

Township of South Hackensack  
Bergen County, New Jersey  
October 10, 2013 7:30 P.M.  
*Regular Meeting*  
MINUTES

Frank Cagas, Mayor.....*Present*  
Gary Brugger .....*Present*  
Walter Eckel, Jr. ....*Present*  
William Regan.....*Present*  
Vincent Stefano.....*Present*

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

*Call of Meeting to Order*

Mayor Cagas called the Regular Meeting to order at 7:30 p.m. The Clerk advised that this is a regular scheduled 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. Mayor Cagas led the flag salute. The Municipal Clerk called the roll. All Committee members were present.

*Best Practices Worksheet Presentation*

Chief Financial Officer Chris Eilert presented to the Committee the worksheet that is annually submitted to the DLGS. This survey/questionnaire gives a rating on whether or not we will receive State Aid or a portion thereof. It is based on our policies implemented, budgeting, management issues as well as operational issues. He stated that our Auditor does a thorough job in suggesting changes that need to be implemented. He indicated that there were a few areas that need improvement – 1)South Hackensack is in need of an Accounting Manual for cash management and surplus funds 2) Other than the Township Committee’s meetings all other Boards that meet should post their agendas and meetings 3) Time records of all salaried employees. As required this would meet the public presentation where the CFO and Clerk could sign the worksheet and now forward to the state.

The CFO reported on budget transfer for November, curtailing all department spending, closing out of any open purchase orders, and the introduction of a Bond Ordinance to settle tax appeals around 1 million dollars with a pay out over 7 years. CFO and Auditor will have to take paperwork to the State for approval. Reassessment of properties over a 4 year time will help this situation. The introduction of the other Bond Ordinance will be for projects where a reimbursement will be received and allows for better cash flow and so that the vendors can get

paid. A new Bond Ordinance for capital purchases should be considered for next year for the generator, rescue truck, police cars, and recycle truck etc. Time frame of the public hearing does not fit in for year end and to consider this bond for 2014.

### Correspondence & Reports

General Correspondence- July 2013- On a motion made by Walter Eckel and seconded by Bill Regan; all were in favor of accepting and filing the correspondence for September 2013.

Monthly Reports –September 2013- On a motion made by Gray Brugger and seconded by Walter Eckel; all were in favor of accepting and filing the reports including the Recreation report for September 2013.

Joann DeGrossa-Lonnie Bedell – Brugger motioned; Regan seconded to accept this correspondence and place on file. All present were in favor.

Boswell Engineering Franklin Street CDBG 2013 – Brugger motioned; Regan seconded to accept this correspondence and place on file. All present were in favor along with having the Mayor execute the grant agreement for resolution number 2013-176.

NJLM SuperBowl XLVIII Task Force Meeting – Eckel motioned; Cagas seconded to accept this correspondence and place it on file. All present were in favor. SuperBowl 48 – it was requested that all Mayors attend.

Elliot Sachs Municipal Generator – Brugger motioned; Eckel seconded to accept this correspondence and place it under New Business. All present were in favor.

Hannelly-Merge Company 50 Louis Court – Brugger motioned; Cagas seconded to accept this correspondence and place it on file. All present were in favor.

Lydia Heinzelman Shade Tree Information to Date – Brugger motioned; Cagas seconded to accept this report and place it under Old Business. All present were in favor.

### Old Business

DPW Proficiency & Evaluation – Nasta has been in discussion with Frank Miglorino to draft an agreement for the Committee to review for shared equipment, purchasing equipment, and housing of equipment. Cagas would like purchase a Hook Truck for the DPW that is versatile for snow plow, salting, leaf pick up and to load recycle materials. This would be for our DPW only not shared. Moonachie has one that they utilize every day. He needs to check with the CFO to see what monies are available from the recycle funds. Nasta informed the Committee that the agreement with Moonachie would be an open end agreement that could possibly include manpower. Larry Paladino- DPW Supt.has been involved with the discussions.

ADA Curb Ramp Improvements – CFO Chris Eilert reported that this project would be part of the Bond Ordinance that would be reimbursed with grant money.

CDBG 2014 – Mary Terraccino stated the deadline for application is December 6, 2014 and that the Township Committee has to decide what project they would like to proposes that Boswell can prepare a cost estimate. Applying for this grant limits the town to the low to moderate income areas. Eckel and Brugger were put on the subcommittee for project ideas. Brugger indicated that projects are awarded with a percentage calculation. Low cost projects get more funding according the Southwest CDBG by-laws.

Municipal Court Vacancy Violations Clerk – Brugger motioned; Regan seconded to advertise the position of Violations Clerk at \$15 per hours with the amount of hours necessary to have the department function properly.

Roll Call Vote: AYES: Brugger, Cagas, Eckel, Regan & Stefano

Landscape Permits – Donna reported that she was still waiting for the information from Moonachie. Cagas would like the landscapers to come in and get permits for pruning. There was a residential house that pruned more than 20%. A lot of discussion on landscaper permits and pesticide licenses.

Economic Development Study – Stefano and Cagas have been meeting with David Nasta. It was reported that the town needs a 10-15 year vision of where the town can redevelop and improve. This is a full time job for someone to review and pursue for increase of ratables to the town. You would need a person and a committee to coordinate this research along with the involvement of current property owners with their ideas. Some towns have hired marketing firms and others have hired an economic developer person. We need to explore our advantages. Nasta stated that he will work with Donna along with the subcommittee to bring back some suggestions for the Township Committee. Ray suggested that this committee speak with property/business owners. Dolly suggested state board of realtors.

Quality of Life – Stefano met with Gregg Maceri to discuss having a citizen advisory committee with the involvement of 2 students from the school. First kick-off meeting will be Oct. 30. Right now he is just looking for ideas. Maceri would like to meet and address the committee.

PEG Bandwith – Nasta indicated that this agreement will be ready for the next meeting.

Shade Tree Commission Vacancy –the public was informed that there is a vacancy

Shade Tree To Date Info Packet – This report was compiled by Lydia Heinzelman in hope that it would satisfy the answer to the letter submitted by Joann DeGrosa and Lonnie Bedell.

