

Township of South Hackensack
Bergen County, New Jersey
April 6, 2017 7:00PM
Worksession Meeting Agenda
2017 Municipal Budget Introduction

Frank Cagas, Mayor
Gary C. Brugger
Walter Eckel, Jr.
Yris Encarnacion
William Regan

Donna L. Gambutti, Municipal Clerk
David V. Nasta, Esq., Municipal Attorney

Call of Meeting to Order~

Flag Salute~

This is a Worksession Meeting of the Township Committee of South Hackensack. The date, time and location of this meeting has been advertised in the official Newspapers of the Township, filed with the Township Clerk and posted on the bulletin board in the Municipal Building. All notice requirements of the Open Public Meetings Act for this meeting have been fulfilled.

Roll Call~

Christopher Eilert, CFO- 2017 Municipal Budget Introduction~

Correspondence~

- Neglia Engineering, March 22, 2017- Agreement for Professional Services/ Construction Management Proposal- Green Street & Wesley Street Improvements
- Carmine Maceri, 1rst Lt. SHFD Secretary, March 21, 2017- Request to Appoint New Member
- Mary Terraccino, Tax Collector & Deputy Clerk, March 22, 2017- Request to Attend Tax Collectors & Treasurers Association Annual Conference- May 16-18, 2017
- Mary Terraccino, Tax Collector & Deputy Clerk, March 23, 2017- Request to Waive Sewer Fees for 36 Garfield Place & Amend Municipal Code

Old Business

- Shade Tree Ordinance- *Report by Mayor Cagas*
- Sidewalk/ Tree Project- Authorize Engineer to Solicit Quotes for Certain Work Locations For Tree Removal/Pruning/Stump Grinding/ Concrete Sidewalks/ Reinforced Concrete Aprons / Asphalt Repair & Site Restoration

New Business~

- Authorize Agreement for Professional Services-with Neglia Engineering for Construction Management Services - Green & Wesley Street Improvements- Amount not to exceed \$ 29,600.00
- Appoint New Fire Department Member- Amandeep Singh
- Tax Collectors Annual Conference Request
- Waive Sewer Fees-36 Garfield Place/Amend Municipal Sewer Usage Fees
- 2017 CSIP Grant For Shade Tree Commission
- 2017 Bergen County Open Space Municipal Park Improvement Program
- Safety Award From South Bergen JIF for 2016- First Place Gold Award for South Hackensack

Ordinances~ Introduction- N/A

Ordinances~ Adoption-

- ORDINANCE NO. 2017-04- *Second Reading, Public Hearing & Adoption*

**CALENDAR YEAR 2017 ORDINANCE TO EXCEED
THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

By:

2nd:

RC:

- ORDINANCE NO. 2017-05- *Second Reading, Public Hearing & Adoption*

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 108 “FEES”
SECTION 2 (CHAPTER 52) OF THE CODE OF THE TOWNSHIP OF SOUTH
HACKENSACK ENTITLED “POLICE DEPARTMENT”, (CHAPTER 6) ENTITLED
“MUNICIPAL COURT DISCOVERY”, (CHAPTER 74) ENTITLED “ALARM
SYSTEMS”, (CHAPTER 202) ENTITLED “TOWING” AND CHAPTER 202 “TOWING”
SECTION 1 “ SOLICITATION OF APPLICATIONS; COMPILATION OF LIST;
APPLICATION FEE; DEADLINE”**

By:

2nd:

RC:

- ORDINANCE NO. 2017-06 - Second Reading, Public Hearing & Adoption

BOND ORDINANCE PROVIDING FOR INTERSECTION AND ROADWAY IMPROVEMENTS BY THE TOWNSHIP OF SOUTH HACKENSACK, APPROPRIATING \$425,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$425,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF

By: _____ 2nd: _____ RC: _____

Resolutions~

- Closed Executive Session Resolution
- Resolution 2017-089 - Introduction of The 2017 Municipal Budget – Public Hearing, May 4, 2017 7:30PM *Roll Call Vote*

By: _____ 2nd: _____ RC: _____

Mayor’s Report

Committee Reports~

Public Comments~

Adjournment~

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Resolution Authorizing Executive Session April 6, 2017

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.

 XX (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.

**Tax Appeal – Withdrawn- 378 Rt . 46 & 330 Main Street
Borough of Ridgefield vs State of NJ, et als**

XX (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.

Donna L. Gambutti

Personnel

(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 April 6, 2017.

