

Township of South Hackensack  
Bergen County, New Jersey  
August 6, 2015 7:00PM  
***Worksession Meeting***  
AGENDA

Walter Eckel, Mayor  
Gary C. Brugger  
Frank Cagas  
William Regan  
Vincent Stefano

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

Call of Meeting to Order~

Flag Salute~

*This is a Worksession 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.*

Roll Call~

*Special Presentation from The South Hackensack Township Committee To:*

**The Moonachie First Aid & Rescue Squad**  
**&**  
**Moonachie Mayor Vaccaro & Council Members**

Correspondence~

- Daniel Riley, 1st Lt./Secretary to the Fire Board, July 30, 2015- New membership application for Jon Luca Morzetta- South Hackensack Fire Department
- Let's Get Personal Computing, July 23, 2015- Request for fee increase for IT services
- State of NJ Dept of Environmental Protection, July 1, 2015- Community Forest Plan Approval 2015-2019
- James & Joni Parisi, July 24, 2015-Tree Request
- Daniel Riley, 1st Lt./Secretary to the Fire Board, August 6, 2015- New membership applications for Daniel Loesner & Michael Novack
  
- Old Business
- Continuation of reimbursement for CPWM classes for Joseph Marrella
- Inspections of Non-owner occupied 2 Family Houses

#### New Business~

- Appoint Jon Luca Morzetta to The South Hackensack Volunteer Fire Department
- Appoint Daniel Loesner & Michael Novack- pending completion of physical on August 8, 2015
- IT Service Fee increase- approve or deny request
- Fire Department 5-ton Rescue Truck
- Meadowlands Family Success Center Holiday Food Drive- collection sites in South Hackensack- Town Hall & Memorial School- September 14<sup>th</sup>- October 23, 2015

#### Ordinances~ Introduction- N/A

#### Ordinances~ Adoption

- **ORDINANCE NO. 2015-04 *Second Reading, - Public Hearing –Adoption***

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 208 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED "ZONING"**

By: 2<sup>nd</sup>: RC:

Resolutions~

Closed Executive Session Resolution

Resolution No. 2015-127- Person to Person, Place to Place Transfer- G Money Enterprises LLC to TNB, LLC(including extension of Premises) *Roll Call Vote*

By: 2<sup>nd</sup>: RC:

Resolution No. 2015-128- Approving Settlement with Teamsters Local No.11 and Authorizing the Mayor & Township Clerk to Execute a Contract in Accordance with the Terms Herein *Roll Call Vote*

By: 2<sup>nd</sup>: RC:

Resolution No. 2015-129- Appointment/Community Development Regional Committee

By: 2<sup>nd</sup>: RC:

Resolution No. 2015-130 Extension of Due Date for 3<sup>rd</sup> Quarter Taxes

By: 2<sup>nd</sup>: RC:

Resolution No. 2015-131 Payment of Bills- August 2015

By: 2<sup>nd</sup>: RC:

Committee Reports~

Public Comments~

Adjournment~

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**Resolution Authorizing Executive Session August 6, 2015**

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 required in order for the attorney to exercise his ethical duties as a lawyer.

**Tax Appeal- Z&G Property vs South Hackensack**  
**Tax Appeal- Burger King vs South Hackensack**  
**Tax Appeal- Winfred McDonald vs 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.

**Raymond DeRiso  
Robert Licamara  
Glenn Evans**

(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 August 6, 2015.*

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<p style="text-align: center;"><b>ORDINANCE NO. 2015-04</b></p> <p style="text-align: center;"><b>AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 208 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED "ZONING"</b></p>
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**BE IT ENACTED AND ORDAINED**, by the Township Committee of the Township of South Hackensack that Chapter 208 "Zoning" be amended and supplemented as follows:

**Section I:** Chapter 208-8 "M District- Mixed Use Zone" shall be amended as follows:

- A. Permitted Uses: No building or premises shall be used and no part of a building shall be erected, constructed or altered which shall be arranged, intended or designed to be used for any other purposes other than the following uses:

(11) Houses of Worship

**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 after referral to the South Hackensack Planning Board as required by law and upon passage and publication as required by law.