### New Business

DPW Temporary Help – Eckel reported that they need manpower because two employees are out right now leaving two workers. Gary stated that the DPW Supt should be in contact with the DPW Commissioner to work this out and not wait for meetings to resolve such an issue.

Eckel motioned; Regan seconded to authorize the DPW Supt. and DPW Commissioner to discuss DPW personnel needs and to retain personnel as needed. All present were in favor.

DPW Equipment Purchase – Cagas reported that they are in need of a Hook Truck and that he has received a proposal from a supplier and that the CFO was working on getting the cost estimate. Michael Nasta Jr. reported that the fire department has vehicles that are outdated. Cagas informed him that there is a revenue received from recyclables that will be used to purchase this item. Gary inquired why the Fire Department has not submitted any proposal yet for the Rescue Truck – going on now for 3-5 years. Stefano reported that the last discussion was the height difference of the vehicle not being able to fit in the fire house.

Boswell Engineering Generator Report – Brugger reported that we should consider the secondary fuel of propane and not a dual fuel. Project is \$50,000 less for single fuel. This would service the Police Department and OEM can operate out of the office if necessary. The Committee was unsure what the state requirements were. Cagas met with the County on this matter. The committee would like to see the report from Stephen Boswell on this matter.

### Ordinances

**ORDINANCE NO. 2013-10 -REFUNDING BOND ORDINANCE PROVIDING FOR PAYMENT OF AMOUNTS OWING TO OTHERS FOR TAXES LEVIED IN, BY AND FOR THE**

**TOWNSHIP OF SOUTH HACKENSACK, IN THE COUNTY OF BERGEN, NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,010,000 TO PAY THE COST THEREOF AND TO AUTHORIZE THE ISSUANCE OF \$1,010,000 OF BONDS OR NOTES TO FINANCE SUCH APPROPRIATION.**

Eckel motioned; Regan seconded to approve the introduction of said ordinance and to set the date for the public hearing on November 14, 2013 at 7:30 p.m.

Roll Call Vote: Ayes: Brugger, Cagas, Eckel, Regan & Stefano

### Resolutions

Closed Executive Session Resolution – Brugger motioned; Regan seconded to approve the Closed Session Resolution. All present were in favor.

Consent Agenda Resolution 2013-10 – Brugger motioned; Cagas seconded to approve the Consent Resolution with the removal of Resolution No. 2013-173 for individual voting.

Resolution No. 2013-173 Brugger motioned; Stefano seconded to withdraw this resolution.

Roll Call Vote: Ayes: Brugger, Cagas, Regan and Stefano Nay: Eckel

There will be no reimbursement for the November League of Municipalities Convention.

Resolution No. 2013-175 – Brugger motioned; Cagas seconded to adopt this resolution.

Roll Call Vote: Ayes: Brugger, Cagas, Eckel, Regan & Stefano.

### Committee Reports

Bill Regan – thanked the Recreation Dept for a great Field Day. Forest of Fear is next Friday with at least 40 attending and the Annual Beefsteak is next month for Memorial School.

Walter Eckel – stated that if the Committee is not approving funds for the Municipalities Convention then that money should be used to plant trees on Grove Street or elsewhere in town.

Gary Brugger – Nothing to report.

Vincent Stefano – the Fireman's Memorial service was this past weekend to honor the volunteers. Inspections of non-owner occupied residential homes – asked DVN to draft a letter to send to these owners stating the regulations of house inspections. Regan would like to consider the illegal three family houses as well. Brugger felt that there should be more enforcement on this matter. Stefano asked Leo Rossi where the Fire Dept stands with the Rescue Truck- Leo indicated that he was meeting with the guy this week – the height was an issue.

Mayor Cagas – He was impressed with the Fire Department inspection and the new Scott Air Paks being used for safety. He would like to see improvements to the Fire Memorial – possibly moving the town clock and illuminating the flag in front of town hall.

### Public Comments

Michael Nasta Jr. – when his son was Fire Chief he created a list of illegal 3 family-homes

Lonnie Bedell 51 Grove Street – his concern is that there should be some money in the budget for planting of trees – especially on Grove Street – many trees have been cut down and now this creates flooding because the trees would suck up the water. He feels the Committee is not doing their job with regards to the tree problem.

Dolly Montenegro – expressed her disappointment that not many residents come out and support the Fire Ceremony Cagas suggested it should be better advertised. There was discussion on a new digital town sign and newsletter notifications. These days all notices can be through website and internet.

JoannDeGrosa – expressed her concern with the tree issue in town and thanked Lydia for her info packet on trees. She wants to know when the money given up for the convention will be used for planting new trees. Cagas said this is not the time for planting and that money will be used some time next year when the time is right.

*On a motion made by Gary Brugger and seconded by Walter Eckel all were in favor of entering into closed executive session at 9:30PM. Minutes of closed session were recorded and will be made available to the public when authorized by the governing body and permitted by law.*

### Adjournment

On a motion made by Gary Brugger and seconded by Walter Eckel all were in favor to adjourn the meeting at 9:45 PM.

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

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*Donna L. Gambutti*

### **Resolution Authorizing Executive Session- October 10, 2013**

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.

XX (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.

**PBA Negotiations Update  
Local Union No. 11**

XX (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.

XX (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.

**Evans V. South Hackensack**

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.

