

Township of South Hackensack  
Bergen County, New Jersey  
September 3, 2015 7:00PM  
***Worksession Meeting- Accept Report of Audit 2014***  
MINUTES

Walter Eckel, Mayor.....*Present*  
Gary C. Brugger.....*Present*  
Frank Cagas .....*Present*  
William Regan.....*Not Present*  
Vincent Stefano..... *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 7:03 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. Bill Regan is not present.*

*Closed Session*

On a motion made by Walter Eckel and seconded by Frank Cagas 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 Walter Eckel and seconded by Gary Brugger all were in favor to returning to open session at 7:40PM.

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Christopher Eilert, CFO- Report of 2014 Audit – *On a motion made by Gary Brugger and seconded by Mayor Walter Eckel; all members are in favor of accepting the 2014 Audit Report from the CFO, Christopher Eilert.*

## Correspondence~

- Ray DeRiso, Secretary to South Hackensack Relief Association, August 6, 2015- Firefighters Death Benefit information regarding Jeff Badre- Ray DeRiso, Zoning Officer is present to explain the need for the Township to cover the death benefit for new fire fighter, Jeff Badre. *On a motion made by Gary Brugger and seconded by Mayor Walter Eckel; all members are in favor of accepting this correspondence to cover this death benefit if needed.*
- Robin Grasso, Violations Clerk, August 13, 2015- Letter of resignation effective September 10, 2015- *On a motion made by Walter Eckel and seconded by Gary Brugger; all members are in favor of accepting this notice with regret.*
- Daniel Riley, 1st Lt./Secretary to the Fire Board, August 25, 2015 – New Membership Application for Giancarlo Mosquera for South Hackensack Fire Department- *On a motion made by Walter Eckel and seconded by Gary Brugger; all members are in favor of accepting this and moving it to new business.*
- Bill Pascrell, Jr, August 18, 2015- 2015 Congressional Health Fair Invitation for Monday, September 28, 2015- *Mayor Eckel announces this event and all are in favor to accept the correspondence.*
- Elliot Sachs, Boswell Engineering , August 28, 2015- 2016 NJDOT State Aid Programs- *On a motion made by Gary Brugger and seconded by Walter Eckel; all members are in favor of accepting this correspondence and moving it to old business.*
- Joseph Terraccino, Chief of Police September 1, 2015- recommendations for Regular Crossing Guards & New Alternate Guards- *On a motion made by Gary Brugger and seconded by Mayor Walter Eckel; all members are in favor of accepting this and moving it to new business. Vincent Stefano abstains from voting on this matter.*
- Stephen Boswell, Boswell Engineering, September 2, 2015- 12 Foot high fence to screen municipal complex generator- *On a motion made by Gary Brugger and seconded by Walter Eckel; all members are in favor of accepting of moving this to old business.*

## Old Business

- Traffic Light- Wesley & Green Intersection- Gary Brugger comments that he has met with the liaison to governor's office when he attended a meeting for a resiliency plan for to prevent flooding in our area. This has to do with Rebuild by Design in the Meadowlands District. The plan now is to put berms down Caliacanook to prevent flooding. He stresses that until we get the developer to pay for the traffic or we receive a grant from NJDOT we cannot proceed with the first portion of the improvements to Wesley Street. He suggests that he meet with our engineer to decide the best plan of action regarding this matter. Mayor Eckel agrees to attend.

- Authorize Township Clerk to advertise bid date for Grove & Garfield Pump Station Repairs - On a motion made by Gary Brugger and seconded by Mayor Walter Eckel; all members are in favor of authorizing the clerk to advertise a bid date for this project.
- Authorize Boswell Engineering to design wall for municipal complex generator- This matter is tabled until the next meeting. The township committee has a few questions regarding the price for the technical specs. All members are in favor.

