

Township of South Hackensack  
Bergen County, New Jersey  
September 11, 2008 6:00 P.M.  
Special Meeting  
MINUTES

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

Also present:  
John M. Carbone, Esq., Municipal Attorney  
Linda LoPiccolo, Municipal Clerk

Call of Meeting to Order

Mayor Romano called the Regular Meeting to order at 6:12 p.m. She advised that pursuant to the Open Public Meetings Act adequate notice of the special meeting 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.

Mr. Yannetti was not present. The clerk indicated that she had not been contacted Mr. Yannetti regarding the meeting notice that was received by him.

Eckel motioned; Roman seconded and the Committee unanimously agreed to recess until 6:30 p.m.

Anzevino motioned; Eckel seconded and the Committee unanimously agreed to re-open the meeting at 6:30 p.m. All members of the governing body were present. Mr. Yannetti's attorney Curtis Jameson, Esq. was not present.

Roman motioned; Eckel seconded and the Committee unanimously agreed to recess until 6:45 p.m.

The meeting of the Township Committee was re-convened at 7:15 p.m. with all members of the governing body present. Mr. Carbone noted that a notice was sent regular and certified mail to Mr. Yannetti. A receipt was received by the municipal clerk indicating that the notice was received. No request had been made to hold the hearing in public, therefore, it was held in closed session.

**Roman motioned; Maceri seconded and the Committee unanimously agreed to go into closed session to hold hearing on Disciplinary Charges against Thomas H. Yannetti a/k/a H. Thomas Yannetti.**

See resolution at end of minutes.

### Closed Session

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

### Open Session

Roman motioned; Eckel seconded and the Committee unanimously agreed to re-open the meeting to the public at 7:50 p.m.

Curtis Jameson, Esq. appeared on behalf of Mr. Thomas Yannetti. Mr. Jameson reported that the following was discussed and agreed to by both parties that the Township Committee would dismiss the following charge:

5.a. Theft or attempted theft of property belonging to the Township, fellow employees, volunteers or visitors, and that

Mr. Yannetti would accept responsibility and the punishment imposed by the Township Committee of 2 days suspension for each of the two following charges:

5.b. entering a building without permission during non-scheduled work hours; and

5.c. violating any Township rule or policy.

**Roman motioned; Anzevino seconded to accept Mr. Yannetti's entry and plead of guilty to the charges of entering a building without permission during non-scheduled work hours; and violating a Township rule or policy; imposition of 4 days suspension that are to be charged to his vacation, and to continue his suspension with pay through September 11, 2008, wherein he will return to work Friday, September 12, 2008. Further, to dismiss the charge of theft or attempted theft of property belonging to the Township, fellow employees, volunteers or visitors. Roll Call Vote: Ayes: Anzevino, Eckel, Maceri, Roman, Romano**

### Public Comments

There were no public comments offered.

### Adjournment

Maceri motioned; Anzevino seconded and the Committee unanimously agreed to adjourn the meeting at 7:56 p.m.

Respectfully submitted,



Linda LoPiccolo  
Municipal Clerk

Resolution 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.

\_\_\_\_(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 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.

- **Personnel - H. Thomas Yannetti**

   (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.