**Capt. J. Terraccino**

**Capt. R. Kaiser**

**Lt. V. Riggio**

**Sgt. R. Licamara**

**Hiring of Police Chief – Procedure Discussion**

XX (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 October 10, 2013*

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**Consent Resolution 2013-10**

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. 2013-163 Payment of Bills – October 2013- \$ 1,634,918.08**

**Resolution No. 2013-164 Veteran's Deduction**

**Resolution No. 2013-165 Refund for State Tax Court – Block 9 Lot 17.02**

**Resolution No. 2013-166 Refund for State Tax Court – Block 48 Lot 3**

**Resolution No. 2013-167 Refund for State Tax Court – Block 102 Lot 61.01**

**Resolution No. 2013-168 County & State Board Judgments – 4<sup>th</sup> Quarter Credits**

**Resolution No. 2013-169 Adopt a Cash Management Plan**

**Resolution No. 2013-170 Licenses – September 2013**

**Resolution No. 2013-171 Resolution Authorizing the Contract with Green Sky Industries for the Disposal of Certain Recyclable Materials**

**Resolution No. 2013 172 – Approve Minutes**

**Resolution No. 2013-173 (removed for individual voting)**

**Resolution No. 2013-174 Authorize Firefighter Convention Expenses**

**Resolution No. 2013-176 Authorize Frank Cagas to Sign Grant Agreement with the County of Bergen for Franklin Street Improvements**

**Resolution No. 2013-177- Authorize Sunesys Agreement**

Motion: Brugger

Second: Cagas

Roll Call Vote: Ayes: Brugger, Cagas, Eckel, Regan, & Stefano

Date: October 10, 2013

**Resolution No. 2013-163 – Payment of Bills – October 2013- \$ 1,634,918.08**

WHEREAS there has been presented to the Mayor and Council of the Township of South Hackensack, the attached list of invoices requesting payment of the work, labor, services and materials supplied to the Township and;

WHEREAS said list and certification specify the exact line item in the Budget or Ordinance to be charged therewith;

NOW THEREFORE BE IT RESOLVED that payment of said invoices is hereby approved and authorized and the Chief Financial Officer is hereby approved and directed to draw

warrants in payment thereof, same to be signed by the proper officials of the Township who are hereby authorized to sign same, and;

BE IT RESOLVED that certification of the Chief Financial Officer of the availability of funds therefore shall be attached to the original copy of the Resolution and both ;are kept in the files of the Municipal Clerk.

Consent Agenda Resolution No. 2013-10

Date: October 10, 2013

The undersigned, being the Chief Financial Officer for the Township of South Hackensack, County of Bergen, New Jersey, and the person charged with the responsibility of maintaining financial records of said Township in accordance with N.J.S.A. 40:4-578 and the rules of the local Finance Board of the State of New Jersey adopted thereunder, does hereby certify that there are adequate funds available for the payment of the attached list of invoices, duly adopted by said Township and which said list indicates the specific line item of said budget to which expenditures shall be charged.

*Christopher W. Eilert*

Christopher W. Eilert, CFO

October 7, 2013  
Page No: 1  
09:36 AM

TOWNSHIP OF SOUTH HACKENSACK  
Check Register By Check Date

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Range of Checking Accts: First to Last  
Range of Check Dates: 09/14/13 to 10/10/13  
Report Type: All Checks  
Report Format: Super Condensed  
Check Type: Computer: Y Manual: Y Dir Deposit: Y  
=====

Check #	Check Date	Vendor	Amount Paid
Reconciled/Void	Ref Num		
DEV		DEVELOPERS & ESCROW CASH	
1802	10/10/13	BOS01 BOSWELL ENGINEERING, INC.	1,232.00
1451			
1803	10/10/13	CLE04 DONATO CLEMENTE	622.45
1451			
1804	10/10/13	GNRC 370 GNRC, LLC	1,298.37
1451			
1805	10/10/13	SCH01 LAW OFF JOHN L SCHETTINO, ESQ	574.75
1451			
1806	10/10/13	SHT01 SOUTH HACKENSACK TOWNSHIP	10,896.21
1451			



Checking Account Totals Amount Void	Paid	Void	Amount Paid
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0.00	Checks: 5	0	14,623.78
0.00	Direct Deposit: 0	0	0.00
=====	=====	=====	=====
0.00	Total: 5	0	14,623.78

GENERAL ACCOUNT

10945 10/10/13	BOS01	BOSWELL ENGINEERING, INC.	
352.00***		1419	
11013 09/20/13	HOR01	HORIZON ENTERTAINMENT, INC	375.00
1444			
11014 09/20/13	HOR01	HORIZON ENTERTAINMENT, INC	375.00
1445			
11015 09/30/13	RES01	RESTAURANT DEPOT	893.91
1446			
11016 10/02/13	COS10	COSTCO WHOLESALE	538.17
1449			
11017 10/10/13	90501	905 CREATIVE	750.00
1452			
11018 10/10/13	AAM01	Ashley A. Morrone	579.60
1452			
11019 10/10/13	ADS01	ACTION DATA SERVICES	1,361.84
1452			
11020 10/10/13	ALE01	ALERT-ALL CORP.	1,079.75
1452			
11021 10/10/13	ATE01	ATEY AUTO BODY INC	1,379.87
1452			
11022 10/10/13	BCH01	BERGEN COUNTY DEPT OF HEALTH	4,146.25
1452			
11023 10/10/13	BCM01	BERGEN CNTY MUNI CLERKS ASSOC	60.00
1452			
11024 10/10/13	BCT01	BERGEN COUNTY TREASURER	395,050.00
1452			

\*\*\*On hold from last month, not included in totals.

October 7, 2013

TOWNSHIP OF SOUTH HACKENSACK

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Check Register By Check Date

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 Check # Check Date Vendor Amount Paid  
 Reconciled/Void Ref Num

