

Township of South Hackensack
Bergen County, New Jersey
June 14, 2007 7:30 P.M.
Regular Meeting
AGENDA

Gary C. Brugger, Mayor
Walter Eckel, Jr., Deputy Mayor
James Anzevino
Gene Roman
Rosina Romano

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

Call of Meeting to Order

Correspondence & Reports

- June 12, 2007 Larry Paladino, DPW Supt. RE: Request to commence negotiations for contract
- Correspondence – General May 2007
- Supplemental Debt Statement
- April 18, 2007 John Natali, Sr., 41 James Street Sewer Tax Appeal

Old Business

- DPW apron and sidewalk repair- Mr. Paladino to obtain quotes for removal of scale.
- Hoffman Street Agreement
- Agreement with NJHMFA for Housing Liaison & Administrative Agent
- Local Aid Application for Streets – Mr. Paladino to make recommendation for application

New Business

Ordinances

Tabled from May 10, 2007 Meeting wherein public hearing was held and closed

ORDINANCE NO. 2007-05

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 167 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED “PROPERTY MAINTENANCE” TO REGULATE THE INSTALLATION AND MAINTENANCE OF SUMP PUMPS AND TO CONTROL GROUND WATER DISCHARGES FROM THE SAME

~~Introduction of~~ 2nd reading, public hearing and adoption of
ORDINANCE 2007-06

AN ORDINANCE PURSUANT TO N.J.S.A. 40A:4-53 AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION IN THE SUM OF \$15,000 TO ENGAGE THE PROFESSIONAL SERVICES OF A LICENSED MUNICIPAL PLANNER TO PROVIDE FOR THE PERIODIC REEXAMINATION OF THE MASTER PLAN AS REQUIRED BY THE LAND USE LAW AND TO PROVIDE FOR THE FINANCING OF THE SAME FROM SURPLUS FUNDS AVAILABLE PURSUANT TO N.J.S.A.40A:4-55C

ORDINANCE 2007-07~~Introduction of~~ 2nd reading, public hearing and adoption of
BOND ORDINANCE TO AUTHORIZE THE IMPROVEMENT OF VREELAND AVENUE BY AND FOR THE TOWNSHIP OF SOUTH HACKENSACK, IN THE COUNTY OF BERGEN, NEW JERSEY, TO APPROPRIATE THE SUM OF \$329,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO APPROPRIATE A STATE GRANT AND A CONTRIBUTION FROM THE CITY OF HACKENSACK, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Second Reading, Public Hearing and Continuation of Ordinance (pending Planning Board approval)

ORDINANCE NO. 2007-08

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 208 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED "ZONING" SO AS TO PROHIBIT THE USE OF ANY PROPERTY WITHIN THE "C" ZONE AS AND FOR A CONSTRUCTION YARD

Introduction of and set the date for public hearing

ORDINANCE 2007-09

BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF A NEW PUMPER FIRE ENGINE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWNSHIP OF SOUTH HACKENSACK, IN THE COUNTY OF BERGEN, NEW JERSEY, TO APPROPRIATE THE SUM OF \$460,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Resolutions

- Resolution No. 2007-120 Liquor License Renewal 2007-08
- Consent Resolution No. 2007-06

- Resolution No. 2007-130 Authorizing The Mayor And Municipal Clerk To Execute An Agreement With Michael D. Frew, And Authorizing Payment Of Salary Consistent With The Terms Of Said Agreement

Committee Reports

Public Comments

Closed Session

Adjournment

Consent Resolution No. 2007-06

WHEREAS, the Township Committee of the Township of South Hackensack, has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Township Committee of the Township of South Hackensack is/is not desirous of removing a resolution from the consent agenda,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of South Hackensack that the following resolutions on the Consent Agenda are hereby approved and adopted:

Resolution No. 2007-117 Appoint Planning Board

Resolution No. 2007-118 Award Solid Waste Collection Contract to Ippolito Industries, Inc., of Elmwood Park, New Jersey, for a five (5) year contract – Option XIV \$534,600

Resolution No. 2007-119 Snow Plow Agreement 2007-08

Resolution No. 2007-121 Approve and Award Scholarship

Resolution No. 2007-122 SPECIAL EMERGENCY RESOLUTION – NJS 4A:4-53, 54, 55.1 and 55.13 Re-Examination of the Master Plan

Resolution No. 2007-123 Licenses –June 2007

Resolution No. 2007-124 Approve Minutes

Resolution No. 2007-125 Authorizing Participation in the Data Trace File Sharing System

Resolution No. 2007-126 Sewer User Charge Refund – Block 13.02 Lot 5

Resolution No. 2007-127 Authorize Payroll Changes

Resolution No. 2007-128 Authorizing Executive Session

Resolution No. 2007-129 Bills \$1,143,640.70

Offered:

Second:

Roll Call Vote:

Date: June 14, 2007

Resolution No. 2007-117 Appoint Planning Board

BE IT RESOLVED by the Mayor of the Township of South Hackensack that the following be and are hereby appointed to the South Hackensack Planning Board:

Frank Capolupo (Class IV)4 yr. unexpired term Butch Zeppone
-expire 12-31-10

Consent Resolution 2007-06
Dated: June 14, 2007

Resolution No. 2007-118 Award Solid Waste Collection Contract to Ippolito Industries, Inc., of Elmwood Park, New Jersey, for a five (5) year contract – Option XIV \$534,600

WHEREAS on June 7, 2007, pursuant to public notices duly given, the Township Clerk received two (2) bids, all as appears on the Clerk’s synopsis thereof entitled “Township of South Hackensack Scavenger Bid Tabulation – June 7, 2007, 10:00 a.m.,” and

WHEREAS this Body has determined that it desires to contract for Option XIV being a five (5) year contract commencing on July 1, 2007 and ending on June 30, 2012 providing for the collection twice weekly on Mondays and Thursdays, April 1st – October 31st, and once weekly on Mondays only November 1st – March 31st, and

WHEREAS the bid of Ippolito Industries, Inc. 1 Boumar Place, Elmwood Park, NJ, in the amount of \$534,000, for such services was the lowest of the two bids covering this option, and

WHEREAS the bid appears in order, the bidder appears to qualify and there are no exceptions or informalities,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack, in the County of Bergen and State of New Jersey, that the bid of Ippolito Industries, Inc. of Elmwood Park, New Jersey, be and is hereby accepted for solid waste collection services under Option XIV of the specifications and the appropriate officers and officials of this Township be and are hereby authorized and directed to enter into a contract in the form provided in the specifications for such services.

Consent Agenda Resolution 2006-07
Dated: June 14, 2007

Resolution No. 2007-119 – Snow Plow Agreement 2007-08

WHEREAS, the County of Bergen is desirous to employ the services of the Township of South Hackensack for snow plow operations on County roads located within the Township of South Hackensack, and

WHEREAS, the Township Committee of the Township of South Hackensack is desirous of entering into an Agreement with the County of Bergen as an employee of the County of Bergen to provide these services,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey that the Mayor and Clerk are hereby authorized and directed to enter into an agreement with the County of Bergen to provide snow plowing services pursuant to the Municipal Snow Plow Agreement attached hereto and made a part hereof.

Consent Agenda Resolution 2007-07

Date: June 14, 2007

Resolution No. 2007-120 Liquor License Renewal 2007-08

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 2007-08 Retail licenses; and

WHEREAS, all requirements applicable to the case of the original application 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 2007-08 effective July 1, 2007, and under special conditions as noted:

License Number	License Name	Trade Name	Paid	
0259-44-006-002	Cromwell Liquors, Inc.	Home Liquors	\$260	
0259-33-009-005	Teggiano Restaurant, Inc.	Teggiano Restaurant	\$1,488	
0259-33-010-001	Pleasure Lounge, Inc.	Pleasure Lounge	\$1,488	
0259-33-003-007	Inoue Corp.	Sakura 46	\$1,488	
0259-33-008-004	Car Wash Liquors, Inc.	Car Wash Liquors	\$1,488	
0259-44-005-004	Toffi, Inc.	Pompei Little Market	\$260	
0259-33-002-004	Twins Plus Lounge, Inc.	Twins Plus Lounge	\$1,488	
0259-33-001-005	G. Money Enterprises, Inc.	Tony G's	\$1,488	
0259-33-004-001	Caled Corporation	Club Flamingo	\$1,488	
0259-33-007-012	Silver Cup Enterprises, LLC	Plaza 46	\$1,488	
0259-33-012-003	Club 213, Inc.	Players Sports & Entertainment	\$1,488	

Offered:

Second:

Roll Call Vote:

Date: June 14, 2007

Resolution No. 2007-121 Approve and Award Scholarship

WHEREAS the Township of South Hackensack received a \$50,000 distribution in accordance with a Consent Order of the Superior Court dated December 19, 2004, in settlement of South Hackensack Fire Company No. 2 v. Township of South Hackensack, et al, for the purpose of establishing a scholarship fund; and

WHEREAS the Township Committee of the Township of South Hackensack established a scholarship fund to be administered by an appointed scholarship committee consisting of 2 township residents, 1 member from Co. No. 1, 1 former member of Co. 2, and the principal of Memorial School; and

WHEREAS the scholarship committee appointed by the Township Committee prepared an outline for an annual scholarship award that included conditions and qualifications for award, dates, manner and method of payment, administration, and financial; and

WHEREAS applications were mailed to all eligible applicants; and

WHEREAS three applications were received by the application deadline of May 25, 2007; and

WHEREAS on June 7, 2007, the Township Committee reviewed the recommendation submitted by the sub-committee of even date,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey that the following eligible applicants be and are hereby awarded a \$1,000 post secondary education scholarship award:

**Stephanie R. Arena
Varda Siddiqui**

BE IT FURTHER RESOLVED that payment will be made upon submission of satisfactory evidence to the Township of South Hackensack of payment of tuition and proof (transcript) of completion of coursework covered by tuition.