### New Business~

- Report by Gary Brugger on National Resilience Competition Public Information Meeting on September 3, 2015- Gary Brugger states that he already reported on this meeting and he hopes that the plans are changed in regards to the Berms down Calicooneck.
- Appointment of Fire Official – Fred Dressel, Pending Criminal Background Check- On a motion made by Gary Brugger and seconded by Frank Cagas; all members are in favor of this appointment.
- Appoint Giancarlo Mosquera to South Hackensack Fire Department- On a motion made by Gary Brugger and seconded by Frank Cagas; all members are in favor of this appointment.
- Appoint Joni Parisi, regular crossing guard & Alternate Crossing Guards Evelyn Stefano and Joseph Niosi- On a motion made by Gary Brugger and seconded by Walter Eckel; all members are in favor of this appointment. Vincent Stefano abstains from voting.
- Restriction of 24/7 commercial operations in school zone- Frank Cagas explains that an application has come before the Board of Adjustment and he does not think it is a good idea to have this type of operation near the school zone. Gary Brugger adds at least it may not affect the school because they are not open 24/7. Vinnie Stefano adds that he does not like the idea of hourly rate motels ( as opposed to daily). Walter Eckel agrees and advises that maybe the planner should look into both of these matters when the master plan is revised. All members are in favor.

### Ordinances~ Introduction- N/A

### Ordinances~ Adoption – NA

## Resolutions~

□ Closed Executive Session Resolution- On a motion made by Walter Eckel and seconded by Frank Cagas; all members are in favor.

□ Resolution No. 2015-132- Authorize Purchase of 5-ton Truck for South Hackensack Fire Department from Zach Kupper for \$9000.00

On a motion made by Gary Brugger and seconded by Walter Eckel; all members are in favor to approve resolution No. 2015-132.

□ Resolution No. 2015-133- Authorize Membership with National Joint Powers Alliance for Procurement Programs

On a motion made by Gary Brugger and seconded by Walter Eckel; all members are in favor to approve resolution No. 2015-133.

□ Resolution No. 2015-134- Authorize Certain Liquor License Renewals for 2015-2016

On a motion made by Gary Brugger and seconded by Frank Cagas; all members are in favor to approve resolution No. 2015-134. .

## Committee Reports~

Gary Brugger- reports on how the township is in need of a rescue truck (5-ton). He reminisces about the flooding during Hurricane Sandy- He comments on what great shape this truck is and has a rebuild engine with low hours on it. This will be very helpful to our residents and other neighboring towns as well in a disaster/emergency. He reports that the generator is quieter than the old one and gives condolences for Tom Olesomer.

Frank Cagas- Was very impressed when he saw the truck with the fire chief. It is from 1984, and just needs the canopy to be re-built. He adds that this will be very beneficial to the whole community and will last a very long time.

Vinnie Stefano-No report.

Walter Eckel- reported that we had a senior meeting today. Thanks Loni Badel for attending all the other meetings too. ( freeholders, meadowlands meetings..etc.). He offers his condolences to the family of Tom Olesmer.

### Public Comments~

George Stafford- Highlands Regional Water Shed- is present today to ask the committee to pass a resolution to stop the developers in making changes to the Highlands Master Plan that will affect our local reservoirs with allowing more nitrates in to the water system. He will leave a copy of the resolution with the township clerk for the committee's review.

Dolly Montenegro, Phillips Avenue- Dolly states that she may only attend the work sessions now...She asks the committee if they have checked with the insurance company regarding the sewer main break . She asks the committee about buying a new salter for the winter and a new loader.... She would like to read the closed session minutes in regards to the closing of the ambulance corps because still doesn't have the story straight. She heard that the township has to pay Moonachie \$1000.00 a WEEK? The committee corrected her and answered the contract is for a \$1,000.00 a MONTH donation. She comments how the lights have been off at night out side of town hall. (the lights that shine in the parking lot from the municipal building). She wonders why she had to report it and not any of the police officers. Don't they notice it is out? She states to the committee that they have to take care of the clay sewer pipes before another emergency happens again. She has warned the committee before when she asked what the life span was of a clay pipe. Dolly asks why the DPW does not check the sewer man hole by her house anymore? This is what used to wake her up every day. Why did they stop checking them?

Loni Badel, Grove Street- Loni states that he has asked the freeholders at their public meeting to support the traffic light at Wesley and Green Streets; he will mention it when he can. He tells Frank he gets his point about the 24/7 operations but no one on the board objected.

*On a motion made by Gary Brugger and seconded by Walter Eckel; all were in favor of adjourning the meeting at 9:05PM.*

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

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*Donna L. Gambutti*

**Resolution Authorizing Executive Session September 3, 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.

~~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.

