

Township of South Hackensack  
County of Bergen, New Jersey  
March 2, 2006 7:30 P.M.  
Worksession Meeting  
MINUTES

Robyn Scholz, Mayor .....Present  
Lucindo A. LoPiccolo, Jr., Deputy Mayor.....Present  
James Anzevino .....Present  
Gary Brugger .....Present  
Walter Eckel, Jr.....Present

Also present:

David V. Nasta, Esq., Municipal Attorney  
Linda LoPiccolo, Municipal Clerk  
Rosemarie Giotis, Tax Collector/ CFO

### Call of Meeting to Order

Mayor Scholz called the meeting to order at 7:30 p.m. She 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 role.

Mayor Scholz motioned; Brugger seconded to go out of regular order of business to discuss the resurfacing of Green Street and the receipt of those bids. All in favor.

Barbara Nemchek, P.E., Boswell Engineering provided the committee with a spreadsheet tabulation result of the bids received on Tuesday, February 28, 2006, to resurface Green Street in its entirety. David Nasta provided his review dated March 1, 2006 to the committee relative to their compliance with the Local Public Contracts Law. In his correspondence he advised that English Paving who submitted the lowest base bid did not submit a signed non-collusion affidavit, a non-waivable defect and must be rejected. Nemchek went on to explain that the \$125,000 allocated for construction is not sufficient to award the contract for the base bid plus the 3 alternate bids. Boswell Engineering is going to recommend to the committee that they award for the base plus all alternates to provide for the best and most complete project. The committee discussed several options, and after considerable consideration requested that Ms. Nemchek seek a construction deadline extension of the grant from the state DOT so that the township may increase the funding so that adequate funds will be available to award the bid for the base plus all three alternates. Barbara Nemchek exited the meeting.

Gary Brugger motioned; Walter Eckel motioned to return to the regular order of business. All in favor.

## Correspondence

LoPiccolo motioned; Anzevino seconded to accept the correspondence dated February 27, 2006 from Diane Brando requesting reappointment as Deputy Court Administrator, and re-appoint her effective March 6, 2006 with an annual salary of \$17,500. Roll Call Vote: Ayes: Anzevino, Brugger, Eckel, LoPiccolo, Scholz

Brugger motioned; LoPiccolo seconded to accept the correspondence dated February 15, 2006, from Chief Michael Frew recommending Zoraida Hidalgo as an alternate crossing guard, and further to approve that appointment effective immediately. Roll Call Vote: Ayes: Anzevino, Brugger, Eckel, LoPiccolo, Scholz.

Eckel motioned; Brugger seconded to accept the correspondence dated February 28, 2006, from Rosemarie Giotis, Tax Collector Re: Sewer User Charges, Block 6 Lot 1, 11 Agar Place, and further to abate the charges

Anzevino motioned; Brugger seconded to accept the correspondence dated February 28, 2006, from Rosemarie Giotis, Tax Collector/CFO recommending that the 2006 sewer user charge imposed for 218 Huyler Street in the amount of \$1,232.80 be abated. All in favor.

## Old Business

Creation of Municipal Website, Posting municipal Code to web server (General Code). Anzevino suggested that the clerk obtain a written proposal from Mr. Kopek for consideration by the committee for March 8, 2006 meeting.

Senior Citizen Housing – Review and approve survey for distribution

The committee reviewed the draft of survey. Mr. Anzevino had some suggestions for changes. He will now prepare those changes and submit to the members of the governing body for their review and final approval on March 9, 2006.

Lighthouse Restaurant Services, Inc., Entertainment License Hearing on Resolution No. 2006-061. Mr. Weiner has requested an adjournment of the matter until March 9, 2006. Nasta advised that Mr. Weiner is expected to appear on March 9, 2006 regarding the entertainment license for LACE.

Pleasure Lounge, Entertainment License – Received correspondence from attorney that the municipal court matter has been adjourned until March 23, 2006. Mr. Nasta advised that Mr. Chessin is expected to appear at the conclusion of the municipal court matter, tentative appearance on April 6, 2006.

Construction Office – Computer Software Program – Review & Recommend by Official. James Riley, Construction Code Official reported that eventually all municipalities will be required to issue computerized permits and reports, and that he would recommend the



## Committee Reports

Walter Eckel - No report

Lou LoPiccolo – No report

Gary Brugger – Disappointed that all cars were not removed during last week's snow storm. The police department and department of public works should coordinate the removal of all vehicles to facilitate plowing and the safety of the residents.

Jim Anzevino – Discussed a sports Hall of Fame. Advised that there will be a beefsteak dinner held at the fire house on March 18, 2006, and a fish n chips dinner held on March 24, 2006 at the senior citizens center. All were invited and encouraged to attend.

Robyn Scholz – Reminded everyone that County Executive's shared services conference will be held on Wednesday, March 15, 2006. Mr. Brugger suggested that the clerk or her designee attend. She asked Mr. Eckel to forward a cooperative purchasing survey to Mr. Paladino for completion. Regarding recently adopted legislation, Mayor Scholz requested David Nasta to look into S650 that prohibits acts of graffiti. Lastly, she reported that Lifeline Screening will be held in the senior citizens center on March 31, 2006.

## Public Comments

LoPiccolo motioned; Eckel seconded to open the meeting for public comments. All in favor. No public comments were offered. Anzevino motioned; Brugger seconded to close the meeting for public comments. All in favor.

## Closed Session

Personnel, Litigation, Contract Negotiations

Eckel motioned; Brugger seconded to go into closed session at 9:15 p.m. All in favor.

Anzevino motioned; Eckel seconded to open the meeting to the public at 10:15 p.m. All in favor.

## Adjournment

Prior to adjournment, Brugger motioned; Anzevino seconded to authorize Angelo Sortino to use 3 sick days if they are available to him, or if not, to use 3 vacation days for February 22<sup>nd</sup>, 23<sup>rd</sup>, and 24<sup>th</sup>. All in favor.

Anzevino motioned; Brugger seconded to adjourn the meeting at 10:17 p.m. All in favor.

Respectfully submitted,

Linda LoPiccolo  
Municipal Clerk

## Resolution Authorizing Executive Session

A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12.

Whereas, the Township Committee of the Township of South Hackensack is subject to certain requirements of the *Open Public Meetings Act, N.J.S.A. 10:4-6*, et seq., and

Whereas, the *Open Public Meetings Act, N.J.S.A. 10:4-12*, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

Whereas, it is necessary for the Township Committee of the Township of South Hackensack to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

  (1) *Matters Required by Law to be Confidential*: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

  (2) *Matters Where the Release of Information Would Impair the Right to Receive Funds*: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

  (3) *Matters Involving Individual Privacy*: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

  X (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.

  X (5) *Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds*: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

  (6) *Matters Relating to Public Safety and Property*: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.

  X (7) *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege*: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

X (8) *Matters Relating to the Employment Relationship*: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

  (9) *Matters Relating to the Potential Imposition of a Penalty*: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

Now, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack, assembled in public session on this date, that an Executive Session closed to the public shall be held in the South Hackensack Township Municipal Complex, 227 Phillips Avenue, South Hackensack, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

The foregoing resolution was duly adopted by the Township Committee of the Township of South Hackensack at a public meeting held on March 2, 2006

Linda LoPiccolo  
Township Clerk