

Township of South Hackensack
Bergen County, New Jersey
April 3, 2014 7:00PM
Worksession Meeting/2014 Budget Introduction
MINUTES

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

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

Call of Meeting to Order

Mayor Regan called the Worksession Meeting to order at 7:05 p.m. The Clerk 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. Mayor Regan led the flag salute. The Municipal Clerk called the roll. All members are present.

Closed Session

On a motion made by Bill Regan and seconded by Gary Brugger 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 Gary Brugger and seconded by Bill Regan; all were in favor to returning to open session at 7:41PM.

Correspondence ~

Boswell Engineering, March 21, 2014- Condeimi International Site Plan Review,

Correspondence to Planning Board- On a motion made by Walter Eckel and seconded by Gary Brugger; all were in favor of accepting & filing.

Old Business~

- Department of Public Works Proficiency and Evaluation- Bill Regan updates the committee that he spoke to Mayor Vaccaro today and hopefully we can take this off the agenda soon.
- Economic Development Advisory Committee- Vinnie Stefano comments that hopes in 6-9 months the township can gather information regarding economic development. He is glad this is moving forward.
- Business sponsored planters- Approve draft letter from Shade Tree Commission- Bill explains draft letter and agree to move forward and approve this correspondence. Frank Cagas agrees.

New Business~

- 2014 Approved Budget- Bill Regan explains preliminary budget and public hearing should be around May 8, 2014. Gary Brugger comments on last year when everything had to be moved around for emergency with health insurance payments and tax appeals. This year will be really tight. Residents will see a savings of around \$28.00 per household on the municipal end. We don't know what will happen with the state and the tax sharing formula for the meadowlands. There should not be many more tax appeals.
- Receipt of Bid Recycling Bid Specs- received March 28, 2014 10:00AM- David Nasta explains the receipt of 2 bids. Gaeta and Sterling Carting. Comments that it would be nice to end the contract at the same time as the garbage. Frank Cagas asks about who owns the recycling that is picked up? David Nasta explains the township owns it and it is brought to the facility and the township is still under contract with Greensky. Sterling is a little cheaper and has positive references confirmed by Township Clerk. The committee advises the clerk to obtain more references.
- Appoint temporary engineer for The Vineyard Christian Fellowship of Northern New Jersey application. Ray DeRiso, Zoning Official confirms this application is not on file yet. The township committee agrees another engineer would have to be appointed as this applicant will be coming before the board to receive a variance for the Boswell Engineering property. Ray asks about the sub-division map. David Nasta advises the clerk to pull the resolution for the sub-division of this property.
- Discussion of possible merge of Planning & Zoning Boards- Gary Brugger asks the Township Attorney to look into this matter. David Nasta explains combing the boards would result in municipal members abstaining from use variance. Bill Regan advises the public that it is hard to get volunteers for both boards & the matter should be reviewed. Gary Brugger asks what size the board would be? 7 members with alternates? David Nasta will research the pros and cons.

- Electronic Sign Quote for The Township of South Hackensack- Ray DeRiso, Zoning Official explains that electronic signs are against the township ordinance from 2011. Larry Paladino agrees the sign we have now is shot and something has to be done. David Nasta suggests the township can make application to the board as it is municipal owned property. Bill explains the benefits of an electronic sign with instant communication to the public from a desktop. The DPW and the Township Clerk will confirm with PSE&G electrical power.

Ordinances~ Introduction~

- **ORDINANCE NO. 2014-04** *Introduction, Public Hearing, May 8, 2014 at 7:00PM*

TOWNSHIP OF SOUTH HACKENSACK CALENDAR YEAR 2014
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)

On a motion made by Walter Eckel and seconded by Gary Brugger all were in favor by roll call vote to introduce ordinance No. 2014-04.

Ordinances~ Adoption~

- **ORDINANCE NO. 2014-02-** *Second Reading, - Public Hearing –Adoption*

AN ORDINANCE CREATING THE DEPARTMENT OF ECONOMIC DEVELOPMENT OF THE TOWNSHIP OF SOUTH HACKENSACK, PRESCRIBING THE TERMS AND DUTIES OF THE OFFICERS THEREOF AND PROVIDING APPOINTMENTS THERETO AND COMPENSATION THEREFORE

On a motion made by Gary Brugger and seconded by Frank Cagas all members were in favor of opening the public hearing on this ordinance.

Dolly Montenegro states she is not against the ordinance; she just wants to make sure there are no legal conflicts regarding the Township Attorney. David Nasta advises her that there are no conflicts.

On a motion made by Frank Cagas and seconded by Vincent Stefano all members were in favor by Roll Call Vote of closing the public hearing and adopting Ordinance No. 2014-02.

Resolutions~

- Resolution No. 2014- 083- Appointing Township Attorney David V. Nasta, Esq. To Direct Economic Development Efforts- On motion made by Frank Cagas and seconded by Gary Brugger; all members were in favor. Bill Regan abstained from voting.
- Resolution No. 2014-87- Introduction of 2014 Municipal Budget- Public Hearing- May 8, 2014 at 7:30PM- On motion made by Gary Brugger and seconded by Bill Regan; all members were in favor.
- Resolution No. 2014-88- Appoint Temporary Clerk Typist/Technical Assistant- Diane Kauffman- On motion made by Frank Cagas and seconded by Walter Eckel; all members were in favor.

