

Township of South Hackensack
Bergen County, New Jersey
July 1, 2010 7:30 P.M.
Worksession Meeting
MINUTES

James Anzevino, MayorPresent
Walter Eckel, Jr., Deputy MayorPresent
Gary BruggerPresent
Frank CagasPresent(7:53pm)
Gregorio Maceri.....Present
Also present:
David V. Nasta, Esq., Municipal Attorney
Mary Terraccino, Deputy Clerk

Call of Meeting to Order

Mayor Anzevino called the Worksession Meeting to order at 7:33 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; Eckel seconded and the Committee unanimously accepted the correspondence dated June 14, 2009 from Michael D. Frew, Chief of Police and Traffic Officer Ptl. Chinchar's reports on 111 E. Grove Street & 513 Moonachie Road and will further this to New Business.

Maceri motioned; Brugger seconded and the Committee unanimously accepted correspondence dated June 22, 2010, from CDBG Re: the applications for the FY 2011. The committee would like to know if an emergency generator for the municipal building would be a possible application and asked the deputy clerk to contact Joe Rutch.

Brugger motioned; Anzevino seconded and the Committee unanimously accepted correspondence dated June 24, 2010, from Elliot Sachs, Boswell Engineering and to prepare a resolution for the July 15th meeting to authorize Change Order No. 1 for Calicooneck Road (section 2)

Anzevino motioned; Brugger seconded and the Committee unanimously accepted correspondence and tabled this matter to the July 15th meeting Re: Garfield Park Pump Station Flood-Proofing bids.

Eckel motioned; Anzevino seconded and the Committee unanimously accepted correspondence dated June 24, 2010 from Michael D. Frew, Chief of Police Re: permission to title and register a confiscated vehicle and will further this to New Business.

Anzevino motioned; Brugger seconded and the Committee unanimously accepted the correspondence dated June 24, 2010 from Michael D, Frew Re: part-time dispatcher Robert Czarnecki and authorize Robert Czarnecki to be hired as a part-time dispatcher.

Anzevino motioned; Maceri seconded and the Committee unanimously accepted the e-mail dated June 25, 2010 from Elliott Sachs, Boswell Engineering Re: 2011 NJDOT Local Aid Application and to place this on file and no further action at this time until we here back from Boswell Engineering.

Old Business

Foreclosure List - Brugger motioned; Anzevino seconded and the Committee unanimously accepted the Foreclosure list and to prepare a resolution for the July 15 meeting so that David Nasta can proceed to foreclose on the listed property.

The school budget revision was not discussed at this time. Walter requested to wait until Frank Cagas arrived.

New Business

Curb Cut 513 Moonachie Road – Brugger motioned; Maceri seconded and the Committee unanimously agreed to approve the curb cut for 513 Moonachie Road with the conditions of Ptl. Chinchar's report and with no elimination of sidewalks as previously discussed at the June 10th meeting.

Curb Cut 111 East Grove Street – Ray DeRiso indicated that no variance was necessary to approve the curb cut and width of the driveway. Anzevino motioned; Maceri seconded and the Committee unanimously agreed to approve the curb cut for 111 East Grove Street.

Confiscated Vehicle – Walter Eckel requested that more information be provided by the Police Chief regarding this matter and requested that this matter be table to July 15th meeting. Eckel's concerns were the possibility of selling the car and the necessity of this vehicle and its use due to the fact that the town just auctioned off the Audi.

Ptl. Bongiovanni & Ptl. Breslin extension of layoff – Anzevino reported that town is currently in negotiations with the PBA and that some progress is being made. The mediator asked if the town could hold off on the lay-off of these two officers for 2-3 months. After conferring with the committee and labor counsel there was an agreement to grant a 30 day extension for these two officers as the town continues to negotiate. The committee feels the need to meet before this matter extends to an arbitrator. The

negotiating committee feels that if they could meet with the men from the police department that something could be worked out. It would all be in the best interest of the community. At this point the committee is willing to extend the lay-off, continue with the meetings and go forward. Arbitration date is set for August 16, 2010.

Resolution No. 2010-136 Extending the Date of Layoff of Ptl. Peter Bongiovanni and Ptl. Daniel Breslin to July 31, 2010

Offered: Anzevino

Second: Maceri

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

School Budget – Eckel stated that a meeting was held this week with Dr. Defabiis on June 29, 2010 and the township recommends the reinstatement of the following monies:

- \$116,655 – Hackensack H.S. tuition
- \$100,000 – Surplus
- 20,000 – Seed money for preschool program

Eckel requested to have a resolution prepared for the July 15th meeting with the reinstatement of \$236,655 for the school budget.