**DPW Negotiations**

       (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.

**Tax Appeal- NYCO 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 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.

**Ashley Morrone  
Lt. Vincent Riotta  
Donna L. Gambutti  
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 September 3, 2015.*

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Township of South Hackensack  
Bergen County, New Jersey

**Resolution No. 2015-132**

**AUTHORIZING THE PURCHASE OF ONE 1984 AM GENERAL M923 5 TON TRUCK TO BE UTILIZED BY THE SOUTH HACKENSACK VOLUNTEER FIRE DEPARTMENT FOR RESCUE/FIREFIGHTING SERVICES TO THE TOWNSHIP**

**WHEREAS**, the Township of South Hackensack (Township) has been advised by the South Hackensack Volunteer Fire Department (the "Fire Department") that a need exists for a heavy duty rescue/firefighting vehicle; and

**WHEREAS**, the Township and the Fire Department have undertaken to explore various options to obtain said vehicle including but not limited to the preparation of specifications and advertisement and receipt of bids for the same; and

**WHEREAS**, the Township and Fire Department have found that the costs associated with the purchase of a new truck do not provide the best and most cost effective option to obtain this piece of equipment; and

**WHEREAS**, the Fire Department has located a rescue/firefighting vehicle which they have indicated will serve the needs of the Fire Department and enhance the public health, safety and welfare at a cost of \$9,000.00.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of South Hackensack that the Mayor and Township Clerk be and are hereby authorized to execute all documents necessary to purchase and transfer title from Peter Kupper of 491 Ellison Drive, Mantoloking, New Jersey the owner of one 1984 AM General M923 5 Ton Truck ID# C52306630 for a sum not to exceed \$9,000.00 upon certification of availability of funds by the Chief Financial Officer for the same.

Motion : Brugger

Second: Eckel

Date: September 3, 2015

Approved:

Attest:

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Walter Eckel , Mayor

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Donna L. Gambutti, Municipal Clerk

**Resolution No. 2015- 133 Authorize Agreement with National Joint Powers Alliance (NJPA)**

Whereas, the National Joint Powers Alliance is created by Minnesota Statute 123A.21 (with membership further defined in Minnesota Statute 471.59) to serve cities, counties, towns, public or private schools, political subdivisions of Minnesota or another state, any agency of the State of Minnesota or the United States, including instrumentalities of a governmental unit; and

Whereas, NJPA's purpose as defined in Minnesota Statute 123A.21 is to assist in meeting specific needs of clients which could be better provided by NJPA than by the members themselves; and

Whereas, the NJPA Board of Directors has established the ability for an Applicant desiring to participate in NJPA contracts and procurement programs to become a Participating Member; and

Whereas, the NJPA Board of Directors has determined that Participating Members will have no financial interest or liability, nor be entitled to any representation on the NJPA Board of Directors, nor have any organizational liability to NJPA; and

Whereas, South Hackensack Township asserts that it is authorized to become a Participating Member of NJPA under the laws of its state or nation and NJPA's cooperative contract purchasing leverages the national purchasing power of more than 50,000 member agencies while also streamlining the required purchasing process. As a municipal national contracting agency, NJPA establishes and provides nationally leveraged and competitively solicited purchasing contracts under the guidance of the Uniform Municipal Contracting Law. Joint Powers laws enable members to legally purchase through our awarded contracts.

Motion: Brugger

Second: Eckel

September 3, 2015

Approved:

Attest:

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Walter Eckel , Mayor

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Donna L. Gambutti, Municipal Clerk

**Resolution No. 2015-134 Additional Liquor License Renewal 2015-2016**

WHEREAS, the licenses listed below have made application to the Township Committee of the Township of South Hackensack, in the County of Bergen, for the renewal of their 2015-16 retail licenses; and

WHEREAS, all requirements have been complied with; and

WHEREAS, no objections have been filed with the Township Clerk,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey, that the retail licenses as listed below are renewed for the year 2015-16 effective July 1, 2015:

0259-33-011-006

Top Dog Burgers & More LLC

Motion: Brugger  
Second: Cagas  
Date: September 3, 2015  
Approved:

Attest:

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Walter Eckel , Mayor

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Donna L. Gambutti, Municipal Clerk