

Township of South Hackensack
Bergen County, New Jersey
May 13, 2010 7:30 P.M.
Regular Meeting
MINUTES

James Anzevino, Mayor.....Present
Walter Eckel, Jr., Deputy MayorPresent (7:50 - 8:30 pm)
Gary BruggerPresent
Frank CagasPresent
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; Cagas seconded and the Committee unanimously agreed to accept correspondence dated May 7, 2010, from Michael D. Frew, Police Chief Re: Louis Street, and authorize David Nasta to prepare the necessary resolution for introduction by the Township Committee

Anzevino motioned; Brugger seconded and the Committee unanimously agreed to accept and file the General Correspondence – April 2010.

Maceri motioned; Brugger seconded and the Committee unanimously agreed to accept and file the Monthly Department Reports April 2010

Anzevino motioned; Brugger seconded and the Committee unanimously agreed to accept and place on file the correspondence dated May 13, 2010, Durene Ayer, CFO Re: Supplemental Debt Statement

Brugger motioned; Cagas seconded to accept letter of resignation with regret from Blasé Coppola and place it on file.

Ordinances

Anzevino motioned; Maceri seconded to Introduce Ordinance 2010-04 and set the date for public hearing and adoption to be held on June 10, 2010 at 7:30 p.m.

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

Ordinance 2010-04

BOND ORDINANCE TO AUTHORIZE THE GARFIELD PARK SEWER PUMPING STATION FLOOD-PROOFING PROJECT IN, BY AND FOR THE TOWNSHIP OF SOUTH HACKENSACK, IN THE COUNTY OF BERGEN, NEW JERSEY, TO APPROPRIATE THE SUM OF \$166,500 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION, TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS AND TO AMEND BOND ORDINANCE NO. 2009-08 ADOPTED JULY 9, 2009.

Resolutions

Consent Resolution No. 2010-05

Offered: Brugger

Second: Maceri

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

Resolution No. 2010-107 Resolution of The Township Committee of South Hackensack Regarding The Defeated 2010-11 Budget of The South Hackensack School District, Bergen County, New Jersey

Offered: Eckel

Second: Cagas

Roll Call Vote: Ayes: Cagas, Eckel, Maceri Abstain: Anzevino, Brugger

Prior to the vote on the defeated school budget resolution, Dr. DeFabiis, CSA, Memorial School – Appeared before the Township Committee to object to the following proposed cuts indicating that they violated statute, contracts and/or codes: CE01, CE27, CE78, CE82, CE98, CR01.5. He stated that he had already made cuts to the budget that was proposed to the voters and recommended an additional \$300, 000 in cuts that could be made by the governing body.

Frank Cagas reported that the sub-committee met with Dr. DeFabiis and went through the entire budget line by line and after thorough review have proposed the cuts outline in the resolution.

Walter Eckel, Jr. entered the meeting at 7:50 p.m. while Dr. DeFabiis was speaking before the Township Committee. Eckel reported that the sub-committee included himself, Frank Cagas, Durene Ayer and Linda LoPiccolo. He thanked everyone for their cooperation. He indicated that the sub-committee reviewed every line in the budget and requested additional information and documentation that was promptly provided by Dr.

DeFabiis. He felt that the overall increase of 15% was excessive and should have been cut, and that we can not continue to go to the taxpayers.

Resolution No. 2010-109 Tax Appeal Settlement

Offered: Brugger

Second: Anzevino

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

Committee Reports

Gary Brugger reported that the fire truck is now expected to be delivered next month.

Greg Maceri reported that he and Frank Cagas are on the recycling sub-committee and will meet with a representative from GreenSky next month to discuss various recycling programs, etc. available to the township. The current recycling contract expires at the end of this year.

Frank Cagas reported happily that Calicooneck Road's resurfacing is now complete.

Mayor Anzevino reported that Memorial Day services will be held on May 31, 2010 at 11:00 a.m. at Veterans Park, Phillips Avenue. He reported that a successful meeting was held at the senior housing complex. All those who are expected to occupy the units were invited. Apparently, there are some issues with PNC bank that must still be resolved. All tenants are expected to occupy by Labor Day.

Anzevino discussed the ongoing budget issues and stated that there will be additional changes to the introduced budget. The introduced budget has a 0% increase for the police department (they have no contract); there will be no REAP credit this year; the Homestead Rebate is expected to be eliminated; the school budget increase in this year's budget will be \$500,000 and since we underwent a revaluation of all real property this year, 303 homeowners will have an increase as a result of the revaluation alone. Although at the end of 2009 there was 1.3 million dollar surplus, \$525,000 of that has already been applied to this year's budget and in addition the township has a current liability of approximately \$1 million dollars in outstanding tax appeal litigation that must be addressed with their surplus appropriation or borrowing to repay. There will be additional cuts, the budget committee is reaching out to all department heads requesting their cooperation.

