

Township of South Hackensack
County of Bergen, New Jersey
November 2, 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
Frank Covelli, PIA, Risk Manager
John M. Carbone, Esq., Special Counsel - Litigation

Call of Meeting to Order

Mayor Scholz called the meeting to order at 7:36 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.

The committee went out of the regular order of business to go into closed executive session with Frank Covelli, Risk Manager to discuss concerns that were raised by the South Bergen Municipal Joint Insurance Fund about the township's increase in Loss Time Frequency claims. Brugger motioned; Eckel seconded to go into closed session at 7:40 p.m. The Committee returned at 8:30 p.m. and re-opened the meeting to the public.

Correspondence

Anzevino motioned; Brugger seconded to accept the correspondence from Robert R. Ceberio, Executive Director, NJMC, October 17, 2006 – Announce approval of appropriation for 2007 Municipal Assistance Program (MAP) of \$100,000 for each municipality within the meadowlands district. All in favor.

Brugger motioned; Eckel seconded to approve the sewer user charge appeal filed by Carlo Aversa, 431 Taylor Avenue, October 11, 2006 – Appeal of Sewer User Charge – 2006. All in favor.

Old Business

Hoffman Street – Agreement with Hackensack for municipal services. Attorney David Nasta reported that an Agreement will be forthcoming from Hackensack regarding services.

2006 Municipal Budget – The clerk provided information to the governing body that she received from the treasurer regarding anticipated shortfalls in the 2006 budget that will require either transfers or a special emergency before year end. She expects a shortfall in police salaries and wages and legal services other expenses.

Christmas Decorations – The clerk provided two proposals from Christmas Spectacular: one proposal to purchase wreaths, the other proposal to lease for a 3-year term. The committee advised the clerk to proceed with the 3-year lease proposal.

New Business

Grant Opportunity – Safe Route to School (SRTS) Program – The clerk advised that she would attend the meeting on November 29, 2006 at the Bergen County building located on Hudson Street in Hackensack.

Elected Officials Training Seminars – The clerk distributed the seminar information to all elected officials and encouraged them to attend a seminar since the township will receive a \$250 credit on our liability premium for every member of the governing body that attends.

Ordinances

Fee Ordinance Amendment – The Township Committee reviewed the draft proposed by the Fire Prevention Chief and directed the township attorney to prepare an ordinance for introduction on November 9, 2006.

Shade Tree – The sub-committee will meet on the draft ordinance that was submitted to them and report back to the full committee at the next meeting.

Resolutions

Resolution No. 2006 Authorizing Executive Session

Offered: Brugger

Second: Eckel

All in favor.

Eckel motioned; Brugger seconded to authorize Robyn Scholz to represent the Township at settlement conference with Lighthouse Restaurant Services, Inc. as discussed in closed session. All in favor.

Committee Reports

Kevin Kopec presented the “soft launch” or Phase I of the Township of South Hackensack website to the committee and the members of the public that were present. The committee discussed authorizing Phase II of the website that will include more content in January. The website address is: www.southhackensacknj.org

Public Comments

Dolly Montenegro, 57 Phillips Avenue – Questioned whether or not the committee would replace retiring officer Domenick Brando. Mr. Anzevino and Mr. Brugger responded that the committee has not discussed the replacement and perhaps would consider hiring a full time dispatcher rather than a police officer. Mrs. Montenegro asked for a status report on the senior housing project. Mayor Scholz responded that Etomic Construction Company has applied to the NJHMFA and is waiting for a response. Mrs. Montenegro also questioned whether or not the building under construction at 45 E. Wesley Street was too close to the roadway. The committee referred the matter to the construction office.

Lonnie Bedell, 51 Grove Street – Regarding the project at 45 E Wesley Street, Mr. Bedell who is a member of the Planning Board, indicated that he was misled by the applicant and did not expect that the project would be as it is now being constructed.

Closed Session

The matters discussed in closed session will be made available to the public when permitted by law.

Adjournment

LoPiccolo motioned; Brugger seconded to adjourn the meeting at 9:30 p.m. All in favor.

Respectfully submitted,

Linda LoPiccolo
Municipal Clerk

Resolution No. 2006- 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:

X (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.

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 November 2, 2006.

Linda LoPiccolo
Township Clerk