

Township of South Hackensack
Bergen County, New Jersey
February 2, 2012 7:30 P.M.
Worksession Meeting
MINUTES

Gary C. Brugger, MayorPresent
Frank CagasPresent
Walter Eckel, Jr.Present
William ReganPresent
Vincent StefanoPresent

Also present:
Mary Terraccino, Deputy Clerk
David V. Nasta, Esq., Municipal Attorney

Call of Meeting to Order

Mayor Brugger called the Regular Meeting to order at 7:30 p.m. He advised that pursuant to the Open Public Meetings Act Annual Notice of the meeting had been provided to *The Record, the Herald and News* and by posting the Annual Notice on the bulletin board in the clerk's office where notices are customarily posted. Everyone saluted the flag. The municipal clerk called the roll.

Correspondence & Reports

Brugger motioned; Eckel seconded and the Committee unanimously accepted and moved to New Business the correspondence dated November 28, 2011, from David N. Grubb, Executive Director Re: 2011-2012 Employment Practices Liability Program

Eckel motioned; Regan seconded and the Committee unanimously accepted and moved to New Business correspondence dated January 11, 2012, from Michael Montenegro, Deputy Police Chief Re: Police car purchase.

Brugger motioned; Eckel seconded and the Committee unanimously accepted and moved to New Business the correspondence dated January 17, 2012, from Frank Covelli, Manager-Public Entitites, Re: suggestion of all professionals to submit a Certificate of Insurance, including Professional Liability.

Brugger motioned; Regan seconded and the Committee unanimously accepted for filing correspondence dated January 17, 2012, William DeFabiis, CSA Memorial School Re: School Related Issues..Since Dr. DeFabiis was in attendance, Mayor Brugger asked him to report at this time.

Open Discussion for School Superintendent Dr. DeFabiis

Dr. DeFabiis reported that the last time the committee met he made a proposal to the town and requested to listen to the recording and heard a lot of disparaging remarks that were made against him personally. He is here tonight on behalf of the school to report on the Geese issue. The school has made several attempts to rectify the problem. The playing field is covered with geese droppings. The school borrowed the machine twice and found it to be beneficial in cleaning up the field. A letter from William Holley, Superintendent of Little Ferry dated January 17, 2012 was distributed to the committee indicating that this machine has been inoperable for the last 2 ½ months with an attached letter from an anonymous concerned parent. DeFabiis said that he did not lie at the board meeting on January 9th because this letter stated that it was sent for repair on January 10th. The letter also indicates that the sweeper is not street legal. The machine that is being discussed here is the PANYNJ town shared machine. His prime concern is the safety and welfare of the children and staff at Memorial School. At this time there will be no more play time on the field for health reasons. He is open for any solutions to resolve this. He asked the board to consider splitting the cost of the machine with the township and he made it clear that the machine is not \$30,000 that it is more like \$25,000. He made a point that he is not reckless with town money and feels that the machine would be valuable to the school and town. If the committee does not agree with the purchase, then he is open to any options. Cagas would like the town to reach out to the Port Authority and get them involved because of the low flying jets and to also try a vendor that has trained dogs. Stefano stated that even if the geese are chased away they will always come back and continue to be a problem. Eckel inquired on how to find the nesting areas of the geese to get rid of the eggs. Nasta said we should meet with the Health officer to see if the County has any suggestions and how others towns are handling this. Brugger will confer with Linda and look into why the two machines are not useable at this time. Dr.DeFabiis said that he would help write up the grant if there is any available.

Dr. DeFabiis informed the committee that the school is willing to make available to the recreation department a training seminar on harassment intimidation on bullying. Vincent Stefano found this to be a very important topic for the recreation group that has contact with the children of South Hackensack and to also set up a meeting in the future for the community.

Dr. DeFabiis - noticed that the School Election was on the agenda and that he would answer any questions that the Committee had on this matter. The school board will continue their discussion at the February 6th meeting.

Correspondence & Reports (cont.)

Eckel motioned; Regan seconded and the Committee unanimously accepted and moved to New Business the correspondence dated January 25, 2012 from Lawrence Paladino, Jr. DPWM, Superintendent, Re: generators, pumps and sewer blower.

Brugger motioned; Regan seconded and the Committee unanimously accepted the 2012 LOSAP report dated January 25, 2012 submitted by Chief Michael Nasta for the 2011 service. Brugger stated that the town can begin to prepare the resolution for LOSAP but no resolution will be

passed to authorize payment until the Ambulance Corp Chief Hugh Riley submits the service report for 2011. Brugger stated that last year's CPI was at zero and this year it is around 3%.

Brugger stated that the correspondence dated January 30, 2012 from Lydia Heinzelman, PB/ZB secretary to increase escrow will be further discussed under Ordinances.

Old Business

68 Franklin Street – Brugger reported that itemized bills for this emergency sewer repair have been received and that he would like to see proof of payment before any reimbursement is made. Brugger motioned; Cagas seconded to authorize the reimbursement of \$5000 to Brian Frew for the street side repair at 68 Franklin Street upon submittal of the proof of payment.
5 YES – Cagas, Eckel, Regan, Stefano, & Brugger

New Business

P.L. 2012, c.202 School Elections – Brugger informed the Committee that the town can discuss this at the next meeting after the School Board holds their meeting on February 6th. The School Board election will get moved if either the town or the school board votes yes to move it. Mayor Brugger felt that it would be best if the town leaves the decision making to the school board. If the election is in November there is no vote on the annual school budget that is within the levy cap. A resolution would have to be approved and sent to the County February 17th by either the town or school board.

NJMC Co-Op Pothole Filler Program – Brugger informed DPW Superintendent Larry Paladino to fill out this questionnaire and research this piece of equipment to give the NJMC an idea of who would like to utilize the program. Paladino stated that the town would have to supply the manpower and materials and he also felt that a lot of the pot holes will be taken care of in the 2012 road surfacing program.

Employment Practices Liability Program – Brugger informed the Committee that this program has to be reviewed every two years and any revisions must be reported to the MEL. The Mayor directed David V. Nasta to review and make any of the necessary changes to the personnel policies and procedures manual. The Committee should also review this manual and report to David any changes or recommendations. The MEL has a list of required elements for the deductible incentives for this program. This report should be completed by the April meeting.

Police Car Purchase – Brugger motioned; Eckel seconded to authorize Deputy Chief Michael Montenegro to make the necessary application with the Prosecutors office to use confiscated funds for the purchase of one police vehicle as requested in his letter dated January 11, 2012.
5 YES - Cagas, Eckel, Regan, Stefano, & Brugger

Professional Liability Certificate of Insurance – Mayor Brugger recommended that a letter be sent out to the professionals requesting this certificate of insurance with a minimum liability of \$1,000,000 for each claim based upon the suggestion of Frank Covelli our insurance risk manager. David Nasta advised the committee that this was not part of the RFQ process and that

if we are going to make this part of the professional contract requirements we should keep this in mind for the future when the request for qualifications are submitted. David indicated that we can't legally make them provide it but that most professionals do carry this liability insurance. Gary felt that the request can be made from the professionals at this time to see what kind of response is made from them.

DPW - Generators, Pumps, and Sewer Blower

Regan spoke with Larry Paladino and reviewed these requests and found that since we are on a temporary budget he was looking for approval on the most needed item which would be the portable generator. The other items can be reviewed later on in the year. Brugger motioned; Cagas seconded to authorize the purchase of one EB4000X Honda Generator from All Service at a cost not to exceed \$1725 5 YES - Cagas, Eckel, Regan, Stefano, & Brugger

Ordinances

Draft Ordinance Amending Ch. 108 "FEES" (escrow fees)

Brugger informed the Committee that this ordinance is to increase the escrow fee for commercial applicants from \$1200 to \$2500 without any increase for the residential applications.