Public Comments

Patty Nasta, Maple Avenue – Member of the Board of Education asked if township employees will be asked to freeze their salaries as was suggested to that school personnel do. Anzevino replied that other than already entered contracts there will be no other raises to township employees. He indicated that there have been various discussions with departments regarding possible solutions to the current budget problems.

Vincent Stefano, Grove Street questioned the Mayor regarding the township's available surplus and whether or not there will be a reduction in the police workforce. Anzevino replied that he is continuing to work on the budget.

Pat Mei, Leuning Street – Complained that trucks turning onto Leuning Street continue to his house and asked the Committee to install bollards to prevent it. The Committee had already referred the matter to its engineer for his review and will notify Mr. Mei when the report is received.

Ray DeRiso was advised that the public works contract provided for a 4% increase and the teacher contract provided for a 5% increase each year of the contract.

Brugger motioned; Maceri seconded and the Committee unanimously agreed to end the meeting's public comment portion.

Closed Session

Maceri motioned; Anzevino seconded and the Committee unanimously agreed to go into closed session at 8:25 p.m. The matters discussed in closed session will be made available to the public upon proper request after approval and authorization by the governing body.

Adjournment

Anzevino motioned; Brugger seconded and the Committee unanimously agreed to return to open session at 9:50 p.m.

Prior to adjournment, Resolution No. 2010-109 Tax Appeal Settlement was adopted by the governing body.

Anzevino motioned; Brugger seconded and the Committee unanimously agreed to adjourn the meeting at 9:50 p.m.

Respectfully submitted,

Linda LoPiccolo
Municipal Clerk

Consent Resolution 2010-05

WHEREAS, the Township Committee of the Township of South Hackensack, has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Township Committee of the Township of South Hackensack is/is not desirous of removing a resolution from the consent agenda,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of South Hackensack that the following resolutions on the Consent Agenda are hereby approved and adopted:

Resolution Authorizing Executive Session – May 13, 2010

Resolution No. 2010-102 Authorize Grant Application - \$4,000 Click-It or Ticket

Resolution No. 2010-103 Return of Performance Guaranty Safer Properties Block 100 Lot 14, 60 Saddle River Avenue

Resolution No. 2010-104 Appoint Fire Sub-Code Official – 4 yr term

Resolution No. 2010-105 Authorizing the Execution of a Shared Service Agreement with the Port Authority of New York and New Jersey for Use of One Turf Sweeper

Resolution No. 2010-106 Appoint Auditor – 2009 Audit

Resolution No. 2010-108 Redemption of Tax Sale Certificate No. 09-00005

14 Lincoln Street - Taxes

Resolution No. 2010-110 Approve Minutes

Resolution No. 2010-111 Bills \$1,559,378.46

Resolution No. 2010-112 Temporary Budget Amendment #3

Offered: Brugger

Second: Maceri

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

Date: May 13, 2010

Resolution Authorizing Executive Session – May 13, 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.

___ (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 required in order for the attorney to exercise his ethical duties as a lawyer.

**Tax Appeal 176 Saddle River Road
Montenegro et als. V. TSH**

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.

**Personnel – Local 102 PBA (police), Local 11 Teamsters (DPW), H. James Riley,
Katerina Conti**

___ (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 13, 2010.

Linda LoPiccolo
Township Clerk

Resolution No. 2010-101 Licenses – MAY 2010
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WHEREAS, the following have made applications and paid a fee for various licenses, and

WHEREAS, the Township Committee has no exception to the issuance of these licenses,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that the following licenses by and are hereby approved unless noted and with conditions as noted.

GENERAL LICENSES

<u>Received</u>	<u>Business</u>	<u>License #</u>	<u>Fee</u>	<u>Type</u>
4/13/10	G&J Motors	3420A	\$ 360	Used Car Dealer
4/13/10	ABC Furnishings	3421A	100	General Merchandise
4/13/10	Red's Auto Repair	3422A	175	Auto Repair Shop
4/13/10	Fontanella's Auto Body	3423A	175	Auto Body Shop
4/13/10	Adam's Auto Body	3424A	175	Auto Body Shop
4/13/10	Meadows Vending Inc.	3425A	125	Vending Machines (5)
4/13/10	Lumen, The Light Bulb Str	3426A	100	General Merchandise
4/15/10	Tri-Way Cars	3427A	360	Used Car Dealer
4/15/10	Delta Auto Sales	3428A	360	Used Car Dealer
4/21/10	Vino's Lunch*	3429A	160	Mobile Vendor
4/26/10	LaBella Italia*	3430A	125	Restaurant
4/30/10	Aseel Catering*	3431A	160	Mobile Vendor
4/30/10	Caribe Restaurant	3432A	300	Entertainment
4/30/10	Dan-Jo Catering*	3433A	160	Mobile Vendor
4/30/10	Alward*	3434A	160	Mobile Vendor

*Pending all satisfactory inspections.

