

Township of South Hackensack  
Bergen County, New Jersey  
December 1, 2011 7:30 P.M  
Worksession Meeting  
MINUTES

Walter Eckel Jr., Mayor .....Present  
James Anzevino .....Present  
Gary Brugger .....Present  
Frank Cagas .....Present  
Vincent Stefano .....Present (7:40 pm)

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

### Call of Meeting to Order

Mayor Eckel 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 & Presentations

#### Certificate Presentation – Memorial School Coppa Italia Soccer Tournament Champions Boys/Girls

Mayor Eckel presented Certificates of Achievement to every member of Memorial School's Girls' and Boys' soccer team and their coaches. Both teams won the annual Coppa Italia Soccer Tournament and the Township Committee acknowledged and congratulated all of them for showing good sportsmanship and school spirit. Many parents and friends were in attendance. All members of the Township Committee congratulated the teams, coaches and parents.

#### Presentation – Frank Covelli, Risk Manager, PIA – Annual Report

Frank Covelli, the Township's risk manager, appeared before the Township Committee to give his annual report on the South Bergen Municipal Joint Insurance Fund. Cagas motioned; Brugger seconded and the Committee unanimously accepted the report submitted and ordered that the report be included in the minutes of the meeting.

Brugger motioned; Anzevino seconded and the Committee unanimously accepted for filing correspondence dated November 17, 2011, from William DeFabiis, Ed.D., CSA Memorial School Re: Memorial School Holiday Fund.



recreation director. He advised that on December 6<sup>th</sup> recreation is hosting a pizza/paste dinner/show at memorial school.

Frank Cagas – Noted that other towns have not cleaned up after the recent surprise snowstorm and commended the township saying that he was proud to live in South Hackensack.

Vincent Stefano – He is looking forward to spending the holiday season with family and friends. He congratulated Mr. Perone on his retirement from the Township saying that he has done a lot for the town and its children as recreation director.

### Public Comments

Larry Paladino suggested that the Township purchase a digital sign since the town sign on Vreeland and Phillips is becoming difficult to repair. Committee member Brugger pointed out that digital signs are not permitted in town by ordinance. Mayor Eckel asked Paladino to look into the digital sign and report back to the Committee at a later date.

Lonnie Bedell, 51 Grove Street – Congratulated Mayor Eckel and newly elected Committee member William Regan on their election victory.

Lorie Mainieri, Dyer Avenue – Reported an incident to the Township Committee wherein her handicapped daughter had a seizure on November 11<sup>th</sup> and there was a problem getting an ambulance to her house. Fortunately Captain Terraccino was on the scene and was Moonachie responded but was delayed for 20 minutes because they could not locate the house. She wanted to know what the procedure is for response on holidays and who is assigned on those days. Mayor Eckel responded that the matter is being investigated. Brugger, Ambulance Corps liaison, requested a meeting of all departments involved to see why this happened and will report to her the result of the meeting. Brugger said that in addition he will discuss this matter at the next ambulance meeting.

### Closed Session

Eckel motioned; Anzevino seconded and the Committee unanimously agreed to go into closed executive session for the purposes outlined in the resolution at 8:46 p.m.

Minutes were recorded of the matters discussed in closed session and will be made available to the public when approved by the governing body and in accordance with the law.

Eckel motioned; Anzevino seconded and the Committee unanimously agreed to re-open the meeting to the public at 10:03 p.m.

Prior to adjournment, Eckel motioned; Brugger seconded and the Committee unanimously authorized appraisals to be prepared by McNerney & Associates for the

following properties and amounts: 80 Leuning Street - \$3,500; 450 Huyler Street - \$7,500. Roll Call Vote: Ayes: Anzevino, Brugger, Cagas, Eckel, Stefano

Brugger motioned; Eckel seconded and the Committee unanimously agreed to authorize John D'Anton, Esq., Special Counsel to represent the Township with employee complaints filed by Michael Montenegro, Robert Kaiser and Vincent Riotto against Police Chief Michael Frew and Lt. Steven Furbacher.

### Adjournment

Anzevino motioned; Brugger seconded and the Committee unanimously agreed to adjourn the meeting at 10:05 p.m.

Respectfully submitted,

Linda LoPiccolo  
Municipal Clerk

**Resolution Authorizing Executive Session – December 1, 2011**

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 required in order for the attorney to exercise his ethical duties as a lawyer.

**State v. Frew**  
**Montenegro et als. V. Township of South Hackensack**  
**GNB (80 Leuning Street) v. TSH – tax appeal**

     (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 December 1, 2011.

Linda LoPiccolo  
Municipal Clerk