Brugger motioned; Cagas seconded to introduce this Ordinance amending Chapter 108 entitled "FEES" at the February 9, 2012 meeting. 5 YES - Cagas, Eckel, Regan, Stefano, & Brugger

Draft Ordinance Amending Ch. 208 "ZONING"

Brugger informed the Committee to review this ordinance and that this amendment will not be introduced until the Zoning Officer, Ray DeRiso has a chance to review it. Gary indicated that Ray would like to review these changes with the zoning sub-committee before this ordinance is introduced. Eckel requested from David Nasta the changes be listed in a format that would show the before and after updates. Nasta said that he would create a report of the 14 changes.

Shade Tree Ordinance Revisions

Brugger informed the Committee that David Nasta will attend the next Shade Tree Commission meeting to go over some of the revisions that need to be made to this ordinance and then the amended version will be reviewed by the committee before introduction.

Resolutions

Closed Executive Session

Eckel motioned; Brugger seconded and the Committee unanimously agreed to adopt the closed executive session resolution to discuss Matters relating Litigation – Tax Appeal for 490 Huyler Street and Litigation – Frew v. Township of South Hackensack.

Committee Reports

Frank Cagas – Attended the Fire Board meeting and mentioned that the Chief Nasta read a letter regarding procedures for notifying NJ State in case of a major mishap that he did not get a copy of but would like distributed to the Police Department. He mentioned that LOSAP was

discussed and the members were looking for an approximate date of payment for the clothing allowance. Frank questioned the status of the Park Equipment and Paladino reported that it was under Boswell's review at this time. Frank wanted to know the status of the sidewalk issue on Mooanchie Ave. but no address or property owner was mentioned. Eckel thought that a letter was sent to the homeowner and he would check with Linda on this issue.

Vincent Stefano – Dr. DeFabbis summed up the School Election matter and the police hiring sub-committee met with David Nasta and Deputy Chief Montenegro and they should have something in final writing by the end of February.

Bill Regan – He will be meeting with Chief Riley to put an action plan in place for response calls and the DPW cleaned 33 catch basins using the NJMC truck.

Walter Eckel – He is willing to attend any PANYNJ geese meetings. He mentioned that the budget will be tight this year but he would like some money set aside for an activity for the seniors.

Mayor Gary Brugger – Has been attending these monthly Mayor meetings that are attended by several towns to discuss issues that each town has and to possibly discuss any ways of shared services. Lodi has a live fire gun simulator that Gary would like Deputy Chief Montenegro check out for the officers. The garbage contract is up in July and he would like to see if there can be a separate submission to isolate the Garfield Park section because the Mayor has been approached by 3 towns to service that area. He also has been approached by other towns to snow-plow Garfield Place and Horizon & Central Boulevard. Gary indicated that part of the questionnaire for State Aid is if there are any shared agreements in place with other towns. He is not able to attend all of these meetings because of his work schedule and would like to designate Linda to attend these meetings to participate in discussions with the other towns. Gary requested Joe Marrella to look into a company called E-Renewal for a receptacle to recycle electronic items for money.

Public Comments

Dolly Montenegro 57 Vreeland Avenue – Questioned what was being purchased with the Park Grant money. She agreed with Dr. DeFabiis on the geese dropping problem and felt that the town and school should try to purchase the equipment to clean up the park and school field. She offered to write letters for donations and Mayor Brugger accepted her offer to reach out to the businesses. She also requested if the police could make their announcements several times on each street when informing the residents to remove their cars during a snow storm.

Lonnie Bedell 51 Grove Street – Attends several meetings with the Meadowlands Commission and the County Freeholders and feels that the town should reach out to them for help with the geese problem. He indicated that he was at a meeting where other towns have signed up for the pot hole filler machine and they have found it to be very useful. He also indicated that Fred Dressler is all about saving money for the towns with regards to the tax sharing formula. He thanked the town for the snow removal procedure being posted on the town sign.

Closed Session

Brugger motioned; Eckel seconded and the committee unanimously agreed to go into closed session at 9:12 p.m. The closed session started at 9:25 p.m.

The following matters were discussed in closed session. The minutes of the closed session will be released when authorized by the governing body and permitted by law.

Litigation – Tax Appeal 490 Huyler Street, 45 E. Wesley, and 400 Huyler Street
Litigation – Frew v. Township of South Hackensack

Brugger motioned; Eckel seconded and the Committee unanimously agreed to re-open the meeting to the public at 9:50 p.m.

Adjournment

Prior to adjournment, the Committee took the following action with regard to closed session -

Brugger motioned; Cagas seconded to prepare a resolution for the February 9th meeting authorizing the approval of the settlement for 490 Huyler St. LLC that was proposed by Steven D. Muhlstock. 5 YES - Cagas, Eckel, Regan, Stefano, & Brugger

Brugger motioned; Cagas seconded to authorize McNerney to prepare the appraisal reports at a cost of \$5000 each for 45 East Wesely Street and 400 Huyler Street. 5 YES - Cagas, Eckel, Regan, Stefano, & Brugger

No action was taken on Frew v. Township of South Hackensack

Brugger motioned; Cagas seconded and the Committee unanimously agreed to adjourn the meeting at 9:52 p.m.

Respectfully submitted,



Mary Terraccino
Deputy Clerk



Municipal Excess Liability Joint Insurance Fund

Park 80 West, Plaza One
Saddle Brook, New Jersey 07663
Tel (201) 587-0555
Fax (201) 587-8662

To: Members - Municipal Excess Liability Joint Insurance Fund
(Municipalities and Utility Authorities)

From: David N. Grubb, Executive Director

Date: November 28, 2011

Re: 2011 - 2012 Employment Practices Liability (EPL) Program

Over the last decade, employment practices lawsuits against New Jersey local units have become a significant concern. Adding both the insured and the uninsured portions of these claims, it is expected that employment practices lawsuits will exceed \$1,000 per employee next year. Effective January 1, 2011, the MEL successfully transferred the Public Officials and Employment Practices Liability (POL/EPL) insurance to a program with a commercial insurer: XL Insurance. XL Insurance has asked the MEL to continue in its dedication to assisting members maintain a comprehensive employment practices risk control program.

90% of MEL members have adopted the MEL's model employment practices risk control program and are eligible for premium and deductible incentives. These programs must be updated every two years to remain eligible. PLEASE VISIT THE MEL WEBPAGE - NJMEL.ORG - FOR A COPY OF THE REVISED MODEL. Attached is a synopsis of the changes.

Members with updated loss control programs receive the lowest EPL deductible of \$20,000 per claim plus a 20% co-pay capped at \$50,000. (See note below concerning members with poor EPL claims experience).

To qualify for the incentive, have your General Counsel or Employment Attorney complete the one page form checking the minimum requirements for updating the plan. It is not necessary to attach any further documentation. Mail the completed form to MEL Fund Office, 250 Pehle Ave, Suite 701, Saddle Brook, New Jersey 07663

Members that did not qualify for the 2010-2011 incentive must adopt the EPL loss control plan and submit to the MEL for review. Have your General Counsel or Employment Attorney complete the two-page form checking the minimum requirements for the plan. The following must be attached to this form: (1) the Personnel Policies and Procedures Manual, (2) the resolution adopting this manual, and (3) the Employee Handbook. Mail the completed form to the MEL Fund Office, 250 Pehle Ave, Suite 701, Saddle Brook, NJ 07663.

Members submitting the required form by May 1, 2012 will qualify for the deductible incentives retroactively to January 1, 2012. Members submitting this form after May 1st will become eligible for the deductible incentive upon approval of the application, but not retroactively.

Members without updated loss control programs will have a deductible of \$100,000 per claim plus a 20% co-pay with no cap. (See note below concerning members with poor EPL claims experience).

Members with poor EPL claims experience: Members with adverse loss experience over the last five years - defined as - "any member with three or more claims over the last five years AND a loss ratio over 200%" will have a deductible of \$75,000 if they have an updated loss control plan and \$150,000 if they do not. They will also have a 20% co-pay with no cap. In a few cases, the MEL Board of Fund Commissioners will establish higher deductibles for members on probation because of exceptionally poor experience.