TOTAL: \$ 2,995

FIRE PERMITS

<u>Received</u>	<u>Business</u>	<u>License #</u>	<u>Fee</u>
4/19/10	Able Rolling Door	2364	\$ 166 Type II
4/19/10	Marine Electric Systems	2365	42 Type I
4/30/10	Liquid Lighting Dist.	2366	166 Type II

TOTAL FIRE: \$ 374

GRAND TOTAL ALL LICENSES/PERMITS: \$ 3,369

Consent Agenda Resolution No. 2010-05

Date: May 13, 2010

Resolution No. 2010-102 Authorize Grant Application - \$4,000 Click-It or Ticket

WHEREAS the South Hackensack Police Department is desirous of applying to the New Jersey Division of Highway Traffic Safety for a 2010 Click It or Ticket Grant in the amount of \$4,000; and

WHEREAS the South Hackensack Police Department will participate in the nationwide Click It or Ticket safety belt mobilization from May 24, 2010 – June 10, 2010 in an effort to raise awareness and increase safety belt usage through a combination of enforcement and education; 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, Durene Ayer, CFO, and Mayor James Anzevino be and are hereby authorized and direct 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 **Click It or Ticket** safety belt mobilization both locally and nationally from May 24, 2010 – June 10, 2010 and pledges to increase awareness of the mobilization and the benefits of safety belt use.

Consent Agenda Resolution 2010-05

Date: May 13, 2010

Resolution No. 2010-103 Return of Performance Guaranty Safer Properties Block 100 Lot 14, 60 Saddle River Avenue

WHEREAS on June 11, 2009, Albert Safer and Sylvia Safer, trading as Safer Properties entered into a Developer's Agreement for property located at Lot 14 Block 100 and Lot 11.01 Block 101, commonly known as 60 Saddle River Road, and

WHEREAS the Agreement required among other things the deposit with the Township of a Performance Guaranty in the amount of \$49,200., and

WHEREAS H. James Riley, Construction Code Official, issued memo dated April 29, 2010 indicating that he has no outstanding issues with the project and that a Certificate of Occupancy will be issued and that the performance bond may be released

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey that the performance guarantee in the amount of \$49, 200 be returned to Safer Properties – So. Hackensack, 1875 McCarter Hwy, Newark, NJ 07104

Consent Agenda Resolution No. 2010-05
Date: May 13, 2010

Resolution No. 2010-104 Appoint Fire Sub-Code Official – 4 yr term

WHEREAS William Lynn will retire as fire sub-code official effective June 30, 2010; and

WHEREAS Leonard Falato has offered to fill the position for an annual salary of \$1.00 and he is qualified;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey that Leonard Falato, 364 Chestnut Avenue, South Hackensack, NJ be and he is hereby appointed as Fire Sub-Code Official for a 4-year term effective July 1, 2010.

Consent Agenda Resolution No. 2010-05
Date: May 13, 2010

Resolution No. 2010-105 Authorizing the Execution of a Shared Service Agreement with the Port Authority of New York and New Jersey for Use of One Turf Sweeper

WHEREAS, the Port Authority of New York and New Jersey (“Port Authority”) has purchased a Turf Sweeper for use at Teterboro Airport; and

WHEREAS, the Township Committee has determined that it is in the best interest of the public health and safety to utilize a Turf Sweeper to remove bird dropping from it parks and public lands; and

WHEREAS, the Township of South Hackensack (“Township”) and the Port Authority desire to enter into a shared service agreement pursuant to the Uniform Shared Service and Consolidation Act to permit the Township to use the Turf Sweeper on an as needed basis.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that the Mayor and Township Clerk are hereby authorized to enter into a shared service agreement with the Port Authority upon receipt of written approval from the Township Attorney as to the form of said contract.

Consent Agenda Resolution No. 2010-05

Date: May 13, 2010

Resolution No. 2010-106 Appoint Auditor – 2009 Audit

WHEREAS, the Township Committee of the Township of South Hackensack has a need to acquire a municipal auditor to prepare the 2009 annual audit as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq.; and,

WHEREAS, the purchasing agent has determined and certified in writing that the value of the contract will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS Lerch, Vinci & Higgins, LLP, 17-17 Route 208, Fair Lawn, NJ, has submitted a proposal indicating they will provide the auditing services in accordance with that proposal; and

WHEREAS, Lerch, Vinci & Higgins, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that Lerch, Vinci & Higgins LLP has not made any reportable contributions to a political or candidate committee in the Township of South Hackensack in the previous one year, and that the contract will prohibit Lerch, Vinci & Higgins LLP from making any reportable contributions through the term of the contract, and

WHEREAS, the finance officer has certified that the funds are available for this purpose.

