

Township of South Hackensack
County of Bergen, New Jersey
June 1, 2006 7:30 P.M.
Worksession Meeting
MINUTES

Robyn Scholz, MayorPresent
Lucindo A. LoPiccolo, Jr., Deputy Mayor.....Absent
James AnzevinoPresent
Gary BruggerPresent
Walter Eckel, Jr.....Present

Also present:

David V. Nasta, Esq., Municipal Attorney
Linda LoPiccolo, Municipal Clerk
Walter Tretiak, PE, Boswell Engineering
Rosemarie T. Giotis, CFO/Tax Collector

Call of Meeting to Order

Mayor Scholz 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 role.

Correspondence

Michael Frew, Chief (May 18, 2006-Request to hire dispatchers)

Brugger motioned; Anzevino seconded to accept correspondence from Michael D. Frew, Police Chief, May 18, 2006, and approve his request to hire Joseph Marrella and Jared Arcidiacono as additional part time dispatchers. Roll Call Vote: Ayes: Anzevino, Brugger, Eckel, Scholz. Absent: LoPiccolo

Old Business

Block 45.01 Lots 7.01, 7.02, and 7.03 (Hoffman Street)

Mr. Nasta will coordinate with the City of Hackensack for an Agreement for services. Nasta indicated that he left instructions with the building department that permits should not be issued until an Agreement has been formalized.

77 Franklin Street – Site Survey

Anzevino motioned; Scholz seconded to authorize Boswell Engineering to prepare a site survey for 77 Franklin Street in an amount not to exceed \$4,500. Roll Call Vote: Ayes: Anzevino, Brugger, Eckel, Scholz. Absent: LoPiccolo

DPW Sewer Jet – Bids Received May 2, 2006 were Rejected May 4, 2006
Eckel motioned; Brugger seconded to authorize the clerk to advertise for bids and for the attorney to prepare the bid package. All in favor.

Firefighter Ordinance (permitting non-residents to join the department)
The clerk was authorized to list the ordinance on the agenda for June 8th introduction.

NJMC Grant - \$100,000
The matter was tabled until June 8, 2006

National Incident Management System
Mayor Scholz motioned; Anzevino seconded to authorize Michael Ward to arrange for the required training and to advise all those employees required to complete the training that they must do so by the required completion date. All in favor.

Block 22 Lot 2 (Clausen Street)
David Nasta will contact Ralph Padovano, Esq, and report back to the Township Committee. The matter was tabled for 30 days.

Omnipoint – Monopole on municipal property
Nasta reported that an issue has arisen and is being addressed by the engineer regarding emergency service equipment if it is placed on the pole. He further reported that he has made contact and expects to resolve the easement issue with the adjacent property owner (Forsgate).

COAH Development Fee Ordinance – Amendment Needed for Bank
Mr. Nasta authorized to prepare the ordinance for introduction on June 8, 2006

New Business

2006-07 Liquor License Renewals
Those licenses that have received satisfactory reports from all departments will be listed for renewal on June 8, 2006.

Developers Agreement – Forsgate Ventures Block 33.01 Lot 8, 45 E. Wesley Street
Mr. Nasta has reviewed the agreement and should be listed for approval by the Township Committee on June 8, 2006

Zoning – Bio-Tech
Mr. Nasta brought to the attention of the Township Committee that this use is currently not permitted under our zoning ordinance. He suggested that the committee considering amending the zoning ordinance to permit this use. Although Maser Consulting has not yet made its final report to the Township Committee regarding the redevelopment plan, perhaps the committee would like to consider this amendment. Nasta will prepare a draft of an ordinance and circulate to the committee for their consideration on June 8, 2006.

Tax Anticipation Note - \$1,500,000.00

Eckel motioned; Brugger seconded to authorize Loretta D'Ambrosio, Treasurer to take the necessary action to secure a Tax Anticipation Note in the amount of \$1,500,000.

Ordinances

There were no ordinances introduced or adopted at this meeting.

Resolutions

Resolution Authorizing Closed Session

Offered: Scholz

Second: Brugger

Roll Call Vote: Ayes: Anzevino, Brugger, Eckel, Scholz Absent: LoPiccolo

Resolution No. 2006-097 Appoint Plumbing Sub-Code Official 60 days

Offered: Brugger

Second: Anzevino

Roll Call Vote: Ayes: Anzevino, Brugger, Eckel, Scholz Absent: LoPiccolo

Resolution No. 2006-098 Appoint Fire Sub-Code Official 60 days

Offered: Brugger

Second: Eckel

Roll Call Vote: Ayes: Anzevino, Brugger, Eckel, Scholz Absent: LoPiccolo

Committee Reports

Walter Eckel, Jr. -- No report

James Anzevino -- Discussed implementing a shade tree ordinance. The ordinance could include a provision to collect funds for trees and their maintenance.

Gary Brugger -- Reported that a \$25,000 grant has been rescinded by the state, thereby reducing the amount that could be used for the park. He and Mr. LoPiccolo have looked into and may consider a recommendation to install decorative lighting along Phillips Avenue in the park as well as concrete pads under the benches.

Mayor Scholz -- Updated the public on the senior housing project. A more detailed report will follow in the next month

Public Comments

Mrs. Dolly Montenegro -- Suggested that the DPW prepare forms and pour the concrete under the benches in the park, rather than hire an outside contractor to do the work.

Closed Session

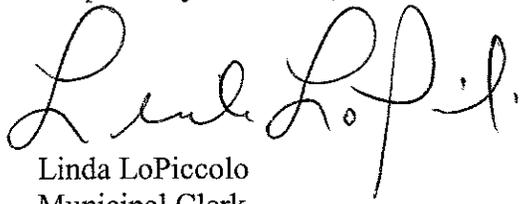
Scholz motioned; Brugger seconded to go into closed session at 9:22 p.m. to discuss those matters as listed in the resolution. All in favor.

Eckel motioned; Brugger seconded to reopen the meeting to the public at 10:29 p.m. All in favor.

Adjournment

Eckel motioned; Scholz seconded to adjourn the meeting at 10:28 p.m. All in favor.

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.

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.

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 June 1, 2006.

Linda LoPiccolo
Township Clerk

Resolution No. 2006-097 Appoint Plumbing Sub-Code Official 60 days

WHEREAS Leonard Falato, submitted a letter of retirement as Plumbing Sub-Code Official effective June 1, 2006, and

