

Township of South Hackensack
Bergen County, New Jersey

January 23, 2025

7:00PM CLOSED SESSION

7:30 PM PUBLIC MEETING

MINUTES

Regular Meeting

James Anzevino, Mayor

Gary Brugger

Frank Cagas

Yris Encarnacion

Luis Perdomo

Donna L. Gambutti, Municipal Clerk

John Schettino, Esq., Municipal Attorney

Closed Session

On a motion made by Gary Brugger and seconded by Luis Perdomo; all were in favor of entering into closed executive session at 7:05 PM. Minutes of closed session were recorded and will be made available to the public when authorized by the governing body and permitted by law.

On a motion made by Mayor Anzevino and seconded by Luis Perdomo; all were in favor to adjourn closed session.

Call of Meeting to Order

Mayor Anzevino called the Regular Meeting to order at 7:35 PM. And advised that this is a Regular 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. Former Mayor Encarnacion led the flag salute. The Municipal Clerk called the roll. All members are present. Mayor Anzevino asks for a moment of silence for all those affected by the California Wildfires.

Correspondence~

- General Correspondence and Reports for December 2024 & January 2025

On a motion made by Luis Perdomo and seconded by Gary Brugger; all members were in favor of accepting and filing the general correspondence and report for December 2024 and January 2025.

Old Business~

- Proposal for Professional Surveying & Geographic Information System (GIS)- Data Maintenance & Integration Services by Neglia Engineering-(\$50,000.00)- Rich Caprio from Neglia Engineering is present to give an updated presentation on the GIS Program. Mayor Anzevino reports that we first met three years ago this system would work to see where areas in town have consistent flooding The GIS program can reflect power outages of homes with residents with functional needs for example residents who are on oxygen or life support. . The information can be shared with the County of Bergen and the State of New Jersey. The Police Department and DPW can benefit from this shared information. All the information can be tied together for example the police department and zoning can share information regarding violations, The DPW can keep digital records of storm drain cleaning as another example. Mayor Anzevino comments that this is a good tool for the Fire Department to utilize. He states that all this information can be shared on our website and Information from the BCUA, PSE&G and the water company can be shared with State and county agencies as needed. The Township Clerks asks if grease trap inspections can be tracked in the GIS system. Rich explains yes and that the information will be added to the system by the DPW. Rich reports that Neglia performed a needs assessment to all the departments and the discussion snowballs into data sharing to help the employees of the township which in turn will help our residents. Mayor Anzevino gives an example of how the DPW and the Recycling coordinator can track households that don't recycle. He explains how the tax assessor would do a 200 foot list and how much more information will be available to the tax assessor and ultimately all departments.

Yris Encarnacion as how many licenses are available for department heads to use and confirms Neglia will administer the Data Base Setup and train department heads and relevant staff. There are many types of licenses including a viewer and master editor. Viewer licenses are less expensive . The system is cloud based, and updates are not needed. Mayor Anzevino comments Neglia trained and helped the staff with this system

in a town he works in. After the first year of the service with Neglia's support the next year is the maintenance phase. Rich will answer any questions in the future that anyone has. Mayor Anzevino recommends that the Township Committee consider this proposal at the next meeting (February 13, 2025) and if there are any more questions they can be answered before next month. Mike Ward OEM Coordinator is present and he will make a list of what he needs to be entered into the system and will set up a meeting to meet with Rich.

Mayor Anzevino announces that the committee will go out of order on the agenda.

□ **Resolution Number 2025-065 Appointing Garrett Stucke as a Laborer of The South Hackensack Department of Public Works –**

On a motion made by Yris Encarnacion & seconded by Gary Brugger; all members are in favor of Appointing Garrett Stucke to the South Hackensack DPW by Roll Call Vote.

Mayor Anzevino congratulates Garrett on his appointment to the South Hackensack DPW and wishes him well on his new career and welcomes him to the South Hackensack family. He comments he has heard good things from Guy Picone and their interview. Frank Cagas congratulates him and welcomes him to our small town. Gary Brugger welcomes him to town and comments that he will be snow plowing very soon and he will be getting familiar with our unique town that has 3 small parts. Yris Encarnacion congratulates Garrett as well and also congratulates his father who is present. Deputy Mayor Perdomo welcomes Garrett to his new career and into our family.