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

Teterboro – Anzevino reported that there had been a few meetings with Connie Wagner and Bob Gordon on the possibility of making South Hackensack bigger with the suggestion of taking over Teterboro. Years ago the town was known as Lodi Township and in the break up of land South Hackensack was left in 3 parts. Geographically it would make sense to be contiguous without the Garfield Park and Moonachie sections. The proposal has be ratable wise including all the tax possibilities. This would not work if there is a dramatic increase for any one town. Included is a tax abatement program that would extend for 20 years. This proposal also raises the question of the Meadowlands District Tax Sharing Formula. The formula would continue to exist but the state would make the payments for the sending municipalities. Teterboro consolidation is tabled right now for the continuing of public hearings and the constitutionality of the tax abatements.

Tony Spanopoulos – 12 Hegner Court inquired about the relocation of the school on Rt. 46.

Chut Cerbo – Inquired if this proposal needed a referendum to be passed and the how long this may take.

Kelly Maher – Inquired how many houses are in Teterboro

Kim Reirich – Inquired how much of North Street would be part of South Hackensack because of the vacant lot that is soon to be a detention center.

Brugger asked the public to voice their opinion and to support the Teterboro proposal. Brugger and Rosina Romano had met 3 years ago with Teterboro to discuss shared services and Teterboro was not in agreement with any type of shared services at that time. They were not even willing to share their salt shed. Brugger felt that at any given time any small town could be part of a consolidation, even for South Hackensack.

Resolution No. 2010-135 Supporting the Adoption of A-2939 and S-2078 Teterboro Annexation

Offered: Brugger

Second: Cagas

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

Ordinances

Adoption of (tabled from June 10, 2010 meeting) Ordinance 2010-04 (Garfield Park Sewer Pump Station - \$166,500)

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.

Brugger motioned; Anzevino seconded and the Committee unanimously agreed to open the public hearing on Ordinance No. 2010-04

Kelly Maher – inquired about the allocation of the money and Anzevino indicated that we were only holding the public hearing at this time.

Walter Eckel asked about the expiration of the CDBG funds and Anzevino indicated that they would have to be spent by year end unless we ask for an extension.

Anzevino motioned; Eckel seconded and the Committee unanimously agreed to close the public hearing on Ordinance No. 2010-04

Brugger motioned; Eckel seconded to table the adoption of Ordinance 2010-04 until the July 15, 2010 Regular Meeting.

Roll Call Vote:

Ayes: Anzevino, Brugger, Cagas, Eckel, and Maceri

Resolutions

Resolution No. 2010-134 Amend Approved Municipal Budget (set date for Public Hearing on the amendment July 15, 2010 at 7:30 p.m.)

Offered: Anzevino

Second: Eckel

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

Brugger motioned; Cagas seconded and the Committee unanimously authorized to Closed Session.

Committee Reports

Maceri – Wished all a Happy 4th and also hopes that the PBA negotiations can be worked out with the police department so that Bongiovanni and Breslin can keep their jobs.

Eckel – Stated that the PBA negotiation committee met for 5 hours one day and that this issue is moving along. He wished all to be safe this 4th of July.

Brugger – Indicated that the fire truck would be completed at the end of July and Mike Nasta Jr. stated that it would be early July. He also hopes that the Zoning/Planning boards can try to maintain the meetings with a quorum so that the applications don't get postponed. He would like David Nasta to look into a soil movement ordinance and report back to the committee.

Cagas – Inquired about the Shade Tree Commission. He is very concerned with residents that cut down trees for no apparent reason. He wants the positions created and filled so that the town can save some trees and also apply for grant money. He made water containers from barrels for the DPW to use to water the plants along Huyler Street.

Brugger – asked Frank to have the DPW look into why the water fountain was not working at the park.

Anzevino – Wished all a happy & safe 4th of July. He would like to honor Paul Schaefer at the next meeting. He thanked Gary for repairing the catch basin on the corner of Grove and Huyler street. Jim also explained the loss of state aid for the municipal and school budgets, increase in taxes, and the cuts that have been made in the Police and DPW departments. The revaluation affected every homeowner this year bringing the assessments up to market value.

Open to the Public

Lonnie Bedell – 51 Grove Street inquired about our payment to the New Jersey Meadowlands Commission and asked if Ridgefield was part of the district. He also asked the Mayor if there was any word from Piazza on the Senior Housing. He saw an advertisement for applications for the 10 COAH units and heard that there were still 2 units available.

Brugger motioned: Maceri seconded and the Committee unanimously agreed to close the meeting to the public.

At 8:53 p.m. Anzevino motioned; Maceri seconded and the Committee unanimously agreed to go into Closed Session.

At 9:04 p.m. Anzevino motioned; Maceri seconded and the Committee unanimously agreed to close the closed session and re-open the meeting.

At 9:05 p.m. Brugger motioned; Anzevino seconded and the Committee unanimously agreed to adjourn the meeting.