GENERAL ACCOUNT

11025 10/10/13	BCT02	BERGEN COUNTY TREASURER OPEN S	4,731.00
1452			

Continued

11026	10/10/13	BCT55	BERGEN COUNTY TREASURER	588.56
1452				
11027	10/10/13	BCU01	BC UTILITIES AUTHORITY WW	132,719.00
1452				
11028	10/10/13	BER01	BERGEN MUNICIPAL EMPLOYEE BENF	79,575.52
1452				
11029	10/10/13	BOS01	BOSWELL ENGINEERING, INC.	2,750.50
1452				
11030	10/10/13	CAB01	CABLEVISION	89.90
1452				
11031	10/10/13	CAR08	CARQUEST OF HACKENSACK	86.92
1452				
11032	10/10/13	CROWN01	CROWN PLAZA	116.00
1452				
11033	10/10/13	DER02	RAYMOND DERISO	100.00
1452				
11034	10/10/13	EAR01	EARTHLINK BUSINESS	735.67
1452				
11035	10/10/13	ELE01	ELECTRONIC SERVICE SOLUTIONS	250.00
1452				
11036	10/10/13	ENF01	ENFORSYS POLICE SYSTEMS INC	2,160.00
1452				
11037	10/10/13	ESS21	ESS, INC	360.00
1452				
11038	10/10/13	FED01	FEDERAL EXPRESS	56.15
1452				
11039	10/10/13	FIR01	THE FIRST OCCUPATIONAL CENTER	1,507.00
1452				
11040	10/10/13	FIR05	FIRST STUDENT	235.00
1452				
11041	10/10/13	FRE02	MICHAEL FREW	800.00
1452				
11042	10/10/13	FUR02	STEVEN FURBACHER	750.00
1452				
11043	10/10/13	GIT01	GITTLEMAN MUHLSTOCK CHEWCASKIE	3,030.00
1452				
11044	10/10/13	HES01	HESS CORPORATION	42.29
1452				
11045	10/10/13	HOM02	HOME DYNAMIX, LLC	200.00
1452				
11046	10/10/13	HUD01	HUDSON TIRE EXCHANGE	100.00
1452				
11047	10/10/13	IDM01	IDM MEDICAL SUPPLY	261.25
1452				
11048	10/10/13	LAN01	LANGUAGE LINE SERVICES	62.90
1452				
11049	10/10/13	LER01	LERCH, VINCI & HIGGINS, LLP	1,500.00
1452				
11050	10/10/13	LET11	LET'S GET PERSONAL COMPUTING	779.44
1452				
October 7, 2013			TOWNSHIP OF SOUTH HACKENSACK	
Page No: 3				
09:36 AM			Check Register By Check Date	

Check #	Check Date	Vendor	Amount Paid
Reconciled/Void	Ref Num		
GENERAL ACCOUNT		Continued	
11051	10/10/13	LIGHT01 THE LIGHT BULB STORE	166.20
1452			
11052	10/10/13	LIT01 LITTLE FERRY HARDWARE	235.29
1452			
11053	10/10/13	MCN01 MCNERNEY & ASSOCIATES	800.00
1452			
11054	10/10/13	MET03 METROPOLITAN RUBBER CO, INC	340.00
1452			
11055	10/10/13	NAS02 DAVID V NASTA	4,333.33
1452			
11056	10/10/13	NEWMAN NEWMAN TRAFFIC	88.98
1452			
11057	10/10/13	NJD05 NJ DCA DIV OF CODES & STANDARD	580.91
1452			
11058	10/10/13	NJL10 NEW JERSEY LEAGUE OF MUNICIPAL	440.00
1452			
11059	10/10/13	NJS05 NJ Shade Tree Federation	435.00
1452			
11060	10/10/13	NOR01 NORTH JERSEY MEDIA GROUP INC	529.21
1452			
11061	10/10/13	NOR10 NO NJ TEAMSTERS BENEFIT PLAN	4.80
1452			
11062	10/10/13	PAD10 BEATTIE PADOVANO, LLC	1,700.00
1452			
11063	10/10/13	PAL01 LAWRENCE J. PALADINO, JR.	498.92
1452			
11064	10/10/13	PAN01 WILLIAM PANAGIA	100.00
1452			
11065	10/10/13	PIN01 PINNACLE WIRELESS FBO UNITEK	570.00
1452			
11066	10/10/13	PIT03 PB PURCHASE POWER (postage)	1,000.00
1452			
11067	10/10/13	PIT04 PITNEY BOWES (meter rental)	162.00
1452			
11068	10/10/13	POL04 POLAND SPRING DIRECT	33.86
1452			
11069	10/10/13	PRE04 PRECISE AUTOMOTIVE	2,990.00
1452			
11070	10/10/13	PSE01 P S E & G	6,923.63
1452			
11071	10/10/13	PVS01 PASSAIC VALLEY SEWERAGE COMM	2,011.30
1452			
11072	10/10/13	RAC01 RACHLES & MICHELE'S OIL CO INC	4,318.80
1452			
11073	10/10/13	REG06 MARIA REGAN	102.99
1452			
11074	10/10/13	ROT02 JOSEPH J. ROTOLO	465.00
1452			

11075	10/10/13	SHE01	SO HACKENSACK BD OF EDUCATION	601,930.00
1452				
11076	10/10/13	SHF01	SO HACKENSACK FIRE CO NO 1	1,560.00
1452				
October 7, 2013			TOWNSHIP OF SOUTH HACKENSACK	
Page No: 4				
09:36 AM			Check Register By Check Date	

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Check #	Check Date	Vendor		Amount Paid
Reconciled/Void		Ref Num		

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GENERAL ACCOUNT			Continued	
11077	10/10/13	SME01	JOSEPH SMENTKOWSKI, INC.	6,391.07
1452				
11078	10/10/13	SOR01	ANGELO SORTINO	312.00
1452				
11079	10/10/13	STA03	STATELINE FIRE & SAFETY	295.00
1452				
11080	10/10/13	STA04	STANDARD INSURANCE COMPANY	125.13
1452				
11081	10/10/13	STA07	STAPLES ADVANTAGE	775.62
10/10/13 VOID		1452	(Reason: ISSUED INCORRECT AMT)	
11082	10/10/13	STR01	STRAUSS BROTHERS	6.13
1452				
11083	10/10/13	TAN01	TANEUM	111.00
1452				
11084	10/10/13	TIM10	TIMMERMAN EQUIPMENT COMPANY	2,794.94
1452				
11085	10/10/13	TM002	T-Mobile	120 31.86
1452				
11086	10/10/13	TRE04	TREASURER, STATE OF NJ	50.00
1452				
11087	10/10/13	TRR01	TRR	619.86
1452				
11088	10/10/13	UNI01	UNITED WATER NJ	3,588.20
1452				
11089	10/10/13	USA01	USA MOBILITY	9.12
1452				
11090	10/10/13	VAN01	VAN DINES FOUR WHEEL DRIVE CTR	595.40
1452				
11091	10/10/13	VER04	VERIZON WIRELESS	156.04
1452				
11092	10/10/13	VER05	Verizon	V06 98.01
1452				
11093	10/10/13	VIG01	VIGILANTI ELECTRIC INC	200.00
1452				
11094	10/10/13	WEL02	WELTER & KREUTZ PRINTING CO	100.00
1452				
11095	10/10/13	WES01	THOMSON REUTERS - WEST GROUP	704.00
1452				
11096	10/10/13	ZCH01	MICHAEL CHERUBINI	100.00
1452				