Committee Reports~

Walter Eckel- No report.

Gary Brugger- Asks if the mulch can be raked at the park as it looks low. Larry Paladino states he will try to have it raked over.

Frank Cagas- reports that he had Mike Ward sign the township up for the FEMA program of Blue Acres. The Shade Tree Commission will be giving out free seedlings this Saturday from 10-2pm at town hall.

Vincent Stefano- not much to report. Met with the Fire Chief and he is working on picking out the specs for rescue vehicle.

Bill Regan- Tomorrow is the Easter Show at Memorial School at 6:45 SHARP. The Easter Egg hunt is this weekend April 12th at Veteran's Park. Mentions he was glad that recreation had 2 full buses for the circus. We have a lot good things planned for the future.

Public Comments~

Dolly Montenegro, 57 Phillips Avenue- Asks the Committee if they could help sponser the bus trips for the seniors. One bus could cost the seniors over \$800.00. Remembers when the Township could sponsor trips. Gary Brugger explains that the State asks these questions about catered lunches and such on the Best Practices Checklist. Bill Regan remembers the Fish Frys and maybe it could be a good fundraiser for the center. He comments that the Committee members along with the Fire Department would help out to serve the seniors. Bill Regan commends the South Hackensack Police Department. The new guys are like a bunch of fire crackers. Very excited about the direction of the police department and wishes Captain Terraccino was here tonight to hear this. Dolly comments that the DPW is being neglected and they are down to 3 men. The summer help are not experienced drivers/workers. Advises the

Committee that instead of hiring the 5 new police officers they should of gave 4 men to the DPW.

Loni Badell, 51 Grove Street- is glad that David Nasta has been appointed to Direct the Economic Committee. Also comments on the exit from the parking lot on the way to Grove Street he believes students are parking and going to the Technical School. He sees the same black van parked every day. Informs the Township Committee that one of his friends attends the Vineyard Church in Teterboro.

Closed Session

Closed Executive Session Resolution

On a motion made by Bill Regan and seconded by Gary Brugger all were in favor of entering into closed executive session again at 9:15 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 Bill Regan; all were in favor to returning to open session at 11:20PM.

The township committee authorizes David Nasta, Esquire to draft resolutions for the next meeting for the negotiation of contracts for Joseph Terraccino as Chief of Police and Robert Licamara for Deputy Chief of Police. Walter Eckel motioned and Gary Brugger seconded the motion. All members are in favor.

On a motion made by Gary Brugger and seconded by Vincent Stefano all were in favor to adjourn the meeting at 11:25PM.

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

Donna L. Gambutti

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Resolution Authorizing Executive Session- April 3, 2014

A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12.

Whereas, the Township Committee of the Township of South Hackensack is subject to certain requirements of the *Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.*, and

Whereas, the *Open Public Meetings Act, N.J.S.A. 10:4–12*, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

Whereas, it is necessary for the Township Committee of the Township of South Hackensack to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4–12b and designated below:

____(1) *Matters Required by Law to be Confidential*: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

____(2) *Matters Where the Release of Information Would Impair the Right to Receive Funds*: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

____(3) *Matters Involving Individual Privacy*: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

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

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

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

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

____XX____(8) *Matters Relating to the Employment Relationship*: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

Larry Paladino, Jr

Ashley A. Morrone

Capt. J. Terraccino
Sgt. R. Licamara
Hiring of Police Chief

(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 3, 2014.

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Ordinance No. 2014- 04

<p>TOWNSHIP OF SOUTH HACKENSACK CALENDAR YEAR 2014 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)</p>
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WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of South Hackensack in the County of Bergen finds its advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.0% increase in the budget for said year, amounting to \$186,106 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Township Committee of the Township of South Hackensack, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the Township of South Hackensack shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.0%, amounting to \$186,106, and that the CY 2014 municipal budget for the Township of South Hackensack be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Motion: Eckel

Second: Brugger

Roll Call Vote; Brugger, Cagas, Eckel, Regan and Stefano

Introduction April 3, 2014

ORDINANCE NO. 2014-02

<p>AN ORDINANCE CREATING THE DEPARTMENT OF ECONOMIC DEVELOPMENT OF THE TOWNSHIP OF SOUTH HACKENSACK, PRESIBING THE TERM AND DUTIES OF THE OFFICERS THEREOF AND PROVIDING FOR APPOINTMENTS THERETO AND COMPENSATION THEREFORE</p>

WHEREAS throughout New Jersey the responsibilities and operations of local government have grown in complexity due not only to the increasing density of development in the State but also due to the ever increasing rules and regulations set forth by various state and federal agencies and that those additional responsibilities have made it necessary to create and maintain a Department of Economic Development charged with the responsibility to ensure the proper and adequate growth of the community and to guarantee its future viability; and

WHEREAS in order to ensure that the Township develops in a manner consistent with the governing body's future vision and provide for the proper resources for the same through the creation of necessary positions and assignment to those positions duties, responsibilities and authority that are necessary to accomplish the proper administration and implementation of the governing body's vision.

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

CHAPTER 45 DEPARTMENT OF ECONOMIC DEVELOPMENT

ARTICLE I- CREATION

There is hereby created a Department of Economic Development to be known as the "South Hackensack Department of Economic Development".

ARTICLE II- PURPOSE

The purpose of the South Hackensack Department of Economic Development shall be several fold. The Department shall analyze and review the existing land development of the Township and report to the Governing Body on its consistency with the Master Plan, proposed changes and potential opportunities to enhance the tax base of the Township and to implement a vision of development consistent with future growth and opportunity. The Department shall seek sources of revenue to meet the aforesaid objectives and report to the Governing Body on the potential utilization of the same. The Department shall communicate with businesses within the community and outside of it to ensure that the Township's policies are consistent with fair and favorable business growth and development. The Department shall prepare all reports and analysis and take any and all steps necessary and proper to ensure that the environment in the Township is conducive to proper development of its real estate and business sectors.

ARTICLE III- DIRECTOR OF ECONOMIC DEVELOPMENT

A- CREATION-

There is hereby created the Office of Director of Economic Development to serve in accordance with the laws of the State of New Jersey and the Personnel Policies and Procedures Manual of the Township and to perform those duties as set forth in this Article.

B.. APPOINTMENT

The Director of Economic Development shall be appointed by a majority vote of the Township Committee. Said individual may be hired as a full or part time employee or a contract consultant as determined in the sole discretion of the governing body.

C. QUALIFICATIONS

a. The appointment of a Director of Economic Development shall be solely based on the

administrative qualifications of the appointee, with special regard as to his or her education, training and actual experience in governmental affairs. The Director of Economic

Development shall have the following minimum qualifications:

1. Educational- The Director of Economic Development shall possess at a minimum a bachelors degree (and preferably) an advanced degree (masters or higher) in the fields of public administration, government, law, business administration, real estate or similar field from an university or college accredited and/or recognized by the Department of Education of the State of New Jersey.
2. Experience- The Director of Economic Development shall possess experience in the , real estate, land use , development, business and transactional sectors necessary to properly discharge the duties of Director of Economic Development..
3. Community Familiarity- The Director of Economic Development shall display familiarity with the Township including its issues and demographics. A candidate for the position of Director of Economic Development shall be required to meet with the governing body and provide satisfactory evidence of knowledge of the township geography, zoning, demographics and history. .
4. Background Check- The Director of Economic Development shall submit to a criminal background check to be performed by the South Hackensack Police Department. Any conviction of a crime higher than a disorderly person offense shall disqualify an applicant from consideration.

D. COMPENSATION AND MANNER OF WORK

At the option of the Governing Body the Director of Economic Development shall

be paid a salary as set by the Governing Body and reflected in its annual salary ordinance and benefits consistent with those of other full time employees of the Township or shall be paid an amount agreed to by contract and appropriate resolution for a non-employee consultant.

E. INCENTIVE COMPENSATION

A primary objective of the Director of Economic Development is to increase the tax base of the Township. In order to provide for incentive for the same by December 15 of each year in conjunction with the South Hackensack Tax Assessor and Building Department the Director shall prepare and submit a report to the Governing Body detailing the type and assessed value of any development within said calendar year. The Governing Body shall have the discretion to add to the Director's salary or compensation an incentive component that it deems to be in the best interest of the Township. .

F. STIPENDS

The Governing Body shall in its sole discretion create such stipend as it deems necessary in consultation with Director of Economic Development to provide for the discharge of the duties set forth in this Article. Said stipend shall be utilized for purposes including but not limited to applicable seminars, meeting costs, specific stationary or office supplies and events. Any expenditure in excess of five hundred dollars (\$500.00) shall first receive the approval of the Governing Body. Any expenditure shall be detailed on a quarterly report to the Governing Body along with supporting receipts.

ARTICLE IV- ADVISORY BOARD- CONSULTANTS

A. CREATION

There shall be created an advisory board consisting of the Township's Chief Legal Counsel, Chief Financial Officer, Zoning Officer, and Superintendent of Schools. Additionally, the Governing Body shall designate a liason member of the Township Committee and in consultation with the Director of Economic Development shall designate a Resident Representative and Business Representative. The purpose of the advisory board is provide ongoing advice and information to the Director and Township Committee as requested by either. The Township may select any of these individuals to act as the Director of Economic Development except the Township Committee liason. Said board members shall serve without compensation and at the pleasure of the Governing Body. Said members may be removed or replaced by the Governing Body in consultation with the Director of Economic Development. . The Director in consultation with the Governing Body shall have the discretion to retain or consult with individuals that he or she deems necessary to discharge the duties of his or her office. In the event that any consultant is to receive compensation from the Township the Governing Body retains the sole authority regarding any such retention.

ARTICLE V- ADMINISTRATIVE SUPPORT

The Department of Economic Development shall coordinate any requests for administrative support for its functions with the Township Clerk whose staff shall provide the same. In the event that the Department of Economic Development and the Township Clerk cannot agree on the provision of support the Governing Body shall make any such final determination.

ARTICLE VI – REPEALER

In the event that this Ordinance or any portion thereof conflicts with the terms of any other Township Ordinance said Ordinance of conflicting portion thereof is repealed to the extent of said inconsistency.

ARTICLE VII- SEVERABILITY

In the event that any portion of this Ordinance is determined to be unconstitutional or in violation of law by a court of competent jurisdiction the balance of said Ordinance shall be severed and remain in full force and effect.

ARTICLE IX- EFFECTIVE DATE

This Ordinance shall take effect upon passage and publication as required by law.

ATTEST

Donna L. Gambutti, Municipal Clerk

Bill Regan, Mayor

Introduced: February 19, 2014

Motion: Cagas

Second: Regan

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

Adoption : April 3, 2014

Motion: Cagas

Second: Stefano

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

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RESOLUTION NO. 2014-083

**APPOINTING TOWNSHIP ATTORNEY DAVID V. NASTA, ESQ. TO DIRECT
ECONOMIC DEVELOPMENT EFFORTS**

WHEREAS, the Township has discussed the need to review, reassess and redevelop certain land within the Township and to create economic opportunities designed to reduce the tax burden and enhance the quality of life for all Township residents and taxpayers; and

WHEREAS, the Township Committee has created by ordinance a Department of Economic Development designed to address this significant task; and

WHEREAS, the aforementioned ordinance calls for said department to be directed by an individual with the necessary, education, experience and knowledge of the community to ensure that the Township is well positioned to take advantage various economic opportunities; and

WHEREAS, said ordinance constructs an advisory board consisting of the Township Attorney, Township Chief Financial Officer, Superintendent of Schools, Liason from the Township Committee, Township Zoning Officer, a Township resident and a member of the Township Business Community and further allows that any one of these members, except the Township Committee representative, may be selected to lead the economic development effort; and

WHEREAS, the Township Committee has reviewed and is familiar with the credentials of David V. Nasta who has been a licensed attorney for twenty seven years and has served as counsel to the Township Committee and boards and Township Municipal Judge, maintains a Diplomat in New Jersey Municipal Law, has been retained as an expert in real estate before the courts of New Jersey, has handled well over a thousand real estate transactions of every variety and complexity during his career and otherwise has a knowledge and passion for the Township that leads the Committee to conclude that he would be an effective choice to lead this effort.

NOW THEREFORE BE IT RESOLVED, that David V. Nasta, Esq. is hereby directed under his retention as Township Attorney for the period effective upon passage of this resolution to do each and every act necessary to review and explore all economic opportunities within the Township, create necessary plans for the implementation of the same, meet and consult with business and property owners regarding opportunities, meet and consult with the members of the advisory board as he deems appropriate and report on a monthly basis to the Township Committee regarding all efforts; and

BE IT FURTHER RESOLVED, that there shall be added to the Township Attorney's monthly retainer the sum of Three Thousand Seven Hundred Fifty Dollars as compensation for all such

efforts and there shall further be established a stipend of three thousand dollars to be utilized by the Township Attorney upon the proper provision of receipts and vouchers to conduct the aforesaid efforts with the further restriction that any such expenditure from said stipend in excess of five hundred dollars must first receive the approval of the Township Committee.

ATTEST

Donna L. Gambutti, Township Clerk

William Regan, Mayor

Motion: Cagas

Second: Brugger

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

Abstentions: REGAN

Resolution No. 2014-087- Introduction of 2014 Municipal Budget

BE IT RESOLVED, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Township of South Hackensack, Bergen County, New Jersey for the year 2014.

BE IT FURTHER RESOLVED, that the said budget be published in the Record in the issue April 8, 2014 and that a hearing on the budget be held at Township Hall on May 8, 2014 at 7:30 PM or soon thereafter as the matter may be reached.

Motion: Brugger

Second: Regan

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

April 3, 2014

Approved:

Attest:

Bill Regan, Mayor

Donna L. Gambutti, Municipal Clerk

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<p>Resolution No. 2014-088- Appoint Temporary Clerk Typist/Technical Assistant</p>

BE IT RESOLVED by the Township Committee of the Township of South Hackensack that the following be and are hereby appointed as needed in the administrative offices. The hourly rate set forth in the 2013 Salary Ordinance. Effective March 28, 2014.

Diane Kauffman, 50 Kinzley Street, South Hackensack

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Motion: Cagas

Second: Eckel

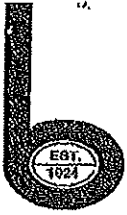
Roll Call Vote: Brugger, Cagas, Eckel, Regan & Stefano

April 3, 2014

ATTEST

Donna L. Gambutti, Township Clerk

Bill Regan, Mayor



BOSWELL McCLAVE ENGINEERING

ENGINEERS ■ SURVEYORS ■ PLANNERS ■ SCIENTISTS

330 Phillips Avenue • P.O. Box 3152 • South Hackensack, N.J. 07608-1722 • (201) 641-0770 • Fax (201) 641-1831

March 20, 2014

RECEIVED

MAR 21 2014

Planning Board
Township of South Hackensack
227 Phillips Avenue
South Hackensack, New Jersey 07606

SOUTH HACKENSACK TOWNSHIP

Attention: Ms. Lydia Heinzelman, Planning Board Secretary

Re: Condemni International Inc.
Site Plan Review
Block 102, Lot 40
71 Saddle River Avenue
Township of South Hackensack
PB #2012-02
Our File No, SHES-285

Dear Members of the Planning Board:

Boswell McClave Engineering (Boswell) is in receipt of copies of the following revised documents relative to the above referenced application:

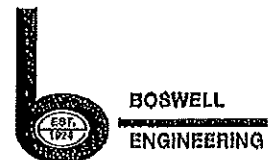
- A. Plans (17 sheets) entitled, "Mixed Use Development Condemni International, 71 Saddle River Ave., Block 102, Lot 40, Township of South Hackensack, Bergen County, NJ," as prepared by Anthony Castillo, P.E. of SESI Consulting Engineers, dated 4/11/12, unless otherwise noted, and consisting of the following:

<u>Sheet No.</u>	<u>Description</u>
SP-6	Existing Condition Plan, revised through 1/14/14
SP-7	Demolition Plan, revised through 1/14/14
SP-8	Grading and Utility Plan, revised through 1/14/14
SP-8A	Utility Plan, revised through 1/14/14
SP-9	Soil Erosion Plan, revised through 1/14/14
SP-10	Details & Notes, revised through 1/14/14
SP-11	Details & Notes, revised through 1/14/14
SP-12	Details & Notes, revised through 1/14/14
SP-13	Details & Notes, revised through 1/14/14
SP-13A	Details & Notes, dated 7/30/12 and revised through 1/14/14
SP-14	Utility Profile, dated 7/9/12 and revised through 1/14/14
SP-15	Utility Profile, dated 7/9/12 and revised through 1/14/14
SP-16	Pavement Level Lighting Plan, dated 7/9/12 and revised through 1/14/14

<u>Sheet No.</u>	<u>Description</u>
SP-16A	6' Above Pavement Lighting Plan, dated 8/1/12 and revised through 1/14/14
SP-17	Full Site Net Fill Analysis, Cross Section Location Plan, dated 7/17/12 and revised through 1/14/14
SP-18	Total Site Cross Sections – Earth Work Summary, dated 7/17/12 and revised through 1/14/14
W-1	Wall Profile and Details, dated 7/5/12 and revised through 1/14/14

- B. Plans (22 sheets) entitled, "Mixed Use (Retail and Residential) Development For Condeimi International Inc., 71 Saddle River Avenue, Lot 40, Block 102, Township of South Hackensack, Bergen County, New Jersey," as prepared by Robert W. Dill, R.A., P.P. of r. w. dill architect and planner, dated 4/11/12, unless otherwise noted, and consisting of the following:

<u>Sheet No.</u>	<u>Description</u>
Sp1	Title Sheet, revised through 1/14/14
Sp1a	Continuation of Front Sheet (<i>new drawing</i>), revised through 1/14/14
Sp1.1	Building Description(s), revised through 1/14/14
Sp1.3	Site Plan Tabulated Areas (<i>new drawing</i>), revised through 1/14/14
Sp2	Site Plan Physical Features, revised through 1/14/14
Sp2.1	Site Plan Horizontal Dimensions, revised through 1/14/14
Sp3	Site Plan Landscaping, revised through 1/14/14
Sp3.1	Landscaping Details, revised through 1/14/14
Sp3.2	Sit Plan Landscaping Beds (<i>new drawing</i>), revised through 1/14/14
Sp4	Site Plan Traffic Control Devices, revised through 1/14/14
Sp5	Details, revised through 1/14/14
Sp5.1	Details, revised through 10/9/12, (<i>deleted from set of original drawings</i>)
A2	Floor Plans Building "A", revised through 1/14/14
A2.1	Floor Plans Building "A", revised through 1/14/14
A2.2	Elevations Building "A", revised through 1/14/14
A2.3	Elevations Building "A", revised through 1/14/14
A3	Floor Plans Building "B", revised through 1/14/14
A3.1	Floor Plans Building "B", revised through 1/14/14
A3.2	Elevations Building "B", revised through 1/14/14
A3.3	Elevations Building "B" revised through 1/14/14
A4	Floor Plans Building "C", revised through 1/14/14
A4.1	Elevations Building "C", revised through 1/14/14
A4.2	Elevations Building "C", revised through 1/14/14



- C. Boundary & Topographic Map for Lot 40 in Block 102, Located in the Township of South Hackensack, Bergen County, New Jersey, as prepared by Juan J. Rodriguez, P.L.S. of Del Norte Land Surveyors LLC, dated 5/30/12 and revised through 7/25/12.
- D. Revised Township of South Hackensack Planning Board Site Plan Application Review Application (Application PB 2012-02), dated July 9, 2012 (submitted with prior submittal).
- E. Payment of Municipal Charges from the Township of South Hackensack Tax Collector, dated March 8, 2012 (submitted with initial submittal).
- F. Traffic Report prepared by John H. Rea, P.E. and Scott T. Kennel of McDonough & Rea Associates, Inc., dated May 7, 2012, including amendment letter and October 15, 2012 letter from McDonough & Rea Associates, Inc. responding to Boswell McClave Engineering's Review Memorandum dated 9/26/12 regarding said impact study.
- G. Stormwater Management Report prepared by SESI Consulting Engineer's, dated January 15, 2014.
- H. Flood Hazard Area Verification Permit (No. 0259-12-0001.1 FHA120001) and Flood Hazard Area Individual Permit (No. 0259-12-0001.1 FHA120002); both with an expiration date of August 6, 2017.
- I. DVD Video Inspection of Saddle River Avenue Sewer from Manhole #5 to Manhole No. 3, along with inspection report performed by National Water Main Cleaning Company, dated 10/10/12.
- J. Sewer Line Inspection drawing Fig. 1, as prepared by SESI, dated 10/12/12.
- K. August 27, 2012 letter from the County of Bergen Department of Planning and Economic Development dated August 27, 2012 regarding "Initial Recommendations."
- L. SESI's September 4, 2012 letter in response to the County of Bergen Department of Planning and Economic Development dated August 27, 2012 regarding "Initial Recommendations."

