

Township of South Hackensack
Bergen County, New Jersey
March 6, 2008 7:30 P.M.
Worksession Meeting
MINUTES

Rosina Romano, MayorPresent
Gene Roman, Deputy MayorPresent
James AnzevinoPresent
Walter Eckel, Jr.....Present
Gregorio Maceri.....Present

Also present:

John M. Carbone, Esq., Municipal Attorney
Linda LoPiccolo, Municipal Clerk

Call of Meeting to Order

Mayor Romano called the Regular 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 roll.

Closed Session

Anzevino motioned; Roman seconded and the Committee unanimously agreed to go into closed executive session to discuss contract negotiations with Frank Covelli, Risk Manager.

Anzevino motioned; Roman seconded and the Committee unanimously agreed to go into closed session at 7:34 p.m. to discuss contract negotiations with Frank Covelli, PIA, Risk Manager.

Eckel motioned; Roman seconded and the Committee unanimously agreed to re-open the meeting to the public at 8:10 p.m.

Correspondence & Reports

Eckel motioned; Anzevino seconded and the Committee unanimously agreed to accept correspondence dated February 15, 2008 from Leonard R. Kaiser, BCUA and to authorize John Carbone to draft a resolution for adoption by the Township Committee on March 10, 2008.

Anzevino motioned; Roman seconded and the Committee unanimously agreed to accept correspondence and the recommendation from the assistant tax collector regarding Block 13.01 Lot 6.02 – Residential Sewer User Charge Appeal and to authorize the clerk to prepare the necessary resolution for the March 10, 2008 meeting.

Anzevino motioned; Roman seconded and the Committee unanimously agreed to accept correspondence and the recommendation from the assistant tax collector regarding Block 3 Lot 5 – Residential Sewer User Charge Appeal and to authorize the clerk to prepare the necessary resolution for the March 10, 2008 meeting.

Anzevino motioned; Roman seconded and the Committee unanimously agreed to accept correspondence and the recommendation from the assistant tax collector regarding Block 100 Lot 13 – Residential Sewer User Charge Appeal and to authorize the clerk to prepare the necessary resolution for the March 10, 2008 meeting.

Anzevino motioned; Roman seconded and the Committee unanimously agreed to accept correspondence and the recommendation from the assistant tax collector regarding Block 3 Lot 1.02 – Residential Sewer User Charge Appeal and to authorize the clerk to prepare the necessary resolution for the March 10, 2008 meeting.

Romano motioned; Maceri seconded and the Committee unanimously agreed to accept correspondence dated February 29, 2008, Lucy Voorhoeve, Executive Director RE: Annual Affordable Housing Trust Fund Monitoring and to authorize Loretta D'Ambrosio to attend the training.

Old Business

Roman motioned; Anzevino seconded to appoint Gregorio Maceri to the Bergen County Community Development Regional Committee – as James Anzevino's alternate delegate, whose term shall expire June 30, 2008.

Eckel motioned; Anzevino seconded to accept the notice of Retirement from Robert Esposito, DPW mechanic – effective July 1, 2008, and requested a list of duties performed by the mechanic from Superintendent Larry Paladino.

Mr. Paladino reminded the Committee that Bob Esposito would be leaving mid-May and asked that they consider a short term solution to his absence until a permanent solution has been decided. He asked the Committee for some direction. Regarding the sewer jet, Mr. Paladino would like to obtain quotes from outside vendors so that the Township can have someone on call when the sewer jet is not available from the NJMC. Lastly, Paladino requested the purchase of a tool to help lift manhole covers and inlet grates.

New Business

Mayor Romano advised everyone of the Governor's proposal to eliminate the Consolidated Municipal Property Tax Relief Aid and Regional Efficiency Aid Program

and that it will have a significant impact on our municipal budget. The Township Committee adopted Resolution No. 2008-071 in opposition of these cuts. See end of minutes for complete resolution.

Ordinances

Romano motioned; Roman seconded and the Committee unanimously agreed to open the public hearing on Ordinance 2008-04.