Respectfully Submitted,

Mary Terraccino
Deputy Clerk

July 1, 2010 Worksession

BERGEN COUNTY, NEW JERSEY

RESOLUTION NO. 2010-134

Resolution Re: Resolution to Amend 2010 Budget

WHEREAS, the local municipal budget for the year 2010 was approved on the 6th day of May, 2010,
and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack,
County of Bergen, that the following amendments to the approved budget of 2010 be made:

	<u>From</u>	<u>To</u>
General Revenues		
	\$	\$
6. Amount to be Raised by Taxes for Support of Municipal Budget	5,697,079	5,784,079
Total Amount to be Raised by Taxes for Support of Municipal Budget	5,697,079	5,784,079
	<u>\$</u>	<u>\$</u>
7. Total General Revenues	<u>7,678,535</u>	<u>7,765,535</u>
General Appropriations		
(A) Operations - Within "CAPS"		
	\$	\$
Celebration of Public Events	2,500	10,000
Total Operations including Contingent - Within "CAPS"	5,369,539	5,377,039
Detail:		
Other Expenses	1,975,573	1,983,073
(H-1) Total General Appropriations for		
Municipal Purposes Within "CAPS"	6,237,555	6,245,055
(A) Operations - Excluded from "CAPS"		

**RESOLUTION NO. 2010-135 Supporting the adoption of A-2939 and S-2078 by the
New Jersey State Assembly and New Jersey State Senate**

WHEREAS, the New Jersey State Assembly and the New Jersey State Senate have introduced A-2939 and S-2078 respectively; and

WHEREAS, the Township Committee of the Township of South Hackensack, its staff and professionals have reviewed said bills and find that the adoption of the same would be in the best interest of the Township of South Hackensack, its residents and businesses alike; and

WHEREAS, the Township Committee has had the opportunity to speak with residents, employees and business owners informally and has placed upon its agenda for public discussion at its July 1, 2010 meeting the aforementioned bills; and

WHEREAS, it appears that said bills have received an overwhelmingly favorable response from township residents, business owners, professionals and employees; and

WHEREAS, the Township Committee, the New Jersey State Legislature the Governor's office and millions of concerned citizens are cognizant of the financial pressures now placed upon municipalities to deliver and taxpayers to pay for essential services; and

WHEREAS, numerous blue ribbons panels and experts in the area of local government have long stated the need to consolidate municipal services and municipalities; and

WHEREAS, the aforementioned bills have received the support of our district Senator Robert Gordon, Assemblywoman Connie Wagner , Assemblyman Vincent Prieto, initial sub-committee support of both houses of the New Jersey Legislature as well as the anticipated support of Governor Christopher Christie's office; and

WHEREAS, the Township of South Hackensack is mindful and respects the concerns of the residents and businesses of the Borough of Teterboro and wishes to make a public declaration that said businesses and residents will be welcomed and embraced into our small and closely knit community; and

WHEREAS, the Township Committee is of the firm opinion that the continued viability of communities, preservation of the New Jersey way of life and economic well being of its citizens and businesses is directly related to the courage displayed by the introduction of the aforementioned bills.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that it firmly supports and encourages the passage of A-2939 and S- 2078; and

BE IT FURTHER RESOLVED, that copies of this resolution shall be provided to the New Jersey State Assembly, New Jersey State Senate, Office of the Governor of the State

of New Jersey, Senator Paul Sarlo, Assemblywoman Connie Wagner, Senator Robert Gordon, Assemblyman Vincent Prieto, Borough of Teterboro, Borough of Little Ferry, Borough of Hasbrouck Heights, Borough of Woodridge and Borough of Moonachie and the same shall be placed upon the bulletin board in municipal offices of the Township of South Hackensack for public review.

Offered: Brugger
Second: Cagas
Roll Call Vote: Ayes: Anzevino, Brugger, Cagas, Eckel, Maceri
Date: July 1, 2010

RESOLUTION NO. 2010- 136 Extending the Date of layoff of PTL. Peter Bongiovanni and PTL. Daniel Bresling to July 31, 2010

WHEREAS, the Township Committee of the Township of South Hackensack by prior resolution has terminated the employment of Ptl. Peter Bongiovanni and Ptl. Daniel Breslin for reasons of economy and efficiency; and

WHEREAS, said terminations were to be effective as of July 1, 2010; and

WHEREAS, the Township Committee continues to explore any and all options to maintain the employment of said individuals with the South Hackensack Police Department; and

WHEREAS, in order to further explore all such options the Township Committee believes that it is in the best interest of the township to extend the dates of termination of employment of said police officers.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that the termination dates for Ptl. Peter Bongiovanni and Ptl. Daniel Breslin be and the same are hereby extended to July 31, 2010 and said officers shall be considered to have been in continuous and uninterrupted employment with the municipality; and

BE IT FURTHER RESOLVED, that the Chief of Police, said officers, Township Clerk and Township Treasurer be immediately provided with copies of this resolution and shall act in accordance therewith.

Offered: Anzevino
Second: Maceri
Roll Call Vote: Ayes: Anzevino, Brugger, Cagas, Eckel, Maceri
Date: July 1, 2010

Resolution Authorizing Executive Session – July 1, 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.

____ (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.

**Personnel - Employee Complaint: Troy MacDonald & Joseph Marrella
Personnel – Larry Paladino on Maglio incident 5/15/2010**

(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 July 1, 2010.

Linda LoPiccolo
Township Clerk