

Township of South Hackensack
Bergen County, New Jersey
September 6, 2007 7:30 P.M.
Worksession Meeting
MINUTES

Gary C. Brugger, MayorPresent
Walter Eckel, Jr., Deputy MayorPresent
James AnzevinoPresent
Gene Roman.....Present
Rosina RomanoPresent

Also present:

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

Call of Meeting to Order

Mayor Brugger called the Regular Meeting to order at 7:30 p.m. He 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 roll.

Correspondence

Brugger motioned; Eckel seconded and the Committee unanimously agreed to accept and file correspondence dated August 9, 2007, Carmine Maceri, 1st. Lt. SHFD RE: Applications for Membership

Brugger motioned; Eckel seconded and the Committee unanimously agreed to accept correspondence and approve the request dated August 9, 2007, from Chief H. James Riley RE: Proposal for Replacement of SCBA Packs

Brugger motioned; Anzevino seconded and the Committee unanimously agreed to accepted correspondence dated August 13, 2007, from Robert R. Ceberio, NJMC RE: NJMC 2007 MAP Program

Brugger motioned; Anzevino seconded and the Committee unanimously agreed to accept and place on file correspondence dated August 14, 2007, from Charles J. Femminella, Jr., Pres., Certified Valuations, Inc. RE: Revaluation

August 20, 2007, Patricia Lagomarsino-Adamowicz, Maintainco, Inc. RE: Request for Street Name Change – The correspondence was tabled with no date.

Brugger motioned; Roman seconded and the Committee unanimously agreed to accept correspondence dated August 22, 2007, from Lawrence J. Paladino, Jr., CPWM, Tree & Stump Grinding Quotes and authorize Town & Country to provide the necessary tree services as outlined in their proposal dated August 20, 2007 in an amount not to exceed \$3,725.00

Brugger motioned; Romano seconded and the Committee unanimously agreed to accept and approved application dated August 22, 2007, from Anthony Trobiano, Hobart Enterprises RE: Application Sidewalk, Curb, Gutter Construction of Repair of Sidewalk at 208 Huyler Street, no changes.

Brugger motioned; Eckel seconded and the Committee unanimously accepted correspondence dated August 28, 2007, from Gary Shaw, Government Affairs Director, Cablevision – Application for Municipal Consent and as built map for renewal of the cable television franchise in the Township of South Hackensack, and turned it over to the municipal attorney for his review and report on September 13, 2007.

September 4, 2007, Lawrence J. Paladino, Jr., CPWM, RE: Salt – The Mayor instructed the clerk to contact surrounding municipalities to ascertain whether or not there is interest in an Interlocal Agreement for sharing salt.

September 5, 2007, Lawrence J. Paladino, Jr., CPWM, RE: Raised Sidewalks Boswell Engineering – Review of Bids for Vreeland Avenue – Mayor Brugger requested that Mr. Paladino review the list submitted, inspect all areas and prioritize the list.

Brugger motioned; Eckel seconded and the Committee unanimously agreed to recess for five minutes at 7:58 p.m. so that the senior housing sub-committee could meet with special litigation attorney John Carbone regarding the lease for a senior citizen housing project.

Anzevino motioned; Eckel seconded and the Committee unanimously agreed to resume the meeting but go out of the regular order of business to approve the resolution authorizing the execution of the lease for senior citizen housing with Senior Citizen Housing at Grove Street, L.P.

Rosina Romano reported that the Township has received an executed lease along with a resolution of the entity authorizing it. The deadline for the requirement to provide satisfactory insurance evidence has been extended for 7 business days, or the close of business September 17, 2007. After review and approval of the insurance evidence submitted as to the adequacy of the carrier, and that the terms are in accordance with the lease by the Township's risk manager the lease can be executed and delivered by the Mayor. Following the explanation, the Township Committee duly adopted Resolution No. 2007-154 that is included in the minutes of the meeting hereof.

Old Business

Environmental Joint Insurance Fund (EJIF) Audit – Accepted by Township Committee at July 5th Worksession. Forwarded to Paladino for his review and instructed to submit a written response to all 8 recommendations by the August 2nd worksession. Gene Roman reported that Mr. Paladino would like to make a verbal report to the Township Committee at their September 13, 2007 meeting.

B 1.01 L 4.14, 410 Route 46, Norma Phillips, R.E.A. Corp, t/a Pleasure Lounge re: Sewer User Appeal – David Nasta advised the Township Committee that they have jurisdiction over the matter in accordance with §180 of the Code of the Township of South Hackensack. He advised that Committee that the responsibility of maintenance is with the property owner and that nothing was presented to prove that the water was discharged onto the ground rather than into the sewer. He was concerned that if the Committee were to grant the appeal, it could be considered arbitrary since the appeal was not supported by any substantial evidence.