ORDINANCE 2008-04

An Ordinance of the Township of South Hackensack to Add a Provision Requiring Residential, Commercial and Industrial Developers to Meet the Fair Share Obligation for Affordable Housing in Accordance with the Growth Share Standards Adopted by the Council on Affordable Housing

John Carbone explained that this is a social program to ensure wide integration of low income persons into every municipality and paid for by developers. No community has barriers to socio economic groups who can not afford to live here. This ordinance shifts the burden to the developer to provide funds.

Ray DeRiso, 38 Williams Avenue – Questioned whether every municipality is required to adopt a similar ordinance. Carbone replied that every municipality is not required to adopt this ordinance. Without the ordinance the responsibility to pay for this would be on the taxpayers rather than the developer.

Anzevino motioned; Maceri seconded and the Committee unanimously agreed to close the public hearing on Ordinance 2008-04.

Romano motioned; Anzevino seconded to carry the adoption of Ordinance 2008-04 to March 13, 2008 at 7:30 p.m. Roll Call Vote: Ayes: Anzevino, Eckel, Maceri, Roman, Romano

Resolutions

2008-070 Authorize Grant Application - \$2,000 GDL Enforcement & Education Campaign

Offered: Roman

Second: Eckel

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

Resolution 2008 Authorizing Executive Session

Offered: Anzevino

Second: Roman

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

Committee Reports

Committee members Roman, Maceri, Eckel and Anzevino had no report.

Mayor Romano advised that she asked Mike Ward to attend a meeting in Lodi regarding flooding.

Public Comments

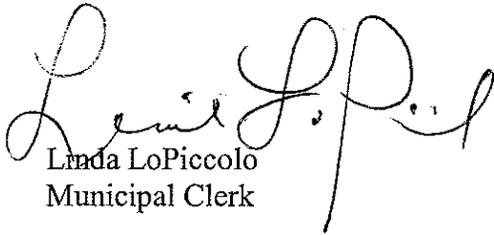
Dolly Montenegro, 57 Phillips Avenue – The former Mayor commented that the Township participates in many shared services, mutual aid agreements, including but not limited to joint insurance funds, sewer agreements, etc.

Lonnie Bedell, 51 Grove Street – Commended the Police Department for getting cars off the street and the DPW for great snow plowing during the recent snow storm. He questioned the status of the senior housing project. Mr. Carbone responded that the developer does not have the financing in place; however, the building permits are ready to be issued once the payment has been received.

Adjournment

Anzevino motioned; Roman seconded and the Committee unanimously agreed to adjourn the meeting at 9:15 p.m.

Respectfully submitted,



Linda LoPiccolo
Municipal Clerk

Resolution 2008 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.

____ (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 require in order for the attorney to exercise his ethical duties as a lawyer.

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

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

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

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

The foregoing resolution was duly adopted by the Township Committee of the Township of South Hackensack at a public meeting held on March 6, 2008.

Linda LoPiccolo
Township Clerk

Resolution No. 2008-070 Authorize Grant Application - \$2,000 GDL Enforcement & Education Campaign

WHEREAS the South Hackensack Police Department is desirous of applying to the New Jersey Division of Highway Traffic Safety for a 2008 GDL Enforcement & Education Grant in the amount of \$2,000; and

WHEREAS the South Hackensack Police Department will participate in the nationwide GDL Enforcement & Education program from April 7-25, 2008 in an effort to educate novice drivers about the importance of safe driving habits and to reduce the number of young drivers involved in fatal motor vehicle crashes from the 10-year average of 114 to 90 in 2008; and

WHEREAS the Township Committee of the Township of South Hackensack is desirous of applying for funds to offset the participation in this nationwide program,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey that Ptl. Lance Kelly, Rosemarie Giotis, CFO, and Mayor Rosina Romano be and are hereby authorized and directed to

prepare and file the necessary grant application on behalf of the Township of South Hackensack, and

BE IT FURTHER RESOLVED that the Township Committee of the Township of South Hackensack declares its support for the 2008 Graduated Driver's License Enforcement & Education Campaign from April 7-25, 2008.

