

Township of South Hackensack

Bergen County, New Jersey

February 5, 2015 7:00PM

Worksession Meeting

MINUTES

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

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

Call of Meeting to Order

Mayor Eckel called the Worksession Meeting to order at 7:02 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 Eckel led the flag salute. The Municipal Clerk called the roll. Vincent Stefano is not present.

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 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 Frank Cagas; all were in favor to returning to open session at 7:35PM.

Correspondence~

- Jerry D'Amico, Fire Chief, January 8, 2015- Request for permanent usage of Ambulance Vehicle # 658- *On a motion made by Gary Brugger and seconded by Walter Eckel this is moved to New Business.*
- Jerry D'Amico, Fire Chief, January 21, 2015- Notification of letters of resignation from Mr. Fred Hum & Mr. Mark Calero- *On a motion made by Gary Brugger and seconded by Frank Cagas both letters of resignation are accepted with regret.*
- Leo Rossi, Former Fire Chief, January 16, 2015- Letter of Resignation from South Hackensack Fire Department- *On a motion made by Gary Brugger with regret and seconded by Frank Cagas; all members were in favor of accepting this correspondence.*
- Daniel Riley, 1st Lieutenant/Secretary to Fire Board, February 2, 2015- Request to accept application from Joseph P. Sullivan as a new member of South Hackensack Fire Department- *On a motion made by Gary Brugger with and seconded by Frank Cagas; all members were in favor of accepting this application and moving this to new business.*
- Daniel Riley, 1st Lieutenant/Secretary to Fire Board, February 2, 2015- Qualifying Fire Department member list for 2014 Clothing Allowance- *On a motion made by Gary Brugger and seconded by Walter Eckel; all members are in favor of accepting this correspondence.*
- Elliot Sachs, Boswell Engineering, January 9, 2015- Review of Bids for the Municipal Complex Generator- *Gary Brugger explains the pre-meeting with the contractor and states the bid came back lower than expected; Frank Cagas agrees the pre- award meeting went well.*
- James J. Tedesco, County Executive, February 2, 2015- Open House for Draft Flood Areas- *On a motion made by Gary Brugger and seconded by Frank Cagas; all members were in favor of accepting and filing this correspondence. Gary Brugger explains this public meeting is open to all residents so they may informed about the new draft flood areas.*

Old Business~

- Approve members for Township Park Committee- *Bill Regan and Gary Brugger approve the members for the park committee and note Vincent Stefano is not present to move forward with more information.*
- PEG Bandwidth- Report from Township Attorney- *David Nasta reports that he will report on this at the next meeting.*
- Recycling Disposal Facility- End Market- Report from Township Attorney- *David Nasta, Township Attorney reports his recommendation for using the facility Atlantic Coast Fibers for our end market for the townships residential recycling. He will make a few adjustments to the contract given to the Township Clerk but is ready to move forward*

as Greensky is no longer in business and our hauler is using this facility temporarily. He advises the committee to move this matter to next week.

- Shared IT services with Memorial School- *Bill Regan explains that the school is looking for the township to share IT service or another school district and or town.*

New Business~

- Appoint Joseph P. Sullivan to South Hackensack Fire Department- *On a motion made by Gary Brugger and seconded by Walter Eckel; all members are in favor of this appointment.*
- Request for SH Fire Dept to permanently use Ambulance Vehicle #658-*discussion ensues regarding the ambulance truck. Gary Brugger does not want to see it be a Deputy Chief's vehicle but would have to be used for fire school and guidelines would have to be established and followed. Frank Cagas asks what happens when it need to be replaced? Gary Brugger explains when it needs major repairs it would have to be taken out of service .He suggest this be moved to next week's meeting for approval. Teresa Lofaro, Chestnut Avenue residents asks the committee if the corps opened back up, wouldn't they need it?*
- Award of Contract- Installation of Municipal Complex Generator- *On a motion made by Gary Brugger and seconded by Bill Regan; all members are in favor of awarding the contract of \$139, 707.00 to:*

TSUJ Corp
Wayne NJ 07474

Ordinances~ N/A

Resolutions~

- Closed Executive Session Resolution- *On a motion made by Gary Brugger and seconded by Bill Regan; all members were in favor.*

Committee Reports~

Gary Brugger- Reports that he is happy to see recruitment into the Fire Department as others are resigning and retiring; also reports that Governor Christie signed the Meadowlands Tax Sharing Bill today and that is great news for the township. Thanks the DPW for their hard work during the snow storms.

Frank Cagas- Reports that he is sad to see two good firemen go as they are very hardworking. He announces that he there were some issues with sidewalks being cleaned and some were dangerous for walkers. He reminds everyone to clear their walkways to be safe.

Bill Regan- No report but comments that the Meadowlands is closing one arena (Izod) and he does not believe it is a good decision.

Walter Eckel- Comments on Fred Hum leaving the fire department and he would like to say thank you for your service & Leo Rossi too. They have done a lot for this community. He reminds everyone that their elderly neighbors may need help with shoveling the snow. We are a giving community; ask your neighbor if they need help. Please call Donna Gambutti if your garbage was not picked up in the recent storms and ask Chief Terraccino if you need any other help.

Public Comments~

Theresa Lofaro- Chestnut Avenue- Thanks the Township Committee for all the Nixel Alerts during the snow storms. She comments that Chief Terraccino and Sgt. Maceri are right on top of all the information we need to know as residents.

Michael Nasta, 62 Maple Street- Comments that there are big problems in the fire department recruiting members & we just lost 2 firemen. These men will be missed. We need to build recruitment. Comments about vehicles on the street during the snow storms; they should be towed so the roads can be cleared.

Mr. Nasta-45 Kinsley Street- Comments that while he is out plowing residents are shoveling snow back into the streets. Also, so are contractors. The police should be notified.

Loni Bedell- 51 Grove Street- Agrees that cars parked on the street should be moved so the DPW can clear the streets. He already spoke with Chief Terraccino. Tells the Township Committee that Leo and Fred are assets to the Fire Department.

Closed Session

On a motion made by Gary Brugger and seconded by Bill Regan all were in favor of entering into closed executive session again 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.

On a motion made by Frank Cagas and seconded by Walter Eckel all were in favor to adjourn the meeting at 8:50 PM.

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 February 5, 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.

~~XX~~(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.

**Vineyard Church of New Jersey v Township of South Hackensack
Piazza-Erigat v Township of 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 February 5, 2015.

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