

Township of South Hackensack
County of Bergen, New Jersey
August 3, 2006 7:30 P.M.
Worksession Meeting
MINUTES

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

Also present:
David V. Nasta, Esq., Municipal Attorney
Linda LoPiccolo, Municipal Clerk
Approximately 10 residents

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

Professional Insurance Associates, Inc. (Annual Report – property and casualty and related insurance coverage) June – 2006

Frank Covelli, Public Entities Dept. Manager, appeared before the Township Committee to submit the report. He provided an overview of it for the benefit of the committee and the public present. The report has been made a part of the minutes.

Old Business

Shade Tree Ordinance – The matter was tabled until such time as Mr. Anzevino and Mr. Nasta have had an opportunity to meet and discuss a draft of an ordinance with Mr. Comery from the Borough of Paramus.

77 Franklin Street – Mr. Eckel and Mr. Anzevino advised that they will meet with the engineer to discuss the project and report back to the committee on their progress.

DPW Sewer Jet – Bids Received June 27, 2006 Mr. Anzevino discussed the possibility of using the NJMC sewer jet along with surrounding municipalities, perhaps Hackensack.

A meeting has been scheduled for Mr. Nasta and Mrs. Anzevino to meet with Hackensack representatives to discuss sharing the service. They will report back to the full Township Committee on their progress.

NJMC Grant - \$100,000 – The committee briefly discussed purchasing a radio repeater with the remaining funds. The matter was tabled until the September work session so that Mr. Brugger could obtain prices.

Block 22 Lot 2 (Clausen Street) Nasta requested to table until July 6, 2006 at June 1, 2006 meeting. Mr. Nasta advised that the matter has been resolved and that Ralph Padovano, Esq. will shortly file an application to the South Hackensack Planning Board for a minor sub-division. The title company has given its clearance

COAH – Municipality required to designate a municipal employee as its Housing Officer, and an administrative agent to administer affordable housing units. The clerk is waiting for information from the Council on Affordable Housing and will report further at the next meeting.

Municipal Court – Transaction Window

The clerk advised that she is obtaining another quote and will report back to the committee at the next meeting.

Teterboro Drainage

The committee made several comments that the flooding appears to be somewhat alleviated in the area of Green Street underneath Route 80. Mayor Scholz advised that she will write letters in an attempt to expedite the permit process for the cleaning of Teterboro ditches.

Hoffman Street – Agreement with Hackensack for municipal services at Block 45.01 Lots 7.01, 7.02 and 7.03 (Hoffman Street)

Mr. Anzevino and Mr. Nasta reported that a meeting has been scheduled for next week to discuss this and several other pending matters.

New Business

Application – 236 Huyler Street – Remove & Replace curb along Huyler Street between driveway to bank parking lot.

LoPiccolo motioned; Brugger seconded to approve the application as submitted. All in favor.

Ordinances

Review and Discuss – Draft of Ordinance to amend zoning ordinance

The committee reviewed the definition of “Life Science Industry” and discussed replacing or amending the pending ordinance to include this language. The new language was presented upon the recommendation of the zoning sub-committee after its meeting

with J.J. Layton of Maser Consulting. David Nasta was instructed to prepare the ordinance for introduction at the August 10, 2006 meeting.

David Nasta prepared and circulated a draft of a new ordinance based upon the recommendations of the zoning sub-committee to include new uses in the commercial, industrial and mixed use zones. The ordinance will be listed for introduction on August 10, 2006, after the zoning enforcement officer has had an opportunity to review the draft as submitted.

Resolutions

Resolution No. 2006-124 Amend 2006 Approved Municipal Budget

The ordinance was read in full by the clerk.

Offered: Scholz

Second: Anzevino

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

Resolution No. 2006-125 Adopt 2006 Approved Municipal Budget

Offered: Scholz

Second: Brugger

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

Resolution No. 2006-126 Lighthouse Restaurant Services Liquor License

Offered: Anzevino

Brugger

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

Resolution No. 2006-127 Closed Session

Offered: Eckel

Second: Anzevino

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

Committee Reports

Walter Eckel, Jr. – no report

Jim Anzevino – no report

Lou LoPiccolo – no report

Gary Brugger – Reported that he recently attended the TANAAC meeting at Teterboro Airport. He reported that police overtime was on a decline for two months. Unfortunately, if sick time continues at the current pace, it will increase by 300% over least year.

