

Township of South Hackensack
Bergen County, New Jersey
April 2, 2009 7:30 P.M.
Worksession Meeting
MINUTES

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

Also present:

David V. Nasta, 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 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.

Sewer Appeal Hearing – Safer Development

David Nasta advised that there is pending litigation (L-8479-07) between Safer and the Township and that the hearing was being held under a mutually agreed to court order

Nasta advised that he spoke with Safer's attorney who agreed to suspend the court rules for the hearing with no prejudice against either party. Nasta advised that the Township may render its decision at the conclusion of the hearing or may choose to reserve their decision for a later date.

Philip Neuer, Esq. appeared on behalf of Safer Development along with one witness, Gerald R. Donnelly, P.E. Mr. Neuer presented his side to the members of the Committee. He presented several documents that were marked Safer 1 through Safer 6. Mr. Neuer argued that although there was a break in the United Water supply line to 60 Saddle River Avenue, that resulted in a metered water usage of over 3 million gallons that the water never actually went into the sewer. Mr. Donnelly testified that he was Safer Property's full-time engineer and that it was his opinion that the water did not go through the sewer. Further, he reported that 3-4 times per year the water pits are inspected for leaks and/or damage.

Barbara Nemchek, P.E., Boswell Engineering was present on behalf of the Township. Although she had no questions for Mr. Donnelly, she advised that she had spoken with

him on the phone several times that day and was pleased to report that he had supplied her with all the information that she requested to make a recommendation to the Committee.

Nasta advised Neuer that although the Committee may discuss the court action in closed session, any deliberations regarding this hearing will be conducted in public. Nasta further advised Neuer that he may not be required to attend a future meeting and that the committee should be notifying him by May 7, 2009 with a resolution.

Correspondence & Reports

Roman motioned; Maceri seconded and the Committee unanimously agreed to accept and approve correspondence dated March 11, 2009, from Michael D. Frew, Chief of Police Re: Request for Det/Sgt Licamara to attend the 2009 Annual Dare New Jersey Spring Training Conference April 28-30 at no cost to the Township.

March 31, 2009, Lawrence J. Paladino, Jr. CPWM, Supt., DPW RE: Recommendation to repair sweeper at a cost of 14,670.92. The Township Committee requested that Mr. Paladino obtain other quotes for the repair.

Eckel motioned; Maceri seconded and the Committee unanimously agreed to accept and approve correspondence dated March 31, 2009, from Mary Terraccino Re: Request to attend Tax Collector and Treasurer Conference May 19-21, 2009 – cost not to exceed \$459.00.

Anzevino motioned; Maceri seconded to accept correspondence dated March 31, 2009, from Raymond DeRiso, Secretary, South Hackensack Relief Association Re: Death Benefit – John Sanzari. Ayes: Anzevino, Maceri, Roman, Romano Abstain: Eckel

Old Business

Senior Citizen Housing

David Sivella, Executive Director, Bergen County Housing Authority attended the meeting and updated those present on the status of the construction advising that it is moving along ahead of schedule. He further reported and assured everyone that the entire project will remain a senior housing project although 15 of the 10 units will no longer be COAH units; rather they will be what is otherwise called “section 8 units”

2009 Municipal Budget

Walter Eckel and Jim Anzevino objected to and wanted to rescind the previously approved (March 26, 2009-special meeting) resolution authorizing an application to the Local Finance Board for a 15-year pension deferral at 8% interest of the 2009 pension payment in the amount of \$275,454.00. They raised the objection because when the resolution was presented to the Committee for a vote, they believed that there was to be no interest and that the payback was for only 3 years.

Frank DiMaria was called and asked to appear to answer questions posed by members of the Committee. Mr. DiMaria reported that the resolution to defer pension payments was presented to the Committee to meet the state CAP requirements. DiMaria advised that an application for pension referral was required to make application to the state for discretionary aid for which the Township will also apply. DiMaria confirmed that the deferral is for 15 years beginning in 2012 and that the interest rate that will be charged is expected to be at least 8%.

Eckel and Anzevino suggested making cuts to the recently introduced budget rather than deferring the pension payment. Although Eckel motioned; and Anzevino seconded to rescind the previously adopted resolution authorizing pension deferral, the motion died for lack of a majority vote.