11097	10/10/13	ZDA04	JERRY D'AMICO	100.00
1452				
11098	10/10/13	ZFA	LEONARD FALATO	100.00
1452				
11099	10/10/13	ZMA06	ANGELO MARRELLA	100.00
1452				
11100	10/10/13	ZMA09	FRANCESCO MACERI	175.00
1452				
11101	10/10/13	ZNA02	MICHAEL NASTA	175.00
1452				
11102	10/10/13	ZRI03	DANIEL RILEY	100.00
1452				

October 7, 2013  
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TOWNSHIP OF SOUTH HACKENSACK  
Check Register By Check Date

-----  
Check # Check Date Vendor Amount Paid  
Reconciled/Void Ref Num  
-----

GENERAL ACCOUNT Continued  
11103 10/10/13 ZSP01 PATSY SPADAVECCHIA 100.00  
1452  
11104 10/10/13 STA07 STAPLES ADVANTAGE 731.85  
1453

Checking Account Totals	Paid	Void	Amount Paid
Amount Void	-----	-----	-----
-----			
775.62	Checks: 91	1	1,290,366.32
0.00	Direct Deposit: 0	0	0.00
=====	=====	=====	=====
775.62	Total: 91	1	1,290,366.32

GENERAL CAPITAL	GENERAL CAPITAL INTERCHANGE		
1593 09/30/13	BOG03	BOGGIA & BOGGIA LLC	24,833.00
1447			
1594 09/30/13	NASH01	NASHEL AND NASHEL LLC	43,152.00
1447			
1595 09/30/13	ZIE01	JOSHUA ZIELINSKI	6,730.00
1447			
1596 09/30/13	ZISA-ESQ	ZISA & HITSCHERICH, ESQ	11,898.00
1447			

Checking Account Totals	Paid	Void	Amount Paid
Amount Void	-----	-----	-----
-----			

0.00	Checks:	4	0	86,613.00
0.00	Direct Deposit:	0	0	0.00
		=====	=====	=====
0.00	Total:	4	0	86,613.0

PAYROLL AGENCY PR AGENCY TB BANK  
 1504 10/10/13 BER01 BERGEN MUNICIPAL EMPLOYEE BENF 6,587.48  
 1450

Checking Account Totals	Paid	Void	Amount Paid	
Amount Void	----	----	-----	
0.00	Checks:	1	0	6,587.48
0.00	Direct Deposit:	0	0	0.00
		=====	=====	=====
0.00	Total:	1	0	6,587.48

WIRE TRACKING WIRE TRANSACTIONS  
 11048 09/18/13 SHT01 SOUTH HACKENSACK TOWNSHIP 115,691.85  
 1443  
 11049 10/01/13 SHT01 SOUTH HACKENSACK TOWNSHIP 121,035.65  
 1448

October 7, 2013 TOWNSHIP OF SOUTH HACKENSACK  
 Page No: 6  
 09:36 AM Check Register By Check Date

Checking Account Totals	Paid	Void	Amount Paid	
Amount Void	----	----	-----	
0.00	Checks:	2	0	236,727.50
0.00	Direct Deposit:	0	0	0.00
		=====	=====	=====

0.00 Total: 2 0 236,727.50

-----  
-----  
Report Totals Paid Void Amount Paid  
Amount Void

-----  
775.62 Checks: 103 1 1,634,918.08

0.00 Direct Deposit: 0 0 0.00

=====  
0.00

Total: 103 1 1,634,918.08

October 7, 2013

TOWNSHIP OF SOUTH HACKENSACK

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Check Register By Check Date

Fund Description	Fund	Budget Total
Revenue Total		
CURRENT FUND	3-01	1,527,093.82
0.00		
	C-04	86,613.00
0.00		
	D-05	14,623.78
0.00		
	P-22	6,587.48
0.00		

Total Of All Funds:

1,634,918.08

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\*\*\*\*\*

**Resolution No. 2013-164 Veteran's Deduction**

WHEREAS, an application is on file for a veteran's deduction since May of 2001,

WHEREAS, the assessor has reviewed the application and determined that the following applicant does in fact qualify for the deduction that was inadvertently removed with the filing of a deed amendment,

Blasé Coppola            Block 16, Lot 9 - 393 Chestnut Avenue

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack, County of Bergen, that a deduction of \$ 250.00 be allowed to the above property on their 2013 Tax Bill.

