

Township of South Hackensack
Bergen County, New Jersey
May 3, 2012 7:30 P.M.
Worksession Meeting
AGENDA

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

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

Call of Meeting to Order

2012 Municipal Budget

- Resolution No. 2012-121 Read Budget by Title Only
- Hearing on 2012 Approved Municipal Budget
- Resolution No. 2012-122 Amending 2012 Budget (hearing on amendment to be held May 10, 2012 at 7:30 p.m.)

Correspondence & Reports

- April 26, 2012, Lucindo A. LoPiccolo, Jr. Re: Resignation from Zoning Board of Adjustment
- April 30, 2012, Chief Mike Nasta Re: Request replacement of S.C.B.A. Scott Air Packs and bottles.
- May 1, 2012, Boswell Engineering Re: Road Improvement Program – Bid Tabulation

Old Business

- PEOSHA inspection – Report from Deputy Chief Montenegro
- Proposals to replace outside wall lighting on municipal building to satisfy PEOSHA notice of violation
- 67 Franklin Street – Police traffic detail
- Zoning Map – Review/comment with regard to map provided
- Shade Tree Ordinance Amendment
- Web Enhancements

New Business

Resolutions

- Resolution Closed Executive Session

Committee Reports

Public Comments

Closed Session

- Tax Appeal Litigation – Moukides vs. TSH – 420 Route 46
- Tax Appeal Litigation – Huyler Ruta, Inc. vs. TSH – 600 Huyler Street
- Tax Appeal Litigation – 41 James Street Co., Inc. vs. TSH – 41 James Street
- Tax Appeal Litigation – Astor Realty vs. TSH – 75 Saddle River Avenue
- Tax Appeal Litigation – A&M Partners vs. TSH – 5 Worth Street
- MacDonald v. Township of South Hackensack – BER-L-1860-11

Adjournment

Township of South Hackensack
Bergen County, New Jersey

Resolution No. 2012-121 Read Budget by Title Only

WHEREAS N.J.S.A. 40A: 4-8 provides that the budget may be read by title only at the time of the public hearing if a resolution is adopted by not less than a majority of the full governing body authorizing the budget to be read by title only, providing that at least one week prior to the date of the public hearing on the budget, a complete copy of the approved budget as advertised has been posted in the clerk's office, and copies have been made available to persons requesting same.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey that the 2012 Budget is read by title only.

Offered:
Roll Call Vote:

Second:

Date: May 3, 2012

Approved:

Attest:

Gary C. Brugger, Mayor

Linda LoPiccolo, Municipal Clerk

TOWNSHIP OF SOUTH HACKENSACK

BERGEN COUNTY, NEW JERSEY

RESOLUTION NO. 2012-122

Resolution Re: Resolution to Amend 2012 Budget

WHEREAS, the local municipal budget for the year 2012 was approved on the 8th day of March 2012, and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack County of Bergen, that the following amendments to the approved budget of 2012 be made:

| General Revenues | <u>From</u> | <u>To</u> |
|--|---------------------|---------------------|
| 3. Miscellaneous Revenues - Section A: Local Revenues | | |
| Sewer Charges | \$ 303,100 | \$ 333,865 |
| Biodegradeable and Suspended Solids | 99,100 | 144,712 |
| Total Section A: Local Revenues | 614,100 | 690,477 |
| 3. Miscellaneous Revenues - Section G: Special Items | | |
| Sewer Connection - Borough of Little Ferry | 13,000 | 13,400 |
| Total Section G: Special Items | 168,000 | 168,400 |
| Total Miscellaneous Revenues | 1,424,316 | 1,501,093 |
| Subtotal General Revenues | 2,000,316 | 2,077,093 |
| 6. Amount to be Raised by Taxes for Support of Municipal Budget | 5,869,631 | 5,807,535 |
| Total Amount to be Raised by Taxes for Support of Municipal Budget | 5,869,631 | 5,807,535 |
| 7. Total General Revenues | <u>\$ 7,869,947</u> | <u>\$ 7,884,628</u> |

| General Appropriations | <u>From</u> | <u>To</u> |
|---|---------------|---------------|
| (A) Operations - Within "CAPS" | | |
| Legal | | |
| Other Expenses | \$ 100,000 | \$ 120,000 |
| Planning Board | | |
| Salaries and Wages | 3,120 | 3,200 |
| Insurance | | |
| Employee Group Insurance | 726,839 | 727,539 |
| Police Department | | |
| Salaries and Wages | 2,163,700 | 2,130,000 |
| Aid to Volunteer Ambulance Companies | | |
| Salaries and Wages | 8,100 | 9,000 |
| Buildings and Grounds | | |
| Other Expenses | 32,000 | 50,000 |
| Vehicle Maintenance | | |
| Other Expenses | 40,000 | 50,000 |
| Dump Fees | | |
| Other Expenses | 88,100 | 93,400 |
| Recreation Services and Program | | |
| Salaries and Wages | 17,000 | 18,000 |
| Construction Code Official | | |
| Salaries and Wages | 56,000 | 62,900 |
| Total Operations including Contingent - Within "CAPS" | 5,353,849 | 5,383,029 |
| Detail: | | |
| Salaries & Wages | 3,266,100 | 3,241,280 |
| Other Expenses | 2,087,749 | 2,141,749 |
| (H-1) Total General Appropriations for Municipal Purposes Within "CAPS" | 6,208,849 | 6,238,029 |
| (A) Operations - Excluded from "CAPS" | | |
| LOSAP | 42,000 | 35,500 |
| Sewer Processing and Disposal | | |
| Other Expenses | 424,545 | 426,546 |
| Total Other Operations Excluded from "CAPS" | 1,061,887 | 1,057,388 |
| Total Operations Excluded from "CAPS" | 1,148,580 | 1,144,081 |
| Detail: | | |
| Other Expenses | 1,129,580 | 1,125,081 |
| (C) Capital Improvements - Excluded from "CAPS" | | |
| Capital Improvement Fund | 25,000 | 15,000 |
| Total Capital Improvements Excluded from "CAPS" | 25,000 | 15,000 |
| (H-2) Total General Appropriations for Municipal Purposes Excluded From "CAPS" | 1,541,098 | 1,526,599 |

General Appropriations - continued

| | <u>From</u> | <u>To</u> |
|---|---------------------|---------------------|
| (O) Total General Appropriations Excluded from "CAPS" | \$ 1,541,098 | \$ 1,526,599 |
| (L) Subtotal General Appropriations | 7,749,947 | 7,764,628 |
| 9. Total General Appropriations | <u>\$ 7,869,947</u> | <u>\$ 7,884,628</u> |

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for certification of the 2012 local municipal budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with NJSA 40:4-9 be published in the Record in the issue of May 4, 2012, and that said publication contain notice of a public hearing on said amendment to be held at Borough Hall on May 10, 2012 at 7:30 pm.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the Township Committee on the 3rd day of May, 2012.

Introduced by: _____

Seconded by: _____

Approved: _____

ATTEST:

Township Clerk

Mayor

It is hereby certified that the approved budget amendment annexed hereto and hereby made a part is an exact copy of the original on file with the Clerk of the Township Committee, that all additions are correct. All statements contained herein are in proof and the total of anticipated revenues equals the total of appropriations.

Certified by me, this 3rd day of May, 2012

Registered Municipal Accountant

Resolution Authorizing Executive Session – May 3, 2012

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

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 (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 May 3, 2012.

Linda LoPiccolo
Municipal Clerk