

Township of South Hackensack
County of Bergen, New Jersey
April 6, 2006 7:30 P.M.
Worksession Meeting
AGENDA

Robyn Scholz, Mayor
Lucindo A. LoPiccolo, Jr., Deputy Mayor
James Anzevino
Gary Brugger
Walter Eckel, Jr.

David V. Nasta, Esq., Municipal Attorney
Linda LoPiccolo, Municipal Clerk

Call of Meeting to Order
Correspondence

- March 10, 2006 – Dennis McNerney, County Executive – Announce Volunteer of the Year Program. Request for submission of 2 names.
- March 20, 2006 – Leonard B. Falato – Letter of retirement effective June 1, 2006.
- March 22, 2006 – Michael D. Frew, Chief of Police – Recommend Jared Arcidiacono for an internship in the South Hackensack Police Department.
- March 22, 2006 – Michael D. Frew, Chief of Police – Recommendation to hire the following dispatchers: Mark Nubile, Brian Kropp, Carmelo Musarra, Stephen Grecco, Antonio Aluotto
- March 24, 2006 – Michael D. Frew, Chief of Police – Request for the Township Committee to hire 2 police officers.
- March 24, 2006 - Rosemarie T. Giotis, CFO/CTC – Advise of full time appointment as CFO in another municipality, request to maintain positions as Tax Collector and CFO on a part-time basis.
- March 29, 2006 – Rosemarie T. Giotis, Tax Collector – Re: Sewer User Charges Block 13.02 Lot 11.02 Recommend abatement of sewer charges
- General Correspondence – March 2006
- Monthly Department Reports – March 2006

Old Business

- Status of Acquisition of new sewer jet – Bids rejected on 2/9, DVN authorized to prepare spec for re-bid.
- Senior Citizen Housing – Review results of survey, discuss appointment of developer

- Fire Department Scholarship Fund – Report from DVN on status of funds
- Block 22 Lot 2 (Clausen Street) – Report from DVN on status of possibly amending tax map to correct reference and possible long term lease to school.
- Teterboro – Correspondence to Teterboro re: Flooding problems
- DPW Building Repairs – Sub-committee status report (Anzevino & Eckel sub-committee 6/2/05)
- Veterans Park (Joseph Baeli Playground) – Status update
- Municipal Complex HVAC – Status update
- Green Street Resurfacing – Pre-Construction Meeting to be held April 11, 2006 at 10:00 p.m.

New Business

- Request to attend Clerk’s Conference – June 20-22, 2006
- Volunteer Dinner, Empire Club, April – Authorize purchase order
- Government Day – Need to set date

Ordinances

For Discussion & Review

ORDINANCE NO. 2006-

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 158 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED “PEACE AND GOOD ORDER”

For Discussion & Review

ORDINANCE NO. 2006-

" AN ORDINANCE AMEMNDING AND SUPPLEMENTING CHAPTER 46 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED "PERSONNEL POLICIES"

Resolutions

**RESOLUTION NO. 2006-077 OF THE TOWNSHIP OF SOUTH HACKENSACK,
BERGEN COUNTY, NEW JERSEY FOR THE DESIGNATION OF A
DEVELOPER FOR THE SENIOR CITIZENS HOUSING PROJECT, GROVE
STREET, SOUTH HACKENSACK, NJ**

**CLOSED EXECUTIVE SESSION – LITIGATION, PERSONNEL,
NEGOTIATIONS**

Committee Reports

Public Comments

Closed Session

Litigation Update
DPW Negotiations
Paladino Negotiations
Frew Negotiations

Adjournment

ORDINANCE NO. 2006-

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 158 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED "PEACE AND GOOD ORDER"

WHEREAS, the Township Committee of the Township of South Hackensack firmly believes that the children of the township are gifts to the community and must be nurtured and protected; and

WHEREAS, the township committee is deeply concerned by the potential threat posed to our children by convicted sex offenders; and

WHEREAS, the township committee believes that it is in the best interest of the health, safety and welfare of our children that certain regulations be imposed controlling potential access by sex offenders to our children

NOW THEREFORE BE IT ENACTED AND ORDAINED, by the Township Committee of the Township of South Hackensack that Chapter 158 of the Code of the township be amended and supplemented as follows:

Section I. Chapter 158-22 Regulation of Convicted Sex Offenders shall read as follows:

Section 158-22(a) Residency Restrictions: No person over the age of eighteen (18) who has been convicted or pled guilty to a violation of any crime against a minor as listed in N.J.S.A. 2C:7-2 and who as a result of the same is required to register with the authorities pursuant to N.J.S.A. 2C:7-1 et.seq., Registration and Notification of Release of Certain Offenders, shall be permitted to reside, live, work or congregate within 2,500 feet of a school, park, playground or day care center within the township. The residency terms of this ordinance shall not apply to any individual who has established residency prior to April 15, 2006. All other terms of this section shall apply upon passage and publication as required by law.