Brugger motioned; Anzevino seconded to deny the sewer user appeal filed by Norma Phillips on behalf of R.E.A. Corp. t/a Pleasure Lounge. Ayes: Anzevino, Brugger, Eckel, Roman and Romano.

New Business

Brugger motioned; Anzevino seconded and the Committee unanimously approved payment of the following purchase orders providing funds are available: 07-768 to BMED for \$1,233.00; 07-595 to Horizon Entertainment for \$5,250.00; 07-785 Tax Collectors/Treasurers Assoc. for \$26.00; and 07-811 to Carvel Store for \$317.50

Ordinances

CH189 – Discussed amendment to eliminate the requirement to obtain Township Committee approval for repair (with no changes) of existing sidewalk, curb, gutter and directed David Nasta to prepare ordinance for review by the Committee prior to its introduction.

Resolutions

2007-154 Authorize Lease Agreement – Senior Housing at Grove Street, L.P.
Offered: Romano Second: Anzevino
Roll Call Vote: Ayes: Anzevino, Eckel, Roman, Romano, and Brugger

Authorize the Placement of the Township Committee's Findings of Fact and Conclusions of Law in the Matter of Lawrence Paladino, Jr., in his Personnel File

This matter was tabled until September 13, 2007 meeting.

2007-155 Authorizing the Mayor and Clerk to Enter Into a Certain Interlocal Services Agreement with the City of Hackensack Regarding 30 Hoffman Street, South Hackensack

2007-156 Authorizing the Governing Body of the Township of South Hackensack Authorizing the Planning Board to Conduct Preliminary Investigation to Establish Areas in Need of Redevelopment

Committee Reports

Walter Eckel – no report other than hope that all enjoyed a happy and healthy, safe summer.

James Anzevino – Welcomed all students back to school. Reminded that Annual Field Day will be Saturday, September 8th from 1-5 p.m. There will be a movie at night. The Bergen County Mosquito Commission will spray the park on Friday, September 7, 2007. Opening day for LFSH Soccer Program will be Sunday, September 9, 2007. The filing date for the Senior Property Tax Reimbursement Program has been extended until October 31, 2007.

Gene Roman – Congratulated Det/Sgt Robert Kaiser for a recent drug arrest he made in Veterans Park.

Rosina Romano – Happily reported that the lease has been finally executed for the senior citizen housing project.

Gary Brugger – Reported that he along with other mayor in the region attended a meeting with officials of the Army Corps of Engineers to discuss area wide flooding issues, especially in the Garfield Park section. The Army Corps is conducting a study where the replacement of certain bridges is being considered. Land acquisition may be required, unknown where or how much at this time. Relief not expected until 2010. A meeting with DOT officials has been scheduled for September 10th to discuss the Green Street flooding issues. Lastly, Brugger advised that the recently adopted ordinance requiring all rental units to be registered with the Township has been finally implemented and although there have been several bumps in the road; the overall transition seems to be going well.

Public Comments

Dolly Montenegro, 57 Phillips Ave. – Advised the Committee that in 1979 \$20 million dollars were allocated by the Army Corps of Engineers to alleviate and rectify the flooding problems in the Garfield Park and surrounding areas but nothing was ever done. She asked the Committee if they would be favorable to requesting an easement from the property owner for the Township's use. She suggested that the Township speak with the

property owner. Mrs. Montenegro was concerned that the Township may lose access to the property.

The Township Committee directed Mr. Nasta to speak with Barbara Nemchek and John Schettino and report back to the Committee.

Closed Session

Brugger motioned; Anzevino seconded and the Committee unanimously approved to go into closed executive session at 8:48 p.m.

Brugger motioned; Anzevino seconded and the Committee unanimously agreed to adjourn the meeting at 9:09 p.m.

Adjournment

Brugger motioned; Anzevino seconded and the Committee unanimously agreed to adjourn the meeting at 9:09 p.m.

