

Township of South Hackensack  
Bergen County, New Jersey  
August 6, 2009 7:30 P.M.  
Worksession Meeting  
MINUTES

Rosina Romano, Mayor .....Present  
Gregorio Maceri, Deputy Mayor .....Present  
James Anzevino .....Present  
Walter Eckel, Jr.....Present  
Gene Roman.....Present

Also present:

David V. Nasta, Esq., Municipal Attorney  
Linda LoPiccolo, Municipal Clerk

### Call of Meeting to Order

Mayor Romano called the Regular Meeting to order at 7:30 p.m. She 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

Eckel motioned; Roman seconded and the Committee unanimously agreed to accept and place on file, correspondence dated July 28, 2009, from Ralph W. Chandless, Jr., Esq. Re: Board of Adjustment Annual Report – Suggestion to amend §208-1 to completely repeal the definition “dwelling, three family” from the Code.

Anzevino motioned; Eckel seconded and the Committee unanimously agreed to accept and place on file, correspondence dated July 24, 2009, from Lucy Vandenberg, PP, AICP, Council on Affordable Housing (COAH) Re: Recommendation of approval of municipality's petition for third round substantive certification.

Roman motioned; Maceri seconded and the Committee unanimously agreed to accept and file correspondence dated July 27, 2009, from Eric Andersen, P.E., BCUA Chief Engineer/Director of Water Pollution Control Division Re: Public Information Program to Eliminate Municipal Sanitary Sewer Overflows caused by Excessive Discharge of Fats, etc. from Restaurants and other facilities. Mr. Paladino is to distribute material in accordance with BCUA correspondence.

Anzevino motioned; Maceri seconded and the Committee unanimously agreed to accept and approve application filed by Prominent Builders, 2100 Rte 208 Fair Lawn, NJ re:

B5.01 L10 68 Franklin Street, Brian Frew Application – Sidewalk, Curb, Gutter Construction or Repair CH189

## Old Business

### CDBG 2010 Grant Application –

The Committee agreed to endorse Memorial School's application for handicapped access as its priority #1 application and authorized the clerk to prepare the necessary resolution for adoption by the township committee.

### 2 Grove Street –

David Nasta provided the Committee with his written opinion regarding the maintenance of sidewalks. Mr. Nasta opined that the property owner should be notified that he is responsible to make the necessary repairs. Mr. Nasta was asked to prepare a letter advising Mr. Tabman of his opinion.

### 2009 Green Communities Grant –

Mayor Romano motioned; Anzevino seconded and the Committee unanimously agreed to appoint Rosina Romano, James Anzevino, Joseph Marrella and Michael Ward to serve on the tree plan committee to create a tree plan for the township.

### Purchase of Fire Truck –

The Committee directed township attorney David Nasta to put Campbell Supply Co. on notice that the fire truck has not been delivered in accordance with the agreement and that the township may take further action.

## Resolutions

Resolution No. 2009-155 Authorizing The Settlement Of Certain Litigation With PBA Local 102 Filed With The Public Employment Relations Commission Under Docket Nos. AR-2009-562 and AR-2009-461

Offered: Anzevino

Second: Roman

Roll Call Vote: Ayes: Anzevino, Eckel, Roman, Romano Abstain: Maceri

Resolution No. 2009-156 Authorize Resolution of Mediation to Objection of Bedell/DeGrosa

Offered: Maceri

Second: Eckel

Roll Call Vote: Ayes: Anzevino, Eckel, Maceri, Roman, Romano

Resolution 2009 Authorizing Executive Session August 6, 2009

Offered: Eckel

Second: Anzevino

Roll Call Vote: Ayes: Anzevino, Eckel, Maceri, Roman, Romano

## Closed Session

Anzevino motioned; Roman seconded and the Committee unanimously agreed to go into closed session to discuss those matters as listed on the resolution

Greg Maceri motioned; Gene Roman seconded and the Committee unanimously agreed to end closed session.

## Adjournment

Since there was no further business to come before the township committee, Maceri motioned; Roman seconded and the Committee unanimously agreed to adjourn the meeting.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Linda LoPiccolo".

Linda LoPiccolo  
Municipal Clerk



WHEREAS it is the intention of the Township Committee to comply with the proposed resolutions in the report that has been attached hereto and made a part hereof, and

WHEREAS it is the understanding of the Township Committee that the objectors are satisfied with the resolutions contained in the Mediation Report,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey that the appropriate officials be and are hereby authorized and directed to complete the items listed in the Mediation Report within 45 days of certification or September 26, 2009, whichever is sooner.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Council on Affordable Housing and the objectors.

Offered: Maceri

Second: Eckel

Roll Call Vote: Ayes: Anzevino, Eckel, Maceri, Roman, Romano

Date: August 6, 2009

**Resolution 2009 Authorizing Executive Session August 6, 2009**

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.

**Employees:**

**Troy MacDonald, Loretta D'Ambrosio, Vincent Riotto, Michael Frew**

     (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 6, 2009.

Linda LoPiccolo  
Township Clerk