- Update on 2025 Municipal Aid Grant- Sievers Lane, John Street & Tuve Lane (First & Kinsley Street) – Gary Brugger reports we received this grant award back in November of 2024 amount of the award is small in comparison to the projected cost. Neglia Engineering agrees that this project should be considered for a Phase II -second grant as the first grant award was for \$171K (First & Kinsley Street would be included but not part of the grant award) Phase I would be Sieves Lane and Phase II would be John Street and Tuve Lane. This project will have to be scaled back if no money if we don't receive enough funds for Phase II. The timeline for this would be Spring of 2026. Gary Brugger will communicate with the grant writer and Neglia Engineering to work on another application.
- Bid Opening for NJDOT Funded Project- Fourth Avenue, Park and Taylor Street Improvements- February 6, 2025 at 11:00AM- Gary Brugger reports that this grant award was in two phases and hopes that the numbers come in under budget as contractors are hungry for work.

New Business~

- ❑ Request for Sub-Committee for South Hackensack Police Department- Promotional Process – *All members of the Committee are in favor of Appointing Mayor Anzevino and Luis Perdomo to this subcommittee. They will schedule a meeting soon with Chief Chinchar.*
- ❑ Appoint New Member Robert Orzechowski to the SHFD- *On a motion made by Yris Encarnacion & seconded by Luis Perdomo; all members are in favor of appointing Robert Orzechowski to the South Hackensack Fire Department.*
- ❑ 2024 LOSAP Report- *On a motion made by Gary Brugger & seconded by Luis Perdomo; all members are in favor of accepting the 2024 LOSAP Report.*
- ❑ Approve Clothing Allowance for SHFD Qualified Members for 2024- *On a motion made by Luis Perdomo & seconded by Yris Encarnacion ; all members are in favor of approving the 2024 clothing allowance for the SHFD qualified members.*
- ❑ Approve Clothing Allowance for SHFD Qualified Retired Members for 2024- *On a motion made by Luis Perdomo & seconded by Gary Brugger; all members are in favor of approving the 2024 clothing allowance for the SHFD retired members.*
- ❑ Administrative Office Request for 2025 Holiday Swap- *The Committee moved this request to next month's meeting.*
- ❑ Appoint Timothy Lentine as DPW Winter/Seasonal Labor - *On a motion made by Yris Encarnacion and seconded by Gary Brugger; all members are in favor of approving this request.*

Resolutions~

- ❑ Closed Executive Session Resolution *On a motion made by Gary Brugger and seconded by Luis Perdomo; all were in favor.*

□ **Consent Agenda Resolution 2025-01A-**

On a motion made by Gary Brugger and seconded by Frank Cagas; all members were in favor of approving Consent Agenda 2025-01A- Mayor Anzevino abstained from voting on Resolution Numbers 2025-072, 2025-073 and 2025-074.

Mayor Anzevino reports that there was supposed to be a cannabis sub committee meeting tonight but the attorney had the wrong time, so they did not meet. Ray DeRiso, Zoning Officer did speak with him on the phone regarding an ordinance change to allow more cannabis licenses in the township. The Mayor asks Ray to speak about the matter- Ray comments that Floro at 25 Ruta Court has a dispensary license is asking the committee for a license to manufacture cannabis (class II) at the same address. He reads a letter that says the landlord of 25 Ruta Court is now requiring them to rent the whole building of 8400 square feet with a monthly rent of \$2100.00. They will need to move in by April 2025. They do not believe just the retail alone will sustain all their expenses so that is why they are requesting a class II license. They are also concerned that there location is hidden on Ruta Court. Ray comments that the current ordinance allows for 5 total in the township. To date, the five licenses. Green Street and Ruta Court. He would hate to see that this fall apart on Ruta Court. Ray agrees with the cannabis attorney that one small change to the ordinance would allow for them to obtain the manufacturing license. He reports that site plan approval will still be needed, and they will have to come back to the planning board. The township attorney John Schettino reports that there is limited signage for manufacturing and will have little impact on the community. He also notes that revenue is down now for dispensaries and that is another reason why they may benefit from the manufacturing license as they are tucked away on Ruta Court. Ray DeRiso says the property owner has not cleaned up the property and he hopes this will help them to move forward with their new business. Mayor Anzevino suggests that the number of licenses should be changed to 10 licenses in total. The committee is in agreement with him. Ray DeRiso suggests that the ordinance be introduced tonight so this may move forward to the Planning Board for review. Mayor Anzevino calls Dan Laguna Esquire and he has prepared the ordinance to reflect 10 licenses.