Respectfully submitted,

Linda LoPiccolo
Municipal Clerk

Resolution No. 2007-154 Authorize Lease Senior Housing

WHEREAS, the Township of South Hackensack has sought Developers for its affordable senior citizens housing project through a Request for Proposal Process; and,

WHEREAS, after review and examination of the proposals, meetings and negotiations, and adoption of a resolution for designation of SENIOR CITIZEN HOUSING AT GROVE STREET, L.P., 555 10th Street, Palisades Park, NJ 07650 as its designated developer for and through the New Jersey Housing and Mortgage Finance Agency; and,

WHEREAS, the parties are desirous of entering into a long term ground lease for the construction of the affordable senior citizens project; and,

WHEREAS, the Township of South Hackensack is the owner of certain real property in the Township of South Hackensack, specifically Lots 9, 10 and 10.1 in Block 2.01 on the tax map of the Township of South Hackensack, and commonly known as 41-43 Grove Street, in the Township of South Hackensack, County of Bergen, State of New Jersey to become the subject matter of the ground lease; and,

WHEREAS the Township of South Hackensack through a sub-committee has completed the negotiation and drafting of a final lease with SENIOR CITIZEN HOUSING AT GROVE STREET, L.P., 555 10th Street, Palisades Park, NJ 07650, a copy of which is attached hereto together with an appropriate resolution and authorization for its execution by representatives of that entity.

NOW THEREFORE BE IT RESOLVED, that the Township Committee empowers the Mayor and Clerk to enter into, execute and witness said lease on behalf of the Township when and if the SENIOR CITIZEN HOUSING AT GROVE STREET, L.P., 555 10th Street, Palisades Park, NJ 07650, and only on the condition that (1) the Township receives the required and mandated insurance coverage as set forth in the lease and produces and submits a policy and/or a binder of insurance adequately and fully describing the coverage, (2) which policy and/or binder must be approved and accepted by the Townships Insurance Risk Manager and (3) together with a paid premium bill for a one year period. SENIOR CITIZEN HOUSING AT GROVE STREET, L.P., 555 10th Street, Palisades Park, NJ 07650 shall submit and provide such insurance information and documentation within seven (7) business days of the enactment and adoption of this resolution.

Offered: Romano Second: Anzevino Date: September 6, 2007
Roll Call Vote: Ayes: Anzevino, Eckel, Roman, Romano, and Brugger

Resolution No. 2007-155 Authorizing the Mayor and Township Clerk to Enter Into a Certain Interlocal Services Agreement with the City of Hackensack Regarding 30 Hoffman Street, South Hackensack

WHEREAS, the appropriate land use boards of the Township of South Hackensack and the City of Hackensack received and reviewed applications and supporting plans for the development of 30 Hoffman Street; and

WHEREAS, said property is located in part within the Township of South Hackensack and in part within the City of Hackensack; and

WHEREAS, both Hackensack and South Hackensack approved the construction of a residential dwelling at said address; and

WHEREAS, the Township Attorney drafted a certain Interlocal service agreement (attached hereto and made a part hereof) at the direction of the Township Committee setting forth each municipality's obligations relative to said property and residents; and

WHEREAS, the City of Hackensack has approved and executed said agreement and supplied a copy of the same to the Township Clerk.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that the Mayor and Township Clerk are hereby authorized to

execute the attached agreement with the City of Hackensack as the same as heretofore been drafted and approved by the Township Attorney.

Offered: Brugger

Second: Eckel

Roll Call Vote: Ayes: Anzevino, Eckel, Roman, Romano and Brugger

Date: September 6, 2007

Resolution No. 2007-156 Authorizing the Planning Board to Conduct Preliminary Investigation to Establish Areas in Need of Redevelopment
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WHEREAS, N.J.S.A. 40A:12A-6 authorizes the governing body of any municipality, by Resolution, to have its Planning Board conduct a preliminary investigation to determine whether any area of the municipality is an area in need of redevelopment; and

WHEREAS, the Governing Body of the Township of South Hackensack considers it to be in the best interest of the Township to have the Township of South Hackensack Planning Board conduct such an investigation regarding the Garfield Park area of the Township, and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of South Hackensack, that:

1. The Planning Board of the Township of South Hackensack be directed to conduct a preliminary investigation to determine whether the Investigation Area constitutes an area in need of redevelopment according to the criterion in N.J.S.A. 40A: 12A-1 et seq.;
2. The staff of the Planning Board and its consultants be directed to assist the Planning Board in conducting the preliminary investigation; and
3. The preliminary investigation be submitted to the Governing Body for its review and approval in accordance with the provisions of the Local Redevelopment and Housing Law, N. J.S.A.40A: 12A- 1.
4. In the event the Planning Board concludes that the Investigation Area satisfies the statutory criteria for designation as "an area in need of redevelopment" pursuant to N.J.S.A. 40A:12A-5, then the Planning Board shall be authorized to prepare and recommend a Redevelopment Plan for the area, in accordance with N.J.S.A. 40A: 12A-7.

Offered: Brugger

Second: Eckel

Roll Call Vote: Ayes: Anzevino, Eckel, Roman, Romano, and Brugger

Date: September 6, 2007