

Township of South Hackensack  
Bergen County, New Jersey

June 27, 2024

7:00PM Closed Session

**\*7:30 PM PUBLIC MEETING\***

AGENDA

Regular Meeting

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

Donna L. Gambutti, Municipal Clerk  
John Schettino, Esq., Municipal Attorney

Call of Meeting to Order~

Flag Salute~

Sunshine Statement~

*This is 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.*

Roll Call~

- General Correspondence and Reports for May 2024

### Old Business~

- NJDOT Municipal Aid Grant for 2025 Application- *Report by Mayor Encarnacion*

### New Business~

- Appoint Sean Parisi to The South Hackensack Fire Department
- Appoint Richard Neuner and Dillon McQuid as DPW Summer Seasonal Labor for 2024

### Resolutions~

- Closed Executive Session Resolution
- 2024-124- Amendment to Municipal Introduced Budget for 2024- Public Hearing on July 25, 2024 at 7:30PM *Roll Call Vote*

By:

2<sup>nd</sup>:

RC:

- 2024-125- Approve Areas in Need of Redevelopment with The Power of Condemnation and Other Areas in Need of Rehabilitation Without The Power of Condemnation- *Roll Call Vote*

By:

2<sup>nd</sup>:

RC:

- Consent Agenda Resolution 2024-06

- Ordinances~ Introduction~ N/A

- Ordinances~ Adoption~

- **ORDINANCE NUMBER 2024-04- *Second Reading, Public Hearing & Adoption - Roll Call Vote***

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 52 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED “POLICE DEPARTMENT”.**

By:

2<sup>nd</sup>:

RC:

Mayors Report ~

Committee Reports~

Public Comments~

Adjournment~

<b>Resolution Authorizing Executive Session June 27, 2024</b>
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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.

**Tax Appeal- CKP Hackensack Realty LLC (143 Leuning Street) v. TOSH**

\_\_\_\_\_ (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 June 27, 2024*



**Consent Agenda Resolution 2024-06- June 27, 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. 2024- 126 – Payment of Bills June 2024**

**Resolution No. 2024-127 - May License Report**

**Resolution No. 2024- 128– Approval of Township Minutes**

**Resolution No. 2024- 129 – Appointment of Shade Tree Commission Member**

**Resolution No. 2024- 130- Appointment of Part Time Dispatchers**

**Resolution No. 2024- 131- Appointment of Recreation Workers & Ancillary Staff for 2024**

**Resolution No. 2024- 132- Approve Submission of FY2025 Grant Application for NJDOT- Municipal Aid Grant**

**Resolution No. 2024- 133- Renew Liquor Licenses for 2024-2025**

**Motion:**

**Second:**

**June 27, 2024**



**Township of South Hackensack  
County of Bergen**

**Resolution No. 2024- 125 Approve Areas in Need of Redevelopment With the Power of  
Condemnation and Other Areas in Need of Rehabilitation Without the Power of  
Condemnation**

**WHEREAS**, on October 6, 2022, the Township Council of the Township of South Hackensack adopted resolution no. 2022-168 authoring Neglia Group (the “Planning Consultant”)

to undertake a preliminary investigation to determine whether certain property parcels and structures situated thereon were in need of redevelopment study and thereafter prepare a report commenting upon the necessity of condemnation regarding the following sixteen (16) parcels: Block 1.01, Lots 1, 2, 3, 4.01, 4.04, 4.12, 4.13, 4.14, 4.18 and 4.19; and Block 2.01, Lots 4.01, 4.02, 6.03, 6.04, 8.02 and 8.04 on the tax map of the Township of South Hackensack; and

**WHEREAS**, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 49A:12A-6, no area of a municipality shall be determined a redevelopment area unless the Governing Body of the municipality shall, by resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

**WHEREAS**, the New Jersey Legislature adopted and the Governor signed P.L. 2013, Chapter 159, which amended the Redevelopment Law, including the procedural requirements of N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

**WHEREAS**, in February 2023, the Neglia Group prepared and presented a report entitled “Area in Need of Redevelopment Study Block 1.01: Lots, 1, 2, 3, 4.01, 4.04, 4.12, 4.13, 4.14, 4.18 and 4.109; Block 2.01: Lots 4.01, 4.02, 6.03, 6.04, 8.02 and 8.04, Township of South Hackensack Bergen County”, a copy of which is attached hereto and incorporated herein by reference; and

**WHEREAS**, pursuant to the requirements of the Municipal Land Use Law (“MLUL”), the Planning Board conducted public hearings with regard to the Area in Need of Redevelopment Study on March 23, 2023, October 26, 2023, December 28, 2023 and January 25, 2024 (collectively the “meeting dates”); and

