

Township of South Hackensack
Bergen County, New Jersey
April 4, 2013 7:30 P.M.

Worksession Meeting

MINUTES

Frank Cagas, Mayor.....*Not Present*
Gary Brugger*Present*
Walter Eckel, Jr.*Present*
William Regan.....*Present*
Vincent Stefano.....*Not Present*

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

Call of Meeting to Order

Deputy Mayor Regan called the Worksession Meeting to order at 7:30 p.m. The Clerk advised that this is a Worksession meeting of the Township Committee of South Hackensack. The date, time and location of this meeting has been advertised in the official newspapers of the Township, filed with the Township Clerk and posted on the bulletin board in the municipal building. All notice requirements of the Open Public Meetings Act for this meeting have been fulfilled. Deputy Mayor Regan led the flag salute. The Municipal Clerk called the roll. Mayor Frank Cagas and Vincent Stefano are not present. George Reggo, Tax Assessor is present.

Correspondence

Larry Paladino, April 1, 2013- Replacement of Salter- On a motion made by Gary Brugger and Seconded by Walter Eckel; all were in favor of accepting this correspondence. Larry Paladino explains he will be attending an equipment show on April 17th with Mayor Cagas.

Elizabete Schaefer, March 21, 2013- Estimate of Damage- On a motion made by Gary Brugger and Seconded by Walter Eckel; all were in favor of having Larry Paladino, DPW Superintendent look into this incident and furnish a report.

Lance & Ashley Kelly, March 25, 2013- Request for Safety Netting- On a motion made by Gary Brugger and Seconded by Walter Eckel; all were in favor of accepting this correspondence and directing Larry Paladino, DPW Superintendent to obtain quotes.

Larry Paladino, April 1, 2013- Broken Fence on Park Street- On a motion made by Gary Brugger and Seconded by Walter Eckel; all were in favor of approving the quote by American Fence Company in an amount not to exceed \$600.00.

Appraisal Systems, Inc- March 28, 2013- Bid for Reassessment of the Township of South Hackensack- On a motion made by Gary Brugger and Seconded by Walter Eckel; all were in favor of accepting this correspondence and moving it to new business.

Lerch, Vinci & Higgins, LLP- April 1, 2013- Terms and Objectives- On a motion made by Gary Brugger and Seconded by Walter Eckel; all were in favor of accepting and reviewing this correspondence.

Lisa Donnarumma, April 2, 2013- Unpaid Vacation Request- On a motion made by Gary Brugger and Seconded by Walter Eckel; all were in favor of approving this request.

Donna L. Gambutti, April 2, 2013- Municipal Clerks & Tax Collectors Conference- May 2013- On a motion made by Gary Brugger and Seconded by Bill Regan; all were in favor of approving this request.

Old Business

Department of Public Works Proficiency and Evaluation- Walter Eckel and Frank Cagas are on the subcommittee for this study. David Nasta reports for Mayor Cagas that Wallington, Moonachie & Teterboro are being considered for shared services (and equipment with the DPW).

Municipal Building Generator- No new information at this time.

New Business

Blue Light Permit- Giuseppe D'Amico, Austin Jennings & Michael McGouran - Fire Department- On a motion made by Gary Brugger and Seconded by Walter Eckel; all were in favor of approving three blue light permits for the Fire Department.

Township of South Hackensack Reassessment-Discussion with Tax Assessor- Mr. George Reggo- Mr. Reggo explains the proposed reassessment. It would be with the same company that the Township used for the re-evaluation. This will be a program to bring all commercial and residential properties to current assessments (2014). He explains that we have been getting hit

very hard with tax appeals dating back to 2009. This proposal should eliminate most commercial appeals. This is a four year agreement and will need to be approved by the County. David Nasta, Township Attorney explains the bidding laws (threshold) and explains that the Township does not have to go out for bids for this proposal. The cost for reassessment is \$ 15,000.00 per year for four years. The Township Committee asks George Reggo to get clarification from Appraisal Systems on certain aspects of the contract.