We have reviewed the above information and offer the following comments:

General:

1. The Applicant/Owner in this matter is:

Condemi International, Inc.
71 Saddle River Avenue
South Hackensack, NJ 07606

The Applicant/Owner shall immediately notify the Township of any change in this information.

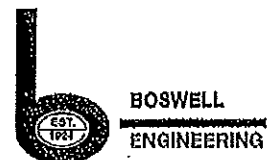
2. The site currently contains the Condemi Motors site; a car sales facility bounded by Saddle River Avenue to the north, Lodi Road to the south and NJ Transit to the west.
3. The Applicant has received approval to remove an existing car sales facility and construct a mixed use development combining residential apartments and retail space. According to Sheet Sp1, the residential and commercial components include the following:

➤ **Building 'A' (4 story):**

- 9,695.14 sf retail on the ground floor (footprint 31,640 sf)
- 16 apartments on floors 2 through 4; totaling 48 apartments
- 27 one (1) bedroom units & 21 two (2) bedroom units
- Commercial Parking Spaces Required: 32.3 spaces
- Residential Parking Spaces Required: 90.6 spaces
- 123 parking spaces required
- 144 parking spaces provided (including 6 handicap spaces) in "Core" (Applicant shall correct possible discrepancy as plans state 139 spaces provided)

➤ **Building 'B' (4 story):**

- 9,695.14 sf retail on the ground floor (footprint 31,640 sf); modified from the original Planning Board approval (refer to Item 7 below)
- 16 apartments on floors 2 through 4 totaling 48 apartments
- 27 one (1) bedroom units & 21 two (2) bedroom units
- Commercial Parking Spaces Required: 32.3 spaces
- Residential Parking Spaces Required: 90.6 spaces
- 123 parking spaces required



- 144 parking spaces provided (including 6 handicap spaces) in "Core" (Applicant shall correct possible discrepancy as plans state 139 spaces provided)

➤ Building 'C' (4 story):

- 9,928.95 sf retail on the ground floor (footprint 10,800 sf); modified from the original Planning Board approval (refer to Item 8 below)
- 15 apartments on floors 2 through 4 totaling 45 apartments
- 21 one (1) bedroom units & 24 two (2) bedroom units (includes 12 one (1) bedroom units with a den for parking calculation)
- Commercial Parking Spaces Required: 33.1 spaces
- Residential Parking Spaces Required: 85.80 spaces
- 119 parking spaces required

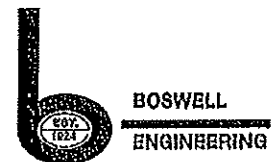
➤ External Parking:

- 93 parking spaces provided (including 4 handicap spaces)

4. The Applicant's Architect has advised Boswell that signage will not be included along with this application. Therefore, this aspect will be deleted from further consideration unless substantiating details and documentation are submitted during the hearings for this office to review.
5. At the last hearing, it was stated through testimony by the Applicant that they received Bergen County Planning Board approval. The Applicant shall resubmit the above referenced drawings to the Bergen County Planning Board (BCPB) for amended Site Plan approval based upon the below-referenced Site Plan changes. A copy of the initial stamped approval drawing from the BCPB should be provided to Boswell as we only received documentation as evidenced in correspondence Items K, and L, above which are only "Initial Recommendations." The Applicant shall provide a copy of the initial signed and sealed approval from the BCPB.

Changes to Plans From Prior Submission:

6. The west side of the development has been changed to include a second court yard with a reconfigured water feature while the parking area has been shifted to the eastern side of the site.
7. The Applicant reduced the retail space area of Building 'B' from 12,527.10 sf to 9,695.14 sf.



8. The Applicant reduced the retail space area of Building 'C' from 10,209.14 sf to 9,928.95 sf.
9. The Applicant increased Maximum Impervious Lot Coverage from 67.5% to 68.5%.
10. The Applicant reduced the proposed total number of parking spaces from 387 to 381 (as depicted on the Bulk Compliance Table) due to the reduction of building area. **The actual number of parking spaces being proposed is 381, not the stipulated 371 and this change shall be corrected on a revised set of drawings.**
11. The first floor elevation of Building 'C' was raised due to flooding issue testimony at the request of the Planning Board. This was depicted on the prior submission to the Planning Board; however, testimony by the Applicant stated that these drawings would be resubmitted to the NJDEP for amended review and approval. *The Applicant shall provide evidence via letter if amended approval was obtained from NJDEP. The current drawings shall be based on the current Base Flood Elevations now in effect.*

Zoning Review (Variances):

12. The Applicant shall amend the "Bulk Compliance Schedule" depicted on Sheet Sp1 to include the below referenced items. The Borough's Planner shall review and comment with regard to the "Bulk Compliance Schedule."

