

Township of South Hackensack
Bergen County, New Jersey
April 5, 2007 7:30 P.M.
Worksession Meeting
MINUTES

Gary C. Brugger, MayorPresent
Walter Eckel, Jr., Deputy MayorPresent
James AnzevinoPresent
Gene Roman.....Present
Rosina Romano.....Present

Also present:
David V. Nasta, Esq., Municipal Attorney
Linda LoPiccolo, Municipal Clerk

Call of Meeting to Order

Mayor Brugger called the Regular Meeting to order at 7:33 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.

Correspondence

March 1, 2007 – John L. Schettino, Planning Board Attorney RE: Re Examination of the Township Master Plan. The Township can appropriate funds with an emergency appropriation.

Brugger motioned; Eckel seconded and the Committee unanimously agreed to accept the correspondence dated March 12, 2007 from Jordan D. Yuelys, Esq. on behalf of LoPiccolo Family Partnership re: 283 Green Street and that David Nasta shall respond in writing on behalf of the Township Committee.

Brugger motioned; Anzevino seconded and the Township Committee unanimously accepted correspondence dated March 14, 2007 from Paul E. Gelbard – AEP Industries, Inc. re: Bruce Court, and further instructed David Nasta to respond on behalf of the Township Committee.

Brugger motioned; Anzevino seconded and the Committee unanimously accepted and approved correspondence dated March 16, 2007 from William J. Lynn advising that he will be retiring as the fire sub-code official effective July 1, 2007.

Brugger motioned; Eckel seconded and the Committee unanimously accepted correspondence dated March 26, 2007 from Robert Ceberio, Exec. Director, NJMC – Trees, and instructed Larry Paladino to seek donors and obtain the appropriate number of trees from the NJMC.

Brugger motioned; Roman seconded and the Committee unanimously accepted and moved to closed executive session correspondence dated March 26, 2007 from Rob Gillman, Business Agent, Local Union No. 11 – Request three (3) month sick pay extension on behalf of Giorgio Sortino.

Brugger motioned; Anzevino seconded and the Committee unanimously agreed to accept correspondence dated March 28, 2007 from Jerry L. D’Amico – Block 13.06 Lot 12, 13 Park Street, and authorized and directed David Nasta to prepare an Access and Maintenance Agreement for execution by the appropriate township officials.

Brugger motioned; Eckel seconded and the Township Committee unanimously accepted the correspondence dated March 29, 2007 from Frank Covelli, PIA re: MEL Training Institute, New Tracking System Training and instructed all appropriate department heads to attend the training session.

Brugger motioned; Roman seconded and the Committee unanimously accepted correspondence dated April 2, 2007 from Senator Coniglio requesting a Wish List and authorized Mayor Brugger who previously responded to the senator requesting funds to purchase a fire truck and salt shed

Brugger motioned; Anzevino seconded and the Committee unanimously accepted correspondence dated April 2, 2007 from Michael D. Frew, Police Chief recommending Frank Fiorino as an Alternate Crossing Guard and instructed the clerk to prepare the necessary appointing resolution for the regular meeting.

Anzevino motioned; Romano seconded and the Committee unanimously accepted correspondence dated April 2, 2007 from Lawrence J. Paladino, Jr., CPWM re: Summer Help and authorized him to advertise and interview and make further recommendation regarding the hiring part time summer laborers at an hourly rate of \$10.00 per hour.

Anzevino motioned; Eckel seconded and the Committee unanimously accepted correspondence date April 2, 2007 from Mary Terraccino, Assist. Tax Collector Re: Block 101 Lot 11.01 and instructed the clerk to notify the appellant to appear at the May 3, 2007 worksession.

Old Business

Brugger motioned; Anzevino seconded and the Committee unanimously accepted the recommendation of Judge Gregg Padovano and authorized the appointment of Jenna Cuccia as part time Deputy Court Administrator/Violations Clerk effective April 9, 2007.

Agreement for Hoffman Street with City of Hackensack – David Nasta reported that he prepared the Agreement and spoke with the attorney for the City of Hackensack who will review it and advise.

Brugger motioned; Anzevino seconded and the Committee unanimously agreed to deny the sewer user appeal filed by the property owner of Block 52 Lot 1.01, commonly known as 111 Leuning Street, and authorized the clerk to prepare the necessary resolution to ratify that action.

Brugger motioned; Romano seconded and the Committee unanimously agreed to authorize Anthony Paterno, Inc. to perform duct cleaning services in accordance with his proposal dated February 7, 2007 in an amount not to exceed \$3,250.00.

Vreeland Avenue – Interlocal Agreement with City of Hackensack
David Nasta indicated that the Agreement was a small portion of action that needed to be taken that the engineer would require 3 months to prepare the specifications and that bond counsel is waiting for information from the engineer so that he can prepare the bond ordinance.

DPW Building – Ms. Romano indicated that she would report on the status of the DPW building at the next regular meeting.

Police Department Bathroom Ready Room Renovation
The Mayor requested that quotes be obtained to renovate the bathroom.

NJMC 2007 MAP Grant – The Committee requested proposals for a new police vehicle and ambulance equipment.

New Business

Senior Citizen Trip – Hunterdon Hills Playhouse
Anzevino motioned; Brugger seconded and the Committee unanimously agreed to authorize the funds and the issuance of a purchase order for 120 tickets @ 66.50 per person for the senior citizen trip to the Hunterdon Hills Playhouse on Tuesday, December 11, 2007.