Introduction: June 11, 2015

Motion: Brugger

Second: Regan

Roll Call Vote: Brugger, Cagas, Eckel & Regan

Absent: Stefano

**ATTEST**

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

\_\_\_\_\_  
**Walter Eckel, Mayor**

**Resolution No. 2015-127 Person-To-Person, Place-to-Place Transfer 0259-33-001-006 from G. Money Enterprises, LLC To TNB, LLC ( Bergen Brick Oven Bar & Grill)**

WHEREAS, an application has been filed for a Person-to-Person, Place-to-Place Transfer (for the extension of the premises) of Plenary Retail Consumption License Number 0259-33-001-006 heretofore issued to G. Money Enterprises, 290 Huyler Street, South Hackensack, New Jersey and;

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

WHEREAS, the applicant is qualified to be licensed according to all standard established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business;

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of South Hackensack does hereby approve, effective August 6, 2015 the transfer of the Plenary Retail Consumption License with an extension of premises to TNB LLC , and further transfers the license from to G. Money Enterprises LLC South Hackensack , NJ 07606 to TNB, LLC ,290 Huyler Street South Hackensack, NJ 07606 and does hereby direct the Township Clerk/A.B.C. board secretary to endorse the license certificate to the new ownership as follows: *"This license, subject to all its terms and conditions, is hereby transferred to **TNB, LLC effective August 6, 2015**"- 0259-33-001-007*

Motion  
Second:  
Roll Call Vote:  
August 6, 2015

APPROVED:

ATTEST:

\_\_\_\_\_  
Walter Eckel, Mayor

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

**Resolution No. 2015- 128    Approving Settlement with Teamsters Local No. 11 and Authorizing the Mayor and Township Clerk to Execute a Contract in Accordance with the Terms Herein**

WHEREAS, the Township of South Hackensack ("Township") is party to a certain contract (the "Agreement") with Teamsters Local No.11 ("Union") who represents the employees of the South Hackensack Department of Public Works ("DPW"); and

WHEREAS, in accordance with the terms of said contract, which expired as of December 31, 2014, the Township and the Union negotiated an extension of and modification to the Agreement; and

WHEREAS, the Township and the Union have agreed to an extension and modification of the Agreement under the terms set forth below; and

WHEREAS, the approval of said modification and extension will be subject to an amendment of the township's existing salary ordinance and certification as to the availability of funds by the township's chief financial officer;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that the Mayor and Municipal Clerk are hereby authorized to enter into an agreement with the Union under the terms and conditions set forth in the attached Memorandum of Agreement and in a form acceptable to the township attorney.

Motion:  
Second:  
Roll Call Vote:  
August 6, 2015  
Approved:

Attest:

\_\_\_\_\_  
Walter Eckel, Jr, Mayor

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

**Resolution No. 2015- 129 Appointment/Community Development Regional Committee**

WHEREAS, the Township of South Hackensack has entered into a Three Year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NJSA 40A: 8A-1 et seq. and Title I of the Housing and Community Development Act of 1974; and

WHEREAS, said Agreement requires that one Municipal Representative and one alternate be appointed by the Governing Body of the community to be part of the Community Development Regional Committee for the term of one year coinciding with the fiscal year July 1, 2015 through June 30, 2016; and

WHEREAS the Mayor may make an appointment and an alternate appointment to the CDBG Regional Committee for the same term,

NOW, THEREFORE, BE IT RESOLVED that the governing body hereby appoints the following representatives to participate on the regional committee:

Delegate: Walter Eckel, 211 Phillips Avenue, South Hackensack, NJ 07606  
Alternate: Donna L. Gambutti, 7 Maple Avenue, South Hackensack, NJ 07606

BE IT FURTHER RESOLVED that the Mayor hereby appoints the following representatives to participate on the regional committee:

Delegate: Mary Terraccino, 1 Maple Street, South Hackensack, NJ 07606  
Alternate: Gary Brugger, 26 Jackson Avenue, South Hackensack, NJ 07606

Motion:  
Second:  
Roll Call Vote:  
August 6, 2015

**Resolution No. 2015 - 130 Extension of Due Date for 3<sup>rd</sup> Quarter Taxes**

WHEREAS, the 2015 tax rate for the Township of South Hackensack had not been established by the statutory mailing date, and

WHEREAS, the tax bills were mailed on July 30, 2015,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack, County of Bergen that an extension of time is granted for payment of third quarter 2015 taxes originally due August 1, is hereby granted until August 28, 2015.

BE IT FURTHER RESOLVED that all tax payments submitted after August 28, 2015 will accrue interest from August 1, 2015 in accordance with the New Jersey Statutes.

Motion:  
Second:  
Roll Call Vote:  
August 6, 2015  
Approved:

Attest: