

Township of South Hackensack  
Bergen County, New Jersey  
March 4, 2010 7:30 P.M.  
Worksession Meeting  
MINUTES

James Anzevino, Mayor.....Present  
Walter Eckel, Jr., Deputy Mayor .....Present  
Gary Brugger .....Present  
Frank Cagas .....Present  
Gregorio Maceri.....Present  
Also present:  
David V. Nasta, Esq., Municipal Attorney  
Linda LoPiccolo, Municipal Clerk

### Call of Meeting to Order

Mayor Anzevino 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 meetings 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

Anzevino motioned; Eckel seconded and the Committee unanimously accepted correspondence dated March 2, 2010, from Mary Terraccino, Tax Collector Re: Residential Sewer Usage Appeal – Robert Orzechowski, 16 Saddle River Avenue and authorized the preparation of a resolution canceling the 2010 charges.

Eckel motioned; Maceri seconded and the Committee unanimously agreed to accept correspondence dated February 16, 2010, from Robert W. Dill, Architects & Planners Re: Condeco Motor Company Site, 22 South Main Street request to be put on agenda to review conceptual plan, and to notify Mr. Dill that the application for a conceptual review should be submitted to the planning board.

Anzevino motioned; Eckel seconded and the Committee unanimously accepted letter of resignation from Jenna Cuccia, Deputy Court Administrator/Violations Clerk effective March 12, 2010.

Anzevino motioned; Eckel seconded and the Committee unanimously accepted correspondence requesting replacement for Jenna Cuccia who has resigned effective March 12, 2010.

## Old Business

### NJ SEM –

The clerk reported that NJSEM held its first successful on-line reverse auction for natural gas on February 9, 2010. The NJ SEM received two bids, one from Great Eastern Energy LLC and the other from Woodruff Energy. The successful bidder, Woodruff Energy of Bridgeton, NJ bid \$8.84 per dekatherm (8.84/Dth). The lock in price of \$8.84/Dth is for the actual cost to purchase natural gas from its source and to cover the costs of interstate transportation until the gas reaches NJ. The NJSEM Executive Board awarded a 12 month fixed price (FP) contract starting April 1, 2010. The contract award represents a small savings for its members and demonstrates the ability of the purchasing group to obtain competitive prices for natural gas. The NJSEM will next pursue competitive bids for electric aggregation for its members.

### 2010 Municipal Budget –

Walter Eckel and Durene Ayer, treasurer met to begin budget preparation. There has been a significant increase in New Jersey Meadowlands Commissioner payment as well as other increases. Eckel explained that the township must stay within 2 caps; a 4% overall increase cap and a 2.5 (3.5% permitted by ordinance) municipal spending cap. The budget introduction date has been extended until March 31, 2010. The Governor will make his budget address and advise of proposed state aid on March 16, 2010.

## New Business

### Building Department Fees

Anzevino suggested that the Township look into increasing its building fees to increase revenue to the Township and asked that H. James Riley, Construction Code Official make a recommendation to the members of the Township Committee by the April 1, 2010 worksession.

### 2010-2011 Employment Practices Liability (EPL) Program

Greg Maceri and Gary Brugger were appointed by the Mayor to the personnel manual sub-committee to review the current manual and submit their recommendations by the April 1<sup>st</sup> worksession.

There was a discussion concerning the submission of the required employee evaluations by the various departments. The attorney and some department heads are meeting to amend the evaluations so that they conform to duties of their departments prior to performing the evaluations.

## Ordinances

### Review DRAFT Ordinance re: Amend CH 202 – Towing

The Committee reviewed the draft ordinance provided by Mr. Nasta and had no suggestions for changes. The clerk was instructed to list the ordinance for introduction on the agenda for the next regular meeting.



Walter Eckel thanked everyone for an overall good job of plowing during the recent snow storm. Regarding the rental of the senior housing units on Grove Street, Eckel reported that occupancy should begin in about 1 month.

Mayor Anzevino advised that the Township will make application with Congressman Rothman's office for a rescue truck for the fire department. The application must be in his office no later than the 12<sup>th</sup>.

Regarding the revaluation of real property, the Mayor advised that approximately 45% of property owners will see an increase as a result of the revaluation. He suggested that those not satisfied with their value should set up a meeting with the appraisal company and that the deadline for filing tax appeals is May 1<sup>st</sup> this year because of the revaluation.

Anzevino reported that County Executive McNerney had advised that he will suspend the open space tax temporarily.