NOW THEREFORE, BE IT RESOLVED that the Township Committee of the Township of South Hackensack authorizes the Mayor to enter into a contract with Lerch, Vinci & Higgins, LLP as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution, and

BE IT FURTHER RESOLVED that notification of award of this contract shall be published as required by law.

Consent Resolution 2010-05

Date: May 13, 2010

Resolution No. 2010-107 Resolution of The Township Committee of South Hackensack Regarding The Defeated 2010-11 Budget of The South Hackensack School District, Bergen County, New Jersey

WHEREAS, in the election held on April 20, 2010, the proposed South Hackensack School District budget for the school year 2010-2011, with a proposed general fund tax levy in the amount of \$6,777,410, was defeated as reported in the certified canvas of the election by the Bergen County Board of Canvases for a result of 102 yes votes to 225 no votes; and,

WHEREAS, N.J.S.A. 18A:22-37 provides that if the voters reject any items of a budget submitted at the annual school election, thereafter, the members of the Governing Body of the municipality shall consult with the Board of Education and determine the amounts which they deem necessary to provide a thorough and efficient system of schools for the South Hackensack School District for the ensuing year; and,

WHEREAS, a meeting with representatives of the Township Committee and the South Hackensack School District was held on March 11, 2010, and May 3, 2010

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of South Hackensack that:

1. The original fund tax levy on ballot for base budget: \$6,777,410
2. The amount of reduction to general fund tax levy for base budget: \$701,338
3. The specific line-item reductions and increases in budgeted revenues and supported reasons for each reduction or increase:

Page No.	Account No.	Account Description	Recommended Reduction
CE01	11-000-100-561-A1	Tuition W/I State - Regular - HHS	116,655
CE08	11-000-211-100-A1	Salaries - Attendance	12,276
CE20	11-000-216-320	Pur Prof Edu SVD/OT/PT	10,000
CE24	11-000-219-104-A1	Salaries/Other Professional Staff	43,924
CE27	11-000-219-320	Pur Prof Svd/Social Wkr/Psych	10,000
CE66	11-00-261-420-B2	Clean/Repair/Maintenance of Boiler	2,500
CE68	11-000-262-100-A1	Salaries/Custodial/Regular	86,957
Page No.	Account No.	Account Description	Recommended Reduction
CE78	11-000-262-620-I1	Energy (Heat & Electric)	10,000
CE79	11-000-270-160	Transfers To/From School Regional	5,000
CE82	11-000-270-511-F1	Contr. Svc. - Home/School Reg.	35,000
CE83	11-000-270-512-G1	Contr. Service - Field/Sports	10,000
CE88	11-000-291-220-A1	Social Security Cont/PERS	10,000
CE90	11-000-291-241-B1	Other Retirement Contr./Regular	5,000

Date: May 13, 2010

Resolution No. 2010-109 Authorizing Settlement of Tax Appeal

WHEREAS, Real Property Tax Appeals have been filed as follows:

Property Owner: Saddle River Avenue Associates
Address: 176 Saddle River Avenue
Lot: 12
Block: 101
Docket Nos: 004980-2009, 007371-08

and

WHEREAS, these Tax Appeals have been reviewed with the Tax Assessor, Township Attorney and Appraisal Expert who have concurred that a fair settlement, as detailed on the attached Stipulation of Settlement, has been reached; and

WHEREAS, the proposed settlement reflects consideration of all factors, including, without being limited to, the cost and expense of defending these appeals and securing Appraisal Reports; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of South Hackensack, County of Bergen, and State of New Jersey as follows:

1. The settlement of the Real Property Tax Appeals described in the preamble of this resolution is hereby authorized.
2. The terms of the settlement are as set forth on the attached Stipulation of Settlement which is specifically incorporated herein. .
3. The Township Attorney is authorized to execute the attached Stipulation of Settlement on behalf of the Township of South Hackensack.
4. Any refunds due and owing as a result of the settlement of the Tax Appeal shall be forwarded to Counsel for the Plaintiff and made payable to the attorney trust account of the Plaintiff's attorney.

NOW THEREFORE BE IT FURTHER RESOLVED that the Township Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to the Township Attorney, the Tax Assessor of the Township of South Hackensack and Robert McNerney of McNerney & Associates.

Offered: Brugger
Roll Call Vote: Ayes: Anzevino, Brugger, Cagas, Maceri
Date: May 13, 2010
Second: Anzevino
Absent: Eckel

AMBER N. HEINZE, ESQ.
 The Irwin Law Firm, P.A.
 80 Main Street, Suite 410
 West Orange, New Jersey 07052
 (973) 325-0191

TAX COURT OF NEW JERSEY

SADDLE RIVER AVE. ASSOC. :

Docket No. 007371-08 & 004980-09

Plaintiff,

: STIPULATION OF SETTLEMENT
 (Without Affidavit)

-v-

: Hon. Joseph M. Andresini, J.T.C.