□ **Ordinances~ Introduction~**

□ **ORDINANCE NUMBER 2025-01- Introduction, Public Hearing on February 13, 2025 at 7:30PM**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 205 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED “VEHICLES AND TRAFFIC”.

On a motion made by Mayor Anzevino and seconded by Yris Encarnacion; all members were in favor of introducing Ordinance Number 2025-01 and setting the public hearing for February 13, 2025, at 7:30PM by Roll Call Vote.

- Ordinances~ Adoption~ *No ordinances for adoption.*

Committee Reports~

Yris Encarnacion- *Reports that she hopes everyone has a great hear and congratulations Mayor Anzevino for being the Mayor. The Recreation committee met and will set the dates for the year. Mayor Anzevino comments that he has an idea for Christmas and he will share that idea soon.*

Frank Cagas- *Frank wants the screens down on the dais and the Mayor agrees that the DPW can take them down. Frank Congratulations the new “blood” in the DPW. He wishes everyone a safe winter in the ice and snow.*

Gary Brugger- *Wishes everyone well for the New Year and want to recognize and thank Bill Panagia as he donated the new flag pole at the South Hackensack Fire Department. This will be a lasting memorial to Bill. This is very generous and reflects how dedicated he is to the Fire Department. Gary Brugger comments that the Christmas Holiday Party was well attended by Township Employees, Volunteers and their families. He thanks the office , including Evelyn Scott and Megan Krusznis for all their hard work organizing the party.*

Mayor’s Report ~ *Mayor Anzevino agrees that the Christmas Party went well . He reports he would like to see a plaque at the new flagpole commemorating the generous donation by Bill Panagia. Ray DeRiso, Zoning Officer comments that the Fire Department is already working on purchasing a plaque for the new Flag Pole. Mayor Anzevino commends the DPW for the great job the DPW did plowing in the recent snowstorm. Gary Brugger agrees. Mayor Anzevino reports he need to meet with the police chief regarding parking permits and this will also tie into illegal three family houses. He discusses how off street parking can be changed by changing the curb cut (ordinance). Gary Brugger agrees and they would have to meet with Zoning and building, he does not want to eliminate a parking spot in front of homes. Discussion ensues between Ray DeRiso, Mayor Anzevino and Gary Brugger regarding this type of ordinance change and where it would work. Mayor Anzevino suggests that Neglia, himself, Ray DeRiso and Gary Brugger should meet to discuss this issue. Mayor Anzevino comments that he was speaking with the Chief of Police and he would like the committee to know they can view the park cameras so they know what is going on in the park (and also town hall). If anyone is interested they can contact Sgt. Justin Zanca. Gary Brugger asks Mayor Anzevino if he knows why there are plastic bags covering the No Parking signs at the Park? Mike Ward responses that he believes it was from the police during the snowstorms.*

Luis Perdomo- *Luis Perdomo has not much to report but would like everyone to stay safe this winter. He agrees Christmas was nice and he wants to thank the office staff for all their hard work.*

Public Comments~

Ray DeRiso – *asks the committee if we activate the subcommittee for the renovations at Town Hall? He comments that people have been tripping on the rug and he cannot believe it doesn't bother the committee. Mayor Anzevino asks if the subcommittee can meet. Ray reminds the committee of some of the changes including another window, etc. Gary Brugger reminds the committee that DPW can be the GC for the project. The committee welcomes Kim Rerecich and wishes her well as she had recent surgery.*

On a motion made by Gary Brugger and seconded by Luis Perdomo; all were in favor of adjourning the meeting at 8:30PM.

Respectfully submitted to The Township Committee by Donna L. Gambutti, Municipal Clerk, Township of South Hackensack.

