

Township of South Hackensack  
Bergen County, New Jersey  
December 29, 2008 8:00 P.M.  
Special Meeting  
MINUTES

Rosina Romano, Mayor .....Present  
Gene Roman, Deputy Mayor .....Present  
James Anzevino .....Present  
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 Special Meeting to order at 8:08 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.

Resolutions

2008-178 Petitioning COAH with an Adopted Housing Element and Fair Share Plan

2008-179 Bills

2008-180 Corrective Action – 2007

Anzevino motioned; Roman seconded to adopt Resolutions Nos. 2008-178 through 180.

Roll Call Vote: Ayes: Anzevino, Eckel, Roman, Romano Absent: Maceri

Resolution No. 2008-181 Senior Housing Lease Extension – 30 days

Offered: Eckel

Second: Anzevino

Roll Call Vote: Ayes: Anzevino, Eckel, Roman, Romano Absent: Maceri

Old Business

Senior Citizen Housing at Grove Street, LP

David Sivella, Executive Director of the Housing Authority of Bergen County was present at the meeting along with Joseph Rutch, Director, Bergen County Community Development. Mr. Sivella advised that the Mayor recently met with Bergen County Housing to discuss finalizing financing of South Hackensack's housing project. He said that the economy had a massive impact on projects similar to South Hackensack's and Madeline Corp ran into the same stumbling blocks. He continued that whatever it is to

get the project moving we will get it done in the allotted time that the details will be worked out in the next two weeks.

Carbone reported that the developer is requesting an additional 30 day extension and that the resolution herein adopted confers authority on the sub-committee that documents can be executed without further action by the Committee. The goal is to move forward.

### Public Comments

Michael D. Kauker, Kauker & Kauker, LLC – Reported to the Township Committee that the resolution herein adopted petitions COAH for 3<sup>rd</sup> round substantive certification under those rules. He reported that the South Hackensack Planning Board adopted at a meeting just prior to this one, the Housing Element & Fair Share Plan that addresses those housing issues. The plan covers the Township through 2018 unless there is unanticipated growth in the Township.

### Adjournment

Roman motioned; Anzevino seconded and the Committee unanimously confirmed to adjourn the special meeting at 8:26 p.m.

Respectfully submitted,



Linda LoPiccolo  
Municipal Clerk

**Resolution No. 2008-178 Petitioning with an Adopted Housing Element and Fair Share Plan**

WHEREAS, the Planning Board of the Township of South Hackensack, Bergen County, State of New Jersey, adopted the Housing Element of the Master Plan on December 29, 2008; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Housing Element is attached pursuant to N.J.A.C. 5:96-2.2(a)2; and

WHEREAS, the Planning Board adopted the Fair Share Plan on December 28, 2008; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Fair Share Plan is attached pursuant to N.J.A.C. 5:96-2.2(a)2.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Township of South Hackensack, Bergen County, State of New Jersey, hereby endorses the Housing Element and Fair Share Plan as adopted by the Township of South Hackensack Planning Board; and

BE IT FURTHER RESOLVED that the Governing Body of the Township of South Hackensack, pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:96-3.2(a), submits this petition for substantive certification of the Housing Element and Fair Share Plan to the Council on Affordable Housing for review and certification; and

BE IT FURTHER RESOLVED that a list of names and addresses for all owners of sites in the Housing Element and Fair Share Plan has been included with the petition; and

BE IT FURTHER RESOLVED that notice of this petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:96-3.5 within seven days of issuance of the notification letter from the Council on Affordable Housing's Executive Director indicating that the submission is complete and that a copy of this resolution, the adopted Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Township of South Hackensack municipal clerk's office located at 227 Phillips Avenue, during regular business hours on Monday through Friday for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:96-3.5.

Offered: Anzevino

Second: Roman

Roll Call Vote: Ayes: Anzevino, Eckel, Roman, Romano Absent: Maceri

Date: December 29, 2008

Township of South Hackensack  
 Bergen County, New Jersey

RESOLUTION NO. 2008-~~178~~ 179

BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, State of New Jersey, that the proper warrants be drawn and that attached bills, with the exception of those bills not approved by a majority of the Committee, be paid providing funds are available in the amount of

186,746.98

Offered By: Anzevino  
 Seconded By: Roman.

4 yes Maceri - ABSENT

~~12/11/2008~~ 12/29/08.

Roll Call Vote  
 Attest  
*[Signature]*

Approved:

Rosina Romano

Developer's & Escrow

1357 So Hack Current Account	507.66	
1358 So Hack Current Account	2,537.13	
1359 So Hack Current Account	1,121.83	
1360 Tape Reporters	84.00	
1361 Philip Neuer	16.00	
1362 Boswell McClave Engineering	8,817.75	
1363 Ralph W. Chandless	343.63	
	<hr/>	
Total Developer's & Escrow		13,428.00

Fed Ex

119 Boswell Mc Clave Engineering	78.00	
	<hr/>	
Total Fed Ex		78.00

BMW

0002 Boswell McClave Engineering	156.00	
	<hr/>	
Total BMW		156.00

Capital

1115 Colonnelli Bros	9,753.28	
	<hr/>	
Total Capital		9,753.28

Payroll Agency

1125 NJ Family Support	523.00	
1126 NJ Family Support	523.00	
Wire JP Morgan Chase-Aliac-December	6,831.81	
	<hr/>	
Total Payroll Agency		7,877.81

Current Fund

Check Nos 5962 to 5993 Per attached List	155,453.89	
	<hr/>	
Total Current Account		155,453.89

Range of Checking Accts: GENERAL ACCOUNT to GENERAL ACCOUNT    Range of Check Ids: 5962 to 5993  
Report Type: All Checks    Report Format: Super Condensed    Check Type: Computer & Manual

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
5962	12/16/08	KRA01 HANNA KRAUSE	312.90		492
5963	12/16/08	PSE01 P S E & G	8,004.16		492
5964	12/16/08	SHP01 SO HACKENSACK PAYROLL AGENCY	3,018.15		492
5965	12/16/08	SHT01 SOUTH HACKENSACK TOWNSHIP	70,718.59		492
5966	12/19/08	TAS01 TASTE OF TUSCANY	160.00		493
5967	12/19/08	UNI01 UNITED WATER NEW JERSEY	68.01		493
5968	12/19/08	SHP01 SO HACKENSACK PAYROLL AGENCY	1,905.49		494
5969	12/19/08	SHT01 SOUTH HACKENSACK TOWNSHIP	53,574.59		494
5970	12/29/08	Alignment Check		VOID	
5971	12/29/08	AGA01 AGAR, DAVID	738.78		495
5972	12/29/08	BOS01 BOSWELL ENGINEERING, INC.	4,141.00		495
5973	12/29/08	CAB01 CABLEVISION	74.95		495
5974	12/29/08	CHI04 ROBERT CHINCHAR	750.00		495
5975	12/29/08	CON02 ONE COMMUNICATIONS	774.30		495
5976	12/29/08	DEP02 DEPENDABLE TRUCK & AUTO REPAIR	122.87		495
5977	12/29/08	FOR03 FORWI RECYCLING	1,366.00		495
5978	12/29/08	HUD01 HUDSON TIRE EXCHANGE	606.00		495
5979	12/29/08	INH01 INHALATION THERAPY	223.13		495
5980	12/29/08	KEL01 LANCE KELLY	50.00		495
5981	12/29/08	LAN01 LANGUAGE LINE SERVICES	49.30		495
5982	12/29/08	LIT02 LITTLE FERRY PUBLIC LIBRARY	100.00		495
5983	12/29/08	MGL01 MGL PRINTING SOLUTIONS	201.80		495
5984	12/29/08	NAT04 NATURE'S CHOICE CORP	1,134.00		495
5985	12/29/08	NJL10 NEW JERSEY LEAGUE OF MUNICIPAL	55.00		495
5986	12/29/08	SCH10 SCHWAAB, INC.	33.49		495
5987	12/29/08	SPE01 SPECIALTY AUTOMOTIVE EQUIPMENT	250.00		495
5988	12/29/08	STA01 STAPLES CREDIT PLAN	842.85		495
5989	12/29/08	TET01 TETERBORO CHRYSLER PLYMOUTH	251.60		495
5990	12/29/08	TMO01 T-MOBILE	321.59		495
5991	12/29/08	TOW01 TOWN GETTY SERVICE	269.60		495
5992	12/29/08	VAN01 VAN DINES FOUR WHEEL DRIVE CTR	5,315.74		495
5993	12/29/08	WES01 WEST GROUP	20.00		495