SOUTH HACKENSACK TOWNSHIP

:

Defendant

First Calendar Date:

:

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment be entered as follows:

Block: 101 Lot: 12
 Year: 2008
 Street Address: 176 Saddle River Avenue

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
Land	\$ 308,700	DIRECT	\$ 308,700
Improvements	\$ 498,100	APPEAL	\$ 498,100
TOTAL	\$ 806,800		\$ 806,800
	AFFIRMED		AFFIRMED

Block: 101 Lot: 12
 Year: 2009
 Street Address: 176 Saddle River Avenue

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
Land	\$ 308,700	DIRECT	\$ 308,700
Improvements	\$ 498,100	APPEAL	\$ 498,100
TOTAL	\$ 806,800		\$ 606,800

Block: 101 Lot: 11.02
 Year: 2008
 Street Address: 176 Saddle River Avenue

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
Land	\$ 392,400	DIRECT	\$ 392,400
Improvements	\$ 50,800	APPEAL	\$ 50,800
TOTAL	\$ 443,200		\$ 443,200
	AFFIRMED		AFFIRMED

Block: 101 Lot: 11.02
Year: 2009
Street Address: 176 Saddle River Avenue

	<u>Original</u> <u>Assessment</u>	<u>County Board</u> <u>Judgment</u>	<u>Requested Tax</u> <u>Court Judgment</u>
Land	\$ 392,400	DIRECT	\$ 342,400
Improvements	\$ 50,800	APPEAL	\$ 50,800
TOTAL	\$ 443,200		\$ 393,200

2. The undersigned have made such examination of the value and proper assessment of the property(ies) and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property(ies) as they deem necessary and appropriate for the purpose of enabling them to enter into the Stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.

3. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property(ies) consistent with assessing practices generally applicable in the taxing district as required by law.

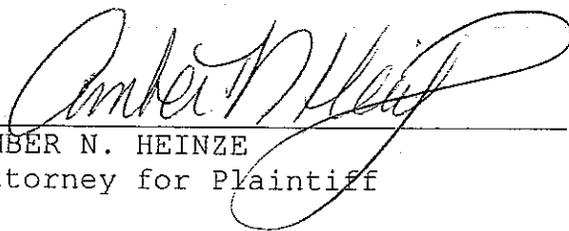
4. Pre-judgment interest is waived on the condition that this Stipulation of Settlement is signed by counsel for the municipal defendant and forwarded to the Tax Court of New Jersey within 45 days hereof and provided the refund is paid within 60 days from the date of the entry of judgment.

5. All tax over-payments and interest shall be by refund check made jointly payable to "Saddle River Ave. Assoc., Plaintiff and/or The Irwin Law Firm, P.A., as attorneys for to "Saddle River Ave. Assoc., Plaintiff" without any offsets or deductions whatsoever for any unpaid taxes or municipal charges for tax years subsequent to the tax years covered by this Stipulation.

6. The provisions of Paragraphs 4 and 5 shall survive Judgment even if not included in the Judgment issued by the Tax Court.

7. The parties agree that there has been no change in value or municipal-wide revaluation or reassessment adopted for the tax year **2010**, and therefore agree that the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to and a final disposition of this case and the entire controversy and of any actions pending or hereafter instituted by the parties concerning the assessment on the property referred to herein for said Freeze Act year(s). No Freeze Act year(s) shall be the basis for application of the Freeze Act for any subsequent year(s).

Dated: March , 2010



AMBER N. HEINZE
Attorney for Plaintiff

Dated:

JOSEPH ROTOLO
Attorney for Defendant

Resolution No. 2010-110 Approve Minutes

BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey that the following minutes be and are hereby approved as submitted.

April 1, 2010 (Worksession)

April 8, 2010 (Regular)

May 6, 2010 (Worksession)

Consent Resolution No. 2010-05

Date: May 13, 2010

Township of South Hackensack

Bergen County, New Jersey

5/13/2010

RESOLUTION NO. 2010 - 111

BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, State of New Jersey, that the proper warrants be drawn and that attached bills, with the exception of those bills not approved by a majority of the Committee, be paid providing funds are available in the amount of

1,559,378.46

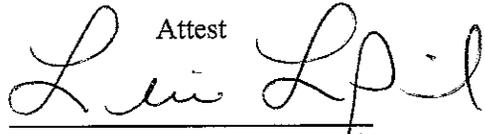
Offered By:

Seconded By:

Approval Date: 5/13/10

Approved:


James Anzevino, Mayor

Attest

Linda LoPiccolo, Clerk

Developer's & Escrow

Check No's 1567 to 1570	Per Attached List	53,388.23
	Total Developers & Escrow	53,388.23

Payroll Agency

Check No's 1211 to 1223, 1201	Per Attached List	4,575.66
EFT - Premium Collection	Per Attached List	11,520.16
	Total Payroll Agency	16,095.82

