

Township of South Hackensack
Bergen County, New Jersey
September 2, 2010 7:30 P.M.
Worksession Meeting
MINUTES

James Anzevino, Mayor.....Present
Walter Eckel, Jr., Deputy MayorPresent
Gary BruggerPresent
Frank CagasAbsent
Gregorio Maceri.....Present

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

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; Eckel seconded and the Committee unanimously accepted report dated August 30, 2010, prepared by Elliot Sachs, P.E., Boswell Engineering Re: Site Inspection of 17 Park Street (Block 13.06 Lot 14)

Old Business

Maple Grove Cemetery Fence – update

Ray DeRiso, Zoning Enforcement Officer was in attendance and advised that although H. J. Riley has contacted Bergen County Soil regarding this matter, they have not responded. The cemetery owner has applied for a permit for a wall and fence. The technical assistant has advised that walls under 4' do not require a permit; however, zoning approval is required. A survey is required. Mayor Anzevino advised that he would call the county engineer to set up a meeting with the cemetery owner.

Recycling Bid Specification

David Nasta reported that although he has completed the legal portion of the bid specification, he is uncertain on the technical specification requirements. He requires the information from the sub-committee to complete the specifications.

Personnel Manual – Ordinance Amendments (Repeal Sexual Harassment, Amend to include job titles that are not currently in the Code)

Greg Maceri had no report.

Mayor Anzevino reported on the senior housing status advising that several occupants have moved into their respective units and others are expected to move in shortly. He expressed his condolences to the Madeline Chirichella family. Mr. Chirichella passed away at age 101. The mayor thanked all who attended the meeting and showed their support for the legislation to consolidate the Borough of Teterboro on behalf of the Township.

Lastly, Mayor Anzevino reported the plans for upcoming field day on September 25, 2010 from 1-5 p.m. continue. He scheduled a meeting for Wednesday, September 8, at 8:00 p.m. The clerk was asked to notify all departments to send someone to the meeting and that all recreation employees are required to attend.

Public Comments

Avis LoVecchio reported that students from the high school will volunteer for field day and help with the festivities.

Closed Session

Anzevino motioned; Brugger seconded and the Committee unanimously agreed to go into closed executive session to discuss tax appeal litigation at 8:46 p.m.

Minutes were recorded of closed session and will be made available to the public when approved by the governing body and permitted by law.

Maceri motioned; Eckel seconded and the Committee unanimously agreed to re-open the meeting to the public at 9:02 p.m.

Adjournment

Maceri motioned; Anzevino seconded and the Committee unanimously agreed to adjourn the meeting at 9:02 p.m.

Respectfully submitted,

Linda LoPiccolo
Municipal Clerk

Resolution Authorizing Executive Session – September 2, 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 require in order for the attorney to exercise his ethical duties as a lawyer.

**Real Property Tax Appeals – Minervini vs. TSH – 411 Chestnut Avenue
Grievance – Michael Montenegro**

__ (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 September 2, 2010.

Linda LoPiccolo
Township Clerk

1

2

3