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<p>TOWNSHIP OF SOUTH HACKENSACK BERGEN COUNTY, NEW JERSEY</p> <p><u>RESOLUTION NO. 2017-089</u></p>
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Re: Introduction of 2017 Budget

BE IT RESOLVED, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Township of South Hackensack, Bergen County, New Jersey for the year 2017.

BE IT FURTHER RESOLVED, that the said budget be published in The Record in the issue of April 12, 2017, and that a hearing on the Budget will be held at the Municipal Building on May 4, 2017 at 7:30 o'clock (P.M.) or as soon thereafter as the matter may be reached.

Motion:
Second:
Roll Call Vote Affirmative:
April 6, 2017

Approved:

Attest:

Municipal Clerk
Donna L. Gambutti

Frank Cagas, Mayor

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<p style="text-align: center;">2017-04 CALENDAR YEAR 2017 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)</p>

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of South Hackensack in the County of Bergen finds its advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.0% increase in the budget for said year, amounting to \$212,754 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Township Committee of the Township of South Hackensack, in the County of Bergen, a majority of the full authorized membership of this Governing Body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Township of South Hackensack shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.0%, amounting to \$212,754, and that the CY 2017 municipal budget for the Township of South Hackensack be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Introduced: March 2, 2017

Motion: Brugger

Second: Cagas

Absent: Regan

Roll Call Vote: Brugger, Cagas, Eckel & Encarnacion

Adoption: April 6, 2017

Motion:

Second:

Roll Call Vote:

ATTEST:

Donna L. Gambutti, Township Clerk

Frank Cagas, Mayor

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TOWNSHIP OF SOUTH HACKENSACK
COUNTY OF BERGEN

ORDINANCE NO. 2017-05

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 108 “FEES” SECTION 2 (CHAPTER 52) OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED “POLICE DEPARTMENT”, (CHAPTER 6) ENTITLED “MUNICIPAL COURT DISCOVERY”, (CHAPTER 74) ENTITLED “ALARM SYSTEMS”, (CHAPTER 202) ENTITLED “TOWING” AND CHAPTER 202 “TOWING” SECTION 1 “ SOLICITATION OF APPLICATIONS; COMPILATION OF LIST; APPLICATION FEE; DEADLINE”

WHEREAS, the Township Committee has ordered a review of the fee schedules for police, municipal court and towing to ensure that they meet with current standards: and

WHEREAS, the Chief of Police in accordance with said order has reviewed the current fee schedules and has recommended the deletion or amendment of the same and insertion of the fees schedule contained herein;

NOW THEREFORE BE IT ENACTED AND ORDAINED, by the Township Committee of the Township of South Hackensack as follows:

SECTION 1- Chapter 108-2 Chapter 52 Police Department be and the same is hereby amended as follows:

The following fees for services and materials are established pursuant to Sec. 52-18 of the Code:

- A. Photographs: \$10 per print.
- B. Fingerprints: \$15 per set.
- C. Letter of good conduct- No Change
- D. Pistol Permit: \$10 per permit.
- E. Firearms Id- No Change
- F. Escort Service: \$10 each way, \$20 round trip, subject to availability.
- G. Police Examination fees: No Change.
- H. All police reports, motor vehicle accident reports and any incident reports: \$5.00

SECTION 2- Chapter 108-23- Chapter 6, “Municipal Court Discovery” be and the same is hereby amended as follows:

B. Delete B 1- B3 and replace as follows: "Any request for discovery shall be accompanied by a fee of \$20.00. Said fee shall not include any other specific fees set forth in this Code."

B. 4- No Change

B. 5- No Change

B. 6- No Change

B. 7- Duplication of videotapes, DVDs, CDs or other electronic information constitutes an extraordinary duplication process and will be charged at the rate of \$5 plus any additional costs incurred in making said copies, if applicable.

B. 8- No Change.

C. No Change

D. No Change

SECTION 3- Chapter 108-4 "Chapter 74, Alarm Systems" be and the same is hereby amended as follows:

Pursuant to Sec. 74-2 entitled "Assessment of fee for false alarms" such fee upon the third false alarm and each subsequent false alarm during any single calendar month shall be:

74-2 (B) add " As to a burglar alarm upon a non-residential property:\$100.

74-2 (C) add " As to a fire alarm upon a residential property: \$75.

74-2 (D) add " As to a fire alarm upon a non-residential property: \$150.