Sale of portion of Wesley Street to 130 Wesley Street

David Nasta reported that he spoke with Ralph Chandless who is satisfied with regard to the sale of a portion of the right of way of Wesley Street to the current property owner of 130 Wesley Street.

Romano motioned; Maceri seconded to authorize David Nasta to prepare the necessary ordinance to authorize the sale of a portion of the right of way of Wesley Street to the current property owner of 130 Wesley Street. Ayes: Eckel, Maceri, Roman, Romano
Abstain: Anzevino

New Business

COPS Hiring Recovery Program (CHRP) – Funding is available through the American Recovery and Reinvestment Act (AARA) for cop hiring.

Maceri motioned; Roman seconded to authorize the clerk, police chief and other appropriate officials to prepare and make an application under the COPS Hiring Recovery Program. Ayes: Maceri, Roman, Romano Nays: Anzevino, Eckel

Township website – Mayor Romano reported that upon her request, Kevin Kopec, the township webmaster submitted a revised proposal to help reduce website hosting and maintenance. The proposal was reviewed and recommended by Mayor Romano.

Romano motioned; Roman seconded and the Committee unanimously agreed to revise the current agreement with 905 Creative to reduce the monthly fee to \$225. This monthly fee includes shared hosting and 2 hours of updating, to be billed quarterly.

Purchase Hybrid Vehicle

Greg Maceri advised that the Fire Department has agreed to utilize \$8,927 of their MAP grant funds toward the purchase of a hybrid vehicle for the fire prevention bureau. The Township currently has a grant available for \$20,000 from the NJMC for the purchase.

Maceri motioned; Roman seconded to authorize the clerk to prepare the resolution authorizing the purchase of a hybrid vehicle for the township utilizing NJMC MAP grant funds in the amount of \$8,927 and NJMC MAP grant funds (hybrid vehicle) in the amount of \$20,000. Ayes: Maceri, Roman, Romano Abstain: Anzevino, Eckel

Resolutions

Closed Executive Session

Offered: Maceri

Second: Anzevino

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

Committee Reports

James Anzevino – Announced the Mrs. Chirichella will become 100 years old this year. He requested that the clerk prepare a proclamation for her commemorating the event for next week's meeting.

Greg Maceri – Reported that the Easter show will be held on Saturday, April 4th in the Senior Citizens Center at 11 a.m. Maceri requested that the DPW purchase clay and prepare the park field for upcoming softball teams.

Gene Roman – no report

Rosina Romano – Reported that she spoke with representatives of Congressman Rothman's office who indicated that they would assist the township with grant applications and seeking grants for the municipality. She felt that since the Township had no one who sought out grant opportunities that this may be a valuable service.

Public Comments

Anzevino motioned; Maceri seconded and the Committee unanimously agreed to open the meeting for public comments. Since there were no comments offered, Anzevino motioned; Roman seconded and the Committee unanimously agreed to close the meeting for public comments.

Closed Session

Anzevino motioned; Maceri seconded and the Committee unanimously agreed to go into closed session at 9:30 p.m. to discuss the following matters:

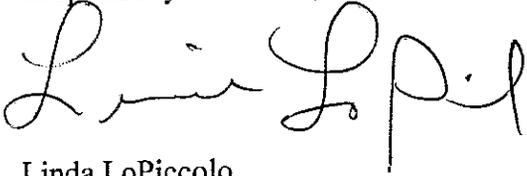
- Personnel – DPW Negotiations
- Personnel – Daniel O. Breslin
- Litigation – Newark Bay Litigation

Anzevino motioned; Eckel seconded and the Committee unanimously agreed to re-open the meeting to the public at 10:02 p.m.

Adjournment

Anzevino motioned; Roman seconded and the Committee unanimously agreed to adjourn the meeting at 10:02 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Linda LoPiccolo". The signature is written in black ink and is positioned above the typed name.

Linda LoPiccolo
Municipal Clerk

Township of South Hackensack
Bergen County, New Jersey

Resolution 2009 Authorizing Executive Session April 2, 2009

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.

DPW Negotiations

 (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 require in order for the attorney to exercise his ethical duties as a lawyer. **Newark Bay Litigation**

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. **Daniel O. Breslin – Reduction in Work Force**

 (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 April 2, 2009.