Public Official's Training Credit: We are pleased to announce that this fall the MEL is continuing the public officials training throughout the state for elected public officials and authority commissioners. Sessions have already been given at the League Convention and the AEA Convention in Atlantic City. The MEL will reduce each member's 2012 liability premium by \$250 for each municipal elected official and authority commissioner who completes the course by April 30, 2012. The credit is also extended to the member's CEO (i.e. municipal manager/administrator or authority executive director). The maximum credit is capped at 25% of the member's liability claims fund.

Required Elements for the Incentive

1. **Employment Attorney/Advisor:** An Employment Attorney or an Employment Advisor usually provides advice concerning personnel matters. However, the local unit may designate its General Counsel if experienced in employment matters.
2. **Personnel Policies and Procedures Manual:** To facilitate this process, the MEL has developed a Model Personnel Policies and Procedure Manual that members are free to use at their discretion. Members can adopt the model, take sections from the model and place them in their existing personnel manual, or write their own policies that cover the subjects in the model.
3. **Conscientious Employee Protection Act Notice:** This notice (in both English and Spanish) must be posted on the bulletin board and distributed to all personnel. The notice required by the NJ Department of Labor is included in the Model Personnel Policies and Procedures Manual. (copy can also be found on the MEL webpage - njmel.org)
4. **Employee Handbook:** The handbook must be updated and distributed to all personnel. To facilitate this process, the MEL has developed a Model Employee handbook that members are free to use at their discretion. (which can be found on the MEL webpage - njmel.org)
5. **Model Local Unit Civil Rights Resolution (municipalities only):** Adopt the model resolution. (which can be found on the MEL webpage - njmel.org)
6. **Managerial and Supervisory Training:** Court decisions made personnel training for managerial and supervisory "mandatory". A signed acknowledgement that the manager

or supervisor has completed training within the last 12 months must be placed in the personnel files. Training is also mandatory for the Municipal Judge, the heads of volunteer emergency service organizations such as Volunteer Fire Departments, EMS units, and the heads of organizations such as Library Boards and Planning Boards, etc., that are involved in personnel matters. The MEL has developed a Model that the local JIFs will conduct this fall. Your JIF will contact you with the details. A copy of the program can be found on the webpage – njmel.org.

7. Police Chief, Captains and Lieutenants Training: Because Police Departments are involved in a high percentage of employment related litigation, Police Chiefs and at least one other command officer must complete employment-practices training that takes into consideration the Attorney General's guidelines for police operations. A schedule of these seminars will be distributed by your JIF.
8. Training for All Other Personnel: Court decisions also require employers to offer anti-harassment and related personnel training to all employees. The MEL has produced a DVD (No Tolerance in the Public Workplace) to facilitate this requirement. This DVD is ENCLOSED and can also be viewed on the webpage.
9. MEL EPL Helpline: The MEL includes a helpline to its members at no additional cost. Members are required to enroll (if you have not already done so) by calling 415-617-1611 or emailing bhansen@helpline-group.com. This e-mail address is being protected from spambots. You need JavaScript enabled to view it .

For assistance, please contact the MEL office or the office of your local JIF.

Synopsis of Changes to

Municipal Excess Liability Joint Insurance Fund MODEL PERSONNEL POLICIES AND PROCEDURES MANUAL

1. Americans with Disabilities Act Policy: Policy language has been replaced in its entirety to address revisions in the law.
2. E-Mail, Voice Mail, Computer and Internet Usage Policy: Language replaced in its entirety to address expanding issues raised with evolving technology.
3. Access to Personnel Records. Language replaced in its entirety.
4. Flexibility Spending Account - Heading added to ensure that members address new requirement to address flexibility spending accounts.

Checklist for Members with Currently Approved Risk Control Plans

2012 - 2013 MEL EMPLOYMENT PRACTICES RISK CONTROL UPDATE CHECKLIST

Name of Municipality or Authority: _____

- Retain Employment Attorney/Advisor: (name) _____
- Update and distribute to managerial/supervisory employees the Personnel Policies and Procedures Manual: (Not necessary to attach)
- Distribute a notice concerning the Conscientious Employee Protection Act to all personnel:
- Update and distribute the Employee Handbook: (Not necessary to attach)
- Adopt the model civil rights resolution (municipalities only).
- Train managerial and supervisory personnel:
- Have Police Chief, Deputy Chief, Public Safety Director, Captains & Lieutenants complete the special EPL training course:
- Offer Anti-Harassment training to all other personnel:
- Sign up with NJ MEL Helpline for Employment Practices.

I, _____, the (check ___ General Counsel or ___ Employment Attorney) of (member name) _____ hereby certify that the member has verified to me that the above actions have been completed and that I have read the updated Personnel Policies and Procedures Manual and the updated Employee Handbook.

Signature: _____

Date: _____ Telephone: _____

For quality for the Employment Practices Liability policy deductible, this checklist should be returned to the MEL Fund Office (250 Peble Avenue, Suite 701, Saddle Brook, NJ 07663 or fax 201-587-8662) as soon as possible. Members submitting this form by May 1, 2012 will qualify for the deductible retroactively to January 1, 2012. Members submitting this form after May 1 will become eligible for the deductible incentive upon approval of the application, but not retroactively.



NJ MEL HR Risk Management HELPLINE

Top 10 Risk Management Issues & Actual Questions Asked

These Top 10 Issues and Actual Questions are from members currently using the HELPLINE risk management solution. In some cases, had these organizations acted on their own without first contacting the HELPLINE, there could have been increased exposure to liability. These questions were answered by the HELPLINE attorneys who are experts in over 50 risk management and employment related issues. The topic headers may not include all of the issues covered by each question. Any information that might identify the organization has been removed to protect the confidentiality of the communication.

Top 10 Issues

- | | |
|--------------------------|-------------------------|
| 1. Policies & Procedures | 5. ADA |
| 2. FMLA | 6. Disability |
| 3. Compensation | 7. Payroll/Taxes |
| 4. Wage/Hour | 8. Workers Compensation |
| 5. ADA | 9. Harassment |
| 6. Disability | 10. Hiring Practices |

Actual Questions Asked

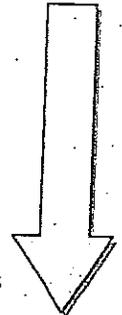
Normally when a position is vacant, the Township posts in-house and utilizes classified advertising. We used this procedure three months ago for the position of Police Records Clerk, at which time applications were received and interviews conducted by the Police Chief. The new hire has now resigned, and the Police Chief wants to hire a person he previously interviewed (who placed second in the interview process.) Can we hire this person without going through the application process?

We have an employee on FMLA (over 8 weeks) and the employer's opinion is that her injury may have restrictions which can be accommodated, however her Dr. has placed her completely out of work. The DOL website states "...An employer may, at its own expense, require the employee to obtain a second medical certification from a health care provider. The employer may choose the health care provider for the second opinion, except that in most cases the employer may not regularly contract with or otherwise regularly use the services of the health care provider." Can we do this at this time?

A Public Works employee recently reported a harassment issue to the Human resources office. Interviews will need to be scheduled with other employees who may be witnesses and with the accused employee to investigate this issue. Who would be the appropriate person to conduct interviews - HR, the business administrator, the City attorney or a supervisor at the Public Works Department?

Are we permitted to have an employee pay for health benefits if they run out of FMLA time but are still out on NJ FLI?

We have an employee that was hired as a field worker. When he was hired he already had a weak lower back due to a pre-employment incident. We were not advised of this issue at the time of hire. He has been out over the years of his employment here due to back issues that happened at home and work. It has come to my attention that he hurt his back at work. He was out for one day. Do I need to report this to our workers' compensation carrier?



All members can enroll up to two users.

To verify your municipality's access, please immediately contact Brian Hansen at the information below. He will identify the users and provide access codes.