Ordinances- Introduction-

Introduction of and set the date for public hearing: Adoption: May 9, 2013

□ **Ordinance No. 2013-03**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 208 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED "ZONING"

** Due to the fact that small changes are to be made Gary Brugger motions and Walter Eckel seconds the motion to introduce this ordinance at next week's meeting. All members were in favor.*

Introduction of and set the date for public hearing: Adoption: May 9, 2013

□ **Ordinance No. 2013-04**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 155 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED "PARKING"

** Due to the fact that small changes are to be made Gary Brugger motions and Walter Eckel seconds the motion to introduce this ordinance at next week's meeting. All members were in favor.*

Ordinances- Adoption-

Second Reading, Public Hearing and Adoption of-

□ **Ordinance No. 2013-01**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 182 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED "SHADE TREES"

On a motion made by Gary Brugger and Seconded by Walter Eckel all were in favor of opening the public hearing on Ordinance No. 2013-01. No comments were made on this ordinance. On a motion made by Walter Eckel and Seconded by Bill Regan all were in favor of closing the public hearing and adopting Ordinance No. 2013-01 by Roll Call Vote.

Second Reading, Public Hearing and Adoption of-

□ Ordinance No. 2013-02-

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 40 OF THE
CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED
"OFFICERS AND EMPLOYEES"

On a motion made by Gary Brugger and Seconded by Walter Eckel all were in favor of opening the public hearing on Ordinance No. 2013-02. No comments were made on this ordinance. On a motion made by Gary Brugger and Seconded by Bill Regan all were in favor of closing the public hearing and adopting Ordinance No. 2013-02 by Roll Call Vote.

Resolutions

Closed Executive Session – On a motion made by Gary Brugger and Seconded by Walter Eckel; all were in favor.

Resolution No. 2013-093-Defining the duties of Lydia Heinzelman- On a motion made by Walter Eckel and Seconded by Gary Brugger; all were in favor by roll call vote.

Committee Reports

Gary Brugger- Reports on the NJMC and how there is a surplus to be distributed to payer towns. He explains that an audit will be done to find out the exact numbers. (He estimates it may be close to 25%)

Walter Eckel- Suggests a subcommittee be created soon to expand or rearrange the building department offices.

Bill Regan- Reports on the Easter Egg Hunt, the turnout was big with over 1,000 eggs. He also reported that Vincent Stefano was able to attend as well. Bill Regan states that he has been made aware of several complaints regarding the basketball courts and will speak to Chief Frew regarding these complaints.

Public Comments

Dolly Montenegro, 87 Phillips Avenue- Dolly comments on the budget transferred done last month; she states that she received community car correspondence from Senator Sarlos's office. This is a volunteer program for drivers to drive residents when needed. She will give the information to the clerk.

Larry Paladino, DPW Superintendent- Larry comments on the need for more “doggie bags” near two streets by the park. The Township Committee is in agreement. Gary Brugger strongly agrees. Larry states the need for the softball field to be re-clayed & repaired; but agrees labor is a expensive problem. Discussion ensues regarding the new grass and topsoil for the field; if possible.

Loni Bedell, 52 Grove Street- Loni reports on the status of the Grove Gardens generator. He wants to help expedite it for all the residents and explains how he helped get the project to the County Freeholders. He asks the Township Committee how the building was approved without a generator?

Theresa Lofaro, 403 Chestnut Avenue- Theresa explains she spoke to Little Ferry on their emergency shelter and she reports that you do not have to follow Red Cross guidelines as suggested by Mike Ward, OEM coordinator. Walter Eckel states that there are OEM rules and he can get clarification for her. Bill Regan states that Little Ferry has more residents than South Hackensack.

Closed Session

On a motion made by Gary Brugger and seconded by Walter Eckel; all were in favor of entering into closed executive session at 8:40 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 Gary Brugger and seconded by Walter Eckel; all were in favor to returning to open session.

On a motion made by Gary Brugger and seconded by Bill Regan all were in favor to adjourn the meeting at 10:05PM.

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

Donna L. Gambutti

Adjournment

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Resolution Authorizing Executive Session- April 4, 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.

____(4) *Matters Relating to Collective Bargaining Agreements*: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

____(5) *Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds*: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

____(6) *Matters Relating to Public Safety and Property*: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.

XX (7) *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege*: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is require in order for the attorney to exercise his ethical duties as a lawyer.

Tax Appeal- Forsgate Ventures IX V. TSH-45 East Wesley Street

AEP Industries V. TSH

Litigation- Montenegro, Kaiser & Riotto V. TSH,

Frew V. South Hackensack

Evans V. South Hackensack

(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 April 4, 2013

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