Click It or Ticket 2007
The clerk advised that the police department has prepared a grant application for funding and that a resolution endorsing that application will be presented to the Township Committee at its next regular meeting.

2007 Municipal Budget – Presented to the Township Committee for their review prior to its introduction on April 12, 2007.

2007 Salary Ordinance – Presented to the Township Committee for review prior to its introduction on April 12, 2007.

Ordinances

Sump Pump Ordinance – The Ordinance in its draft form was presented to the Committee for review and possible introduction on April 12, 2007. Since Ray DeRiso, Zoning Enforcement Officer had questions regarding the ordinance and its wording; the Committee suggested that Mr. DeRiso speak with David Nasta prior to the introduction for any changes that may be necessary to the language.

LOSAP Ordinance – The Ordinance in its draft form was presented to the Committee for review and possible introduction on April 12, 2007. Since the Committee was unable to decide whether or not to pro-rate the contribution for a volunteer whose partial year service was pro-rated, the matter was tabled with no date.

Resolutions

Brugger motioned; Anzevino seconded and the Committee unanimously agreed to go into closed executive session to discuss a personnel matter.

Committee Reports

James Anzevino – Asked Mr. Paladino to speak with Vigilanti Electric prior to the site work for the installation of light poles along Phillips Avenue to coordinate the replacement of the tree along Phillips Avenue.

Regarding the implementation of a shade tree ordinance, Anzevino requested that the new members of the Committee receive a copy of the ordinance that was last circulated. Nasta responded that he would send it out to everyone. Anzevino indicated that he would like to introduce at the June meeting.

Anzevino reported that summer recreation will be sponsored by the school now that their construction/renovation project is almost complete.

Once again, Anzevino suggested the implementation of a park patrol and asked the Chief to look at and suggest some options for the Committee to consider. Government Day for 8th Grade Students at Memorial School will be held on Wednesday, May 30, 2007. The usual boat ride through the meadowlands district has been arranged.

Regarding the salt storage issue, Anzevino advised that Bergen County intends to construct a salt shed on River Street in Hackensack that is a ten minute ride from South Hackensack. To reduce costs, Anzevino suggested sharing a salt shed with either Hackensack or Bergen County. Anzevino said that he would reach out to Adam Zelner, Deputy DEP Director regarding the salt shed issue.

Gene Roman – Thanked Larry Paladino and his department for their snow removal. He reported that there is no more salt stored on Township property; that it has been moved to Ridgefield Park's site.

Rosina Romano – Reported that the senior housing sub-committee will meet with the designated developer and attorneys and Tuesday to discuss the land lease and other outstanding items. The Committeewoman reported that she and the Mayor attended the County Seat's 3rd Annual Art Contest held with participation from Rochelle Park, Hackensack, Maywood and South Hackensack, with South Hackensack students receiving most of the awards. Rosina also enjoyed attending the Easter Celebration that was held at the Senior Citizens Center, saying that it was nice to see so many senior citizens in attendance along with the young children of the Township.

Walter Eckel – Mr. Eckel advised that the pay to play forms had been sent to and returned by Mr. John D'Anton and that he would like a resolution authorizing Mr. D'Anton as special counsel-litigation for the Township. Regarding snow removal, Mr. Eckel requested that Mr. Paladino instruct the members of his department to turn the plow so as not to throw snow onto the front lawns whenever possible.

Mayor Gary Brugger – Reported that the Ambulance Corps recently held an open house wherein 5 applications were received. Regarding their request for a new fire truck, the Mayor requested and the membership agreed to make a formal presentation to the members of the Township committee at their April worksession.

Public Comments

Michael Frew, Police Chief – Advised that the police department will sponsor its 3rd Annual Bicycle Safety Day from 11:00 am to 1:00 pm. The even will be held in the parking lot of the municipal complex. Bicycle safety helmets will be distributed, refreshments will be served, and two bicycles will be raffled.

Larry Paladino, DPW Supt. – Regarding the Aletta property on Phillips Avenue, Larry reported that the New Jersey Meadowlands Commission sent a camera into the line to inspect. It was determined that the problem is in homeowner's line and the Township is not responsible. The homeowner was notified.

Dolly Montenegro, Pres. South Hackensack Senior Citizens Club – Requested that the Township make necessary repairs to the bathrooms in the senior center. Regarding the Committee's consideration to purchase a new fire truck, Mrs. Montenegro suggested that they seriously consider this large purchase before making such a large purchase.

Mike Nasta, Sr., 45 Kinzley Street – Suggested that the Township Committee consider adopting an ordinance to prohibit parking on township streets during certain hours to permit street cleaning. He further suggested amending the zoning ordinance to prohibit the conversion of 1-family homes to 2-family homes.

Lonnie Bedell, 51 Grove Street – Stated that a suit had been filed by E-Tomic against the Township and that John M. Carbone, Esq., Special Litigation Counsel made a false statement when he said that a suit had not been filed.

Closed Session

Anzevino motioned; Brugger seconded and the Committee unanimously agreed to go into closed executive session at 9:50 p.m.

Anzevino motioned; Brugger seconded to re-open the meeting to the public at 10:30 p.m. All in favor.

Adjournment

Brugger motioned; Romano seconded and the Committee unanimously agreed to adjourn the meeting at 10:30 pm.

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.

____(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 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 April 5, 2007.