

Township of South Hackensack
Bergen County, New Jersey
November 3, 2011 7:30 P.M.
Worksession Meeting
AGENDA

Walter Eckel Jr., Mayor
James Anzevino
Gary Brugger
Frank Cagas
Vincent Stefano

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

Call of Meeting to Order

Correspondence & Reports

- November 2, 2011, Joseph Carnevale Re: 200 West Street-backflow of sewage into basement during heavy rain.
- October 26, 2011, Marlene Verrastro, Supervisor of Elections Re: Determination Notice to Bergen County, NJ on Korean Language
- October 11, 2011, Glenn A. Grant, J.A.D. RE: Municipal Courts – Implementation of the Working Group Report on the Professionalism and Qualifications of Municipal Court Directors, Administrators, and Deputy Administrators
- October 11, 2011, Frank Covelli, Manager-Public Entities Department, PIA Security Programs, Inc. Re: FSA – Comparison Report
- October 24, 2011, Lydia Heinzelman, Secretary, Shade Tree Commission Re: 52 Grove Street – Tom & Vera Calcaine Tree Replacement

Old Business

- Improvements to Various Streets – Phillips, Lincoln, Dyer
- 430 Chestnut Avenue – Quotes to repair sidewalks raised by town trees
- Ambulance roof top heat unit – quotations to run gas line

New Business

- Appointment of 2012 Professionals -- Fair and Open or the Alternate to Fair and Open – Committee to discuss and decide

Resolutions

- Resolution Authorizing Closed Executive Session

Committee Reports

Public Comments

Closed Session

- Litigation – TSH v. Local 11 – PERC Docket CO-2011-0484
- Buldo v. Zoning Board & Baricella
- 176 Saddle River Ave v. TSH – Tax Appeal Litigation

Adjournment

Resolution Authorizing Executive Session – November 3, 2011

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

**BULDO V. ZONING BOARD, BARICELLA
TSH V. LOCAL 11 – PERC DOCKET CO-2011-0484
176 SADDLE RIVER AVE V. TSH – TAX APPEAL LITIGATION**

 (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 November 3, 2011.

Linda LoPiccolo
Municipal Clerk