Mr. Brugger motioned; Eckel seconded to authorize Colonelli Bros. to install concrete pads under park benches for an amount not to exceed \$4,575.00, in accordance with their proposal dated July 12, 2006. Funds are available for this purpose in the 2005 Livable Communities Grant. All in favor.

Mayor Scholz – Reported that a meeting has been scheduled with representatives of E-Tomic for Tuesday to discuss their progress with the senior housing project. She

reported that the summer recreation program is coming to a close. The program was extended by one week this year and was very successful. Additionally, a night gym at the park was implemented and attended by many of the Township's youth. Field Day will be held on Saturday, September 9th and will be extended into the evening hours with a movie. Regarding this year's municipal budget, the Mayor expressed that she was pleased with the overall budget this year and that the committee tried very hard to keep the taxes as low as possible on the municipal portion.

Public Comments

Scholz motioned; Anzevino seconded to open the meeting to the public. All in favor.

Gene Roman, 23 Milano Court – Asked what amount was cut from the school budget. He was advised that it was approximately \$60,000.

Dolly Montenegro, 57 Vreeland Avenue – Advised the committee that one of the newly appointed dispatchers – Jared assisted her when she had a flat tire in the parking lot.

Scholz motioned; Brugger seconded to close the public portion of the meeting. All in favor.

Closed Session

Scholz motioned; LoPiccolo seconded to go into closed session at 8:40 p.m. All in favor.

Minutes were recorded of the closed session and are made available to the public when permitted by law.

Eckel motioned; Brugger seconded to end closed session at 9:35 p.m. All in favor.

Adjournment

Anzevino motioned; Scholz seconded to re-open the meeting to the public at 9:37 p.m. All in favor.

Prior to adjournment, Brugger motioned; Anzevino seconded to authorize David Nasta to notify the PBA of the decision of the Township Committee to deny the grievance at step 3. All in favor.

Since there was no further business to come before the members of the Township Committee, Anzevino motioned; Scholz seconded to adjourn the meeting at 9:40 p.m. All in favor.

Respectfully submitted,

Linda LoPiccolo
Municipal Clerk

Resolution No. 2006-124 Amend 2006 Approved Municipal Budget

See attached

Resolution No. 2006-125 Adopt 2006 Approved Municipal Budget

See attached

Resolution No. 2006-126 Notice of the Mayor and Township Committee acting as the licensing authority for Alcoholic Beverage Control for the Township of South Hackensack, New Jersey

Whereas, Lighthouse Restaurant Services Inc, 22 Broadway Street, Demarest, NJ applied for a renewal of an Alcoholic Beverage Control License which is issued but is a pocket license that was formerly placed at 370 Route 46 West, South Hackensack; and,

Whereas the Township of South Hackensack on June 8, 2006 reviewed said application and the Police Department report and recommendations; and,

Whereas the Township of South Hackensack for the reasons set forth on the record voted not to renew said license; and,

Whereas the Lighthouse Restaurant Services Inc, 22 Broadway Street, Demarest, NJ through its attorney Scott N. Silver, Esq. has requested a hearing on the denial of the renewal of said license,

NOW, THEREFORE, BE IT RESOLVED that Lighthouse Restaurant Services Inc, 22 Broadway Street, Demarest, NJ through its attorney shall show cause before this committee why the license should be renewed and the denial set aside on September 7, 2006 at 7:30 PM, at which time they shall produce all documents, records, witnesses and other persons for a hearing and to make a record. If they shall fail to appear, the prior action shall be sustained and the license not renewed.

Offered: Anzevino

Second: Brugger

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

Date: August 3, 2006

Resolution No. 2006-127 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.

 X(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.

 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 August 3, 2006.

Linda LoPiccolo
Township Clerk