Ordinance Section	Description	Allowable	Provided
§208-63.A.	Min. Lot Area (ac)	3 acres (130,680 sf)	4,803 acres (209,204 sf±)
§208-63.B.	Min. Lot Width (ft)	300 ft	388.96 ft
§208-63.C.	Min Lot Depth (ft)	300 ft	300 ft±
§208-63.D.(1)	Min. Yard Setback from public or internal street or public spaces	10 ft	10 ft
§208-63.D.(2)	Max. Yard Setback from public or internal street or public spaces	20 ft	Bldg. 'A'=10.2 ft Bldg. 'B'=10.2 ft Bldg. 'C'=10.8 ft
§208-63.D.(3)	Min. Yard Setback from a property line located in another zoning district	20 ft	Bldg. 'C'=52.1 ft
§208-63.E.	Max. Impervious Lot Coverage (%)	70%	68.5%
§208-63.F.	Max. Building Coverage (%)	50%	35.4%



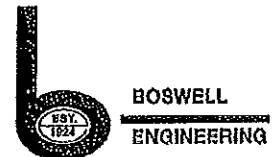
Ordinance Section	Description	Allowable	Provided
§208-63.G.	Max Density	30 units/ac	29.4 units/ac
§208-63.I.	Max. Building Height (mansard, gable, hip and gambrel roofs) ³	4 stories or 55 ft	'A' 58.08 ft (V) 'B' 54.04 ft 'C' 53.58 ft (V)
§208-63.J.	Max. Building Length (side to side)	200 ft	'A' 184' 'B' 184' 'C' 184'
§208-63.K.	Max. Building Length (front to back)	130 ft	'A' 180' (V) 'B' 180' (V) 'C' 60'
§208-63.M.	Building Orientation	Oriented to have frontage on public or internal streets	Yes
§208-63.N(1)	Building Separation	≥ 54.92 ft	≥ 62.9 ft
§208-67.C.	Landscaping	41,840.80 sf (20% of land area)	25.4%
§208-65.(2)	Parking Stall Size	9 ft x 18 ft	9 ft x 18 ft
§208-65.(3)	Aisle Widths	24 ft	24 ft exterior 24'/27' for Bldg's 'A', 'B' & 'C'
§208-65.(4)	Width of Landscaped Islands	4ft	4.5 ft
§208-65.(5)	Parking Area Min. Setback to Rear or Side Property Line	5 ft	6 ft
RSIS & §208-65.(7)(a)	Number of Parking Spaces	365 spaces ¹	381 spaces ¹

Footnote:

¹ The plans state in the Bulk Compliance Schedule that 371 parking spaces are provided, however, Boswell McClave Engineering counts a total of 381. The Applicant shall review this matter and correct this possible discrepancy.

Comments With Regard to Sheet Sp1:

- Refer to Item 12 above and provide required information.



14. Under the heading of parking, the Applicant shall provide the correct information with regard to "Parking Provided," and "(Bldg. 'A' and Bldg. 'B'; both having 144 parking spaces including 6 handicap spaces each)."

Comments With Regard to Sheet Sp1a:

15. The Applicant shall correctly add the 'C District Industrial Zones' that surround the Property in Question on a revised Zone Map.

Comments With Regard to Sheet Sp1.1:

16. The correct number of parking spaces being provided shall be specified and depicted on each floor plan.

Comments With Regard to Sheet Sp2:

17. The Applicant has stated on the drawings (SP-8) all roads and drives pertaining to this application shall be operated and maintained by the Owner(s) of the development and not the Township of South Hackensack.
18. On grade parking spaces number 93 including four (4) Barrier Free Parking Spaces. The Applicant shall coordinate the location of these handicap parking spaces with the Construction Code Official.
19. The Applicant is proposing a total of sixteen (16) Barrier Free Parking Spaces (Refer to Sheet Sp1). According to the ADA Accessibility Guidelines for Buildings and Facilities (ADAAG), the number of Barrier Free Parking spaces required for parking lots between 301 and 400 total parking spaces (381 spaces are now being proposed, down from the previous submission of 387 parking spaces) is eight (8) Accessible Parking Spaces of which one (1) is to be Van accessible and seven (7) are to be just accessible parking. Therefore, the Applicant has satisfied this condition. The Applicant shall coordinate with the Construction Code Official as to which ADA parking space will be Van Accessible.
20. The Applicant shall coordinate with the Construction Code Official with regard to handicap access to all buildings (ADA ramps and drop curbs).
21. All ADA pedestrian facilities constructed on site and within public rights-of-ways or easements must be constructed in accordance with Federal ADA Standards. This includes ramps located at intersections as well as driveways. Compliant Design and Construction Certifications for Pedestrian Facilities within Public Right-of-Ways must be completed and submitted to the Municipal Engineer.