Section 158-22(b) Obligations to Relocate: Any person who resides, lives or works within 2,500 feet of a school, park, playground or day care center shall have sixty (60) days from receipt of written notification from the township to move to a location within the township or elsewhere that complies with the terms of this section.

Section 158-22(c) Penalties: Any individual who violates the terms of this chapter shall be subject to a fine (a) not exceeding \$1,250.00; (b) imprisonment for a term not exceeding six months and/or; (3) a period of community service not exceeding ninety days.

Section II. Repealer: Any ordinance which is in conflict with the terms of this ordinance is hereby repealed or superseded to the extent of said conflict.

Section III. Severability: If any section, paragraph or subsection is adjudged by a court of competent jurisdiction as invalid then the remainder of the ordinance shall remain in full force and effect.

Section IV Effective Date: This ordinance shall become effective upon passage and publication as required by law.

RESOLUTION NO. 2006-077 OF THE TOWNSHIP OF SOUTH HACKENSACK, BERGEN COUNTY, NEW JERSEY FOR THE DESIGNATION OF A DEVELOPER FOR THE SENIOR CITIZENS HOUSING PROJECT, GROVE STREET, SOUTH HACKENSACK, NJ

WHEREAS, the Township Committee issued and sought Request for Qualifications (RFQ) of for profit developers, not-for-profit developers, and nonprofit developers and Request for Proposals (RFP) for the construction, financing and operation of the Grove Street Senior Citizens Housing Project in the Township of South Hackensack; and,

WHEREAS, the Township Committee received responses to the RFQ/RFP for the project, reviewed and analyzed such proposals, a sub-committee met with the prospective developers, solicited further information, and reviewed such responses, and then the Committee considered the submissions; and,

WHEREAS, the Township is the fee owner of property located at 37, 41, 43 Grove Street, also known as Lots 9, 10, and 10.1 Block 2.01 on the Tax and Assessment Maps of the Township of South Hackensack; and,

WHEREAS, the Township desires to move forward as expeditiously as possible and commence construction as soon as possible and the Township expects the Developer to secure adequate financing from public and private sources to accomplish these goals; and,

WHEREAS, the Township has after review of the proposals, public comment and deliberations determined that which Developer has the most suitable proposals and qualifications that most adequately meets the needs of the residents and taxpayers of the Township of South Hackensack; and,

WHEREAS, the Township Council feels that these actions are necessary, appropriate and in the best interests of the residents of South Hackensack;

NOW THEREFORE BE IT RESOLVED, that: _____

1. Is hereby designated as the Developer of the Grove Street Senior Citizens Housing Project in the Township of South Hackensack subject to the following:

- a) The negotiation and approval by the Township Committee of an agreement of development and lease for said property on terms found to be acceptable by the parties;
- b) The securing and proof of adequate financing acceptable to the Township of South Hackensack to construct, operate and maintain this project as proposed and to be agreed upon;
- c) An approved development, construction and occupancy schedule for the project;
- d) All necessary and appropriate reviews and approvals by governmental agencies.
- e) Compliance with all governmental laws and regulations.
- f) That a subcommittee appointed by the Mayor, together with the Township's professionals and administrative shall commence negotiations and reviews with the designated developer herein and other governmental or appropriate entities to complete the necessary agreements, schedules, review the financing, and do all other acts necessary and proper to complete the transaction.

By a copy of this resolution, notification of this award, designation, and conditions herein shall be sent to all persons or entities that responded to the requests for RFP/RFQ, a copy to the County of Bergen, the New Jersey Housing and Mortgage Financing Agency, posted on the Townships public notice board, and published once in the official newspaper of the Township.

The Township of South Hackensack may enter into the agreements after their review and approval, together with the satisfaction of the conditions set forth herein.

Offered:

Second:

Roll Call Vote:

Date: April 6, 2006

Approved:

Attest:

Robyn Scholz, Mayor

Linda LoPiccolo, Municipal Clerk

Resolution No. 2006- Authorizing Executive Session

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.

 X(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.

 X(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.

X (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 March 6, 2006.

Linda LoPiccolo
Township Clerk