Consent Agenda Resolution 2007-06

Date: June 14, 2007

Resolution No. 2007-122 SPECIAL EMERGENCY RESOLUTION – NJS 4A:4-53, 54, 55.1 and 55.13 Re-Examination of the Master Plan

WHEREAS the Land Use Law of the State of New Jersey requires a periodic reexamination of the Master Plan and this Body has determined that it is necessary to

engage the professional services of a licensed municipal planner to provide for the same in order to conform with that law, and

WHEREAS it has been found necessary to make an emergency appropriation to meet the costs of same, and,

WHEREAS, NJS40A:53d provides that it shall be lawful to make such appropriation, which appropriation and/or the “special emergency notes” issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth or one-third of the amount authorized pursuant to this act.

NOW, THEREFORE BE IT RESOLVED, (by not less than two-thirds of all governing body members affirmatively concurring) that in accordance with the provisions of NJS 40A:4-55:

1. An emergency appropriation is hereby made for the engagement of a special consultant, a licensed Municipal Planner, for a periodic Master Plan reexamination in the total amount of \$15,000.
2. That the emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than \$5,000 (must be at least one-fifth or one-third of the total amount).
3. The statement required by the Local Government Board has been filed with the Clerk and a copy thereof will be transmitted to the Director or Local Government.
4. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services; however, no approval is required from the Division.

Offered: Second:
Roll Call Vote:
Date: June 14, 2007

Resolution No. 2007-123 Licenses –June 2007
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WHEREAS, The following have made applications and paid a fee for various licenses, and WHEREAS, the Township Committee has no exception to the issuance of these licenses, NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that the following licenses by and are hereby approved unless noted and with conditions as noted.

General Licenses:

Received	Business Name	License No.	Fee
05/14/07	Amy’s Ice Cream & Dogs Inc.	3599	\$160.00

05/16/07	Stage Coach Motel	3600	\$25.00
05/17/07	Big Jimmy's Sizzin Gril	3601	\$125.00
05/22/07	Bagel Basket & Deli	3602	\$125.00
05/23/07	J & W Foods	3603	\$125.00
05/25/07	Kasey Import & Export	3604	\$100.00
05/25/07	The Smart Shopper Solution Inc.	3605	\$360.00

Fire

Licenses

05/21/07	F Ross LLC	2262	166.00
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Consent Agenda Resolution No. 2007-06

Date: June 14, 2007

Resolution No. 2007-124 Approve Minutes
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BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey that the following minutes be and are hereby approved as submitted.

March 8, 2007 – Regular Meeting

May 16, 2007 – Special Meeting

Consent Resolution No. 2007-06

Date: June 14, 2007

Resolution No. 2007-125 Authorizing Participation in the Data Trace File Sharing System
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WHEREAS, the Township has received written request from Data Trace to participate in the Data Trace File Sharing System; and

WHEREAS, said system allows for the electronic transmission of tax and sewer information; and

WHEREAS, the township's tax collector regularly exports this data at no cost to the end user and has advised the township committee that the Data Trace system would permit for a more effective use of township resources as well as additional revenue; and

WHEREAS, the Township Committee has reviewed said information and recommendation and concurs that the implementation of said system is in the best interest of the township

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that the Tax Collector, Mayor and Township Clerk are hereby authorized to take any and all action necessary to participate in the Data Trace Filing Sharing program.

Consent Agenda Resolution No. 2007-06
Date: June 14, 2007

Resolution No. 2007-126 Sewer User Charge Refund – Block 13.02 Lot 5

BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, that a refund of \$206.49 be approved for Chippewa Street LLC for 2006 Sewer User Charges overpaid with check number 2141 on May 24, 2007 for account number 16521450, commonly known as 1 Chippewa Street.

Consent Agenda Resolution No. 2007-06
Dated: June 14, 2007

Resolution No. 2007-127 Authorize Payroll Changes

WHEREAS Action Data Services (ADS) prepares and processes weekly payroll and related payroll services for the Township of South Hackensack; and

WHEREAS in correspondence dated May 1, 2007 Rosemarie Giotis, Chief Financial Officer recommended that Action Data Services (ADS) also prepare and remit required federal, state, unemployment, pension payments/taxes and reports on behalf of the township; and

WHEREAS the Township Committee considered the recommendation of the CFO at its meeting held on June 7, 2007,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey that Action Data Services be and is hereby authorized and directed to prepare and remit required federal state, unemployment, and pension payments/taxes on behalf of the Township of South Hackensack beginning July 1, 2007,

BE IT FURTHER RESOLVED that Loretta D'Ambrosio, Treasurer, and Linda LoPiccolo, Municipal Clerk be and are hereby authorized and directed to prepare and execute any and all necessary documents to effectuate this change.

Consent Agenda Resolution No. 2007-06
Date: June 14, 2007

Resolution 2007-128 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.

_____ (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 June 14, 2007.

Linda LoPiccolo
Township Clerk