

Township of South Hackensack  
County of Bergen, New Jersey  
December 14, 2006 7:30 P.M.  
Regular 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

- Special Presentation – NJMC Geographic Information System (GIS)

### Correspondence

- Frank Covelli, PIA 11/17/2006 – Environmental Joint Insurance Fund (EJIF) Audit
- Leonard Gatto, Senior Loss Control Consultant – Loss Control Report 11/08/2006
- Rose Marie Sees, RMC, Borough Clerk, Hasbrouck Heights 11/28/2006 – Joint Tax Assessor Appointment
- Gregg A. Padovano, Judge 09/29/2006 – Township of South Hackensack Municipal Court Administrator
- Ruth C. Brierty, Williams Avenue – Letter of Thanks
- James Mordaga, Director, Public Safety 12/05/2006 Bergen County Fire Apparatus Loan Program
- Assemblyman John E. Rooney 11/15/2006 Education Funding Litigation
- General Correspondence – November 2006
- Monthly Department Reports – November 2006

### Old Business

- COAH – Administrative Officer, Housing Liaison – NJMFA Housing Affordability Service
- CH 52 Police Department –Special Protection Services

## New Business

- 2007 Professional Appointments – Discuss how to proceed with “Pay to Play Law”

## Ordinances

Second Reading, Public Hearing and Adoption of  
ORDINANCE 2006-20

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 108 OF THE  
CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED “FEES”

## Resolutions

- Consent Agenda Resolution No. 2006-12
- Resolution No. 2006-161 Emergency Appropriation
- Resolution No. 2006-166 Appoint Tax Assessor 7/1/06 – 6/30/2010
- Resolution No. 2006-167 Authorizing Executive Session
- Resolution No. 2006-168 Authorize 2007 Municipal Assistance Grant Application (MAP) to New Jersey Meadowlands Commission (NJMC)

## Committee Reports

### Public Comments

### Closed Session

- *Litigation – Brando v. South Hackensack Police Department and Gene Roman*
- *Litigation – Lighthouse Restaurant Services v. Township of South Hackensack*

## Adjournment

ORDINANCE NO. 2006-20

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED "FEES"

BE IT ENACTED AND ORDAINED, by the Township Committee of the Township of South Hackensack as follows:

Section I. Chapter 108-10 entitled Chapter 110 Fire Prevention is amended and supplemented as follows:

- A. Type 1 permit: \$42.00
- B. Type 2 permit \$166.00
- C. Type 3 permit \$331.00
- D. Type 4 permit \$497.00

Section II All ordinances or portions of ordinances inconsistent with this ordinance are hereby repealed to the extent of their inconsistency

Section III If any portion of this ordinance is deemed invalid by a Court of competent jurisdiction the remainder of this ordinance shall remain in full force and effect.

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

<b>Consent Resolution No. 2006-12</b>
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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. 2006-162 Transfer Appropriations

Resolution No. 2006-163 Bills \$603,042.87

Resolution No. 2006-164 Licenses –December 2006

Resolution No. 2006-165 Authorizing Unused Sick Pay – Marie Goodman

Offered:

Second:

Roll Call Vote:

Date: December 14, 2006



Fire O/E	8,500.00	
DPW O/E	14,000.00	
Vehicle Maintenance O/E	2,000.00	
Telephone	7,000.00	
Gasoline	2,000.00	
<u>OPERATIONS - WITHIN "CAP"</u>		
Municipal Clerk S&W		10,500.00
Municipal Clerk O/E		2,000.00
Financial Administration S&W		1,000.00
Financial Administration O/E		1,200.00
Legal O/E		18,444.00
Code Enforcement O/E		700.00
Dispatcher S&W		20,000.00
Dispatcher O/E		200.00
Emergency Management O/E		150.00
Buildings & Grounds O/E		3,000.00
Street Lighting		200.00
Municipal Court S&W		106.00
<b>TOTAL</b>	<b>57,500.00</b>	<b>57,500.00</b>

Consent Agenda Resolution No. 2006-12

Dated: December 14, 2006

<b>Resolution No. 2006-163 Bills \$603,042.87</b>
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attached