### Public Comments

Kim Rerecich, Dyer Avenue – was unhappy with the snowplowing because it was pushed back onto the sidewalk shortly after she shoveled. She also commented that there should be enforcement of those who do not shovel.

Lonnie Bedell, 51 Grove Street – Thanked Gary Brugger for his participation regarding his objection to the NJMC tax sharing payment. He commended the dpw and police department for an excellent job plowing and having cars removed from the streets.

Leo Rossi, Chestnut Avenue – commended the police and dpw for their snow removal/vehicle removal efforts.

John Falato, Chestnut Avenue – In favor of the township objecting to the NJMC tax sharing formula and the payment that the Township is required to make to the NJMC.

Anzevino motioned; Brugger seconded and the Committee unanimously agreed to close the meeting for public comments at 8:50 p.m.

### Closed Session

Brugger motioned; Anzevino seconded to go into closed executive session at 8:52 p.m. The minutes of the matters discussed in closed session will be released to the public when requested, authorized by the governing body and authorized by law.

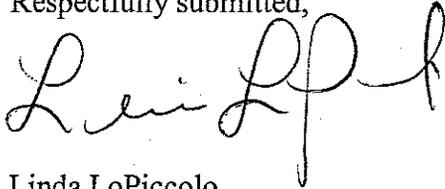
Personnel – PBA negotiations

Brugger motioned; Maceri seconded and the Committee unanimously agreed to re-open the meeting to the public at 9:41 p.m.

## Adjournment

Eckel motioned; Maceri seconded and the Committee unanimously agreed to adjourn the meeting at 9:41 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Linda LoPiccolo". The signature is written in a cursive style with a large initial "L" and a long, sweeping tail.

Linda LoPiccolo  
Municipal Clerk

## Resolution 2009 Authorizing Executive Session March 4, 2010

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.  
PBA Local 102

\_\_\_\_ (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.

\_\_\_\_ (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.

\_\_\_\_(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 4, 2010.

Linda LoPiccolo  
Township Clerk

robert w. dill architect & planner

16 February, 2010

Linda Lopicillo  
Clerk Township of South Hackensack  
227 Philips Avenue  
South Hackensack, NJ 07606

RECEIVED  
MAR 01 2010  
SOUTH HACKENSACK  
MUNICIPAL CLERK

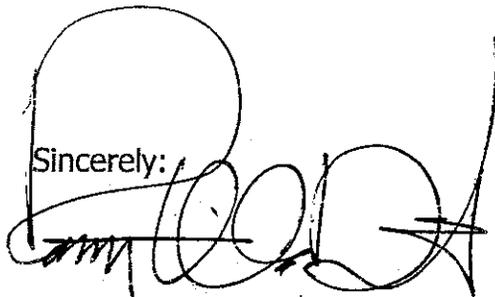
Re: Condemi Motor Company Site  
22 South Main Street, South Hackensack

Dear Linda:

In regard to the above referenced Site. We would like to be placed on the Township Committee agenda for the 4 March, 2010 meeting to review a revised "Conceptual" Plan, for development of the above referenced Site. As you may or may not be aware this Project has been going on for more than a few years now, thru at least 2-3 different administrations. All we are seeking to do is to get a preliminary in regard to our concept for development of this particular Site. In other words we want to make sure that our ideas are in-line with the Township's conception of how they would like to see this Site developed. We would like this "blessing" prior to expending a large sum of money developing plans for submittal to the Planning or Zoning Board, for formal approval.

Should you have any further questions please do not hesitate to call.

Sincerely:



Robert W. Dill, R.A., P.P.

cc: Mayor James Annzevino  
Township Committee  
Anthony Condemi

Jenna Cuccia  
211 Westminster Pl.  
Lodi, New Jersey  
201-906-9596  
JNCUCCIA@optonline.net

March 4, 2010

Township Committee  
Township of South Hackensack  
227 Phillips Ave  
South Hackensack, New Jersey 07606  
Re: Submission of Resignation

Dear Township Committee:

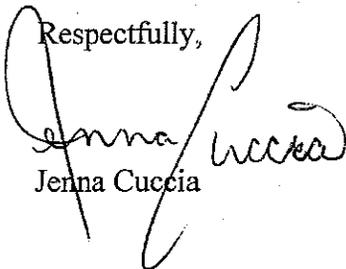
The pursuit of my bachelor's degree requires an internship in my field of studies. As a result, I have registered for an unpaid internship in New York City. Due to the time constraints and commuting it is necessary for me to submit my resignation to the Township effective March 12, 2010.