Consent Agenda Resolution 2013-10

Date: October 10, 2013



**Resolution No. 2013-165 Refund for State Tax Court – Block 9 Lot 17.02**

WHEREAS, the Tax Court of New Jersey has issued a civil action judgment reducing the assessed valuation and taxes for the property at 28 Williams Avenue:

<u>Docket</u>	<u>Block</u>	<u>Lot</u>	<u>Assessment</u> <u>Reduction</u>	<u>Tax</u> <u>Reduction</u>
015956-2011	9	17.02	\$48,200	\$1055
Tax Freeze 2012	9	17.02		\$1099

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack, County of Bergen, issue a refund check in the amount of \$2154 payable to Eun Jim Caoi and Young Joon Choi and the mailing address is 39 Webster Street Ridgefield Park, New Jersey 07660

Consent Agenda Resolution 2013-10

Date: October 10, 2013

**Resolution No. 2013-166 Refund for State Tax Court – Block 48 Lot 3**

WHEREAS, the Tax Court of New Jersey has issued a civil action judgment reducing the assessed valuation and taxes for the property at 202 West Street:

<u>Docket</u>	<u>Block</u>	<u>Lot</u>	<u>Assessment</u> <u>Reduction</u>	<u>Tax</u> <u>Reduction</u>
015562-2011	48	3	\$40,300	\$882
Tax Freeze 2012	48	3		\$919

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack, County of Bergen, issue a refund check in the amount of \$1801 payable to Dennis Francis c/o Anthony Riotto and the mailing address is 37 Liberty Street – Suite 1 Little Ferry, New Jersey 07643

**Resolution No. 2013-167 Refund for State Tax Court – Block 102 Lot 61.01**

WHEREAS, the Tax Court of New Jersey has issued a civil action judgment reducing the assessed valuation and taxes for the property at 75 Saddle River Avenue:

<u>Docket</u>	<u>Block</u>	<u>Lot</u>	<u>Assessment</u> <u>Reduction</u>	<u>Tax</u> <u>Reduction</u>
004201-2012	102	61.01	\$107,900	\$2461

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack, County of Bergen, issue a refund check in the amount of \$2461 payable to Michael I. Schneck, trustee and the mailing address is 301 Livingston Avenue – Suite 105

Livingston, New Jersey 07039

Consent Agenda Resolution 2013-10

Date: October 10, 2013

**Resolution No. 2013-168 County & State Board Judgments – 4<sup>th</sup> Quarter Credits**

WHEREAS, the Bergen County Board of Taxation has issued judgments reducing the assessed valuation and consequently the 2013 taxes as follows:

<u>County</u> <u>Judgment</u>	<u>Block</u>	<u>Lot</u>	<u>Assessment</u> <u>Reduction</u>	<u>2013-4<sup>th</sup> Qtr</u> <u>Tax Credit</u>
59-130002A	2.01	13.02	400,800	-9,459
59-130003A	52	2.02	282,200	-6,660
59-130003A	32	1	350,000	-8,260
59-1300103L	2.01	14.02	87,600	-2,067
59-1300134L	2.02	1.04	106,600	-2,516
59-1300105L	2.02	7	30,000	- 708
59-1300102	2.02	13	25,900	- 611
59-1300128	5.01	2.02	28,900	- 682
59-1300150L	5.02	1.02	37,200	- 878
59-1300108L	7.02	8	27,400	- 647
59-1300124L	7.03	8	55,000	-1,298
59-1300141L	9	21	52,700	-1,244
59-1300152L	10	33	39,800	- 939
59-1300104L	13.02	11.03	26,500	- 625
59-1300110	13.04	1.07	76,900	-1,815
59-1300101L	13.04	3	68,100	-1,607
59-1300113	13.07	9	52,800	-1,246
59-1300129	13.08	1.03	20,000	- 472
59-1300118	16	9	43,200	-1,020
59-1300144L	16	25	57,700	-1,362
59-1300111	16	49.02	38,000	- 897
59-1300106L	52	3	99,600	-2,351
59-1300138L	52	5	59,500	-1,404
59-1300146	58	11	61,400	-1,449

WHEREAS, the State Tax Court has issued a judgment reducing the assessed valuation and consequently the 2013 taxes as follows:

<u>NJ Tax Court</u>	<u>Block</u>	<u>Lot</u>	<u>Assessment</u> <u>Reduction</u>	<u>2013 – 4<sup>th</sup> Qtr</u> <u>Tax Credit</u>
004201-2012(freeze)	102	61.01	50,000	-1,180

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack, County of Bergen, that the Tax Reduction be credited to the fourth quarter 2013 taxes.

Consent Agenda Resolution 2013-10

Date: October 10, 2013

**Resolution No. 2013-169 Adopt a Cash Management Plan**

WHEREAS, NJSA 40A:5-14 requires the Township of South Hackensack to adopt a Cash Management Plan; and

WHEREAS, the Township of South Hackensack adopts its Cash Management Plan and

WHEREAS, the Cash Management Plan shall be designated to assure to the extent practicable the investment of local funds in interest bearing accounts and may be modified from time to time in order to reflect changes in Federal and State law or regulations;

NOW, THEREFORE, BE IT RESOLVED, that the Township of South Hackensack Management Plan established for 2013.

Consent Agenda Resolution 2013-10

Date: October 10, 2013

**Resolution No. 2013 – 170 Licenses – September 2013**

WHEREAS, the following have made applications and paid a fee for various licenses, and WHEREAS, the Township Committee has no exception to the issuance of these licenses, NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that the following licenses by and are hereby approved unless noted and with conditions as noted.

GENERAL LICENSES

<u>Received</u>	<u>Business</u>	<u>License #</u>	<u>Fee</u>	<u>Type</u>
09/01/13	Dowling	4201	\$ 5	Garage Sale
09/18/13	Ferraro	4202	\$ 5	Garage Sale
09/24/13	Damico	4203	\$ 5	Garage Sale
09/25/13	BC Café	4204	\$ 160	Mobile Vendor

TOTAL: \$ 175

FIRE PERMITS

<u>Received</u>	<u>Business</u>	<u>License #</u>	<u>Fee</u>	<u>Type</u>
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TOTAL FIRE: \$ 0.00

GRAND TOTAL ALL LICENSES/PERMITS: \$ 175

Consent Agenda Resolution No. 2013-10

Date: October 10, 2013

**Resolution No. 2013-171 Resolution Authorizing the Contract with Green Sky Industries for the Disposal of Certain Recyclable Materials**

WHEREAS the Township provides a program for the separating of solid recyclable waste materials from the waste stream generated under its garbage collection and recycling systems, and

WHEREAS the Township is desirous of contracting for the disposal and the accounting in accordance with law of particular types of recyclable solid waste materials and specifically certain post consumer printed matter and other paper goods and certain waste plastics and glass collected by the Department of Public Works of this Township, all as the same have been specifically defined in Article II of Chapter 186 of the Code of this Township and in the hereinafter referred to contract, and