Phone: 415-817-1611
Email: bhansen@helpline-group.com

*For more information, please visit:
www.njmelhelpline.com/overview*



The NJ MEL HR Risk Management HELPLINE

The NJ MEL provides members with risk management services of significant value. Each member can designate up to two users and we strongly encourage usage.

Unlimited, specific, documented, and confidential advice from attorneys on over 50 HR and employment law issues



Online links to the MEL-specific risk management resources including the Model Handbook and videos



Proactive risk management tools including HR Express Updates, Federal and State forms, posters, news, and more...



**Assistance to prevent claims...
for no additional cost!**

The HELPLINE is included as a part of the EPLI insurance through MEL. We want you to take full advantage, just as others have begun to do already...

"I have long felt that the JIF and the MEL have ability to do things that normal government agencies cannot in giving us the important help that we need to prevent claims from happening. This is great tool with a lot of useful resources and I'm really happy to see this!" – Assistant Treasurer, NJ Borough, 175 employees

"I posted a question to the attorneys this year and received a prompt response to our question – it was pretty much exactly what we were looking for. If any other questions were to arise at our company, I would definitely use the HELPLINE again. My favorite part of the site so far has been the HR resources – the forms and posters were already updated since the last time I was on the site! The HELPLINE is a very convenient benefit of our relationship with the JIF." – Manager, NJ Township, 155 employees

All members can enroll up to two users.

To verify your municipality's access, please immediately contact Brian Hansen at the information below. He will identify the users and provide access codes.

Phone: 415-817-1611

Email: bhansen@helpline-group.com

For more information, please visit:
www.njmelhelpline.com/overview

Visit www.njmelhelpline.com/overview for more information.

South Hackensack Police Department



MUNICIPAL BUILDING
227 PHILLIPS AVE.
SOUTH HACKENSACK, N.J. 07606
www.southhackensackpd.com



Michael D. Frew
Chief of Police

Tel.: (201) 440-0042
Fax: (201) 440-0797

January 11, 2012

Mayor & Township Council
Twp. of South Hackensack
227 Phillips Avenue
South Hackensack, NJ 07606

RECEIVED
JAN 12 2012
SOUTH HACKENSACK
MUNICIPAL CLERK

Re: Request to use confiscated funds

Honorable Mayor and Township Council:

I am requesting to use monies from our confiscated funds account to purchase one new patrol vehicle. The vehicle is a 2013 Ford Police Interceptor SUV and will replace a 2004 Chevrolet impala with 91,709 miles. The new vehicle will be used in the patrol division. The total amount I would like use is 36,529.17. The total cost for the vehicle is 35,615.00 with additional cost of 339.17 to transfer the radio and 575.00 for lettering. The vehicle will be purchased from Warnock Fleet under contract 101 Item #2.

Respectfully submitted

Michael Montenegro
Deputy Chief of Police



"Professionalism You Can Count On"

PROFESSIONAL INSURANCE ASSOCIATES, INC.

429 HACKENSACK STREET • P.O. BOX 818 • CARLSTADT, NJ 07072 • (201) 438-7500 • FAX (201) 438-8781

January 17, 2012

Ms. Linda LoPiccolo
Municipal Clerk
Township of South Hackensack
Municipal Complex
227 Phillips Avenue
South Hackensack, NJ 07606

RE: 2012 Certificates of Insurance

RECEIVED		
SOUTH HACKENSACK MUNICIPAL CLERK		
JAN 19 2012		
<input checked="" type="checkbox"/> TOWNSHIP COMMITTEE	<input checked="" type="checkbox"/> COPY TO:	
<input checked="" type="checkbox"/> ATTORNEY		
<input type="checkbox"/> CFO	<input type="checkbox"/> OEM	<input type="checkbox"/> ZONING
<input type="checkbox"/> POLICE	<input type="checkbox"/> COURT	<input type="checkbox"/> BUILDING DEPT.
<input type="checkbox"/> DPW	<input type="checkbox"/> PLANNING BD.	<input type="checkbox"/> HEALTH <input type="checkbox"/> OTHER

Dear Linda:

We are enclosing our Certificates of Insurance for 2012. *filed*

It is suggested that all professionals should submit a Certificate of Insurance, including Professional Liability where applicable, for 2012 with a minimum limit of liability of \$1,000,000. each claim.

This limit of liability is also the minimum for General Liability and Automobile Liability and, of course, they must have Workers Compensation Coverage. An Umbrella Liability limit of \$2,000,000. is preferred.

Limits of liability for construction contracts will be the limits that are required by the specifications.

You will note our Professional Liability Coverage renews 2/1/12 and we will forward a renewal certificate at that time.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Best Regards,

PROFESSIONAL INSURANCE ASSOCIATES, INC.

Frank Covelli
Manager - Public Entities Dept.

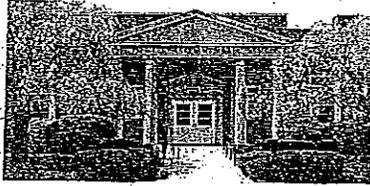
Phone: (201) 438-7500 X 145
e-mail: fcovelli@pianj.com

FC/cmt
enc.

MEMORIAL SCHOOL

Dyer Avenue
South Hackensack, New Jersey 07606

William DeFabiis, Ed.D.
Chief School Administrator



Phone (201)-440-2782
Fax (201)-440-9156

RECEIVED

JAN 17 2012

SOUTH HACKENSACK
MUNICIPAL CLERK

January 17, 2012

Mrs. Linda LoPiccolo, Town Clerk
Town Hall
227 Phillips Avenue
South Hackensack, NJ 07606

Dear Mrs. LoPiccolo,

As a follow - up to our recent telephone conversation, I am writing to formally request that I be placed on the Town Council's February 2, 2012 agenda for the purpose of addressing school related issues discussed at the last council meeting. Please let me know if you require additional information. Otherwise, thank you for your attention to this request.

Sincerely,

William DeFabiis, Ed.D.
Chief School Administrator

WD/ps

CC: South Hackensack Board of Education



RECEIVED
JAN 25 2012
TOWNSHIP OF
SOUTH HACKENSACK

*Workstation
2-2-2012*

Township Of South Hackensack Dept. Public Works

Lawrence J. Paladino, Jr. CPWM
Superintendent
77 Franklin Street
South Hackensack, NJ. 07606

Telephone 201-440-3283
Fax 201-641-0393

January 25, 2012

To: Mayor & Council

From: Lawrence J. Paladino, Jr CPWM
Superintendent

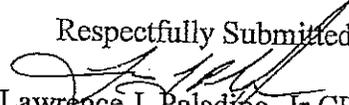
Re: Generators, Pumps, and Sewer Blower

Dear Mayor & Council;

I have list a few items that I would like to purchase for the department of Public Works.

1. Honda EB 4000X Portable Generator: All Service has quoted this unit at \$1,725.00 and A. W. Meters has it listed at \$1,899.00. I would like to purchase this portable generator from All Service located in Pompton Plains, N.J.
2. 4" Honda Trash Pump WT40X 11 HP and 20' Suction Hose: All Service has quoted this unit at \$1,830.00 plus \$200.00 for the hose for a total of \$2,030.00 and Keehn Power Products \$2,088.00 plus \$275.00 for the hose for a total of \$2,363.00. I would like to purchase this pump from All Service located in Pompton Plains, N.J.
3. a. Honda GP8H Gas Sewer Blower: \$870.00 All Service
b. Electric Sewer Blower EP8: \$665.00 All Service

Respectfully Submitted,


Lawrence J. Paladino, Jr CPWM
Superintendent

South Hackensack Fire Department
227 Phillips Avenue
South Hackensack N.J.07606

To: Fire Commissioner Cagas
From: Michael Nasta L.O.S.A.P. Officer
Subject: L.O.S.A.P. Report 2011

1-25-12

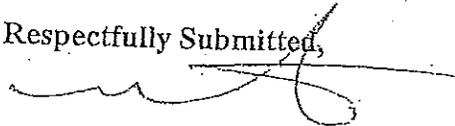
Sir,

Please find the L.O.S.A.P report and the attached L.O.S.A.P points report for the year ending December 31, 2011. The highlighted firefighters failed to earn the required 100 points in order to qualify for this benefit. The below listed members did qualify for their L.O.S.A.P. benefit.

