

Township of South Hackensack
Bergen County, New Jersey
February 8, 2007 7:30 P.M.
Regular Meeting
MINUTES

Gary C. Brugger, MayorPresent
Walter Eckel, Jr., Deputy MayorPresent
James AnzevinoPresent (7:55 pm)
Gene Roman.....Present
Rosina Romano.....Present

Also present:
David V. Nasta, Esq., Municipal Attorney
Linda LoPiccolo, Municipal Clerk
Approximately 20 members of the public

Call of Meeting to Order

Mayor Brugger called the Regular Meeting to order at 7:35 p.m. He advised that pursuant to the Open Public Meetings Act adequate notice of the meetings had been provided to *The Record*, *The Herald and News* and by posting a 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.

Special Proclamation/Resolution

The clerk read into the record and the mayor presented Daniel Breslin with a resolution of congratulations from the Township Committee for his induction into the Little Ferry *Wall of Fame*. He was congratulated by all members of the Township Committee. The proclamation is listed in full at the end of the minutes of this meeting.

The clerk read for the public a letter from Chief Frew to the Township Committee commending Det/Sgt Kaiser and Det. Licamara for their participation in the arrest of a suspect allegedly involved in a recent township bank robbery. Chief Frew presented each officer with an award of commendation. They were both congratulated by the members of the Township Committee.

The clerk read for the public a letter from Chief Frew to the Township Committee commending Ptl. David Agar for his outstanding job as an

Correspondence & Reports

Eckel motioned; Romano seconded and the Committee unanimously agreed to accept and place on file: General Correspondence - January 2007

Eckel motioned; Romano seconded and the Committee unanimously agreed to accept and place on file: Monthly Department Reports

Brugger motioned; Eckel seconded and the Committee unanimously agreed to accept and place on file: Loretta D'Ambrosio, Treasurer, February 6, 2007, Bond Anticipation Note

Eckel motioned; Romano seconded and the Committee unanimously agreed to accept and approve the correspondence submitted by Sgt. Garris to Chief Frew, January 31, 2007 – 2007 Annual Inspection of Tow Companies.

Eckel motioned; Romano seconded and the Committee unanimously agreed to accept and place in the appropriate file correspondence from Michael D. Frew, Chief of Police, dated February 1, 2007 – Re: Patrolman Agar

Eckel motioned; Romano seconded and the Committee unanimously agreed to accept correspondence from Victor M. Gardella, Risk Manager/Insurance Consultant, January 30, 2007 – Suggestion regarding all professionals

Old Business

Hoffman Street – Agreement with Hackensack for services
David Nasta advised that he will nail down an Agreement with Hackensack officials since no Agreement has been produced by them. He will report back at the March meeting.

New Business

None discussed

Ordinances

Second Reading, Public Hearing and Adoption of
ORDINANCE NO. 2007-01
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED “FEE” SO AS ESTABLISH LEGAL SERVICE RATES FOR LAND USE BOARD APPLICANTS

Eckel motioned; Romano seconded to open the public hearing. All in favor.

There were no public comments. Eckel motioned; Brugger seconded to close the public comment. All in favor.

Eckel motioned; Brugger seconded to adopt Ordinance 2007-01 and advertise its adoption as prescribed by law. Roll Call Vote: Ayes: Eckel, Roman, Romano, Brugger. Abstain: Anzevino

Second Reading, Public Hearing and Adoption of

ORDINANCE No. 2007-02

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

Brugger motioned; Eckel seconded to open the public hearing on Ordinance 2007-02. All in favor.

Dolly Montenegro, 57 Phillips Avenue – Objected to the portion of the ordinance that requires an inspection prior to being placed with a realtor or rented.

Mr. Paladino asked if the fee would be waived for senior citizens or would they receive a discount. He was advised that there is no provision in the ordinance to exempt or discount the \$50 fee for senior citizens.

Bill Regan, Dyer Avenue – Questioned how illegal 3-family houses will be identified and suggested that all 2-family dwellings be inspected.

Eckel motioned; Anzevino seconded to close the public hearing on Ordinance 2007-02. All in favor.

Eckel motioned; Anzevino seconded to adopt ordinance 2007-02 with the following amendment to remove the following language: 30INo real estate agency, company, or other entity that is entitled to receive a commission or other emolument on account of the rental of an covered by this ordinance shall list, advertise or otherwise aid or assist or attempt to aid or assist in the rental of such apartment which does not have a certificate of inspection. Roll Call Vote: Ayes: Anzevino, Eckel, Roman, Romano, Brugger.

Resolutions

Consent Resolution No. 2007-02

Offered: Anzevino

Second: Eckel

Roll Call Vote: Ayes: Anzevino, Eckel, Roman, Romano, Brugger

Resolution No. 2007-073 Authorizing Payment of Accumulated Unused Sick Time to Police Officer Domenick Brando Pursuant to His Disability Retirement.

Offered: Anzevino

Second: Brugger

Roll Call Vote: Ayes: Anzevino, Eckel, Romano, Brugger Abstain: Roman

Resolution – Closed Executive Session

Offered: Brugger

Second: Anzevino

Roll Call Vote: Ayes: Anzevino, Eckel, Roman, Romano, Brugger

Committee Reports

James Anzevino –

Reported on a meeting he recently had with Ms. Ruggiero of the City of Hackensack and Avis LoVecchio, South Hackensack Recreation Commissioner regarding various recreation activities. The representative from Hackensack indicated that our Township's children will be invited to participate in their programs. They also have programs available to our senior citizens. He reported that he and Rosina Romano met with Joseph Rutch, Director of Community Development and that they toured a senior housing facility. Anzevino explained the state's 20% property tax deduction proposed by the Governor. The maximum deduction will be 20% and may be in the form of a check the first year. The deduction will not affect the Property Tax Rebate Program, senior deduction, veterans programs. Since verification of income is necessary, it is still unclear if the deduction will be based on this year's or last year's taxes.

Gene Roman –

Mr. Roman congratulated all those honored at the meeting. He questioned if anyone from the committee had discussed with representatives of Hackensack the merging of our police department with theirs. No one on the committee indicated that they had such a conversation.

Rosina Romano –

Ms. Romano reported that she, the Clerk, and the Construction Official attended and received GIS training at the NJMC. The system allows users to access and obtain information regarding the Township, parcels, roadway, etc. Further training will be available in the near future for emergency service personnel. She congratulated those who were recognized for their outstanding achievements.

Rosina reported that she attended the reorganization meeting of the HMMC where the 14 municipalities that are part of the New Jersey Meadowlands District discuss matters that affect us all. At the meeting, Mayor Casella of East Rutherford indicated that he would like to see the Continental Arena saved.

Walter Eckel –

Mr. Eckel congratulated all those who were recognized for their accomplishments. He reported that he began sitting with each officer of the police department to ascertain what issues are affecting the morale of the department. He expects to bring the township and the personnel closer with the process.

Regarding the requirement to store de-icing material inside of an approved shed, Eckel questioned the direction of the committee since the salt must be either housed in an approved shed or disposed of by April 1st. Mr. Roman advised that Mr. Paladino would be meeting with someone who will propose the installation of a salt shed behind the alarm station on Huyler Street. The problem with that location is that it is not very wide and limits the size and perhaps type of shed that can be installed there. Mr. Paladino

reported to the Committee that in accordance with their instruction, he spoke with Little Ferry and Hackensack's DPW and although the shared services may sound good, during a storm when time is of the essence, Hackensack's River Street location, and Little Ferry's Mehrhof Road location may take 45 minutes to 1 hour round trip for one load of salt. Mr. Paladino does not recommend sharing the service with a surrounding municipality. He has not had an opportunity to speak with anyone from Teterboro. He suggested that a sub-committee take on the discussions with the surrounding municipalities since he has no authority to negotiate with them. Mr. Paladino would like the town to purchase and erect a 300-350 ton salt shed on Huyler Street behind the existing alarm station at an approximate cost of \$50,000 to \$70,000. Mayor Brugger requested Mr. Paladino to submit a written report before the next meeting of the Township Committee. Anzevino thought that a shared service scenario may in fact save manpower since it will not require two men to load our truck; rather one truck with one man could get the salt from Hackensack.

Mayor Brugger –

Mayor Brugger attended a Fire Board meeting last evening wherein Kevin Kopec introduced himself and began the necessary steps to implement the fire department into the town website. Brugger commended the Fire Department for their participation in a recent Hackensack Fire that resulted in a fatality. South Hackensack will host the mutual aid meeting on February 28th, and he will attend. The fire department members have requested and he agreed to closely inspect engine 401 for himself. The police chief's contract is still under review and further negotiations are expected so that the matter can be finally resolved.

Regarding the ongoing sump pump issue, the Mayor reported that Boswell submitted their recommendations and when the committee has reviewed it, further discussions will commence.

Public Comments

Eckel motioned; Anzevino seconded to open the meeting for public comments: All in favor.

Ray DeRiso, Zoning Enforcement Officer – He asked for the status of the request to purchase the township right of way along Bruce Court. The committee advised that a decision has not been made.

Chief Frew –

Commended the Fire Department for their effort and participation in the recent Hackensack fire. He said that he had not yet received a response to his request to hire new police officers. Members of the committee advised that the budget is currently being prepared and that the township is under a 4% tax increase this year. The committee is not in a position at this time to hire anyone. Currently, they are trying to keep budget lines the same as last year and having to make cuts to operating expenses and perhaps salary lines.

Dolly Montenegro, 57 Phillips Avenue –
Announced that the seniors will host a fish fry on March 23 at 6:00 p.m. The cost per dinner is \$10.00.

Larry Paladino, Phillips Ave –
Complained that the airplane noise is particularly bad Sunday evenings into Monday morning.

Eckel motioned; Romano seconded and the Township Committee unanimously agreed to end the public comments at 9:32 pm.

Closed Session

Brugger motioned; Anzevino seconded to go into closed session at 9:32 p.m. All in favor.

Eckel motioned; Brugger seconded to reopen the meeting at 9:55 p.m. All in favor.

Adjournment

Eckel motioned; Anzevino seconded to adjourn the meeting at 9:56 p.m. All in favor.

Respectfully submitted,

Linda LoPiccolo
Municipal Clerk

Consent Resolution No. 2007-2

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:

2007-065 Approve Minutes

2007-066 Authorizing The Mayor And Township Clerk To Execute A Contract With The New Jersey Housing And Mortgage Financing Agency (NJHMFA) For An Administrative Housing Officer

2007-067 Reinstate - Stale Dated Checks Previously Canceled

2007-068 Temporary Budget Amendment

2007-069 Authorize Disposal of Property

2007-070 Transfer Appropriations (2006 Budget Reserve)

2007-071 Authorize Contract Animal Control Services

2007-072 Bills \$1,657,721.66

2007-074 Authorize Liquor License

Offered: Anzevino

Second: Eckel

Roll Call Vote: Ayes: Anzevino, Brugger, Eckel, Roman, Romano

Date: February 8, 2007

Resolution No. 2007-065 Approve Minutes

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.

January 1, 2007 (sine die December 14, 2006)

January 1, 2007 (Reorganization)

January 4, 2007

January 11, 2007

Consent Resolution No. 2007-02

Date: February 8, 2007

Resolution No. 2007-066 Authorizing the Mayor and Township Clerk to Execute a Contract with the New Jersey Housing and Mortgage Financing Agency (NJHMFA) For an Administrative Housing Officer

WHEREAS, the Council on Affordable Housing, (COAH) sets forth certain rules and regulations necessary to implement the New Jersey Supreme Court's directive to make available to all residents of New Jersey opportunities to obtain low and moderate priced housing; and

WHEREAS, COAH has issued certain regulations requiring that a qualified Administrative Housing Officer be appointed in each municipality; and

WHEREAS, the NJHMFA has submitted a certain proposal attached hereto and made a part hereof to provide said administrative housing officer at what the township committee deems to be fair and reasonable terms

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that the Mayor and Township Clerk be and are hereby authorized to accept the attached proposal and execute a contract and other documents acceptable to the township attorney in accordance with the terms set forth therein.

Date: February 8, 2007
Consent Agenda Resolution No. 2007-02

Resolution No. 2007-067 Reinstate - Stale Dated Checks Previously Canceled

BE IT RESOLVED that the following checks that were canceled by Resolution 2006-169 on January 1, 2007 (Sine die December 14, 2006) be and are hereby reinstated:

Check #2721 issued to Steven Murietta on January 26, 2006 in the amount of \$500.00
Check #2747 issued to Steven Murietta on February 1, 2006 in the amount of \$100.00

Consent Agenda Resolution No. 2007-02
Date: February 8, 2007

Resolution No. 2007-069 Authorize Disposal of Property

WHEREAS, the various department heads of the Township of South Hackensack have determined that the below items are no longer need for public use, and

WHEREAS, pursuant to N.J.S.A. 40A: 11-36 and 40A: 157(a) the Township Clerk if so authorized can sell the items by open public sale at auction to the highest bidder,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, NJ that the Township Clerk be and is hereby

authorized and directed to sell the following items at public auction pursuant to and in accordance with N.J.S.A. 40A: 11-36 et. seq. and N.J.S.A. 40A: 12-13(a),

<u>Description</u>	<u>VIN Number</u>
1990 John Deere sit on lawn mower	12734
AOC Monitor, model 7ELR, serial 09473	
Propeller Pilot Keyboard, serial 79919	
Logitech Mouse, serial 08427	
Ether H16, serial 16978	
Westell DSL router, model A90-220015-04, serial 28885	
BTC Keyboard, model5201, serial 30930	
HP Deskjet 692C, Model C4224A, serial 10131	
A4Tech Mouse, Model ok-520	
AOC Monitor, model 7ELR, serial 09461	
Keyboard, serial 10050	
GE Mobile Communication serial 64138	
GE Utility Box	
Motorola Base Unit, serial C00620	
RCA Transmitter	
Plectron, serial 32112	
Motorola, serial 57J01	
2 police transmitters	
Brother fax machine, serial 86924	
GE Deskon, serial 00084	
Rockwell, serial 82907	
Acer Tower, serial 4166-3	
Blue Raleigh Mountain Bike, serial 02523	
Black Mongoose Bike, 19399	
Vertical PK7 bike, model 8575-39T	
1995 Gold Chevy Caprice VIN 49676 – min. bid \$500	
2000 Ford Crown Vic, VIN 10164 – min. bid \$500	
2001 Chevy Impala, VIN 62883 – min. bid \$500	
(2) Street hawk lightbar model sh48, series B	
(2) Street hawk lightbar model shL, series B	
(2) Street hawk lightbar model S1B1	
(1) Street hawk lightbar, model S1	
(6) Body Guard Cages made by Setina for Ford & Chevy	

Consent Agenda Resolution 2007-02
Date: February 8, 2007

Resolution No. 2007-070 Transfer Appropriations (2006 Budget Reserve)
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WHEREAS, title 40A: 4-58 of the New Jersey Statutes provides that should it become necessary during the last two months of the fiscal year to spend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefore,

and there shall be an excess in any appropriation over and above the amount claimed to be necessary to fulfill the purpose of such appropriation, the Township Committee may by resolution setting forth the facts (adopted by not less than 2/3 vote of the full membership thereof), transfer the amount of such excess of those appropriations deemed to be insufficient.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that the Township Treasurer be and is hereby authorized to make the following transfers in the 2006 Budget Appropriations.

	FROM	TO
OPERATIONS - WITHIN 'CAPS'		
Township Committee – Other Expenses	659.62	
Municipal Clerk – Salaries & Wages	177.37	
Finance – Salaries & Wages	50.75	
Tax Collector – Salaries & Wages	1,791.79	
Dispatcher – Salaries & Wages	320.47	
Municipal Clerk – Other Expenses		3,000.00
TOTALS	\$3,000.00	\$3,000.00

Consent Agenda Resolution No. 2007-02
 Dated: February 8, 2007

Resolution No. 2007-071 Authorize Contract Animal Control Services

WHEREAS, the Township Committee of the Township of South Hackensack is desirous of employing the Bergen County Animal Center at 100 United Way, Teterboro, NJ, a comprehensive animal control and shelter service operated by the County of Bergen; and

WHEREAS, a Resolution was adopted by the Bergen County Board of Chosen Freeholders provided that an agreement could be executed between the County and the municipality; and

WHEREAS, the proposed contract meets the mandatory municipal compliance with Animal Control, (NJAC Title 8-Chapter 52 4.3 and the rabies statutes, [NJSA], Chapter 19, Article 3 and Chapter 23A Facility Operations and NJAC 8:23A Veterinary public Health 1.9 Disease Control).

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey that the appropriate officials be and is hereby authorized and directed to execute the contract provided to the Township of South Hackensack by the County of Bergen for the aforesaid services in an annual fee not to exceed \$3,216.07

BE IT FURTHER RESOLVED that any additional charges shall be paid in accordance with the Fee Schedule attached to and made a part of the agreement “Animal Shelter 2007 Contract with the Township of South Hackensack”.

Consent Resolution 2006-02

Date: January 8, 2007

RESOLUTION NO. 2007-073 AUTHORIZING PAYMENT OF ACCUMULATED UNUSED SICK TIME TO POLICE OFFICER DOMENICK BRANDO PURSUANT TO HIS DISABILITY RETIREMENT

WHEREAS, Domenick Brando has served as a police officer for the Township for thirteen years; and

WHEREAS, the collective bargaining agreement between the PBA and the Township, Article XXI, requires that officers who retire with ten years of full time service are entitled to payment of accumulated sick time in the maximum amount of forty five (45) days at a rate of pay at the time of retirement; and

WHEREAS, a review of the attendance records indicates that Domenick Brando has accumulated a sick day bank of 137.5 days and as a result would be entitled pursuant to the collective bargaining agreement for payment for the 45 day maximum upon retirement; and

WHEREAS, Domenick Brando has applied to and received from the Police and Firemen’s Retirement System a disability pension and by virtue thereof is entitled to payment of accumulated sick time

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that Domenick Brando be compensated for forty five days of accumulated sick time at his daily rate of pay in effect on September 1, 2006 and those funds are allocated for said purpose.

Introduced: Anzevino

Second: Brugger

Roll Call Vote: Ayes: Anzevino, Eckel, Romano, And Brugger.

Abstain: Roman

Resolution No. 2007-074 Liquor License Renewal 2006-07

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 2006-07 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 2006-07 effective July 1, 2006, and under special conditions as noted:

0259-33-011-004 Lighthouse Restaurant Services, Inc.

Date: February 8, 2007

Consent Resolution No. 2007-02