

Township of South Hackensack
Bergen County, New Jersey
December 4, 2008 7:30 P.M.
Worksession Meeting
MINUTES

Rosina Romano, MayorPresent
Gene Roman, Deputy MayorPresent
James AnzevinoPresent
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 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.

Public Hearing

John Acunto – Notice of Intent to Revoke and Suspend Entertainment Ordinance License
Sigmund “Ziggy” Pohan – Notice of Intent to Revoke and Suspend Entertainment Ordinance

Joseph Donahue, Esq. appeared on behalf of John Acunto and William Soukas, Esq. appeared on behalf of Sigmund Pohan. Whereas the Township has moved to suspend the entertainment licenses of John Acunto and Sigmund Pohan, and the parties have come to an Agreement that Mr. Pohan would forfeit his license on a permanent basis, and although Mr. Acunto did not renew his license for 2008, agreed seek no further renewal of his entertainment license, Roman motioned; Maceri seconded to accept the settlement agreement as presented. Roll Call Vote: Anzevino, Romano – Stepped down from the dais and did not participate nor vote on the matter. Ayes: Roman, Eckel, Maceri

Correspondence & Reports

Eckel motioned; Maceri seconded, Anzevino abstaining with the remainder of the Committee unanimously accepting correspondence dated November 14, 2008, from Robert Ceberio, Executive Director, and NJMC Re: Advising the Township that the NJMC has acquired a Magnum LT5060 Portable Light Tower that will be added to the

Co-Op Equipment inventory. NJMC is purchasing two (2) 4-inch self priming pump systems for future use by NJMC municipalities.

Anzevino motioned; Eckel seconded and the Committee unanimously agreed to accept and list on February 2009 worksession agenda for discussion, correspondence dated November 14, 2008, from Kris Kolluri, Commissioner, DOT Re: Notification of NJDOT Fiscal Year 2009 Municipal Aid Program (local aid) for Calicooneck Road in the amount of \$200,000.

Maceri motioned; Roman seconded and the Committee unanimously accepted correspondence dated November 14, 2008, from Michael J. Ward, OEM Coordinator Re: Recommending adoption of the Bergen County Hazard Mitigation Plan prepared by the NJMC, and authorized the clerk to prepare the necessary resolution for its approval.

Eckel motioned; Anzevino seconded and the Committee unanimously accepted and filed correspondence dated November 23, 2008, from Michael J. Ward, OEM Coordinator Re: Special League Report regarding seminars attended at the NJLM Conference that was held in Atlantic City.

Anzevino motioned; Eckel seconded and the Committee unanimously accepted correspondence dated November 24, 2008, from Michael J. Ward, OEM Coordinator Re: Notification that Emergency Management Coordinator and Deputy Emergency Management Coordinator appointments will expire December 15, 2008. Request for re-appointment, and instructed the clerk to prepare the necessary resolution for reappointment.

Roman motioned; Maceri seconded, Anzevino abstained, and the Committee unanimously agreed to accept correspondence dated November 26, 2008, from Robert Ceberio, Executive Director, NJMC Re: Approval of request for amendment of 2008 MAP Grant.

Roman motioned; Maceri seconded and the Committee unanimously accepted correspondence dated December 1, 2008, Michael D. Frew, Police Chief Re: 2009 Police Budget.

Romano motioned; Maceri seconded and the following Committee members voted to accept correspondence dated December 1, 2008, from Michael D. Frew, Police Chief Re: Staffing request to hire 3 police officers and restructure the staff to add one Deputy Chief and one additional Captain. Anzevino and Eckel voted no to accept the correspondence and previously had a motion denied that would not accept the correspondence.

Following the acceptance of the correspondence, there was a lengthy discussion among the members of the governing body. Anzevino and Eckel objected to the hiring of police officers and the restructuring of the police department; rather suggestions were made to Chief Frew that he should make schedule and/or assignment changes first before making such a request. Chief Frew read a prepared report citing several incidents and arrests over past years. It was his recommendation that although incidents of crime are lower than in past years, the addition of police officers is necessary. Committee member

Roman indicated that he would have no objection to the hiring of one police officer and one full-time dispatcher. He further remarked that it is anticipated that a police officer will retire next year, thus this hire will replace him. Further, Roman reminded everyone that when he and Patrolman Brando retired, they were never replaced. Eckel and Anzevino argued that although those officers were never replaced, and an officer has been out injured all year, there has been no significant increase in overtime. They argued that the township's decision to hire part time dispatchers, at a reduced cost to the township, has enabled the overtime to remain consistent. Chief Frew admitted that hiring one police officer and full-time dispatcher will not eliminate overtime. Committee members Anzevino and Eckel argued that if the Township is to hire that a test should be administered. Committee members Roman, Romano and Maceri disagreed with a hiring test and requested the Chief to submit his recommendations for one police officer and one full-time dispatcher prior to the December 11, 2008 meeting. The matter was further discussed under New Business.