F.F. Giuseppe D'Amico
F.F. Jerry D'Amico
F.F. Joe D'Amico
F.F. Ray DeRiso
F.F. Walter Eckel
LT. Fred Hum
F.F. Philip Iacono
F.F. Kevin Kubat
Lt. Carmine Maceri
F.F. Tony Maceri
Francesco

F.F. Sergio Murrieta
Chief Michael Nasta
F.F. Michael Nasta Jr.
F.F. William Panagia
F.F. Jason Peterson
F.F. Hugh Riley
Capt. Leo Rossi
F.F. Jim Riley

Respectfully Submitted,


Michael Nasta

Cc. Mayor Brugger
Fire Commissioner Cagas
Committeeman Eckel
Committeeman Regan
Committeeman Stefano
Fire Chief Nasta
Township Clerk LoPiccolo
L.O.S.A.P. File

South Hackensack Fire Department 2011 L.O.S.A.P. Point Report

Name	Drills	Percentage	Officers Credit	Training	Longevity	Wakes	Standby	Meetings	H.Duty	Total
Cabero	10	40	0	2	5	0	0	14	26	91
Cappiello, F	2	10	0	0	5	0	0	4	20	41
Cipotti	4	40	0	16	0	0	2	4	20	55
G.D'Amico	16	40	0	0	5	0	2	14	24	101
D'Amico Jerry	8	50	40	0	20	2	2	6	18	146
D'Amico, Joe	8	50	50	0	20	0	2	4	24	158
DeRiso Ray	8	50	50	0	30	0	0	14	16	168
Eckel Walt	12	75	0	0	30	2	2	14	30	165
Hum	16	100	25	0	5	2	4	18	38	208
Iacono, Philip	2	60	50	0	30	0	2	4	6	154
Kubat K	8	40	0	0	5	0	2	4	30	103
Maceri, Carmine	2	50	25	0	20	2	0	8	12	119
Maceri, Tony	12	60	50	0	20	2	4	16	22	186
Murrieta S.	16	40	0	0	5	0	2	18	34	115
Nasta, Mike	16	60	50	0	30	0	2	10	34	202
Nasta Mike Jr.	14	100	50	0	30	2	2	14	34	246
Panagia Bill	2	40	50	0	30	2	2	14	20	160
Peterson, J	4	30	0	68	20	0	0	8	14	144
Regan B	2	40	0	0	5	0	1	8	0	59
Riley Jr.	6	50	0	68	5	2	2	14	8	155
Riley D	2	20	0	0	5	0	0	12	10	49
Riley Hugh	12	100	50	0	30	2	4	14	34	246
Rossi, L	16	75	25	0	5	2	4	18	44	189
Tappari	0	0	25	0	5	0	4	0	0	33

HIGHLIGHTED Denotes Did Not Qualify



TOWNSHIP OF SOUTH HACKENSACK

TOWNSHIP COMMITTEE

GARY C. BRUGGER, MAYOR
FRANK CAGAS
WALTER ECKEL, JR.
WILLIAM REGAN
VINCENT STEFANO

227 PHILLIPS AVENUE
SOUTH HACKENSACK, NEW JERSEY 07606
BERGEN COUNTY

Phone (201) 440-1815
Fax (201) 440-0719

January 30, 2012

The Township Committee
The Township of South Hackensack
227 Phillips Avenue
South Hackensack, NJ 07606

RE: Township of South Hackensack Planning Board
Request for Changes in 108-19. Chapter 192;B;(8)
Request Increase in Required Escrow for all other applications

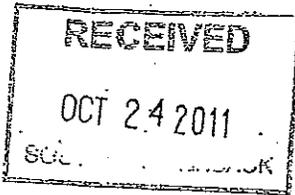
Dear Township Committee:

The Township of South Hackensack Planning Board voted and recommends an increase in the required escrow for "all other applications" to \$2,500.

Sincerely,

Lydia Heinzelman
PB/ZN Secretary

Cc: Planning Board
File



5.01/10

Permit No. SH5010-2
Fee Paid: 250
Escrow Deposit: 1.50

Code of the
Township of South Hackensack
CH 189 Streets and Sidewalks

Emergency

Date 10/24/11

APPLICATION FOR STREET OPENING PERMIT

Application is hereby made by:

Name Brian Frew

Address 68 Franklin St S. Hack. N.J 07606

Telephone Number (s) _____

To open 68 Franklin St on 10/24/11

For a maximum distance of Fifteen feet and a maximum width of

three feet; Total square yardage 45 sq. ft. s.y.

Type of Existing Pavement MACADAM

For the Purpose of sewer pipe repair

Will power tools be used? yes Will excavation be more than 18" deep? yes

Utility Markout Number _____

Approved: Jim Riley 10/24/11
Jim Riley, Construction Code Official

Remarks:

Cc: Police Dept.
Plumbing Sub-Code Official
DPW Supt.



RECEIVED
OCT 25 2011
SOUTH HACKENSACK
MUNICIPAL CLERK

Township Of South Hackensack Dept. Public Works

Lawrence J. Paladino, Jr. CPWM
Superintendent
77 Franklin Street
South Hackensack, NJ. 07606

Telephone 201-440-3283
Fax 201-641-0393

October 25, 2011

To: Mayor & Council

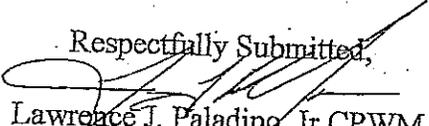
From: Lawrence J. Paladino, Jr CPWM
Superintendent

Re: Sewer Line break at 68 Franklin St.

Dear Mayor & Council;

On Saturday October 22, 2011; Mr. Brain Frew of 68 Franklin St had a sewer back up into is basement. Mr. Frew was unable to use his bathroom or sinks for the rest of the weekend. It is my understanding that Mr. Frew and his family stayed in a hotel until the sewer line was fixed. Mr. Frew hired Absolute Construction at 1-800-435-6249 to come down on Monday October 24, 2011 to dig up his lateral. I was on vacation Monday, October 24, 2011 and I'm told that Mr. Frew got the permits to dig up the sewer line and roadway. The contractor replaced a section of pipe on Mr. Frew grass and installed a clean out behind the curb. He also had to dig the rest of the lateral going to the Township sewer line. They found a tee on top of the township main was severely clogged; the tee was in cased in concrete, so the contractor had to break away the concrete to expose the tee. They replaced the tee with an elbow and replaced the section of pipe going back to Mr. Frew grass. The contractor will come back and repave the roadway. Thomas Yannetti told me that Mr. Reily and Mr. Falato came during the day and looked at the job.

Respectfully Submitted,


Lawrence J. Paladino, Jr CPWM
Superintendent

Cc/ Linda Lo Piccolo

10/25/11
LSP

RECEIVED

NOV 07 2011

SOUTH HACKENSACK
MUNICIPAL CLERK

November 2, 2011

South Hackensack Township
Municipal Building
227 Phillips Ave.
South Hackensack, NJ 07606

Re: 68 Franklin St. Sewer Problem
D.O.A.: 10/22/2011

Dear Esteemed Committee Members of the Township of S. Hackensack,

On Saturday, October 22, 2011, I had a severe sewage back up into my basement. My basement toilet over flowed when my washing machine was discharging water into my slop sink.

Due to this problem, I called an emergency plumber in to snake the sewer line. After several attempts, he could not clear the blockage. I was informed that the problem was by the sewer main, in the street in front of my house. I gathered up my family, packed some bags, and rented a motel room for two nights. I could not run any water or use my toilets.