Working for the Township has been a valuable opportunity that cannot easily be measured. I am especially thankful for the relationships I made which I hope will endure. This has been the best working environment I have ever experienced and the skills I have obtained are extremely valuable.

I spoke with Ms. LoPiccolo and offered to be available to work on court nights at my hourly rate until an appropriate replacement has been found.

Thank you once again for making me a part of your family.

Respectfully,



Jenna Cuccia

CC: Linda LoPiccolo  
Judge Vince A. Sicari  
Diane Brando

Receipt w/ sign. JA, WE

Court Administrator  
DIANE BRANDO



Municipal Court Judge  
VINCE A. SICARI

**TOWNSHIP OF SOUTH HACKENSACK  
MUNICIPAL COURT**

227 Phillips Avenue  
South Hackensack, N. J. 07606

201-641-7183 • 201-440-1844  
Fax 201-440-6017

March 4, 2010

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

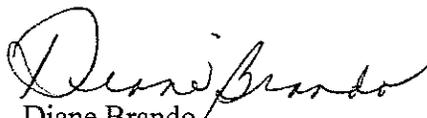
Dear Committee,

As you are aware my deputy court administrator, Jenna Cuccia is leaving for a full time unpaid internship. I will need a replacement for this position. I had contacted my division manager's office advising them of an opening which they will advertise on New Jersey Courts.com. This position will be open to all court personnel with the hopes that someone with experience should apply. I feel it is imperative for the next eligible candidate to have court experience and knowledge of the daily functions of the municipal court.

I would appreciate a joint effort in fulfilling my expectations as well as yours for a smooth transition.

Thanking you in advance for your cooperation in this matter.

Respectfully,

  
Diane Brando  
Court Administrator

Cc: Honorable Vince Sicari



# TOWNSHIP OF SOUTH HACKENSACK

## TOWNSHIP COMMITTEE

JAMES ANZEVINO, MAYOR  
GARY C. BRUGGER  
FRANK CAGAS  
WALTER ECKEL, JR  
GREGORIO MACERI

227 PHILLIPS AVENUE  
SOUTH HACKENSACK, NEW JERSEY 07606  
BERGEN COUNTY

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

March 2, 2010

To: Township Committee

From: Mary Terraccino  
Tax Collector

Re: Residential Sewer Usage Appeals

.....  
**Robert Orzechowski**  
**Account No. 41501400**  
**16 SaddleRiver Avenue**  
**Block 102 Lot 15**

After reviewing the information submitted by Robert Orzechowski and also speaking with Florence Ficker from United Water; It is evident that the United Water bills have been estimated since 2001 and a radio read device was installed in September of 2008. The actual readings of 511, 39, & 1067 total 1617 ccf's and the number of days with actual readings are 170, 101, & 2733 which total 3004 days which converts to 8 years. This averages out to around 202 ccf's per year. This average is below the allowable 500 ccf's for residential properties.

I recommend that the sewer user charges of \$2,674.90 be cancelled.

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

RECEIVED

FEB - 8 2010

TOWNSHIP OF  
SOUTH HACKENSACK

February 5, 2010

To whom it may concern:

I am writing to you to appeal the sewer bill I received. Last year we had addressed a problem with United Water Company about under estimated billing on my 16 Saddle River Avenue property over a 7 year period. The company finally did an actual reading after 7 years and applied a one time bill for the shortage. The water meter was changed to a radio frequency meter so the same situation could not occur again.

I recently learned from a supervisor at United Water that the easiest way to adjust for the rate changes over the 7 year period and deliver a fair bill was to cancel the billed amount and re-bill at a lower usage amount. Unfortunately, United Water did not notify the township of how they were handling the situation. There was no notice or documentation provided to South Hackensack of the cancelled (credited) usage. When they did the re-bill however, these figures were not shown any differently than the normal usage figures, and therefore appeared to be actual usage for the property for 2009 instead of the 7 year correction it actually represents.

Attached you will find a letter from a United Water Company supervisor further detailing their actions and their explanation along with 7 years of billing history. I ask that South Hackensack make a sewer billing adjustment based on the fact that the actual yearly usage for my property located at 16 Saddle River Avenue (Acct # 41501400-0) is not the excessive amount it appeared to be. Florence Flicker, the United Water supervisor I dealt with said she is available to answer any questions you may have. She provided her contact information on her letter.

Please review and let me know if there is anything else you need from me. I can most easily be reached via cell phone at 201-952-6928.

Thank you in advance for your consideration.

Best regards,

*Robert Orzechowski*

Robert Orzechowski  
469 Chestnut Avenue  
South Hackensack, NJ 07606  
201-952-6928