Offered: Roman

Second: Eckel

Date: March 6, 2008

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

Resolution No., 2008-071 Directed to the Governor of the State of New Jersey and the Legislative Officers of the 38th Legislative District Opposing the Failure of the Governor's Proposed State Budget for the 2008-2009 Fiscal Year to Treat Property Tax Relief as a Priority and Improperly, Imprudently and Without Warning Singling Out Municipalities with Populations Less Than 2500 Residents for Total Loss Of State Municipal Aid Under C.M.P.T.R.A.

WHEREAS, on February 26, 2008, in Trenton, Governor Jon S. Corzine presented his FY 2009 Budget proposal to a Joint Session of the State Legislature, which proposal now goes to the Legislature, which must pass a balanced budget by the start of the State's next Fiscal Year, which begins on July 1; and

WHEREAS, the proposal, which represents what the Governor called "many unpleasant choices," calls for the elimination of two Departments of State Government (the Departments of Agriculture and Personnel) and the State Commerce Commission, and asks all other Departments to absorb funding cuts, and further calls for sacrifice in a number of other areas, including direct property tax relief, hospital aid, higher education assistance and Medicaid, with the inordinately deep cuts in municipal property tax relief funding; and

WHEREAS, one year after the historic Special Session for Property Tax Reform, which purportedly eliminated the need for a Citizens' Convention, our property taxpayers will once again be asked for patience, and they will be asked to shoulder more than their fair share of the funding burden; and

WHEREAS, local officials have done so much with so little for so long, that State Budget-makers now believe some can do everything with absolutely nothing; and

WHEREAS, municipal property tax relief will be slashed by \$189.6 million; and

WHEREAS, for municipalities with a population of less than 5,000, there will be no CMPTRA funding this year; for municipalities with a population total between 5,000 and 10,000, this relief will be limited to one-half of the amount received in the State's 2006-2007 budget; and the \$32.6 million distributed according to the CMPTRA formula, which municipalities received last year as 2008 Municipal Property Tax Assistance, is gone; and

WHEREAS, all municipalities will receive level Energy Tax Receipts Property Tax Relief funding, despite State Law that 'requires' annual inflationary adjustments of this (and CMPTRA) funding; and

WHEREAS, last year, municipal efficiency was promoted to the tune of \$34.8 million, but in this proposal, this funding has been eliminated in the already current budget year, without warning, notice, or a multi year phase in; and

WHEREAS, last year's \$32 million in Municipal Homeland Security Funding is gone, Special Municipal Aid funding is cut from \$153 million to \$145.4 – a loss of \$7.6 million, Extraordinary Aid funding is reduced by \$1.7 million – from \$34 million to \$32.3 million, and the \$8 million Regional Efficiency Aid Program will not be funded; and

WHEREAS, beyond these cuts Homestead Rebates for Homeowners will be cut by \$257 million, and for Renters by \$124 million; and

WHEREAS, the Township of South Hackensack has a population of less than 2500 persons in an area of less than one square mile and will be adversely impacted by the total loss of the state aid, yet the \$380,000,000 of assessed and improved property that must receive municipal services in the capped and already constrained budget has residential properties representing but 32% of the total assessments and there are more than 55 commercial businesses and 167 industrial businesses representing 68% of the total assessment.

BE IT RESOLVED that the Township Committee of South Hackensack calls on its elected representatives in the 38th Legislative District to work with their colleagues in the Legislature and with the Governor to take affirmative action to restore program funding sufficient to honor state statutes and their stated commitment to the cause of property tax relief in all New Jersey municipalities; and be it further

RESOLVED, that copies of this resolution be forwarded to Governor Jon S. Corzine, Acting State Treasurer R. David Rousseau, Senate President Richard J. Codey, Senate Minority Leader Thomas H. Kean, Assembly Speaker Joseph J. Roberts, Assembly Minority Leader Alex De Croce, the Chairs and Members of the Senate and Assembly Budget and Appropriations Committees, our own Senator and Assembly members and to the New Jersey State League of Municipalities.

Offered: James Anzevino

Second: Walter Eckel, Jr.

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