Unemployment

Check No. 1027	Per Attached List	4,342.57
	Total Unemployment	4,342.57

Park Ave BMW

Check No.	Per Attached List	-
	Total Park Ave BMW	-

FED-Ex

Check No.	Per Attached List	-
	Total FED-Ex	-

Capital

Check No 1524	Per attached List	2,285.50
	Total Capital	2,285.50

Dog License

Check No.	Per attached List	0.00
	Total Dog License	0.00

Current Fund

Check No's 7387 to 7483	Per attached List	1,483,266.34
	Total Current Account	1,483,266.34

Range of Checking Accts: First to Last Range of Check Dates: 04/07/10 to 05/11/10
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
DEV DEVELOPERS & ESCROW CASH					
1567	04/12/10	CHI05 Chickie's Kitchen, LLC	1,200.00		626
1568	04/19/10	SHT01 SOUTH HACKENSACK TOWNSHIP	467.23		686
1569	05/11/10	BOS01 BOSWELL ENGINEERING, INC.	2,521.00		697
1570	05/11/10	SAF05 SAFER PROPERTIES	49,200.00		697

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	4	0	0.00	53,388.23
Direct Deposit:	0	0	0.00	0.00
Total:	4	0	0.00	53,388.23

EFT ACTIVITY EFT ACTIVITY TRACKING
1 04/29/10 PRE02 PREMIUM COLLECTION 11,520.16 691

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	1	0	0.00	11,520.16
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	0.00	11,520.16

GENERAL ACCOUNT

7387	04/08/10	SHP01	SO HACKENSACK PAYROLL AGENCY	4,694.40	674
7388	04/08/10	SHT01	SOUTH HACKENSACK TOWNSHIP	61,142.36	674
7389	04/12/10	BCM01	BERGEN COUNTY MUNI CLERK'S ASS	60.00	678
7390	04/12/10	MED15	MEDIEVAL TIMES	2,036.00	678
7391	04/13/10	PRU01	Prudential Retirement	211.50	681
7392	04/13/10	PRU01	Prudential Retirement	117.75	682
7393	04/13/10	SHP01	SO HACKENSACK PAYROLL AGENCY	4,198.42	685
7394	04/13/10	SHT01	SOUTH HACKENSACK TOWNSHIP	54,658.99	685
7395	04/22/10	SHP01	SO HACKENSACK PAYROLL AGENCY	4,227.74	687
7396	04/22/10	SHT01	SOUTH HACKENSACK TOWNSHIP	55,042.29	687
7397	04/23/10	NJT01	TREASURER, ST NJ DEPT CHILD/FAM	50.00	689
7398	04/29/10	SHP01	SO HACKENSACK PAYROLL AGENCY	5,667.36	690
7399	04/29/10	SHT01	SOUTH HACKENSACK TOWNSHIP	73,861.02	690
7400	05/06/10	SHP01	SO HACKENSACK PAYROLL AGENCY	4,688.42	692
7401	05/06/10	SHT01	SOUTH HACKENSACK TOWNSHIP	61,064.45	692
7402	05/06/10	CAB01	CABLEVISION	222.41	693
7403	05/11/10	AC001	A and C	300.00	698
7404	05/11/10	ACE01	ACE WALCO & SONS TERMITE	99.61	698
7405	05/11/10	ALLO3	ALL AMERICAN FORD	315.12	698
7406	05/11/10	AME01	AMER PUBLIC WORKS ASSN NJ CHAP	25.00	698
7407	05/11/10	AME03	AMERICAN FENCE CO.	6,327.75	698
7408	05/11/10	APP01	Appraisal Systems, Inc.	9,270.00	698
7409	05/11/10	BAG01	BAGS PLUS	239.32	698
7410	05/11/10	BCB10	BCB JANITORIAL SUPPLY COMPANY	197.11	698
7411	05/11/10	BCH01	BERGEN COUNTY DEPT OF HEALTH	877.11	698
7412	05/11/10	BCT01	BERGEN COUNTY TREASURER	341,200.00	698