Donna L Gambutti

Consent Agenda Resolution 2025-01A- January 23, 2024

WHEREAS, the Township Committee of the Township of South Hackensack, has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Township Committee of the Township of South Hackensack is not desirous of removing a resolution from the consent agenda,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of South Hackensack that the following resolutions on the Consent Agenda are hereby approved and adopted:

Resolution No. 2025- 066- Approve Sick Time Pay-Out for Domenick Mea

Resolution No. 2025- 067- Approve Grant Application for DCA for Playground Equipment

Resolution No. 2025- 068- Approval of Township Minutes

Resolution No. 2025- 069- Cancellation of 2024 Tax Balances

Resolution No. 2025- 070- Cancellation of 2024 Utility Balances

Resolution No. 2025- 071- Committing to Apply with Affordable Housing Obligations

Resolution No. 2025- 072 Authorize Shared Service Agreement-Recycling with the Borough of Paramus

Resolution No. 2025- 073- Authorize Shared Service Agreement for the Director of Public Works and Equipment with the Borough of Paramus

Resolution No. 2025- 074- Authorize Shared Service Agreement for Vehicles and Repair with the Borough of Paramus

Resolution No. 2025- 075- Authorize CPWM Agreement with Guy Picone for 2025

Motion: Brugger

Second: Cagas

January 21, 2025

Resolution Authorizing Executive Session January 23, 2025

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

____(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 January 23, 2025.



<p style="text-align: center;">Resolution No. 2025-065 Appointing Garrett Stucke As A Laborer Of The South Hackensack Department of Public Works</p>

WHEREAS, in accordance with Chapter 55 of the General Code of the Township of South Hackensack there has been established a “South Hackensack Department of Public Works”; and

WHEREAS, in accordance with Section 55-1D of said code the Township Committee is authorized to hire and retain such number of laborers as it deems necessary and appropriate to protect the health, safety and welfare of the residents of the Township of South Hackensack; and

WHEREAS, the Township Committee has reviewed the applications and credentials of applicants for the position of Laborer of the Township of South Hackensack, conducted interviews and background checks on certain of said applicants, received the input and recommendation of the Superintendent of the Department of Public Works and debated the merits of hiring said Laborer.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South that it hereby appoints and hires **GARRETT STUCKE** as a Laborer in South Hackensack Department of Public Works subject to compliance with all State and other laws relative to said employment effective as of January 27, 2025 and further subject to the Chief Financial Officer’s certification of the availability of funds; and

BE IT FURTHER RESOLVED that the said employment of **GARRETT STUCKE** shall be subject to the Probationary Period set forth in the collective bargaining agreement between the Township and Teamster Local No. 11, the collective bargaining agent of the South Hackensack Department of Public Works.

ATTEST

Donna L. Gambutti, Municipal Clerk

James Anzevino, Mayor

Motion: Encarnacion

Second: Brugger

Roll Call Vote: Anzevino, Brugger, Cagas, Encarnacion and Perdomo

January 23, 2025

RESOLUTION NO. 2025-066

AUTHORIZING THE PAYMENT OF ACCUMULATED SICK TIME TO FORMER SERGEANT OF POLICE DOMENICK MEA

WHEREAS, Domenick Mea (“Mea”) was employed by the Township as a Sergeant with the South Hackensack Police Department; and

WHEREAS, Mea’s employment with the South Hackensack Police Department terminated upon his retirement from the South Hackensack Police Department effective December 31, 2024; and

WHEREAS, Mea in accordance with the collective bargaining agreement (the “Agreement”) between PBA Local 102 and the Township and municipal ordinance is entitled to payment for accumulated sick time; and

WHEREAS, the Township Committee and Chief Financial Officer reviewed the records provided by the South Hackensack Police Department and confirmed that Mea is entitled to payment of ninety five (95) sick days at a rate of \$628.1231/day (total of \$59,671.69).

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that the Township’s Chief Financial Officer is hereby directed to pay Domenick Mea accumulated sick pay in accordance with the aforementioned payment schedule at a rate confirmed by the Chief Financial Officer upon certification of the availability of funds and to pay the same in one payment with the first payment to be issued on or about January 31st, 2025 upon the certification of the Chief Financial Officer as to the availability of funds.

Consent Agenda Resolution 2025-1A
January 23, 2025

Resolution 2025-067
Authorize Grant Application for DCA

Whereas, the Township of South Hackensack desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$100,000.00 to carry out a project to upgrade the playground equipment at Veterans Memorial Park.

Be it therefore RESOLVED,

1) that the Township of South Hackensack does hereby authorize the application for such a grant; and,

2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of South Hackensack and the Department of Community Affairs.