<b>Resolution No. 2006-164 Licenses December 2006</b>
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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:			
*12/12/06	Congress Inn	3521	\$3,620
*11/13/06	Stage Coach Motel	3518	\$2,948
*11/13/06	Super 8 Motel	3519	\$3,428
*11/15/06	Airport Motel	3520	\$3,428
*12/12/06	Horizon	3522	\$3,460
Fire Licenses:			
10/16/03	Alan Party Rentals	2222	\$138.00

10/18/06	Etched in Stone	2223	\$138.00
11/8/06	Lumber Liquidators	2224	\$138.00
11/20/06	Devine Roofing Co.	2225	\$ 35.00

\*Pending Inspections and payment of all fees

Consent Agenda Resolution No. 2006-112

Date: December 14, 2006

<p><b>Resolution No. 2006-165 Authorizing Payment of Accumulated Unused Sick Time to Court Administrator Marie Goodman Upon Retirement</b></p>
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WHEREAS Marie Goodman has served diligently as Court Administrator for the Township for twenty-five years; and

WHEREAS twenty-two years of said service have been in a full time capacity; and

WHEREAS the salary ordinance of the Township of South Hackensack requires that upon retirement a municipal employee with more than twenty but less than twenty five years of full time service is entitled to payment of accumulated sick time in the maximum amount of seventy five (75) days at a rate of pay at the time of retirement; and

WHEREAS a review of the attendance records of Marie Goodman indicates that she has accumulated a sick day bank of at least seventy five days and as a result would be entitled pursuant to salary ordinance for payment for the same upon retirement; and

WHEREAS further review of the consent order of settlement of certain litigation between Marie Goodman and the Township of South Hackensack styled under Federal Court Docket No.93-665 further controls the payment of said accumulated time; and

WHEREAS Marie Goodman has submitted a letter of retirement effective December 31, 2006 and by virtue thereof has requested payment of accumulated sick time

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that Marie Goodman be compensated for seventy five days of accumulated sick time at her daily rate of pay in effect on December 31, 2006 and those funds are allocated for said purpose.

Consent Agenda Resolution No. 2006-12

Date: December 14, 2006

<p><b>Resolution No. 2006-166 Appoint Tax Assessor 7/1/06 – 6/30/2010</b></p>
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WHEREAS, N.J.S.A. 40:48-B-16 provides that the term of office of the Tax Assessor in the Office of Joint Municipal Tax Assessor shall be for a period of four years, and

WHEREAS, pursuant to the agreement of the Governing bodies of the participating municipalities of the Office of Joint Municipal Tax Assessor, George M. Reggo, has served in such positions, first having been duly appointed for a term from May 1, 1998 until June 30, 1998, and then for a term from July 1, 1998 to June 30, 2002, and then for a term from July 1, 2002 to June 30, 2006;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, that the aforesaid George M. Reggo be and is hereby reappointed as Assessor in the Office of Joint Municipal Tax Assessor of the Township of South Hackensack, the Borough of Hasbrouck Heights, and the Township of Rochelle Park for a term commencing on July 1, 2006 until June 30, 2010, which said appointment shall be nevertheless subject to the approval by the Governing Bodies of the other participating municipalities.

Offered:

Second:

Roll Call Vote:

Date: December 14, 2006

<b>Resolution No. 2006-167 Authorizing Executive Session</b>
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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.

(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 December 14, 2006.

Linda LoPiccolo  
Township Clerk

<b>Resolution No. 2006-168 Authorize 2007 Municipal Assistance Grant Application (MAP) to New Jersey Meadowlands Commission (NJMC)</b>
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WHEREAS the NJMC has approved an appropriation to fund the 2007 Municipal Assistance Program (MAP), and

WHEREAS the Township of South Hackensack is desirous of filing an application for a grant for \$100,000.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey that the municipal clerk be and she is hereby authorized and directed to complete and file an application on behalf of the Township of South Hackensack for the following items:

- Purchase of firefighting apparatus or equipment - \$10,000
- Law enforcement vehicle - \$30,000
- Property Tax Relief - \$50,000
- Implementation of a municipal web site (phase II) - \$10,000

Offered:

Second:

Roll Call Vote:

Date: December 14, 2006