some problems with the gas line to our new generator and we may need to reconsider the diesel option again.

Walter Eckel- Comments on telephone poles. Congratulations to Dolly for taking on the historian position for the township.

Vincent Stefano- Thanks Dolly for all she does for the Township.

Gary Brugger- Thanks to Lenny for filing in and makes a joke about hanging up historic old pictures of past Mayors. He attended the reorganization of the school board and they may be looking into hiring a retired police officer for full time security.

Bill Regan- Congratulations to Dolly and is looking forward to a great year. We need to communicate more with the residents and ask what can we do for you? Look out for our facebook and twitter pages for up to date information.

Public Comments~

Dolly Montenegro- thinks the economic development committee is a good idea; explains the involvement her father had and she would like to be on this type of committee. Gives the committee some advice on people that developed in Teterboro. Does not think Twitter is a good idea for the township.

Lenny Falato- Commends the DPW on the job they did during the snowstorm.

Ray DeRiso, Zoning Official-asks what the budget/salary is for the Economic Director. Mayor Regan explains it may be paid as a director or consultant. Vinnie Stefano says it will vary with the needs of the township. Ray DeRiso states there seems to be so many unknowns.

Loni Badell- 51 Grove Street- Congratulations to Vinnie Stefano on his re-election. He comments on the amount of energy on the dais. He thanks David Nasta for explaining economic development. Asks about the Police Chief position and thinks Joe Terraccino would make an excellent police chief. He is always there for us.

On a motion made by Gary Brugger and seconded by Walter Eckel all were in favor to adjourn the meeting at 9:30PM.

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

Donna L. Gambutti

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Resolution Authorizing Executive Session- January 9, 2014
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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.

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.

**Capt. J. Terraccino
Capt. R. Kaiser
Lt. V. Riotto
Sgt. R. Licamara
Hiring of Police Chief**

Personnel Policies

 (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 9, 2014.

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Consent Resolution 2014-01A

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. 2014-060- December License Report

Resolution No. 2014-061- Cancellation of Tax Balances

Resolution No. 2014-062- Cancellation of Sewer Balances

Resolution No. 2014-063- Authorize Appraisal Fee for Naturex, Inc.

Resolution No. 2014-064- Extension of DPW Temporary Labor, William Regan, Jr

Motion: Brugger

Second: Eckel

Roll Call Vote:

Date: January 9, 2014

Resolution No. 2014 – 060 Licenses – December 2013
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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>
12/2/13	Tony G's	4220	\$ 300	Place of Entertainment
12/5/13	Horizon Inn	4221	3460	Motel
12/5/13	Congress Inn	4222	3620	Motel
12/5/13	H&M Leasing	4223	25	Clothing Bin-Huyler St.
12/17/13	7-11 Store	4224	100	General Merchandise

TOTAL: \$ 7,505

FIRE PERMITS

<u>Received</u>	<u>Business</u>	<u>License #</u>	<u>Fee</u>	<u>Type</u>
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TOTAL FIRE: \$ 0.00

GRAND TOTAL ALL LICENSES/PERMITS: \$ 7,505

Consent Agenda Resolution No. 2014- 01A
 Date: January 9, 2014

Resolution No. 2014–061 Cancellation of 2013 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 2013 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>
1.01	4.10	.54	5.02	1.01	.31
1.05	3.01	.77	8	13	.45
2.01	4.01	2.48	9	41	2.29
4	1	4.90	10	11	.54
20.02	38	.22	13.07	10	.02
37	29	.72	19	3	.96
45.01(C000B)	7.04	3.10	38	17.01	.04
100	8.01	1.31	38	25	.47
105	2.02	.32	44	9	3.83
105	5	2.73	44	12	5.12
			52	2.01	.02
			52	3	3.39
			101	6	.51

Consent Agenda Resolution 2014-01(a)
 Dated: January 9, 2014

Resolution No. 2014 – 062 Cancellation of 2013 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>
16520400-0	2.63	16521150-0	.03
16522500-0	.18	16521350-0	8.88
16522950-0	.02	16522955-0	2.98
41003800-0	.46	16530150-3	.18
41004600-0	.10	41002100-0	.20
41005100-0	.77	41002500-2	.04
41005700-0	.02	41011800-0	.08
41006600-0	.18	42500800-0	.20
41008700-2	.10	42503100-0	.56
41012400-0	.08	46128050-0	1.00
41012900-0	.05	49501500-2	.14
41015800-0	.85		
41500200-0	.09		
41500500-1	.83		
42500400-0	.05		
42501400-0	.04		
42501600-2	.01		
42505500-0	.04		
46127900-0	.33		
46128400-0	7.42		
46128450-0	.59		
46128850-0	.35		
46128850-2	.34		
48228155-0	.98		
49501400-0	.20		

Consent Agenda Resolution 2014-01(a)

Date: January 9, 2014

Resolution No. 2014- 063 Authorize Appraisal Fee for at 379 Huyler Street, also known as Block 29, Lot 1 (Naturex Inc.)