On Sunday, October 23, 2011, I went into contract with A-Absolute Construction Inc., to get the problem resolved.

As a resident of South Hackensack and a home owner, I believe my property ended at the curb. Therefore, I am solely responsible financially up to my curb. I do not own the street!

This repair on the street, I strongly feel is the responsibility of the Township of South Hackensack.

Enclosed you will find a copy of the bill for the street side of this sewer repair. I am requesting reimbursement for the "street side" of the repair. Once I again I do not own the street!

Sincerely,

Brian Frew
bbjfrew@optonline.net
phone: (201) 440-2908

Main Billing Office:
115 East 11th Ave,
Roselle, NJ 07203

A-ABSOLUTE CONSTRUCTION INC.

Plumbing - Drain & Sewer Cleaning - Heating - A/C

FAX: (908) 259-9808

Union County 800-435-6249
Monmouth County 800-385-9514
Bergen County 800-385-9521

Middlesex County 800-385-9513
Hudson County 800-385-9519
Essex County 800-385-9516

Somerset County 800-385-9518
Morris County 800-385-9515
Passic County 800-385-9517

Burlington County 800-464-1210
Ocean County 866-632-2195
Camden 888-654-1310

Mercer 877-878-8893

CUSTOMER NAME: Brian Few

ADDRESS: 63 Franklin St CITY: Hakensack STATE: NJ

HOME PHONE: () _____ WORK PHONE: () _____

CELL # _____ Estimate Contract FAX # _____

Plumbing Sewer & Drain Cleaning Heating Air Conditioning

FREE FINANCING AVAILABLE ON ALL JOBS

JOB DESCRIPTION: To dig down on foot of house
to expose old sewer main and install new
1/2" PASS inspection and back fill

Customer will pay the cost of all permits, bonds and police officers additional to the price.

A-Absolute Construction Inc. will not be responsible for sewer or water damage which may occur when using a high pressure jet as a result of having to open up a line in order to free it.

A-Absolute Construction Inc. will not be responsible to repair concrete work, pavement, landscaping shrubs, and fences when digging, unless stated in contract. If infrared paving is required by city, customer will pay costs additional to price.

When filling or removing oil tank, customer will pay all costs of oil pump out. Customer will be responsible for all expenses due to oil tank leaks.

Guarantee: All our work (parts-labor) is guaranteed for the following periods. Our Guarantee begins on completion of job.

1 Year(s) on Labor
1 Year(s) on Parts
_____ Days
_____ No Guarantee

Payment/Schedule	Deposit	\$ _____	Date _____
	Delivery of Materials	\$ _____	Date _____
	Plumbing Completion	\$ _____	Date _____
	Inspections	\$ _____	Date _____
	Total Completion of Job	\$ _____	Date _____

Type of Payment
Cash _____ Check# _____

Note _____ Credit Card # _____ Exp: _____
Day start job: 10, 24, 11 Day finish job: 10, 25, 11

SUB-TOTAL \$ 2000
TAX \$ _____
TOTAL \$ 2000

Payment is due upon receipt of this bill
Date 10, 25, 11

Sub contractor: _____
A-Absolute Construction Inc. is not responsible for delays caused by bad weather, acts of God or employees removed from job site due to accident or poor health.

Customer Signature [Signature]
Upon signing this contract I agree to all terms and conditions

Customer Signature [Signature]
Upon signing this contract I am satisfied with the work performed by A-Absolute Construction Inc.

Sales representative/Service Man [Signature]

115 East 11th Avenue • Roselle, NJ 07203

Purchaser shall pay a service charge in the amount of 1 1/2% per month calculated monthly on the amount due from the date that appears on the invoice. If the purchaser fails to pay the entire amount due within 30 days of receiving invoices, seller may at any time after that period retain the services of an attorney to collect the amount due, and the purchaser agrees to pay seller's court costs for collection and attorneys fees, in addition to balance on invoice. Purchaser acknowledges that attorneys fees and court cost will be at least 1/3, but not more than 1/2 of the outstanding amount due. ALL QUOTES ARE ONLY VALID FOR 30 DAYS FROM THIS DATE. After 30 days, A-ABSOLUTE CONSTRUCTION INC. cannot guarantee its price and reserves the right to revise based on increased costs of parts and/or labor. \$25 Charge will be paid for any bad check from customer.

Office use only _____

Main Billing Office:
115 East 11th Ave,
Roselle, NJ 07203

A-ABSOLUTE CONSTRUCTION INC.

Plumbing - Drain & Sewer Cleaning - Heating - A/C

FAX: (908) 259-9808

Union County 800-435-6249
Monmouth County 800-385-9514
Bergen County 800-385-9521

Middlesex County 800-385-9513
Hudson County 800-385-9519
Essex County 800-385-9516

Somerset County 800-385-9518
Morris County 800-385-9515
Passic County 800-385-9517

Burlington County 800-464-1210
Ocean County 866-632-2195
Camden 888-654-1310

Mercer 877-878-8893

CUSTOMER NAME: _____

ADDRESS: 68 Franklin St CITY: S. Havensack STATE: NJ

HOME PHONE: () _____ WORK PHONE: () _____

CELL # _____ Estimate Contract FAX # _____

Plumbing Sewer & Drain Cleaning Heating Air Conditioning

FREE FINANCING AVAILABLE ON ALL JOBS

JOB DESCRIPTION: SAW CUT ROAD WAY FROM CURB UP TO CITY
DRAIN SEWER LINE 1/2" DIA DOWN AND EXPOSE
ALL DAMAGE PIPE FOUND PROBLEM AT THE
TEE ON MAIN REMOVE AND REPLACE FOR NEW
PER PIPE PRESS INSPECTION AND BACK FILL
REMOVE ROAD WAY
(CUSTOMER WILL PAY POLICE DIRECT.)

Customer will pay the cost of all permits, bonds and police officers additional to the price. XBJ

A-Absolute Construction Inc. will not be responsible for sewer or water damage which may occur when using a high pressure jet as a result of having to open up a line in order to free it.

A-Absolute Construction Inc. will not be responsible to repair concrete work, pavement, landscaping shrubs, and fences when digging, unless stated in contract. If infrared paving is required by city, customer will pay costs additional to price.

When filling or removing oil tank, customer will pay all costs of oil pump out. Customer will be responsible for all expenses due to oil tank leaks.

Guarantee: All our work (parts-labor) is guaranteed for the following periods. Our Guarantee begins on completion of job.

1 Year(s) on Labor
1 Year(s) on Parts
____ Days
No Guarantee

Payment/Schedule Deposit \$ _____ Date _____
Delivery of Materials \$ _____ Date _____
Plumbing Completion \$ _____ Date _____
Inspections \$ _____ Date _____
Total Completion of Job \$ _____ Date _____
Type of Payment
Cash _____ Check# 0467

Note _____ Credit Card # _____ Exp: _____
Day start job: 10 / 24 / 11 Day finish job: 10 / 25 / 11

SUB-TOTAL \$ 5000
TAX \$ _____
TOTAL \$ 5000

Sub contractor: _____
A-Absolute Construction Inc. is not responsible for delays caused by bad weather, acts of God or employees removed from job site due to accident or poor health.

Customer Signature XBJ Date 10 / 25 / 11
upon signing this contract I agree to all terms and conditions
Customer Signature XBJ Date 10 / 25 / 11
upon signing this contract I am satisfied with the work performed by A-Absolute Construction Inc.
Sales representative/Service Man KPK Date 10 / 25 / 11

115 East 11th Avenue • Roselle, NJ 07203

Purchaser shall pay a service charge in the amount of 1 1/2% per month calculated monthly on the amount due from the date that appears on the invoice. If the purchaser fails to pay the entire amount due within 30 days of receiving invoices, seller may at any time after that period retain the services of an attorney to collect the amount due, and the purchaser agrees to pay seller's court costs for collection and attorneys fees, in addition to balance on invoice. Purchaser acknowledges that attorneys fees and court cost will be at least 1/3, but not more than 1/2 of the outstanding amount due. ALL QUOTES ARE ONLY VALID FOR 30 DAYS FROM THIS DATE. After 30 days, A-ABSOLUTE CONSTRUCTION INC. cannot guarantee its price and reserves the right to revise based on increased costs of parts and/or labor. A \$25 Charge will be paid for any bad check from customer.