Total Checks: 32    Total Void Checks: 1    Total Amount Void: 0.00    Total Amount Paid: 155,453.89

**Resolution No. 2008-180 Corrective Action Plan – 2007 Audit**

12/18/08  
Township of South Hackensack  
Corrective Action Plan  
2007 Audit

*Finding/Condition #1: Purchase orders be issued prior to commitments being incurred.*

Explanation and Corrective Action: Encumbrances for recurring expenses are not entered until the month in which the expenses are to be paid. Each sub-account with a recurring expense is dedicated solely to that expense. I have advised the treasurer to encumber all expenses at the beginning of each year.

Implementation Date: December 2008

*Finding/Condition # 2: With respect to the Municipal Court:*

- The bail on account ledger be in agreement with the reconciled balance of the bail bank account.
- Tickets assigned and not issued which are greater than six months old be recalled.

Explanation and Corrective Action:

- The bail account has been reconciled each month and the difference of approximately \$ 900.00 has been consistent throughout this year and last. We will transfer this amount the current account.
- Tickets assigned but not issued have been reviewed and the old tickets recalled.

Implementation Date: December 2008

*Finding/Condition # 3: : Continued efforts be maintained in reviewing the appropriated reserve grant balances and either spend or return unexpended balances back to the grantor.*

Recommendation: Open grants be expended for the purpose for which they were granted.

Explanation and Corrective Action: There are several small grants which are old. We intend to expend these in 2008.

Implementation Date: December 2008

*Finding/Condition # 4: The various grant receivable balance be reviewed to determine their collectibility, and if necessary written off.*

Explanation and Corrective Action: We have reviewed the statement of Grants Receivable and determined that there are several grants which will not be collected. WE will cancel these receivables.

Implementation Date: December 2008

*Finding/Condition # 5: The Township Appropriate sufficient funds to eliminate the cash deficits for capital ordinance over five years old.*

Explanation and Corrective Action: We will review the ordinances which are more than five years old. Cash deficits will be raised in the next budget.

Implementation Date: December 2008

*Finding/Condition # 6: General Capital Fund beginning balances be recorded and in agreement with the audit report.*

Explanation and Corrective Action: We have received the adjusted trial balance from the auditor and entered these as beginning balances for the year 2008.

Implementation Date: June 2008

*Finding/Condition #7: Fixed Assets be recorded in the Township's accounting/budget software and be in agreement with the audit balances.*

Explanation and Corrective Action: We have reviewed the fixed assets and entered them into the Edmunds accounting system.

Implementation Date: December 2008

Offered: Anzevino

Second: Roman

Roll Call Vote: Ayes: Anzevino, Eckel, Roman, Romano

Absent: Maceri

Date: December 29, 2008

**Resolution No. 2008-181 Extension of Lease – 30 days Senior Housing**

WHEREAS, the TOWNSHIP OF SOUTH HACKENSACK. (hereinafter "Township") has on September 17, 2007 entered into a Lease for fifty-three (53) years with SENIOR CITIZEN HOUSING AT GROVE STREET, L.P., 555 10th Street, Palisades Park, NJ 07650 (hereinafter "Developer") pursuant to an award of a public contract after bidding, for its affordable senior citizens housing on real property in the Township of South Hackensack, specifically Lots 9, 10 and 10.1 in Block 2.01 on the tax map of the Township of South Hackensack, and commonly known as 41-43 Grove Street, in the Township of South Hackensack, County of Bergen, State of New Jersey; and,