WHEREAS, Naturex, Inc. is the owner and taxpayer of property located at 379 Huyler Street, also known as Block 29, Lot 1; and

WHEREAS, it is necessary for the Township to obtain appraisals for Tax Court purposes; and

WHEREAS, the Township has designated Robert McNerney of McNerney Associates as one of its approved appraisers; and

WHEREAS, Mr. McNerney has submitted a proposal in the amount of \$5,000 (Five Thousand Dollars) for the appraisal, for such purpose;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of South Hackensack that the Township does hereby retain the services of McNerney and Associates in order to prepare Tax Court appraisals with respect to the property located at 379 Huyler Street, also known as Block 29, Lot 1; and

BE IT FURTHER RESOLVED that McNerney and Associates shall be paid the sum of \$5,000 (Five Thousand Dollars) for the preparation of such appraisal report, which will include all out of pocket expenses; and

BE IT FURTHER RESOLVED that the aforesaid award of contract is one for professional services, for which no public bidding is necessary; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified the existence of current available funds for this purpose; and

BE IT FURTHER RESOLVED that the Township Clerk be and she is hereby authorized and directed to maintain a copy of this Resolution and the Agreement with McNerney and Associates in her offices, for public inspection.

Consent Agenda 2014-01A

January 9, 2014

RESOLUTION NO. 2014-064

**AUTHORIZING AND MEMORIALIZING THE HIRING OF WILLIAM REGAN JR. AS
A TEMPORARY LABORER FOR THE DEPARTMENT OF PUBLIC WORKS**

WHEREAS, due to the absence of two members of its Department the South Hackensack DPW had an emergent need for temporary labor; and

WHEREAS, William Regan Jr had previously performed services as a Laborer of the South Hackensack Department of Public Works and the Governing Body authorized the DPW Commissioner in consultation with the Superintendent of the Department of Public Works to retain such temporary labor necessary to ensure the health, safety and welfare of the general public.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that the retention of William Regan, Jr. during the month of December 2013 for the provision of temporary labor service to the South Hackensack Department of Public Works be and is hereby ratified and that payment for said service be and is hereby similarly ratified.

Consent Agenda 2014-01A
January 9, 2014

RESOLUTION NO. 2014-065

**MEMORIALIZING AGREEMENT WITH THE STATE OF NEW JERSEY,
DEPARTMENT OF COMMUNITY AFFAIRS, DIVISION OF LOCAL FINANCE WITH
REGARD TO THE AVAILABILITY OF HEALTH BENEFITS FOR ELECTED
OFFICIALS**

WHEREAS, the Township is required by state law to seek and receive approval from the State of New Jersey, Department of Community Affairs, Division of Local Government Services (hereinafter the "Department") for the issuance of any bonds; and

WHEREAS, the Township sought approval from the Department for the issuance of bonds to finance court ordered settlements and refunds to taxpayers resulting from litigation in which property owners appealed their tax assessments; and

WHEREAS, in order to obtain Department approval for said bonds Committee Members Eckel, Cagas and Brugger agreed to relinquish health benefits that have heretofore been provided to them by the Township.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that in accordance with the Township's agreement with the Department effective June 30, 2014 Committee Members Eckel, Cagas and Brugger shall be removed from the roll of eligible individuals provided health insurance benefits by the Township;

BE IT FURTHER RESOLVED, that the said Committee Members be provided with a certified copy of this resolution along with instructions regarding any rights pursuant to COBRA relative to the same.

ATTEST

Donna L. Gambutti, Township Clerk

William Regan, Mayor

Motion: Brugger
Second: Regan
Roll Call Vote:
January 9, 2014

ORDINANCE NO. 2014-01

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 183 OF THE
CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED "SIGN
ORDINANCE OF THE TOWNSHIP OF SOUTH HACKENSACK"**

WHEREAS, the Township Committee desires to create a better balance between business development and neighborhood appearance; and

WHEREAS, the Township Committee in reaching said objective has deemed it to be in the best interest of the Township to modify certain terms of its sign ordinance; now therefore

BE IT ENACTED AND ORDAINED, by the Township Committee of the Township of South Hackensack that Chapter 183 “Sign Ordinance of the Township of South Hackensack” be amended and supplemented as follows:

Section I: Chapter 183-15 “Temporary Signs” shall be amended as follows:

183-15(I) Real Estate Signs

183-15(I) 1 (a) Signage Zoning District A . Signs indicating premises for sale or rent shall be no larger than six (6) square feet in area and shall not be illuminated.