Linda LoPiccolo
Township Clerk

South Hackensack Police Department



Michael D. Frew
Chief of Police

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



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

March 11, 2009

Mayor and Township Committee
South Hackensack Municipal Building
227 Phillips Avenue
South Hackensack, N.J. 07606

Dear Mayor and Township Committee:

I am requesting the Township Committee to allow Det. Sgt. Licamara to attend the 2009 Annual Dare New Jersey Spring Training Conference April 28th, 29th, and 30th. The conference will be at Harrah's Resort and Casino in Atlantic City, N.J. As the Township Committee is aware Det. Sgt. Licamara is the township's Dare officer. There will be no cost to the township and all fees will come out of the South Hackensack Police Dept. dare account. This will be Det. Sgt. Licamara's third training conference. If you have any questions feel free to contact me.

Respectfully submitted

A handwritten signature in cursive script that reads "Michael D. Frew".

Michael D. Frew
Chief of Police



TOWNSHIP OF SOUTH HACKENSACK

227 PHILLIPS AVENUE
SOUTH HACKENSACK, NEW JERSEY 07606
BERGEN COUNTY

TOWNSHIP COMMITTEE
ROSINA ROMANO, MAYOR
GREGORIO MACERI, DEP. MAYOR
JAMES ANZEVINO
WALTER ECKEL, JR
GENE ROMAN

Clerk - LINDA LOPICCOLO
Tax Collector - MARY TERRACCINO
Tax Assessor - GEORGE REGGO
Chief Financial Officer - R. T. GIOTIS
Treasurer - LORETTA D'AMBROSIO

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

March 31, 2009

Dear Mayor & Township Committee:

At this time I would like to request attendance to the Tax Collectors and Treasurers Association Annual Conference to be held on May 19-21, 2009. I would benefit from attending this conference by earn my Continuing Education Credits for my Tax Collector and Municipal Clerks License. Please see attached for a full program of classes listed for May 19 & 20th. The cost for the convention with a 2 night stay should not exceed \$459 and I have requested this in my 2009 budget. Thanking you in advance for I would greatly appreciate your approval on my attendance.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Mary Terraccino'.

Mary Terraccino
Tax Collector T-8176
Municipal Clerk C-1152



RECEIVED
MAR 31 2009
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

March 31, 2009

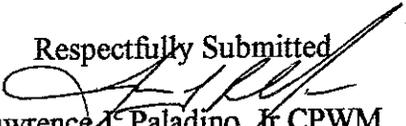
To: Mayor & Council

From: Lawrence J. Paladino, Jr CPWM
Superintendent

Re: Impeller Assembly & Fuel Tank Repairs for Sweeper

Dear Mayor & Council;

The Department of Public Works was doing its annual catch basin cleaning project when our Sweeper broke down. The Impeller Assembly broke apart. The Impeller and its assembly are the main components that create the vacuum which is needed to sweep and clean basins. The fuel tank is rotted and leaking. It also has to be replaced. The Sweeper is out of service. I would recommend that we fix this piece of equipment immediately. I have attached a price quote from Timmerman. Please be advised that all parts and labor are on state contract. Please let me know if I can bring the machine to there faculty and have this work completed. If you have any questions, please contact me at 201-440-3283.

Respectfully Submitted

Lawrence J. Paladino, Jr CPWM
Superintendent

Cc/ G. Roman
R. Romano
G. Maceri
J. Anzenvino
W. Eckel
L. Lo Piccolo

South Hackensack Firemen's Relief Association

March 31, 2009

Township of South Hackensack
227 Phillips Ave.
South Hackensack, NJ 07606

Dear Mayor and Council,

This is to notify you of the death of John Sanzari on March 18, 2009. John was a retired member of the South Hackensack Fire Department. When John joined the South Hackensack Fire Department he was over the age limit that was acceptable to the New Jersey State Firemen's Association and therefore not eligible for the death benefit paid by this association.

As per the Township of South Hackensack code 14-46 his widow Marion Sanzari is entitled to receive from the township such amount as would be equal to the benefits which would be paid if such deceased firefighter would have been eligible.

I have included a copy of a check that was received as full settlement in the death of another retired member last year that will show that the current amount of the benefit is \$9,000.

Regards,



Ray DeRiso, Secretary
South Hackensack Relief Association

RECEIVED

MAR 31 2009

SOUTH HACKENSACK
MUNICIPAL CLERK