Be it further RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

(signature)
James Anzevino

(type or print)
Mayor

(title)

(signature)
Donna L. Gambutti

(type or print)
Municipal Clerk

(title)

CERTIFICATION:

I, Donna Gambutti, the Municipal Clerk of the Township of South Hackensack, hereby certify that at a meeting of the Township Committee held on January 23rd, 2025 the above *RESOLUTION* was duly adopted.

Consent Agenda 2025-01
January 23, 2025

Resolution No. 2025-068 - Approval of Township Minutes

BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey that the following minutes be and are hereby approved as submitted.

Reorganization 01/02/2025

Consent Agenda Resolution No. 2025-01A
January 23, 2025

Resolution No. 2025-069 Cancellation of 2024 Tax Balances

WHEREAS N.J.S.A 54:4-91.1 requires that the Tax Collector file with the Township Committee, a list of delinquent taxes for 2024 which she believes are not collectible, and

WHEREAS, the Township Committee of the Township of South Hackensack on being satisfied that the taxes listed below are not collectible, shall by resolution release the Tax Collector from the collection thereof and order the same be cancelled.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack that the following balances and overpayments be cancelled pursuant to N.J.S.A. 54:4-91-1.

<u>Overpayments</u>			<u>Balance Adjustment</u>		
<u>Block</u>	<u>Lot</u>	<u>Amount</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
NONE			10	5	8.54
			13.01	6.05	0.01
			20.03	40	0.80
			32	3	2.67
			39	9	0.20
			41	25	2.66
			52	2.04	0.01
			56	3	0.07
			102	24	0.01

Consent Agenda Resolution 2024-01A
Dated: January 23, 2025

Resolution No. 2025-70 Cancellation of 2024 Sewer User Charge Balances

WHEREAS certain Sewer Account balances exist at year-end,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack that the following balances and overpayments under \$10 be cancelled:

<u>Overpayments</u>		<u>Balance Adjustments</u>	
<u>Account</u>	<u>Amount</u>	<u>Account</u>	<u>Amount</u>
16520300-0	5.63	16520400-0	0.10
16520850-1	1.29	16520500-0	0.60
16529950-0	0.41	16520700-0	3.79
41005200-0	1.05	16521100-0	3.35
41005300-0	0.06	16522250-2	0.02
41009600-0	0.84	16522500-0	0.13
41010700-0	6.08	16522700-0	0.82
41019000-0	0.15	16523750-0	5.07
46128450-0	0.07	41002300-1	2.81
		41003800-0	4.34
		41005700-0	0.41
		41006300-1	0.01
		41006300-2	0.02
		41007400-0	0.28
		41007600-0	0.19
		41012000-0	0.10
		41012500-0	0.86
		41012500-1	0.63
		41501700-0	0.01
		42502100-0	0.07
		42502900-0	0.05
		42505700-0	9.00
		46128400-0	0.17
		49501400-0	0.48
		49501500-0	1.27

Consent Agenda Resolution 2025-01A
Date: January 23, 2025

Resolution No. 2025—071 Committing to Comply with Affordable Housing Obligations

WHEREAS, on March 20, 2024, Governor Murphy signed into law an Amendment to the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) (hereinafter “Amended FHA”); and

WHEREAS, the Amended FHA requires the Department of Community Affairs (“DCA”) to produce non-binding estimates of fair share obligations on or before October 20, 2024; and

WHEREAS, the DCA issued a report on October 18, 2024 (“DCA Report”) wherein it reported its estimate of the obligation for all municipalities based upon its interpretation of the standards in the Amended FHA; and

WHEREAS, Section 3 of the amended FHA provides that “the municipality’s determination of its fair share obligation shall have a presumption of validity, if established in accordance with Sections 6 and 7 of the amended FHA; and

WHEREAS, the DCA Report calculates the Borough’s Round 4 (2025-2035) obligations as follows: a Present Need or Rehabilitation Obligation of 7 units and a Prospective Need or New Construction Obligation of 174 units; and

WHEREAS, the Amended FHA provides that the DCA Report is non-binding, thereby inviting municipalities to demonstrate that the Amended FHA would support lower calculations of Round 4 affordable housing obligations; and

WHEREAS, the Amended FHA further provides that “[a]ll parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by COAH unless those regulations are contradicted by statute, including P.L. 2024, c.2, or biding court decisions” (N.J.S.A 52:27D-311(m)); and

