

Township of South Hackensack
Bergen County, New Jersey
November 6, 2008 7:30 P.M.
Worksession Meeting
MINUTES

Rosina Romano, MayorPresent
Gene Roman, Deputy MayorPresent
James AnzevinoPresent
Walter Eckel, Jr.....Present
Gregorio Maceri.....Absent

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 7:30 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 roll.

Correspondence & Reports

Romano motioned; Eckel seconded and the Committee unanimously accepted correspondence dated October 3, 2008, from Dan Mullin, Field Scientist, PNK Group Re: 2008 Environmental Joint Insurance Fund (EJIF) Audit

Romano motioned; Roman seconded and the Committee unanimously accepted correspondence dated October 6, 2008, from Tom Connolly, Asst. Supervisor of Road, Bergen County Department of Public Works, and Operations Division Re: New allotment of salt is 20 tons per event for the Township of South Hackensack

Eckel motioned; Anzevino seconded and the Committee unanimously moved to accept and file correspondence dated October 9, 2008, from Paul Barbire, SBMJIF Fund Attorney Re: Canvassing Ordinances.

Eckel motioned; Anzevino seconded and the Committee unanimously moved to accept and approve Blue Light Permit Applications for the following members of the South Hackensack Ambulance Corps: Kevin Kubat, Robert Czarnecki, Jonathan W. Dailey, Jr., Hugh James Riley, Mark Calero.

Roman motioned; Anzevino seconded and the Committee unanimously moved to accept correspondence dated October 17, 2008, from Michael D. Frew, Chief of Police Re: Illegally parked vehicles, and further requested periodic updates on the matter.

Anzevino motioned; Roman seconded and the Committee unanimously moved to accept correspondence dated October 17, 2008, from Andy Caltagirone, Passaic Valley Sewerage Commissioners (PVSC) re: Newly revised and adopted PVSC Rules & Regulations and the report of recommendations from Boswell Engineering and authorized and directed John Carbone to review the ordinance and prepare an ordinance of recommended changes.

Anzevino motioned; Eckel seconded and the Committee unanimously moved to accept and table until November 14, 2008, correspondence dated October 21, 2008, from Lawrence J. Paladino, Jr., CPWM, and re: Raised Sidewalk at 477 Chestnut Avenue

Anzevino motioned; Eckel seconded and the Committee unanimously moved to accept correspondence dated October 21, 2008, from Lawrence J. Paladino, Jr., CPWM re: Roof-top heating unit (Police Station), and to authorize Mr. Paladino to obtain the necessary quotations to disconnect the police roof top heating unit and relocate the existing baseboard thermostat.

Eckel motioned; Anzevino seconded and the Committee unanimously moved to accept correspondence dated October 31, 2008, from Lawrence J. Paladino, Jr., CPWM re: Municipal Building Boiler, and table the matter until November 14, 2008 so that the clerk can consult with the Township's plumbing sub-code official.

Anzevino motioned; Eckel seconded and the Committee unanimously moved to accept and file correspondence dated October 22, 2008, Ralph W. Chandless, Jr. Re: South Hackensack Planning Board Wesley Street Right-of-Way.

Anzevino motioned; Romano seconded and the Committee unanimously moved to accept and file a Green Communities Challenge Grant 2009 application– Grant can only be used by municipalities and counties to offset the cost of hiring a forestry consultant who will work to develop a Community Forestry Management Plan. Max Grant Award: \$3,000 Applicant must match the requested grant amount with either an in-kind or cash contribution (minimum matching amount: \$1,500).

Eckel motioned; Anzevino seconded and the Committee unanimously moved to accept with regret correspondence dated November 1, 2008, from William Panagia, Fire Official – Notification of Retirement as Fire Official effective December 31, 2008.

Roman motioned; Eckel seconded and the Committee unanimously moved to accept and approved correspondence dated November 5, 2008, from Linda LoPiccolo re: Requesting 1 days off for Christmas Eve and 1 day off for New Year's Eve for a total increase of 1 day off for all non-contractual employees.

Old Business

NJMC Grant – 2009 Requests for funding – Some departments submitted requests, however, since not all requests were received, the matter was tabled until November 13, 2008.

The Committee discussed requesting an amendment to the existing purpose of the grant from \$5,000 for a hybrid vehicle to \$5,000 for a snow plow for the new DPW truck. Mr. Anzevino did not participate.

Committee Reports

Walter Eckel advised that Honeywell has a sweeper that they would like to donate to the Township; however it has no keys and is not registered. He would like to have it checked out mechanically before authorizing the Township to receive it.

James Anzevino – Received notification from United Water requesting that they be notified of certain situations. The Committee forwarded the request to the planning and building officials so that they would make it a condition of permits and approvals.

Regarding parking problems on Chestnut Avenue, Anzevino asked Gene Roman to have the police department look into the possibility of creating designated parking spaces to increase on-street parking since because of the way in which certain residents park, they take up two spaces.

Lastly, Anzevino reported that the 8th grade beefsteak dinner will be held on November 14th at Memorial School and 3

Public Comments

Roman motioned; Anzevino seconded and the Committee unanimously agreed to open the meeting to the public at 8:12 p.m.

Dolly Montenegro, Phillips Avenue – As a member of the Planning Board she was concerned over the Township's inaction with regard to the sale of the Wesley Street right of way since there is an application pending before the board that requires the property owner to acquire use of that land for approval. She was advised that Boswell Engineering is working on the matter and that perhaps an offer of lease/license will be presented.

Joanne DeGrosa, Grove Street – Asked for the name of the judge that would perform the review of the senior housing project on behalf of the County of Bergen. Ms. DeGrosa was advised that Judge Conte would perform the review and issue a report.

Lonnie Bedell, 51 Grove Street – Commended Larry Paladino and Thomas Yannetti for a job well done. Bedell asked what the township’s current surplus is. He was advised that there is currently an available surplus of \$850,000

Closed Session

Anzevino motioned; Eckel seconded and the Committee unanimously agreed to go into closed session at 8:29 p.m. for the following specific purposes.

Litigation – Tax Appeal

30 Wesley Street LLC v TSH
Block 40 Lot 1.01
Docket Nos. 3199-2006, 4061-2007 & 3831-2008

Schwartz/Apex Foot Health v. TSH
170 Wesley Street
Block 52 Lot 2.05
Docket Nos. 2008-4413, 2007-3082, 2006-1063, 2005-0665, 2004-2881

Eckel motioned; Roman seconded and the Committee unanimously agreed to re-open the meeting at 8:55 p.m.

Adjournment

Roman motioned; Anzevino seconded and the Committee unanimously agreed to adjourn the meeting at 8:56 p.m.

Respectfully submitted,

Linda LoPiccolo
Municipal Clerk

Resolution 2008 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.

 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.

__ (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 6, 2008.

Linda LoPiccolo
Township Clerk