WHEREAS proposals/quotes were received from the following vendors:

- Green Sky Industries, 42 Chestnut Street, Clifton, NJ
- Atlantic Coast Fibers – 101 Seventh Street, Passaic NJ
- Green Star (Waste Mgmt)- 59-85 Florida Ave, Paterson NJ

WHEREAS those proposals were evaluated by Joseph Marrella (Recycling Coordinator) and a recommendation made by him in a memo dated September 12, 2013,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack that the Mayor and Township Clerk be and are hereby authorized and directed to execute an appropriate agreement with Green Sky Industries, 42 Chestnut Street, Clifton, NJ, for the disposal and the accounting in accordance with law of the aforesaid materials collected by the Department of Public Works as a result of the Recycling Program of this Township, which contract shall be for a period of five (5) years, the maximum permitted under N.J.S.A. 40A: 11-15(3), in consideration of the payment, for the aforesaid recyclable paper of a floor price of \$80.00 per ton base price or 120% of the high quote for grade number 6 paper as determined in the "yellow sheet" for the New York market if higher than the base, and for the aforesaid plastic and glass, \$30.00 per ton. Said contract shall be all in accordance with the terms and conditions to be approved by the Township Clerk and in such form as may be hereafter approved by the Township Attorney.

Consent Agenda Resolution 2013-10

Dated: October 10, 2013

**Resolution No. 2013 172 – Approve 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.

Worksession Meeting, February 7, 2013

Regular Meeting, February 14, 2013

Consent Resolution No. 2013-10

Date: October 10, 2013

**Resolution No. 2013-173 Resolution Authorizing the reimbursement of expenses for the NJLM Annual Convention for qualified personnel.**

Whereas, The Township of South Hackensack will reimburse lodging expenses for qualified township personnel for attendance at The New Jersey League of Municipalities Annual convention in Atlantic City, NJ. Prior to these costs and expenses being incurred by the official or employee. Notwithstanding anything in this resolution to the contrary, the Township Committee will not approve nor make payment of any total costs and expenses incurred by a township officer or employee in excess of \$250.00; and Whereas,

Upon proper written proof of payment timely submitted to the Township Clerk within 30 days by an employee/official for authorized lodging costs and subject to review by The Township Committee.; the Township shall reimburse the expense for qualified personnel. The Township shall not reimburse any expenses not received in a timely manner as determined by the Township Committee.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that reimbursement to the New Jersey League of Municipalities be granted to qualified personnel and officials for lodging only up to a maximum amount of \$250.00.

Brugger motioned; Stefano seconded to withdraw this resolution

Roll Call Vote: AYES: Brugger, Cagas, Regan & Stefano NAY: Eckel

Dated: October 10, 2013

**Resolution No. 2013-174 Authorize Firefighter Convention Expenses**

WHEREAS, the Township Committee of the Township of South Hackensack is desirous of supplementing the cost of attendance at the Annual Firefighter Convention held in Wildwood, New Jersey for Life Members and certain officers of the fire department,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey, that all Life Members who attended the State Firemen Association Convention receive re-imburement of \$100.00 upon submission expense receipt and signed voucher, and

BE IT FURTHER RESOLVED that the Fire Prevention Chief, Fire Chief, and Deputy Fire Chief, receive re-imburement of 175.00 upon submission of expense receipt and signed voucher to the finance assistant.

Life Members

1. Spadavecchia, Pat
2. Marrella, Michaelangelo

3. Nasta, Michael
4. Maceri, Francesco
5. Cherubini, Michael
6. Falato, Leonard
7. Damico, Jerry
8. Panagia, William
9. DeRiso, Raymond
10. Riley, Daniel

Consent Agenda Resolution 2013-10  
Dated: October 10, 2013

2013-175

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF SOUTH HACKENSACK, IN THE COUNTY OF BERGEN, NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-55

WHEREAS, the Township Committee of the Township of South Hackensack desires to make application to the Local Finance Board for its review and/or approval of a proposed refunding bond ordinance authorizing the Township's issuance of obligations for the purpose of paying amounts owing to others for taxes levied, as permitted by N.J.S.A. 40A:2-51(a); and

WHEREAS, the Township Committee of the Township of South Hackensack believes:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare and convenience or betterment of the inhabitants of the local unit or units;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant;
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and will not create an undue financial burden to be placed upon the local unit or units;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack, in the County of Bergen, State of New Jersey as follows:

Section 1. The application to the Local Finance Board is hereby approved, and Lerch, Vinci & Higgins, LLP, Township Auditor, and Rogut McCarthy LLC, Bond Counsel, along with other representatives of the Township of South Hackensack, are hereby authorized to prepare such application and to represent the Township of South Hackensack in matters pertaining thereto.

Section 2. The Township Clerk of the Township of South Hackensack is hereby directed to prepare and file a copy of the proposed bond ordinance with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

The foregoing resolution was adopted by the following roll call vote:

Roll Call Vote: Ayes: Brugger, Cagas, Eckel, Regan & Stefano  
Dated: October 10, 2013

**Resolution No. 2013-176 Authorize Frank Cagas to Sign Grant Agreement with the County of Bergen for Franklin Street Improvements**

**BE IT RESOLVED**, that the Mayor and Township Committee of the Township of South Hackensack wishes to enter into a Grant Agreement with the County of Bergen for the purpose of using \$\_\_\_\_\_ in \_\_\_\_\_ Community Development Block for Franklin Street; and

**BE IT FURTHER RESOLVED**, that the Mayor and Township Committee hereby authorizes Mayor Frank Cagas to be a signatory to aforesaid Grant Agreement; and

**BE IT FURTHER RESOLVED**, that the Mayor and Township Committee hereby authorizes Mayor Frank Cagas, to sign all county vouchers submitted in connection with the aforesaid project; and

**BE IT FURTHER RESOLVED**, that the Mayor and Township Committee recognizes that the Township of South Hackensack is liable for any funds not spent in accordance with the Grant Agreement; and that the liability of the Mayor and Township Committee is in accordance with HUD requirements.