WHEREAS, pursuant to the FHA, in establishing its affordable housing obligation, a municipality must give consideration to the methodology and formulas used by the DCA in formulating its calculations as produced in the October 20, 2024 report, must describe the basis for its determination, and must bind the municipality to adopt a compliance housing element and fair share plan; and

WHEREAS, the Township accepts the formulas and methodologies employed by the DCA in generating regional present need and prospective need obligations; and

WHEREAS, in furtherance of the Amended FHA, the Township commits to adopting a compliance housing element and fair share plan prior to June 30, 2025 and within such plan, the Township will further examine the application of the regional present need obligation to the municipal level as authorized by the FHA through the use of a windshield survey; and

WHEREAS, in addition to the foregoing, nothing in the amended FHA requires or can require an increase in the Township’s Fourth Round obligations based on a successful downward challenge of any other municipality in the region since the plain language and clear intent of the amended FHA is to establish unchallenged numbers by default on March 1, 2025; and

WHEREAS, in light of the above, the Council finds that it is in the best interest of the Township to declare its commitment to the obligations reported by the DCA on October 18, 2024 subject to the reservations set forth herein; and

WHEREAS, in addition to the above, the Acting Administrative Director of DCA issued Directive #14-24, dated December 13, 2024, pursuant to which a municipality seeking a certification of compliance with the FHA shall file an action in the form of a declaratory judgment complaint in the county in which the municipality is located within 48 hours after adoption of the municipal resolution of fair share obligations, or by February 3, 2025, whichever is sooner; and

WHEREAS, the Township seeks a certification of compliance with the FHA and, therefore, directs its Affordable Housing Counsel to file a declaratory relief action within 48 hours of the adoption of this resolution in Bergen County.

NOW THEREFORE, BE, AND IT IS HEREBY RESOLVED that the above Whereas Clauses are incorporated into the operative clauses of this resolution.

BE IT FURTHER RESOLVED that the Township hereby commits to the DCA Round 4 Present Need Obligation of 7 units and the Round 4 Prospective Need Obligation of 174 units described in this resolution subject to all reservations of rights set forth above.

BE IT FURTHER RESOLVED that the Township hereby directs its Counsel to file a declaratory judgment complaint in Bergen County within 48 hours after adoption this resolution attaching this resolution.

BE IT FURTHER RESOLVED that the Township authorizes its Counsel to attach this resolution as an exhibit to the declaratory judgment action that is filed and to submit and/or file this resolution with the Program or any other such entity as may be determined to be appropriate.

BE IT FURTHER RESOLVED this resolution shall take effect immediately, according to law.

Consent Agenda Resolution 2025-01A
January 23, 2025

RESOLUTION NO. 2025-072

A RESOLUTION ACKNOWLEDGING THE RENEWAL OF A SHARED SERVICE AGREEMENT FOR THE COLLECTION AND DIPOSAL OF RECYCLIABLE MATERIALS BY AND BETWEEN THE BOROUGH OF PARAMAS AND THE TOWNSHIP OF SOUTH HACKENSACK

WHEREAS, N.J.S.A. 40A:65-1 et. seq., authorizes municipalities to fulfill obligations by entering into a shared services agreement with another municipality or county government; and

WHEREAS, the Township of South Hackensack wishes to renew the Shared Services Agreement with the Borough of Paramus for the Collection and Disposal of Recyclable Materials; and

WHEREAS, the term of the Shared Services Agreement, a copy of which is attached hereto and incorporated herein by reference, shall be for one (1) year commencing January 1, 2025 and

terminating on December 31, 2025 in the amount of \$62, 400.00 per year with payments made in equal monthly installments of \$5200.00 to the Borough of Paramus; and

WHEREAS, the Shared Services Agreement provides for a one-year automatic renewal unless either party provides written notice of cancellation at least ninety (90) days in advance; and

WHEREAS, the Township Committee has reviewed this matter and recommends the approval of the Shared Services Agreement between the Township and the Borough of Paramus for the Collection and Disposal of Recyclable Materials.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of South Hackensack, that the Shared Services Agreement between the Township and the Borough of Paramus for the Collection and Disposal of Recyclable Materials, a copy of which is attached hereto and incorporated herein by reference, be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Township Clerk be and is hereby authorized and directed to forward a copy of this resolution to the Borough of Paramus upon the passage of this resolution.