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
7413	05/11/10	BCT02	BERGEN COUNTY TREASURER OPEN S	18,800.00	698
7414	05/11/10	BER01	BERGEN MUNICIPAL EMPLOYEE BENF	64,214.99	698
7415	05/11/10	BOS01	BOSWELL ENGINEERING, INC.	7,408.79	698
7416	05/11/10	BSS01	B & S SUPPLY CO.	9.88	698
7417	05/11/10	CAM03	CAMPBELL FOUNDRY COMPANY	140.00	698
7418	05/11/10	CHA03	CHARD & CO INC	29.99	698
7419	05/11/10	COA01	COAST AUTOMOTIVE	1,256.45	698
7420	05/11/10	CON02	ONE COMMUNICATIONS	848.31	698
7421	05/11/10	CUC01	CUCCIA, JENNA	153.00	698
7422	05/11/10	DAN02	JOHN D'ANTON ESQ.	1,515.00	698
7423	05/11/10	DEE01	DEER PARK DIRECT	20.90	698
7424	05/11/10	DEP02	DEPENDABLE TRUCK & AUTO REPAIR	1,709.95	698
7425	05/11/10	DSP01	DSP PRODUCTS INC.	159.90	698
7426	05/11/10	EVA02	THE EVANS COMPANY	168.00	698
7427	05/11/10	FED01	FEDERAL EXPRESS	78.04	698
7428	05/11/10	FIR01	THE FIRST OCCUPATIONAL CENTER	2,814.00	698
7429	05/11/10	GAT01	GATES FLAG & BANNER CO., INC.	388.60	698
7430	05/11/10	GEN02	GENERAL CODE PUBLISHERS	960.00	698
7431	05/11/10	GKS01	G & K SERVICES	158.52	698
7432	05/11/10	GRA03	GRAYBAR	22.08	698
7433	05/11/10	GTB01	GTBM INC	1,312.50	698
7434	05/11/10	HAC03	NEW JERSEY MEADOWLANDS COMMISS	100,302.00	698
7435	05/11/10	HAR04	SINGH HARJINDER	10.00	698
7436	05/11/10	HUD01	HUDSON TIRE EXCHANGE	176.00	698
7437	05/11/10	IDM01	IDM MEDICAL SUPPLY	229.00	698
7438	05/11/10	INH01	INHALATION THERAPY	30.16	698
7439	05/11/10	LAN01	LANGUAGE LINE SERVICES	64.60	698
7440	05/11/10	LET11	LET'S GET PERSONAL COMPUTING	550.00	698
7441	05/11/10	LIT01	LITTLE FERRY HARDWARE	112.35	698
7442	05/11/10	LIT02	LITTLE FERRY PUBLIC LIBRARY	150.00	698
7443	05/11/10	MAR07	MARIOLA MLEKICKI	680.00	698
7444	05/11/10	MEL10	S. MELTZER & SONS, INC.	439.96	698
7445	05/11/10	MGL01	MGL PRINTING SOLUTIONS	514.00	698
7446	05/11/10	MUN04	MUNICIPAL CLERKS ASSN OF NJ	20.00	698
7447	05/11/10	NJT02	TREASURER, N JERSEY CODES/STAN	674.00	698
7448	05/11/10	NOR01	NORTH JERSEY MEDIA GROUP INC	212.12	698
7449	05/11/10	OCC01	OCCUPATIONAL MED Assocs Inc.	450.00	698
7450	05/11/10	OLD10	OLD DOMINION BRUSH COMPANY	434.25	698
7451	05/11/10	ONS01	ONSITE JOHNNY WASTE SERVICES	150.00	698
7452	05/11/10	OSH02	O'SHEA PRINTING GRAPHICS	200.00	698
7453	05/11/10	PAR03	PARAMUS BUILDING SUPPLY CO	55.72	698
7454	05/11/10	PIN01	PINNACLE WIRELESS	380.00	698
7455	05/11/10	PIT03	PURCHASE POWER - PITNEY BOWES	1,000.00	698
7456	05/11/10	PIT04	PITNEY BOWES GLOBAL FINANCIAL	209.00	698
7457	05/11/10	PSE01	P S E & G	9,372.97	698
7458	05/11/10	RAC01	RACHLES & MICHELE'S OIL CO INC	4,581.22	698
7459	05/11/10	RAP01	RAPID PUMP & METER	6,078.40	698
7460	05/11/10	RUT02	RUTGERS, THE STATE UNIVERSITY	814.00	698
7461	05/11/10	SHE01	SO HACKENSACK BD OF EDUCATION	553,145.00	698
7462	05/11/10	SHF01	SO HACKENSACK FIRE CO NO 1	1,560.00	698
7463	05/11/10	STA01	STAPLES CREDIT PLAN	626.09	698
7464	05/11/10	STA04	STANDARD INSURANCE COMPANY	110.34	698
7465	05/11/10	STE02	STEWART BUSINESS SYSTEMS	347.54	698
7466	05/11/10	STR01	STRAUSS BROTHERS	1,071.38	698