183-15(I) 1 (b) Signage Zoning Districts B, C and M-Mixed Wall signs indicating premises for sale or rent shall be no larger than thirty (32) square feet in area. Ground signs indicating premises for or rent shall be no larger than (20) square feet in area. No sign shall be illuminated.

183-15 (L) Grand Opening Signs Grand Opening signs including flags, bunting and pennant strings shall be permitted in Zoning Districts B, C and M-Mixed for no more that ninety (90) consecutive days.

183-16 B (3) (c) In no event shall the total square footage of wall and ground signs exceed fifty (50) square feet of area.

183-16B (7) Feather Flags

- (a) Maximum of ten (10) feet in height when measured from ground level.
- (b) Maximum of three (3) per property.
- (c) Must pertain to the business on site.
- (d) Permitted to be displayed only during business hours.
- (e) Not permitted within the Township right of way or sight triangle.

183-16B (8) Frame Signs

- (a) Maximum of six (6) square feet.
- (b) Maximum of one (1) per property.
- (c) Must pertain to the business conducted on site.
- (d) Permitted to be displayed only during business hours.
- (e) Not permitted within the Township right of way or sight triangle.
- (f) Only used to promote special events.

Section II: All ordinance or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of said inconsistency.

Section III: If any portion of this ordinance is found to be invalid or unconstitutional by a court of competent jurisdiction the remainder of this ordinance shall remain in full force and effect.

Section IV: This ordinance shall take effect upon passage and publication as required by law.

ATTEST

Donna L. Gambutti, Township Clerk

William Regan, Mayor

Introduced: January 9, 2014

Motion: Brugger

Second: Eckel

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

January 9, 2014

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Draft- Not for adoption@@@@@@@@

ORDINANCE NO. 2014-02

**AN ORDINANCE CREATING THE DEPARTMENT OF ECONOMIC DEVELOPMENT
OF THE TOWNSHIP OF SOUTH HACKENSACK, PRESRIBING THE TERM AND
DUTIES OF THE OFFICERS THEREOF AND PROVIDING FOR APPOINTMENTS
THERE TO AND COMPENSATION THEREFORE**

DRAFT

WHEREAS throughout New Jersey the responsibilities and operations of local government have grown in complexity due not only to the increasing density of development in the State but also due to the ever increasing rules and regulations set forth by various state and federal agencies and that those additional responsibilities have made it necessary to create and maintain a Department of Economic Development charged with the responsibility to ensure the proper and adequate growth of the community and to guarantee its future viability; and

WHEREAS in order to ensure that the Township develops in a manner consistent with the governing body’s future vision and provide for the proper resources for the same through the creation of necessary positions and to assign to those positions those duties,

responsibilities and authority that are necessary to accomplish the proper administration and implementation of the governing body's vision.

NOW, THEREFORE, BE IT ORDAINED by the Township of South Hackensack, County of Bergen, State of New Jersey as follows:

CHAPTER 45 DEPARTMENT OF ECONOMIC DEVELOPMENT

ARTICLE I- CREATION

There is hereby created a Department of Economic Development to be known as the "South Hackensack Department of Economic Development".

ARTICLE II- PURPOSE

The purpose of the South Hackensack Department of Economic Development shall be several fold. The Department shall analyze and review the existing land development of the Township and report to the Governing Body on its consistency with the Master Plan, proposed changes and potential opportunities to enhance the tax base of the Township and to implement a vision of development consistent with future growth and opportunity. The Department shall seek sources for revenue to meet the aforesaid objectives and report to the Governing Body on the potential utilization of the same. The Department shall communicate with businesses within the community and outside of it to ensure that the Township's policies are consistent with fair and favorable business growth and development. The Department shall prepare all reports and

analysis and take any and all steps necessary and proper to ensure that the environment in the Township is conducive to proper development of its real estate and business sectors.

ARTICLE III- DIRECTOR OF ECONOMIC DEVELOPMENT

A- CREATION-

There is hereby created the Office of Director of Economic Development to serve in accordance with the laws of the State of New Jersey and the Personnel Policies and Procedures Manual of the Township and to perform those duties as set forth in this Article.

B. APPOINTMENT

The Director of Economic Development shall be appointed by a majority vote of the Township Committee and may be removed by a two thirds vote of the same. Any vacancy which may occur in said position, whether the same occurs by death, resignation, or otherwise, shall be filled in the same manner. A vacancy shall be deemed to commence upon the un-excused cessation of duties of the duly appointed Director of Economic Development.