**WHEREAS**, on June 6, 2024, the Planning Board determined to recommend to the Township Council to accept the Area in Need of Redevelopment Study with condemnation power pursuant to N.J.S.A. 40A:12A-6 et. seq. , a copy of which is attached hereto and incorporated herein by reference, as the study and testimony provided substantial evidence that the Areas of Investigation met the criteria enumerated in the Investigation Report as hereinafter amended/clarified.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of South Hackensack, that the Area in Need of Redevelopment Study with Condemnation Power and Other Areas in Need of Rehabilitation Without the Power of Condemnation prepared by the Neglia Group, 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 Committee be and hereby designates Neglia’s mapping Area A not including Block 1.01, Lots 4.01 and 4.13 as an Area in Need of Redevelopment, and Area A, specifically Block 1.01, Lots 4.01 and 4.13 as an Area in Need of Rehabilitation without the power of condemnation; and

**BE IT FURTHER RESOLVED**, that Block 2.01, Lots 4.01, 4.02, 6.03, 6.04, 8.02 and 8.04 within Neglia’s mapping Area B be and are hereby designated as an Area in Need of Rehabilitation without the condemnation power; and

**BE IT FURTHER RESOLVED** that pursuant to Neglia’s report attached hereto and incorporated herein by reference, Block 1.01 Lots 1, 2 3, 4.04, 4.12, 4.14, 4.18 and 4.19 be and are hereby designated as an Area in Need of Redevelopment with condemnation power as said parcels meet criteria D and Criteria G of N.J.S.A. 40A:12A-5 et seq.

**BE IT FURTHER RESOLVED**, that the Township Committee of the Township of South Hackensack has designated itself as the authority responsible for preparation of redevelopment plans and the implementation of redevelopment projects; and

**WHEREAS**, this ordinance upon adoption is to be classified as the Areas in Need of Redevelopment With the Power of Condemnation and Other Areas in Need of Rehabilitation Without the Power of Condemnation.

Motion:  
Second:  
Roll Call Vote:  
June 27, 2024

**ORDINANCE NO. 2024-04  
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 52 OF THE CODE  
OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED “POLICE  
DEPARTMENT”.**

**BE IT ENACTED AND ORDAINED**, by the Township Committee of the Township of South Hackensack those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged.

Chapter 52 entitled “Police Department” be amended and supplemented as follows:

Sec. 52-1. Establishment; composition; appointments; chain of command.

B. The Police Department’s sworn members shall consist of no more than 24, comprised of one Chief of Police, up to one Deputy Chief, up to two Captains of Police, up to two Lieutenants, up to five Sergeants and such number of patrol officers necessary to comply with the head count limits established by this chapter. The exact number of sworn officers in the Department and in each rank shall be at the discretion of the Mayor and Council, subject to the above limits. Special Police Officers may be added if deemed necessary by the Township Committee.

52-8. Requisites for appointment and continued service.

A. The officers and men and women appointed to the said Department shall severally hold their respective offices and continue in their respective employment during good behavior and efficiency in the Township of South Hackensack.

B. No person shall be removed from office or employment therein for political reasons or for any other cause than incapacity, misconduct or disobedience of the just rules and regulations established or which may hereafter be established for the regulation of such Police Department, provided that any member of such police force who shall be absent from duty without just cause



for a period of five days continuously shall, at the expiration of such five days, cease to be a member of such police force.

C. Police recruit hiring credentials:

(2) Education/military requirements: Each prospective member of the Police Department shall have the following credentials:

(b) Possess either a bachelors degree or an associate's degree or have completed at least 60 college credits by date of appointment.

D. Procedural Requirements.

(3) Criminal background check and driver's abstract: Each prospective member of the Police Department upon completing and submitting an application as set forth in Subsection D(1) above shall have consented to the South Hackensack Police Department or other agency authorized by the Township ordering a current New Jersey Driver's abstract which shall become part of the application. In addition, said applicant by submitting said application shall have consented to supplying fingerprints and any other information necessary to complete a criminal background check. Said information shall also become a part of the application packet. The Township shall assess a nonrefundable application fee of \$80 to defray the costs of the work required to comply with the conditions set forth in the chapter.

(5) Physical Assessment: In order to participate in the physical assessment, an applicant must present proof of medical clearance certified by a licensed physician prior to the date of the assessment.

Severability All provisions of this Ordinance are severable. If for any reason, any provision of this Ordinance is held to be invalid, the validity of the remainder of the Ordinance shall not be affected.

Effective Date. This Ordinance shall become effective upon final approval and publication, pursuant to law, and upon completion of all outstanding cases.

**Introduction: May 23, 2024**

**Motion: Anzevino**

**Second: Perdomo**

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

**Adoption: June 27, 2024**