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
7467	05/11/10	SUS01 SUSQUEHANNA MUNICIPAL FINANCE	249.00		698
7468	05/11/10	TER01 MARY TERRACCINO	73.24		698
7469	05/11/10	TM002 T-Mobile 120	92.15		698
7470	05/11/10	TOR01 Salvatore Tornabe	30.00		698
7471	05/11/10	TOW01 TOWN GETTY SERVICE	463.35		698
7472	05/11/10	TRE02 TREASURER STATE OF NEW JERSEY	150.00		698
7473	05/11/10	UNI01 UNITED WATER NEW JERSEY	3,221.94		698
7474	05/11/10	USA01 USA MOBILITY	26.88		698
7475	05/11/10	VER05 Verizon v06	84.06		698
7476	05/11/10	VER06 Verizon 8965	197.45		698
7477	05/11/10	VER07 Verizon 0648	120.68		698
7478	05/11/10	VER09 Verizon wireless 1644	160.04		698
7479	05/11/10	VIG01 VIGILANTI ELECTRIC INC	340.00		698
7480	05/11/10	WAS01 WASTE MANAGEMENT of NJ INC	228.42		698
7481	05/11/10	WEL02 WELTER & KREUTZ PRINTING CO	26.00		698
7482	05/11/10	ZDE02 RAY DE RISO	45.00		698
7483	05/11/10	ZOF01 DEBORAH ZAFONTE	45.00		698

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	97	0	0.00	1,483,266.34
Direct Deposit:	0	0	0.00	0.00
Total:	97	0	0.00	1,483,266.34

GENERAL CAPITAL	GENERAL CAPITAL INTERCHANGE			
1524	05/11/10	BOS01 BOSWELL ENGINEERING, INC.	2,285.50	695

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	1	0	0.00	2,285.50
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	0.00	2,285.50

PAYROLL AGENCY	PR AGENCY	TB BANK		
1212	04/08/10	NJF03 NEW JERSEY FAMILY SUPPORT	165.00	675
1213	04/08/10	NJF03 NEW JERSEY FAMILY SUPPORT	553.00	675
1201	04/09/10	TEA01 Teamsters Local 11	141.00	676
1211	04/09/10	TEA01 Teamsters Local 11	241.00	677
1214	04/13/10	PRU01 Prudential Retirement	387.78	679
1215	04/13/10	PRU01 Prudential Retirement	215.88	680
1216	04/13/10	NJF03 NEW JERSEY FAMILY SUPPORT	553.00	684
1217	04/13/10	NJF03 NEW JERSEY FAMILY SUPPORT	165.00	683
1218	04/22/10	NJF03 NEW JERSEY FAMILY SUPPORT	165.00	688
1219	04/22/10	NJF03 NEW JERSEY FAMILY SUPPORT	553.00	688
1222	05/06/10	NJF03 NEW JERSEY FAMILY SUPPORT	165.00	694
1223	05/06/10	NJF03 NEW JERSEY FAMILY SUPPORT	553.00	694
1121	05/11/10	NJF03 NEW JERSEY FAMILY SUPPORT	553.00	699
1220	05/11/10	NJF03 NEW JERSEY FAMILY SUPPORT	165.00	699

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	14	0	0.00	4,575.66

Check #	Check Date	Vendor		Amount Paid	Reconciled/Void	Ref Number
		Direct Deposit:	0	0	0.00	0.00
			<u> </u>	<u> </u>	<u> </u>	<u> </u>
		Total:	14	0	0.00	4,575.66

UNEMP UNEMPLOYMENT TRUST
1027 05/11/10 NJU01 NJ Dept. Labor/Workforce Dev 4,342.57 696

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	1	0	0.00	4,342.57
Direct Deposit:	0	0	0.00	0.00
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Total:	1	0	0.00	4,342.57

Report Totals	Paid	Void	Amount Void	Amount Paid
Checks:	118	0	0.00	1,559,378.46
Direct Deposit:	0	0	0.00	0.00
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Total:	118	0	0.00	1,559,378.46

Resolution No. 2010-112 Temporary Budget Amendment #3

WHEREAS, an emergent Condition has arisen with respect to current fund appropriations (see list below) and

WHEREAS, no adequate provision has not been made in the 2010 temporary budget for the aforesaid purpose, and NJSA 40A: 4-20, provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2010 pursuant to the provision of Chapter 96, P.S. 1951 (N.J.S.A.40A: 4-20) including this resolution total \$1,264,752.

NOW, THEREFORE, BE IT RESOLVED (not less than two thirds of all members thereof affirmatively concurring) that in accordance with the provision of N.J.S.A.40A: 4-20:

1. An emergency temporary appropriation be and the same is hereby made for
Township of South Hackensack
2010 Temporary Budget

Operations included in "CAPS"

Finance S/W	200
Tax Collection S/W	400
Code Enforcement O/E	500
Police S/W	15,000
Police O/E	3,000
Aid to Volunteer Fire Co.	900
Fire Department S/W	400
Fire Department O/E	3,000
Prosecutor S/W	1,250
Solid Waste Collection - Recycling	1,407
Buildings & Grounds	5,000
Street Lighting	1,000
Gasoline	1,000
<u>Municipal Court O/E</u>	<u>1,000</u>
Total	\$34,057

2. That a certified copy of this resolution be forwarded to the Division of Local Government Services.

Consent Agenda Resolution 2010-112

Date: May 13, 2010