WHEREAS, SENIOR CITIZEN HOUSING AT GROVE STREET, L.P., 555 10th Street, Palisades Park, NJ 07650 applied for and has diligently sought final approvals from the N.J. Housing and Mortgage Finance Agency and others in finalizing and securing the complete approved financing and tax investor approvals; and,

WHEREAS, the lease provides that it would be a condition of default if:

the Developer/Lessee fails within one hundred and twenty (120) of the public approval of the terms of this lease by the Township of South Hackensack, to secure adequate and satisfactory financing, grants, and tax credits under its pending application to the New Jersey Housing and Mortgage Finance Agency on terms and conditions deemed satisfactory and acceptable to the Township of South Hackensack. The Township of South Hackensack may, but is not obligated, grant extensions of the date for compliance hereunder, upon written application by the Developer/Lessee to the Township of South Hackensack before expiration of the present term, and

WHEREAS, the Developer/Lessee had advised and the Township had approved late in 2007 that part of the financing being provided by WNC and Associated of Irvine, California (which replaced the previous financing of MMA of Boston, Massachusetts), and the Township was advised on March 20, 2008 that the participation of WNC was no longer part of the transaction and that a new mortgage commitment was issued on February 20, 2008 by PNC Multifamily Capitol as a substitution for WNC and on terms set forth in PNC's letter of February 20, 2008, now PNC Multifamily Capitol has withdrawn from the transaction and a due diligence review conducted by outside counsel for the County of Bergen found that PNC demanded terms inconsistent with and beyond the requirements of the existing lease; and,

WHEREAS, Developer/Lessee has advised they have sought other investment and financial options and/or contributions and has previously submitted a letter from the Housing Development Corporation of Bergen County evidencing their interest to assist in securing and satisfying this condition of the lease and financing approvals; and,

WHEREAS, representatives of Bergen County, the Housing Development Corporation of Bergen County, and the Township of South Hackensack have met and discussed the

interests and needs of the various parties and have reached a conceptual agreement as to a course of action to satisfy the mortgage financing condition, commence construction, and empower and designate the Housing Development Corporation of Bergen County to act and function as the lead agency and agent for negotiation and development of the financing package and to satisfy the necessary condition of the lease in providing a rent roll schedule; and,

WHEREAS; the Developer/Lessee and the Housing Development Corporation of Bergen County have requested an additional thirty (30) day extension of the time period under the terms of the lease which shall then expire on January 28, 2009, to submit adequate and satisfactory financial documents and mortgage commitments together with a rental roll schedule to comply with and satisfy the conditions of the lease.

NOW THEREFORE BE IT RESOLVED,

That the Township Committee does hereby extend the period for satisfaction of the lease contingency as set forth above for an additional Thirty (30) day period to expire on January 28, 2009; and,

That if the Township's existing Development Sub-Committee and its counsel John M. Carbone, Esq., find and deem the submissions to be generally responsive, satisfactory and compliant with the terms of the lease and the RFP/RFQ; and if they find sufficient compliance and/or assurances of cooperation or additional compliance of the Developer/Lessee and the Housing Development Corporation of Bergen County to satisfy the conditions, and they in writing so advise the Township by filing a letter with the Municipal Clerk of their satisfactory findings, opinions, and otherwise recommend that the Township deem the conditions and requirements of the lease satisfied, then the appropriate Municipal Officials are authorized to execute, sign and attest to necessary documents and agreements to carry out and act in furtherance of this transaction, and to take all necessary and proper actions to fulfill the undertakings and obligations of the Township under the terms of the agreement(s) and lease to the Developer/Lessee and the Housing Development Corporation of Bergen County.

Offered: Eckel

Second: Anzevino

Roll Call Vote: Ayes: Anzevino, Eckel, Roman, Romano, Maceri

Date: December 29, 2008