Consent Agenda Resolution 2025-01A
January 23, 2025

RESOLUTION NO. 2025-073

**APPROVING SHARED SERVICES AGREEMENT WITH THE BOROUGH OF
PARAMUS FOR DIRECTOR OF PUBLIC WORKS, EQUIPMENT, VEHICLES AND
MANPOWER**

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et. seq.), provides that local units of government may enter into a contract for the joint provision of any service which either party to said agreement is empowered to render or perform within its own jurisdiction; and

WHEREAS, N.J.S.A. 40A:65-1 et. seq., authorizes municipalities to fulfill obligations by entering into a shared services agreement with another municipality or county government; and

WHEREAS, the Township of South Hackensack wishes to enter into a Shared Services Agreement with the Borough of Paramus for a Director of Public Works, Equipment, Vehicles and Manpower; and

WHEREAS, the term of the Shared Services Agreement, a copy of which is attached hereto and incorporated herein by reference, shall commence January 1, 2025 and terminate on December 31, 2025 with monthly payments in the amount of \$3167.00 for the Director of Public Works with the use of equipment, vehicles and manpower billed for each occurrence as set forth on the attached Shared Services Agreement; and

WHEREAS, the Township Committee has reviewed this matter and recommends the approval of the Shared Services Agreement between the Township and the Borough of Paramus for a Director of Public Works, Equipment, Vehicles and Manpower.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of South Hackensack, that the Shared Services Agreement between the Township and the Borough of Paramus for a Director of Public Works, Equipment, Vehicles and Manpower, a copy of which is attached hereto and incorporated herein by reference, be and is hereby approved; and

BE IT FURTHER RESOLVED, that the term of the Shared Services Agreement shall commence January 1, 2025 and terminate December 31, 2025 at a monthly cost of \$3167.00 for the Director of Public Works with the use of the equipment, vehicles and manpower billed separately for each occurrence; and

BE IT FURTHER RESOLVED, that the Township Clerk be and is hereby authorized and directed to forward a copy of this resolution together with the signed Shared Services Agreement to the Borough of Paramus upon the passage of this resolution.

Consent Agenda Resolution 2025-01A
January 23, 2025

<p style="text-align: center;">RESOLUTION NO. 2025-074 AUTHORIZING A CERTAIN INTERLOCAL SERVICE AGREEMENT WITH THE BOROUGH OF PARAMUS FOR REPAIRS & MAINTENANCE</p>
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WHEREAS, the Township of South Hackensack (Township) and the Borough of Paramus (Paramus) recognize that the efficient and cost effective delivery of governmental services is in the best interest of its citizens; and

WHEREAS, South Hackensack is desirous of entering into a Shared Service Agreement with The Borough of Paramus for the maintenance and repair of township vehicles effective on January 1, 2025 through December 31, 2025, and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that the aforesaid Interlocal Service Agreement be executed by the Mayor and Township Clerk and on file with the Township Clerk and the Borough Clerk of Paramus.

Consent Agenda 2025-01A
January 23, 2025

RESOLUTION NO. 2025-075

**APPROVING PROPOSAL FOR ADMINISTRATIVE DUTIES FOR THE
DEPARTMENT OF PUBLIC WORKS- GUY PICONE, CPWM**

WHEREAS, the Township of South Hackensack is in receipt of a proposal from Guy Picone , CPWM to perform Administrative Duties for the Department of Public Works; and

WHEREAS, the proposal, a copy of which is attached hereto and incorporated herein by reference, shall be effective January 1, 2025 through December 31, 2025 and reflects a monthly salary of \$3,000.00; and

WHEREAS, the Township Committee has reviewed this matter and the proposal submitted by Guy Picone, a copy of which is attached hereto and incorporated herein by reference, and recommends the approval of same.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that the proposal submitted by Guy Picone, CPWM for Administrative Duties for the Department of Public Works. for the period January 1, 2025 through December 31, 2025 , a copy of which is attached hereto and incorporate herein by reference, be and is hereby approved; and

BE IT FURTHER RESOLVED, that Guy Picone shall be paid a monthly salary of \$3,000.00 upon submission of a voucher for his Administrative Duties; and

BE IT FURTHER RESOLVED, that the Township Clerk be and is hereby authorized and directed to forward a copy of this resolution to Guy Picone upon its passage.

Consent Agenda Resolution 2025-01A
January 23, 2025