

Township of South Hackensack  
Bergen County, New Jersey  
December 5, 2019 7:00 PM  
Worksession Meeting  
AGENDA

Yris Encarnacion, Mayor  
James Anzevino  
Gary Brugger  
Frank Cagas  
Luis Perdomo

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~

## Correspondence~

- Carmine Maceri, Deputy Fire Chief, November 15, 2019- Election of Officers for 2020 for South Hackensack Fire Department
- State of New Jersey, Department of Transportation , November 27, 2019- Notice of Grant Award for NJDOT FY 2020- Phase 2 Phillips Avenue Improvements- \$200,000.00
- James Donatello, Recreation Aide, November 26, 2019- Letter of Resignation as Recreation Aide Effective -December 31, 2019
- Evelyn Scott, Finance Assistant, December 3, 2019- Request to carry vacation days to 2020

## Old Business~

- Purchase of Fire Department Apparatus - *Report by Mr. Brugger*
- DPW Hotbox

## New Business~

- NJDOT FY 2020 Grant Award for Phillips Avenue Phase 2 Improvements- *Report by Mr. Brugger, Forward to CFO*
- Veteran Friendly Municipality Program

- 8 Vacation Day Carry Over Request for Evelyn Scott into 2020
- RFQ-RFP 2020 Due December 13, 2019 11:00AM - Establish Sub-Committee for Review
- Tree Removal at 14 Agar Place- *Report by Mr. Cagas*
  
- Resolutions~
  - Closed Executive Session Resolution
  
- Ordinances~ Introduction- N/A
  
- Ordinances~ Adoption- *Second Reading, Public Hearing & Adoption*

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE TOWNSHIP OF SOUTH HACKENSACK, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,400,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,332,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF**

By:

2<sup>nd</sup>:

RC:

Mayor's Report~

- Holiday Tree Lighting 12/6/2019 6:00 PM

Committee Reports~

Public Comments~

Adjournment~

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**Resolution Authorizing Executive Session December 5, 2019**

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.

\_\_\_\_\_ (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.

\_\_\_\_\_ **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.

**Lydia Heinzelman**

\_\_\_\_\_ (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 5, 2019.*

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**ORDINANCE NO. 2019-08**

**BOND ORDINANCE PROVIDING FOR VARIOUS  
CAPITAL IMPROVEMENTS BY THE TOWNSHIP OF  
SOUTH HACKENSACK, APPROPRIATING THE  
AGGREGATE AMOUNT OF \$1,400,000 THEREFOR, AND  
AUTHORIZING THE ISSUANCE OF \$1,332,500 BONDS OR  
NOTES OF THE TOWNSHIP TO FINANCE PART OF 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 improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of South Hackensack, a municipal corporation of the State of New Jersey (the "Township") as general improvements. For the improvements or purposes described in Section 3 of this bond ordinance, there is hereby appropriated the sum of \$1,400,000 (which is the aggregate amount of the sums of money appropriated for each respective improvement or purpose), including the sum of \$67,500 as the down payment for the improvements or purposes required by the Local Bond Law. The down payment is now available by virtue of the provision for a down payment for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvements or purposes not covered by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,332,500 pursuant to the Local Bond Law. In anticipation of the issuance of the 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. The improvements or purposes hereby authorized for which bonds or notes are to be issued, the estimated cost of each improvement or purpose and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement or purpose, and the period of usefulness of each improvement or purpose are as follows:

(a) Purchas of a fire engine and related fire fighting/emergency response equipment for the Towship.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$625,000	\$595,000	10 years

(b) Purchase of and installation of information technology and telecommunications equipment for Township Hall, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$50,000	\$47,500	7 years

(c) Capital improvements for various Township parks, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$725,000	\$690,000	15 years

<u>TOTAL APPROPRIATION</u>	<u>TOTAL BOND AUTHORIZATION</u>	<u>AVERAGE PERIOD OF USEFULNESS</u>
\$1,400,000	\$1,332,500	12.48 years

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 improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes described in Section 3 of this bond ordinance, computed on the basis of the amounts of obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 12.48 years.

(c) An aggregate amount not exceeding \$150,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost of the improvements or purposes 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 \$1,332,500 (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.

**Recorded Vote: Introduction November 7, 2019**

**Motion: Brugger**

**Second: Perdomo**

**Absent: Anzevino**

**Roll Call Vote: Brugger, Cagas, Encarnacion & Perdomo**

**Recorded Vote: Adoption: December 5, 2019**

**Motion:**

**Second:**

**Roll Call Vote:**

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