C. QUALIFICATIONS

a. The appointment of a Director of Economic Development shall be solely based on the administrative qualifications of the appointee, with special regard as to his or her education, training and actual experience in governmental affairs. The Director of Economic Development shall have the following minimum qualifications:

1. Educational- The Director of Economic Development shall possess an advanced

degree (masters or higher) in the fields of public administration, government, law, business administration, real estate or similar field from an university or college accredited and/or recognized by the Department of Education of the State of New Jersey.

2. Experience- The Director of Economic Development shall possess at least seven (7) years of experience in governmental service. Said service shall include positions such as business administrator, municipal clerk (RMC), financial service (CFO or Treasurer), law (municipal or other public entity) or other supervisory position deemed significant in the sole discretion of the Governing Body. The Director of Economic Development shall also have at least seven (7) years of private experience in any of the aforementioned fields or business.
3. Community Familiarity- The Director of Economic Development shall display familiarity with the Township including its issues and demographics. A candidate for the position of Director of Economic Development shall be required to provide with his or her application for employment a written synopsis displaying knowledge of community issue and demographics.
4. Background Check- The Director of Economic Development shall submit to a criminal background check to be performed by the South Hackensack Police Department. Any conviction of a crime higher than a disorderly persons offense shall disqualify an applicant from consideration.

D. COMPENSATION AND MANNER OF WORK

At the option of the Governing Body the Director of Economic Development shall

be paid a salary as set by the Governing Body and reflected in its annual salary ordinance and benefits consistent with those of other full time employees of the Township or shall be paid be paid in amount agreed to by contract and appropriate resolution for a non-employee consultant.

E. INCENTIVE COMPENSATION

A primary objective of the Director of Economic Development is to increase the tax base of the Township. In order to provide for incentive for the same by December 15 of each year in conjunction with the South Hackensack Tax Assessor and Building Department the Director shall prepare and submit a report to the Governing Body detailing the type and assessed value of any development within said calendar year. There shall be added to the Director's salary in the subsequent year the sum of seven hundred fifty dollars (\$750.00) for each one million dollars (\$1,000,000.00) or pro-rated portion thereof of ratables added to the tax rolls for said year. Excluded from this calculation shall be single lot residential buildings of two families or less and commercial development with less than fifty thousand dollar (\$50,000.00) in taxed valuation. In order to qualify for incentive consideration a temporary Certificate of Occupancy shall have been issued within the calendar year. In the event that the Governing Body retains a contractual consultant said sum shall be added to the subsequent year contract above the base of the prior year contract or if the consultant is not retained paid in a lump sum in the subsequent year.

F. STIPENDS

The Governing Body shall in its sole discretion create such stipend as it deems necessary in consultation with Director of Economic Development to provide for the discharge of the duties set forth in this Article. Said stipend shall be utilized for purposes including but not

limited to applicable seminars, meeting costs, specific stationary or office supplies and events.

Any expenditure in excess of five hundred dollars (\$500.00) shall first receive the approval of the Governing Body. Any expenditure shall be detailed on a quarterly report to the Governing Body along with supporting receipts.

ARTICLE IV- ADVISORY BOARD- CONSULTANTS

A. CREATION

There shall be created an advisory board consisting of such business, governmental and community members that the Director of Economic Development shall deem necessary in his or her discretion to support the functions and objectives of the South Hackensack Department of Economic Development. Said board members shall serve without compensation and at the pleasure of the Director of Economic Development. The Director shall make said appointments in consultation with the Governing Body who shall also retain the authority to remove said members for cause. The board shall consist of at least one member of the Governing Body who shall be the liason between The South Hackensack Economic Development Commission and the Governing Body. The Director shall also have the discretion to retain any consultants that he or she deems necessary to discharge the duties of his or her office. In the event that any consultant is to receive compensation from the Township the Governing Body retains the sole authority regarding any such retention.

ARTICLE V- ADMINISTRATIVE SUPPORT

The Department of Economic Development shall coordinate any requests for administrative support for its functions with the Township Clerk whose staff shall provide the

same. In the event that the Department of Economic Development and the Township Clerk cannot agree on the provision of support the Governing Body shall make any such final determination.

ARTICLE VI – REPEALER

In the event that this Ordinance or any portion thereof conflicts with the terms of any other Township Ordinance said Ordinance of conflicting portion thereof is repealed to the extent of said inconsistency.

ARTICLE VII- SEVERABILITY

In the event that any portion of this Ordinance is determined to be unconstitutional or in violation of law by a court of competent jurisdiction the balance of said Ordinance shall be severed and remain in full force and effect.

ARTICLE IX- EFFECTIVE DATE

This Ordinance shall take effect upon passage and publication as required by law.

Introduction January 9, 2014

Motion: DRAFT ORDINANCE -Regan

Second: Cagas

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

ATTEST

Donna L. Gambutti, Township Clerk

William Regan, Mayor