SECTION 4- Chapter 108-21 "Chapter 202, Towing" be and the same is hereby amended as follows:

Pursuant to Sec. 202-4, the following towing fees are established:

Section 202-4 A

(1)(b) Road Service at any other time; \$75

(2) (a) Automobiles between 8:00 am and 6:00 pm, weekdays; \$125

(2) (b) Automobiles, holidays, weekends and after hours: \$135

(2) (c) Motorcycles between 8:00 am and 6:00 pm weekdays: \$125

(2) (d) Motorcycles, holidays, weekends and after hours; \$135.

(2) (e) Wheel lift between 8:00 am and 6:00 pm, weekdays: \$65.

(2) (f) Wheel lift holidays, weekends and after hours: \$75.

(2) (g) Flat bed between 8:00 am and 6:00 pm, weekdays: \$125

(2) (h) Flat bed holidays, weekends and after hours; \$135.

(2) (i) Delete

(2) (j) Trucks up to one ton but under five tons: \$150.

(2) (k) Trucks, buses, tractor trailers and other heavy equipment; \$300, plus \$80 per hour for labor.

- (3) (b) Winching- Heavy wrecker; cost of tow plus \$80 per hour for labor.
- 3B (1) (a) (1) Storage- Outside; \$45/per day.
- 3B (1) (a) (2) After the first 24 hours inside; \$50/per day.
- 3B (1) (b) (1) Wrecked or disabled vehicles- Outside: \$45 per/day.
- 3B (1) (b) (2) After the first 24 hours inside; \$50 per/day.
- 3B (1) (c) Truck storage, 11,000 pounds and up, outside only after the first 24 hours; \$100 per/day.

SECTION 5- Chapter 202-1 Solicitation of applications; compilation of list; application fee; deadline.

Section 202-1 B is amended to delete “\$250” and insert “\$300” in its place.

SECTION 6- SEVERABILITY If any portion of this ordinance is deemed invalid or unconstitutional by a court of competent jurisdiction than the balance of this ordinance shall be deemed in full force and effect.

SECTION 7- REPEALER- Any ordinance or portion thereof which is inconsistent with this ordinance is hereby repealed to the extent of said inconsistency.

SECTION 8- EFFECTIVE DATE- This ordinance shall become effective after passage and publication as required by law.

DATED:

Introduced: March 9, 2017
Motion: Eckel
Second: Brugger
Absent: Encarnacion & Regan
Roll Call Vote: Brugger, Cagas & Eckel

Adoption: April 6, 2017
Motion:
Second:
Roll Call Vote:

ATTEST

Township of South Hackensack

2017-06

**BOND ORDINANCE PROVIDING FOR INTERSECTION
AND ROADWAY IMPROVEMENTS BY THE TOWNSHIP
OF SOUTH HACKENSACK, APPROPRIATING \$425,000
THEREFOR AND AUTHORIZING THE ISSUANCE OF
\$425,000 BONDS OR NOTES OF THE TOWNSHIP TO
FINANCE THE COST THEREOF**

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF SOUTH HACKENSACK (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of South Hackensack, a municipal corporation of the State of New Jersey (the “Township”) as a general improvement. For the improvement or purpose described in Section 3 of this bond ordinance, there is hereby appropriated the sum of \$425,000, including grants in the aggregate amount of \$370,856 expected to be received from the State of New Jersey Department of Transportation (the “State Grants”). No down payment is required by the Local Bond Law because the improvement or purpose authorized herein will be funded by the State Grants (N.J.S.A. 40A:2-11(c)).

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$425,000 pursuant to the Local Bond Law. In anticipation of the issuance of bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement or purpose hereby authorized for which bonds or notes are to be issued is intersection and roadway improvements to various roads located in the Township, including, but not limited to, Green Street and Wesley Street, and all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 of this bond ordinance.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation stated in Section 1 of this bond ordinance.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the bond anticipation notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell a part, or all, of the bond anticipation notes from time to time at public or private sale, and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest, if any, from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale of bond anticipation notes issued pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose described in Section 3 of this bond ordinance, computed on the basis of the amount of obligations authorized for the improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10 years.

(c) An aggregate amount not exceeding \$75,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost of the improvement or purpose set forth in Section 3 of this bond ordinance.

(d) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and submitted to the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township is increased by \$425,000 (the amount of the authorization of the obligations provided for in this bond ordinance). The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

Section 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Introduced: March 9, 2016

Motion: Brugger

Second: Eckel

Absent: Encarnacion & Regan

Roll Call Vote: Brugger, Cagas & Eckel

Adoption: April 6, 2017

Motion:

Second: Eckel

Roll Call Vote:

Approved:

Attest:

Frank Cagas, Mayor

Donna Gambutti, Township Clerk