Office use only

LFN 2012-3

January 25, 2012

Local Finance Notice

Chris Christie
Governor

Kim Guadagno
Lt. Governor

Richard E. Constable, III
Commissioner

Thomas H. Neff
Director

Contact Information

Director's Office
V. 609.292.6613
F. 609.292.9073

Local Government Research
V. 609.292.6110
F. 609.292.9073

Financial Regulation
and Assistance
V. 609.292.4806
F. 609.984.7388

Local Finance Board
V. 609.292.0479
F. 609.633.6243

Local Management Services
V. 609.292.7842
F. 609.633.6243

Authority Regulation
V. 609.984.0132
F. 609.984.7388

Mail and Delivery
101 South Broad St.
PO Box 803

Trenton, New Jersey
08625-0803

Web: www.nj.gov/dca/lgs

-mail: digs@dca.state.nj.us

Moving School Elections to the November General Election (P.L. 2012, c.202)

On Tuesday, January 17, Governor Christie signed into law Chapter 202 of the Laws of P.L. 2011 (A-4394/S-3148) establishing procedures for moving the date of a school district's annual school election from April to the General Election in November. Under the new law, districts that have their school board members elected in November no longer have to submit their budgets (that meet levy cap requirements) for voter approval. Only a school board decision to exceed the levy cap would have to receive voter approval, and that would be on the November ballot.

The change in election date can be made by the board of education itself, the municipality (or municipalities that are members of a regional board), or by citizen petition. To help school boards and municipal governing bodies decide whether or not they want to change the election, a Questions and Answers document has been prepared to help guide local decision making. As the document states, school boards and municipal governing bodies are advised to adopt resolutions to make the change and notify their County Clerks **no later than February 17.**

The passage of this law with bi-partisan support provides both taxpayer savings and increased voter participation in the process. We urge prompt consideration and quick action to take advantage of this new opportunity.

Richard E. Constable III
Acting Commissioner

Distribution

Municipal Clerks

TOWNSHIP OF SOUTH HACKENSACK
COUNTY OF BERGEN
ORDNANCE NO. 2012-

For Review

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 that Chapter 108 Section 19 "Chapter 192 Subdivision and Land Development" be amended and supplemented as follows:

Section I: Chapter 108-19 -- "Chapter 192 Subdivision and Land Development" is hereby amended as follows:

Sec. 108-19B(8)Escrows- In payment for services rendered by various township professionals each applicant shall post at the time of making application to the Board of Adjustment or Planning Board the sum of \$500 for residential applications and the sum of \$2,500 for all other applications as and for escrow to be applied to the fees and charge of the Board's professionals, inspection fees, advertising and such other costs as may be incurred by the Board in connection with any application up to the point of final approval thereon. Said sum may be adjusted from time to time on notice from the Board or its professionals.

Section II: All ordinance or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of said inconsistency.

Section III: If any portion of this ordinance is found to be invalid or unconstitutional by a court of competent jurisdiction the remainder of this ordinance shall remain in full force and effect.

Section IV: This ordinance shall take effect upon passage and publication as required by law.

ATTEST

Linda LoPiccolo, Township Clerk

Gary Brugger, Mayor

Introduced:

Adopted:

TOWNSHIP OF SOUTH HACKENSACK
COUNTY OF BERGEN
ORDINANCE NO. 2012-

*Am
Revised*

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 208 OF
THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED
"ZONING"

BE IT ENACTED AND ORDAINED, by the Township Committee of the Township of
South Hackensack that Chapter 208 "Zoning" be amended and supplemented as follows:

Section I: Chapter 208-8 M District- Mixed Use Zone shall be amended as follows:

208-8(B) Area and Yard Requirements

208-8(B)(3) All other permitted uses.

Area, minimum	20,000 square feet
Lot	
Maximum coverage	35%
Width, Minimum	100 feet
Depth, Minimum	125 feet
Yards	
Front yard setback, minimum	45 feet
One side yard, minimum	20 feet
Both side yards, minimum	40 feet

Rear yard, minimum	35 feet
Off- street parking spaces	
Eating and drinking places	1 per 4 seats plus 10% of Required for employees
Fast-food restaurants	1 per s seats plus 10% of Required for employees
Barber shops, beauty parlors and Similar service establishments	1 per 2 chairs or individual Service areas
Retail sales of goods and services	1 per 200 square feet of Gross floor area less bulk Storage area 1 per 700 square feet of Bulk storage area
Landscape Area, minimum	20%
Structures height, maximum	
Stories	3
Feet	50

Section II: Chapter 208-1 "Definitions" shall be amended as follows:

1. Definitions of "Floor Area" and "Gross Floor Area" are hereby deleted.

2. The following definition is added:

Living Area- The sum of the interior room dimensions exclusive of closets, cabinets, stair wells, halls, wall space, bathrooms and garages but including finished or unfinished basements.

Section III: Chapter 208-3 "Lots in two districts" shall be amended as follows:

Sec 208-3 – In case the boundary line of any district shall through any lot the regulations of the more restricted district shall apply.

Section IV: Chapter 208-4 "A District- One and Two Family Residential Zone" shall be amended as follows:

1. Sec, 208-4 (A) (3) is hereby deleted.
2. Sec. 208-4 (A-I) "Accessory Uses" is hereby added as follows:

(1) Home/Professional Office- As defined in 208-1A provided that the professional practicing in the occupation resides on the premises and further provided that no more than 1/3 of the area of one floor is so used, not more than two persons other than the resident professional work or are employed as assistants to the professional in such office and such office is entirely within the principal building. In no event may the uses permitted in A(1) and (2) be combined with this permitted accessory use to create three or more units on one lot. An affidavit to this effect will be submitted when required by the Zoning Enforcement Officer.

Section V: Chapter 208-4B "Area and yard requirements" shall be amended as follows:

1. "Maximum Impervious Area" is deleted and "Maximum Lot Coverage is inserted in its place.
2. "Maximum square feet total" is deleted and "Maximum Gross Square Footage" is inserted in its place.

Section VI: Chapter 208-6 "B District – Commercial Zone" shall be amended as follows:

M. Miscellaneous requirements.

- (1) Accessory buildings. Accessory buildings shall not be located in required side yards or setbacks.
- (2) Access and egress. Access to or egress from any nonresidential use the B District to any residential zone shall be prohibited.
- (3) Floodlighting of industrial buildings. Floodlighting of industrial building front, side and rear yards is permitted, provided that all such lights shall be shielded and beams so directed so as not to cause glare on adjoining buildings or properties. No floodlight, spotlight or other light shall be erected in such a manner that its beam shall be directed in whole or part towards a street, roadway or highway or toward adjoining property or in any way or manner that will cause a traffic hazard due to its glare.
- (4) Enclosure required. All permitted usages and all storage accessory thereto, other than off-street parking, shall be carried on in buildings full enclosed on all sides.
- (5) Site development plan approval. Site development plan approval shall be required prior to the issuance of building permits for the erection or expansion of all conditionally permitted structures.