Consent Resolution No. 2013-10  
Date: October 10, 2013

**RESOLUTION NO. 2013-177**

**AUTHORIZING THE EXECUTION OF A CERTAIN AGREEMENT WITH SUNESYS LLC FOR THE INSTALLATION OF WIRE WITHIN THE TOWNSHIP RIGHT OF WAY AND EASEMENT IN APPROVED AREAS**

**WHEREAS**, Sunesys LLC. has requested that the Township permit it to install communications wire within the Township right of way and easement; and

**WHEREAS**, Sunesys has supplied the attached contract, plan and BPU approval all of which have been reviewed and approved by the Township Attorney; and

**WHEREAS**, the Township Committee has authorized the Mayor and Township Clerk to execute said contract in the form attached hereto and as heretofore been reviewed and approved by the Township Attorney.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of South Hackensack that the Mayor and Township Clerk are hereby authorized to enter into the attached Agreement with Sunesys LLC as described herein and attached hereto and all acts relating to the same are hereby ratified.

Consent Agenda Resolution 2013-10  
Dated: October 10, 2013

**TOWNSHIP OF SOUTH HACKENSACK  
COUNTY OF BERGEN  
Ordinance 2013-10**

REFUNDING BOND ORDINANCE PROVIDING FOR PAYMENT OF AMOUNTS OWING TO OTHERS FOR TAXES LEVIED IN, BY AND FOR THE TOWNSHIP OF SOUTH HACKENSACK, IN THE COUNTY OF BERGEN, NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,010,000 TO PAY THE COST THEREOF AND TO AUTHORIZE THE ISSUANCE OF \$1,010,000 OF BONDS OR NOTES TO FINANCE SUCH APPROPRIATION.

-----  
**WHEREAS**, the Township of South Hackensack, in the County of Bergen, New Jersey, as a result of cases brought before the Tax Court of New Jersey as set forth in a schedule on file with the Tax Collector (the "Schedule"), incorporated herein by this reference as if fully



set forth herein, presently owes the sum of \$909,856 to the various property owners in said Township for taxes levied by the Township for the years 2009 to 2012, inclusive, as set forth in the Schedule; and

WHEREAS, the Township Committee of said Township has determined that it is in the best interest of the Township to finance the cost of said tax refunds, pursuant to the provisions of N.J.S. 40A:2-51, by the adoption of a refunding bond ordinance providing for payment thereof, including expenses, appropriating the sum of \$1,010,000 to pay the cost thereof and authorizing the issuance of \$1,010,000 of bonds or notes of said Township to finance said appropriation; NOW, THEREFORE,

BE IT ORDAINED by the Township Committee of the Township of South Hackensack, in the County of Bergen, New Jersey, as follows:

Section 1. The Township of South Hackensack, in the County of Bergen, New Jersey (the "Township") is hereby authorized to refund the aggregate amount of \$909,856 resulting from cases brought before the Tax Court of New Jersey presently owing by the Township to the owners of the various properties for taxes levied by the Township for the years 2009 to 2012, inclusive, as more particularly described and set forth on the schedule hereby incorporated by this reference as if fully set forth herein (the "Schedule"), and presently on file in the office of the Tax Collector and available for inspection during normal business hours.

Section 2. The Township Committee of the Township hereby determines that the Township is authorized by Section 51(a) of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law") to issue its refunding bonds or notes as hereinafter provided to pay or fund the sum set forth in Section 1 hereof.

Section 3. The sum of \$1,010,000 is hereby appropriated to (a) pay or fund the amount of \$909,856 set forth in Section 1 of this ordinance, and (b) pay an amount not exceeding \$100,144, being the cost of the issuance of refunding bonds or notes and expenses in connection with the tax appeals, including printing, advertising, accounting and financial and legal expenses

therefor permitted by Section 51(b) of the Local Bond Law (collectively, hereinafter referred to as "purpose").

Section 4. To finance said purpose, bonds of said Township of an aggregate principal amount not exceeding \$1,010,000 are hereby authorized to be issued pursuant to the Local Bond Law (the "Refunding Bonds"). The Refunding Bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. The Refunding Bonds shall be direct and general obligations of said Township and said Township shall be obligated to levy ad valorem taxes upon all the taxable real property within said Township for the payment of the principal of the Refunding Bonds and the interest thereon without limitation as to rate or amount. The full faith and credit of said Township shall be and are hereby pledged for the punctual payment of the principal of and interest on the Refunding Bonds. Each Refunding Bond issued pursuant to this ordinance shall recite that it is issued pursuant to the Local Bond Law and shall also recite that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened and to have been performed precedent to and in the issuance of said bond exist, have happened and have been performed, and that said bond, together with all other indebtedness of said Township, is within every debt and other limit prescribed by the Constitution or statutes of said State. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted, except that the Refunding Bonds shall mature at such time or times, not exceeding 40 years from their date, as may be approved by the Local Finance Board.

Section 5. To finance said purpose, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$1,010,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 6. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law and the Local Finance Board. Each of said notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 7. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of said Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$1,010,000, but said \$1,010,000 shall be deducted from gross debt pursuant to Section 52 of

the Local Bond Law, and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 8. It is hereby determined and stated that (A) a certified copy of this refunding bond ordinance as passed on first reading shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to the final adoption thereof, together with a complete statement in the form prescribed by said Director and signed by the chief financial officer of the Township as to the outstanding tax refund amount to be financed by the issuance of the Refunding Bonds or the notes and (B) no sum need be appropriated hereby as a down payment.

Section 9. This ordinance shall take effect twenty days after the first publication thereof after final passage, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

**Introduced October 10, 2013**

**Motion: Eckel**

**Second: Regan**

**Roll Call Vote: Brugger, Cagas, Eckel, Regan & Stefano**  
**Public Hearing set for November 14, 2013 at 7:30 p.m.**