

Township of South Hackensack
Bergen County, New Jersey
May 5, 2011
Worksession Meeting
Minutes

Walter Eckel, Jr., Mayor.....Present
James AnzevinoPresent (8:25 p.m.)
Gary C. Brugger.....Present
Frank CagasPresent
Vincent Stefano.....Absent

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

Call of Meeting to Order

Mayor Eckel called the Regular Meeting to order at 7:34 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

Brugger motioned; Cagas seconded and the Committee unanimously accepted correspondence dated May 4, 2011, from Lawrence J. Paladino, Jr., Supt. DPW re: school grass and authorized the school to use the township lawnmower to cut the law at Memorial School.

Eckel motioned; Cagas seconded and the Committee unanimously agreed to accept correspondence dated April 29, 2011, from Robert A. Abbatomarco, Division of Open Space RE: 2010 Open Space Trust Fund Award - \$34,000 for Joseph Baeli Playground Renovation.

Brugger motioned; Eckel seconded and the Committee unanimously agreed to accept and file correspondence dated April 13, 2011 from Members of South Hackensack Hose Company No. 1 Re: Request for Rental increase from \$1560 to \$1900 per month.

Brugger motioned; Eckel seconded and the Committee unanimously agreed to accept and file correspondence dated April 19, 2011 from Dennis Vaccaro, Mayor of Moonachie Re: 100th Anniversary of Borough. Invitation to march in the parade on May 14, 2011 at 3 p.m.

Brugger motioned; Eckel seconded to accept and refer to New Business, correspondence dated March 12, 2009 (Received April 15, 2011) from Carmine Maceri, 1st Lt. SHFD Re: Acceptance of membership application from Eric Cinotti.

Old Business

Personnel Manual Revisions – Gary Brugger advised that he and Mr. Anzevino have been unable to meet to discuss the revisions needed but that they will do that. Mr. Nasta reported that a redlined copy of the revised ordinance was distributed to the Committee for their consideration. Mr. Nasta will circulate it again via email and all are to review. The matter will be re-visited on May 12, 2011

Testing Procedure for Police Hiring – Mr. Anzevino said that John D’Anton had previously provided an outline that the township used several years ago. Perhaps he would provide that again. Mr. Anzevino indicated that he would speak with him regarding that.

New Business

Resolution Opposing Senate Bill 1351 – The clerk was instructed to prepare the resolution for May 12, 2011 meeting for adoption by the Committee.

Fire Department Membership – Brugger motioned Eckel seconded and the Committee unanimously agreed to accept Mr. Cinotti as a member of the South Hackensack Fire Department, and further directed the clerk to prepare the necessary resolution for May 12, 2011 meeting.

Ordinances

The Committee reviewed and discussed the following ordinance. The clerk was instructed to list it for Introduction on May 12, 2011 with changes.

ORDINANCE NO. 2011-03

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 14 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED “FIRE DEPARTMENT” AND CHAPTER 30 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED “LENGTH OF SERVICE AWARDS PROGRAM”

The Committee reviewed and discussed the following ordinance. The clerk was instructed to list it for Introduction on May 12, 2011.

ORDINANCE NO. 2011- 08

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 180 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED “SEWERS AND SEWAGE DISPOSAL”

The Committee reviewed and discussed the following ordinance. The clerk was instructed to list it for Introduction on May 12, 2011.

ORDINANCE NO. 2011-09

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 186 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED "SOLID WASTE"

Continuation of Public Hearing and Adoption of

ORDINANCE 2011-02 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 189 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED "STREETS AND SIDEWALKS"

Eckel motioned; Brugger seconded and the Committee unanimously agreed to re-open the continuation of the public hearing on Ordinance 2011-02. Since there were no public comments, Eckel motioned; Brugger seconded and the Committee unanimously agreed to close the hearing on Ordinance 2011-02. Eckel motioned; Brugger seconded to adopt Ordinance 2011-02 and advertise its adoption as prescribed by law. Roll Call Vote: Ayes: Brugger, Cagas, Eckel
Absent: Anzevino, Stefano

Resolution

Closed Session

Offered: Brugger

Second: Eckel

Roll Call Vote: Ayes: Anzevino, Brugger, Cagas, Eckel
Absent: Stefano

Committee Reports

Frank Cagas – Reported that he and Larry Paladino are putting together specifications for bid for grass cutting. He further reported that the Township will receive 10 trees from the NJMC for planting throughout the township. He and Larry are looking for locations to plant those trees.

Gary Brugger – Would like the letter from Ray DeRiso regarding the zoning amendment to Garfield Park section placed on the agenda for discussion at next week's meeting. Walter Eckel suggested asking Mr. Kauker to appear at that meeting to discuss the ordinance. Ray DeRiso indicated that he has several issues regarding the code and he has outlined them in his correspondence and would like the matter reviewed prior to ordinance adoption. A sub-committee was formed consisting of Frank Cagas and Gary Brugger to meet and review the ordinance and he concerns outlined by Mr. DeRiso. The sub-committee will meet on Monday, May 16 at 7:30 in the municipal complex.

Mayor Eckel commented that he attended the DARE graduation and Memorial School and was very impressed by it. He congratulated DARE officer Sgt. Robert Licamara.

Public Comments

Lonnie Bedell, 51 Grove Street – Reported that the County Freeholders may adopt a pay to play law that will affect all county municipalities if adopted.

Kim Rerecich, Dyer Avenue – Asked about the status of the recycling cans and she was advised that they will be delivered within a few weeks.

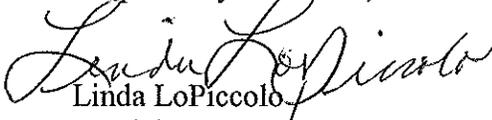
Closed Session

Eckel motioned; Brugger seconded and the Committee unanimously agreed to go into closed executive session to discuss those matters listed on the resolution at 8:23 p.m.

Minutes were recorded of the closed session matters and will be released when authorized by the governing body and permitted by law.

Eckel motioned; Cagas seconded and the Committee unanimously agreed to end closed session and re-open the meeting to the public at 9:07 p.m.

Respectfully submitted,


Linda LoPiccolo
Municipal Clerk

Resolution Authorizing Executive Session – May 5, 2011

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.

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.

**Joseph Maglio – Grievance B 42569
TSH v. Dio Mas, LLP**

___(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 May 5, 2011.

Linda LoPiccolo
Municipal Clerk

May 5, 2011 – Worksession Meeting