N. Performance standards.

- (1) No use shall be established, maintained, conducted or permitted in any B District so that the same will cause any of the following:

- (a) Dissemination of smoke, dust, fumes, gas or noxious odors or other atmospheric pollutant which constitutes a hazard to the personal well being of the Township residents as determined by the Environmental Protection Agency or any other regulatory agency, as well as hazard from fire, explosion or atomic radiation.
 - (b) Sound level in excess of that provided pursuant to New Jersey Department of Environmental regulations (N.J.A.C. 7:29).
 - (c) Vibration beyond the immediate site on which such use is conducted.
 - (d) Odors noticeable at the lot-line and beyond.
 - (e) Physical hazard by reason of fire, explosion, radiation or similar cause to the property of adjacent property.
- (2) Regulation of fences and transformers. No fence, wall, hedge or transformer shall be located in the front yard.
- (3) Explosive substances. The sale, storage or handling of explosive substances is prohibited.

Section VII Chapter 208-7 "C District-Industrial Zone" shall be amended as follows;

1. Section 208-7A (6) is deleted in its entirety.
2. Section 208-7A (15) is hereby amended to read as follows: "Retail and Wholesale sales of goods and service except as prohibited herein."
3. Section 208-7B shall delete the following language: "Note: In the C District, the building may be constructed on one side line."

Section VIII Chapter 208-7 F " Off- Street Parking requirements" is amended as follows:

208-7(F)(1) shall read as follows: "Front yard parking in the C District shall be prohibited where the front lot line is adjacent to a public right of way."

208-7(F)(6) " Home Occupation and professional office shall provide one space for each non-resident employee, plus the number required for the dwelling unit. (on site).

208-7(F)(7) "Business-retail-wholesale"

Retail store or personal service Establishment except as more Specifically referenced herein	1 per 200 square feet of gross floor area less bulk storage area
--	--

Coin operated dry-cleaning Establishment	1 per 2 machines plus 1 per full time employee
--	--

Coin operated Laundromat	1 per 2 machines plus 1 per full time employee
--------------------------	--

208-7(F)(8) "Administrative Office" 1 per 400 square feet of gross floor area

208-7 (F)(9) " Business-office"

General office use without gross floor area Designed to service customers	1 per 400 feet of counter or similar facility
---	---

General office use facility designed to Service customers	1 per 250 square feet of gross with or without Counter or similar floor area
General office use with counter Or similar facility designed to service Customers	1 per 250 square feet of gross floor area
Office or clinic of physician or dentist	1 per 100 square feet of Gross floor area
Financial institution	1 per 300 square feet of Gross floor area
Veterinary office or animal clinic	1 per 250 square feet of Gross floor area
208-7(F)(10) "Light industrial"	
Research activities	1 per 750 square feet of Gross floor area
Manufacturing activities	1 per 800 square feet of Gross floor area
Assembly activities	1 per 800 square feet of Gross floor area
Receiving and shipping	1 per 5,000 square feet of Gross floor area

Section IX Chapter 208-8 "M District- Mixed Use Zone" is amended as follows:

F. Miscellaneous requirements.

- (1) Accessory buildings. Accessory buildings shall not be located in required side yards or setbacks.
- (2) Access and egress. Access to or egress from any nonresidential use the B District to any residential zone shall be prohibited.

- (3) Floodlighting of industrial buildings. Floodlighting of industrial building front, side and rear yards is permitted, provided that all such lights shall be shielded and beams so directed so as not to cause glare on adjoining buildings or properties. No floodlight, spotlight or other light shall be erected in such a manner that its beam shall be directed in whole or part towards a street, roadway or highway or toward adjoining property or in any way or manner that will cause a traffic hazard due to its glare.
- (4) Enclosure required. All permitted usages and all storage accessory thereto, other than off-street parking, shall be carried on in buildings full enclosed on all sides.
- (5) Site development plan approval. Site development plan approval shall be required prior to the issuance of building permits for the erection or expansion of all conditionally permitted structures.

G. Performance standards.

- (1) No use shall be established, maintained, conducted or permitted in any B District so that the same will cause any of the following:
- (a) Dissemination of smoke, dust, fumes, gas or noxious odors or other atmospheric pollutant which constitutes a hazard to the personal well being of the Township residents as

determined by the Environmental Protection Agency or any other regulatory agency, as well as hazard from fire, explosion or atomic radiation.

- (b) Sound level in excess of that provided pursuant to New Jersey Department of Environmental regulations (N.J.A.C. 7:29).
- (c) Vibration beyond the immediate site on which such use is conducted.
- (d) Odors noticeable at the lot line and beyond.
- (e) Physical hazard by reason of fire, explosion, radiation or similar cause to the property of adjacent property.

(2) Regulation of fences and transformers. No fence, wall, hedge or transformer shall be located in the front yard.

Explosive substances. The sale, storage or handling of explosive substances is prohibited.

Section X: Chapter 208-8 (B)(2) shall be amended as follows:

208-8(B)(2) Professional, Business and Governmental Offices, banks, savings and loans, mortgage offices, brokerage houses or other investment related offices and post offices.

Section XI: All ordinance or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of said inconsistency.

Section XII: If any portion of this ordinance is found to be invalid or unconstitutional by a court of competent jurisdiction the remainder of this ordinance shall remain in full force and effect.

Section XIII: This ordinance shall take effect after referral to the South Hackensack Planning Board as required by law and upon passage and publication as required by law.

ATTEST

Linda LoPiccolo, Township Clerk

Gary Brugger, Mayor

Introduced:

Adopted:

Linda LoPiccolo

From: David Nasta [nastalaw@aol.com]
Sent: Monday, January 30, 2012 9:32 AM
To: 'Gary Brugger 2'; 'Walter Eckel'; 'Frank Cagas 2'; 'Vincent Stefano'; 'Town email'
Cc: 'Linda LoPiccolo'
Subject: Shade Tree Ordinance

Top Review

Good Morning All-

As you know the committee directed me to prepare certain revisions to the shade tree ordinance which included changing the escrow to \$300 (from what was believed to be \$100) and including a provision that all work be done within 8 months of approval. After reviewing the current ordinance I believe that there may be some misunderstandings which should be reviewed first. Specifically, as currently written we require a minimum escrow of \$200 which the township engineer has the discretion to increase. Second, we define the replacement period as 365 days. Of course, we can shorten that to 8 months but I believe the committee was under the impression that no time frame existed. Third, the shade tree commission has the authority to designate what types of trees can be used for planting and replanting. The township engineer then must designate from those choices. Fourth, although not discussed, the ordinance give a vast amount of authority to the township engineer (some of which may currently or should be exercised by the shade tree commission).

May I suggest that now that we have had the ordinance in place for over a year that we sit down and review it top to bottom to make all the necessary "tweaks". As we discussed when we implemented the ordinance we would need to give it a top to bottom review after living with it for a period of time. The proposed amendments may be misplaced and other may be necessary. We should do it once now so that any amendments are ready for spring. Perhaps I can sit with Frank as the committee member to the shade tree commission (and whoever else the mayor designates) to go through the ordinance, report any necessary amendments and then craft the revised ordinance. Of course if there are any questions please give me a call. I await the committee's direction.

David

Mauro D. Raguseo
Mayor

Michael Capabianco
Borough Administrator

Barbara Maldonado
Borough Clerk



George Muller, Council President
Ronald Anzalone, Councilman
Roberta Henriquez, Councilwoman
Thomas Sarlo, Councilman
Sue Schuck, Councilwoman
Peggy Steinhilber, Councilwoman

Borough of Little Ferry

215-217 LIBERTY STREET • LITTLE FERRY, NJ 07643
201-641-9234 201-641-1957 FAX
www.littleferrynj.org

January 17, 2012

Dear Dr. DeFabiis,

This is to verify that the recently purchased Sweepstar 60 Turf Sweeper has been inoperable for the last two and a half (2 ½) months. We had it repaired on Tuesday, January 10th. At this time, please be advised that it is inadvisable to drive the sweeper in the street because it is not street legal. In addition, we do not have a trailer to transport it. Also be advised that our older model turf sweeper has not been operable for several months.

Please let me know if you have any further questions regarding this matter.

Thank you.

Sincerely,

William R. Holley
Superintendent
Borough of Little Ferry

* Distributed to ^{the} Committee for Dr. DeFabiis at the 2/2/2012 meeting