Roman motioned; Maceri seconded and the Committee unanimously agreed to accept and file correspondence dated December 1, 2008, from Michael D. Frew, Police Chief Re: Requesting the purchase of the following for the police department: New 4wd vehicle (Dodge Durango), 5 computers, Computer server upgrade, 4 file cabinets.

Roman motioned; Maceri seconded and the Committee unanimously agreed to accept and file correspondence dated December 1, 2008, from Michael D. Frew, Police Chief Re: Notification that as of November 25, 2008, there has been 168 arrests in the Township. Recommendation to fight crime is to hire 3 police officers.

Eckel motioned; Roman seconded and the Committee unanimously agreed to accept and file correspondence dated December 1, 2008, from Michael D. Frew, Police Chief Re: Report regarding the number of 2008 New policies implemented and anticipated new policies for 2009.

Eckel motioned; Anzevino seconded and the Committee unanimously agreed to accept and file correspondence dated December 1, 2008, from Bob Serio, Chief, South Hackensack Volunteer Ambulance Corps. Inc. Re: 2009 Ambulance Corps Line Officers.

Old Business

Hackensack Mutual Aid Coverage – The Ambulance Chief has concerns that Township residents may be charged by Hackensack Ambulance since there is no Agreement in place. A meeting took place several weeks ago but nothing was resolved. The clerk was asked to contact Hackensack for a copy of their Agreement.

Senior Citizen Housing- The representatives of Grove Street Senior Housing will meet with Bergen County Housing Authority to finalize their commitment to step in. They have requested a further 7 day extension.

Eckel motioned; Anzevino seconded and the Committee unanimously agreed to grant a further extension of one week as requested in correspondence dated December 4, 2008 from Bart G. Mongelli, Esq. on behalf of Senior Citizen Housing at Grove Street, L.P.

COAH 3rd Round Submission – Construction Code Official H. J. Riley will contact Michael Kauker to provide him with the required data necessary to complete the submission.

Purchase of Hybrid Vehicle – Tabled until January 2009 for further discussion.

New Business

Police Hiring – Eckel and Anzevino objected to any police hiring arguing that the township can not afford to hire police officers. They cited budget constraints and the bad economy as reasons to hold off. Chief Frew recalled the number of officers and dispatchers since 1999 and anticipates another officer retiring in 2009. He said that when he became Chief he did not have an opportunity to recommend the 2nd in command and by restructuring the police department he would now have that opportunity. He further indicated that the newly appointed Captain would oversee the detective bureau and that one detective would return to patrol. Romano agreed that Chief Frew had previously requested to increase the number of officers.

Resolutions

2008-170 Authorizing 2009 MAP Grant Application

2008-171 Authorizing Purchase Snow Plow - \$4,530.00 Van Dines, Inc.

Authorizing Closed Session

Eckel motioned; Roman seconded to adopt the above resolutions.

Roll Call Vote: Ayes: Anzevino (abstained on 2008-170), Eckel, Maceri, Roman, Romano

Committee Reports

Walter Eckel, Jr. reported that he is having the street sweeper that was donated by the Honeywell Corp. inspected prior to turning over to the township.

Mayor Romano reported that the Reorganization meeting of the Township Committee will be held on Sunday, January 4, 2009 at 12 noon, in the Senior Citizen room.

Public Comments

Anzevino motioned; Roman seconded and the Committee unanimously agreed to open the meeting for public comments.

Pat Spadavecchia, Park Street – Indicated that he was in favor of police hiring and a restructuring of the police department to add additional officers.

Dolly Montenegro, Phillips Avenue – Supported the police chief's request to hire additional police and dispatcher.

Mary Tulloch, Phillips Avenue – Opposed the hiring of additional police personnel indicating that people can no longer afford to live in town because of the high taxes.

Vincent LoPiccolo, North Veprek Lane – Opposed the proposed restructuring of the police department to increase the number of ranking officers.

Leo Rossi, Chestnut Avenue – Opposed the proposed hiring and restructuring of the police department.

Joan Vicenzotti, Taylor Avenue – Asked the Committee to consider hiring additional police personnel only after another officer retires.

Roman motioned; Anzevino seconded and the Committee unanimously agreed to close the meeting to public comments at 9:29 p.m.

Closed Session

Roman motioned; Anzevino seconded and the Committee unanimously agreed to go into closed executive session for the following purposes at 9:30 p.m.

Litigation – Tax Appeal

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

Personnel

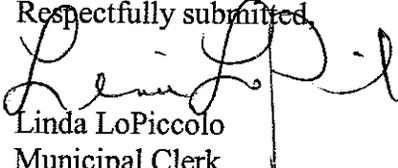
DPW Contract, Nick Ulliana – police

Eckel motioned; Maceri seconded and the Committee unanimously agreed to re-open the meeting to the public at 10:20 p.m. No further action taken by the Committee at that time.

Adjournment

Eckel motioned; Maceri seconded and the Committee unanimously agreed to adjourn the meeting at 10:20 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.

DPW Negotiations

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.

Nick Ulliana – Pension

 (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 4, 2008.

Linda LoPiccolo
Township Clerk