22. **ADA Compliant Construction Certification** must be submitted by the Project Engineer of record and must be submitted to this office with the "As-Built" drawing(s) after the ramp(s) have been inspected.
23. The Applicant shall correct the number of proposed parking spaces depicted in Building's 'A' and 'B'.

Comments With Regard to Sheets Sp3 and Sp3.1:

24. We previously stated in our review letters that a comprehensive sprinkler system is strongly recommended and a note to this effect shall be added to the plans. *The Applicant did not take exception to this item during testimony. However, the note is not on the revised landscaping plans.*

Comments With Regard to Sheet Sp4:

25. As previously requested, the Applicant shall depict the appropriate site triangles/distances at all accesses to the site especially in proximity to Saddle River Avenue and Lodi Road where the October Glory Maples are being proposed.

Comments With Regard to Sheets Sp5:

26. As previously requested, the Township Police Department shall review/comment with regard to the proposed use and location of the Speed Tables.
27. As stated in the South Hackensack Planning Attorney's letter dated August 27, 2013, regarding the design components of the pump station (see attached), the Applicant shall provide the required pump station information as outlined in Boswell McClave's letter dated October 24, 2012.

Comments With Regard to Sheets A2, A2.1, A2.2, A2.3, A3, A3.1, A3.2, A3.3, A4, A4.1 & A4.2:

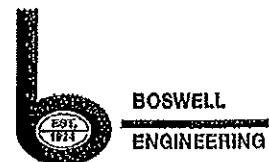
28. In previous reports we recommended a height crash bar be installed with signage stating the maximum height at each entrance to the internal parking areas. A note to this effect shall be placed on the respective drawing and a detail provided.

Comments With Regard to Sheet SP-8 & SP-8A:

29. The Applicant has performed a sanitary sewer/pump station study of the Garfield Park Tributary Area of the Township of South Hackensack (refer to CP Engineers, LLC letter dated September 25, 2012; see attached). Unit flows have been based upon and obtained from N.J.A.C. 7:14 and RSIS. Based upon Boswell's review of the aforementioned letter, we subsequently issued our own letter dated October 24, 2012 (see attached) that requested additional information but has not been provided by the Applicant. Items 2, 3, 7 and 8 of said letter still remain outstanding.
30. Based upon conversations with the DPW Superintendent, the Applicant has provided a concept design drawing for constructing a second floor at the Garfield Park Sewage Pumping Station and moving all equipment and panels to the second floor. As previously requested, the Applicant must first do a structural analysis to determine if the existing walls can handle the additional load of a second floor including the generator along with its vibration. This structural analysis has not been provided to date.
31. The Applicant has obtained a Flood Hazard Area Verification Permit (No. 0259-12-0001.1 FHA120001) and Flood Hazard Area Individual Permit (No. 0259-12-0001.1 FHA120002); both with an expiration date of August 6, 2017. These permits must now be amended (permit modification) due to the grading changes proposed to Building 'C' and additional Site Plan changes contained in this submission.
32. The resolution states that the Applicant is to provide a monetary contribution for off-site improvements to help the Township of South Hackensack off-set their construction and operation and maintenance costs of the sanitary sewer system and pump station to accommodate the sanitary sewage flow component from this development. Once the scope of work has been determined, a construction cost estimate and an O&M estimate will be prepared.
33. Boswell McClave Engineering has received a revised Stormwater Management Report prepared by SBSI Consulting Engineers, dated January 15, 2014. Boswell will provide our comments to this document under separate cover.

No drainage from this site shall affect any adjacent site both during and subsequent to construction. In the event that a drainage problem persists, the Applicant shall remedy the drainage problem at his own cost.

34. It appears that all retaining walls are less than 4 ft in height, however, the Applicant must be made aware that should there be any retaining walls greater than four feet (4 ft) in exposed height, they will require retaining wall stability calculations to be provided by a Professional Engineer licensed in the State of New Jersey, signed and sealed, for the



Municipality's review and approval prior to construction. Top and bottom of the retaining walls at five (5) ft intervals should be provided.

35. The Applicant shall submit a comprehensive water study and pressure test results in order to determine if there is adequate flow and pressure to accommodate this development or will a booster pump be required.
36. The Applicant shall submit these drawings, calculations and pressure test results to United Water and the Township of South Hackensack Fire Department for their review and approval. The Fire Department shall review the proposed locations of all fire hydrants and submit a review letter regarding their comments.
37. The stormwater system proposed for this development shall be operated and maintained by the Owner(s) of the development and not the Township of South Hackensack. A note to this effect has been placed on the plan.
38. The Applicant shall coordinate the entire set of architectural and engineering drawings with regard to the configuration/geometry of the parking area located on the eastern portion of the site as there are discrepancies between the current revised plans.

Comments With Regard to Sheet SP-9:

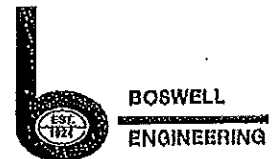
39. The Applicant submitted evidence of filing an Application for Soil Erosion and Sediment Control Plan Certification with the County of Bergen on 4/18/12 and received BCSCD Permit approved on 5/31/12. Since the drawings have been revised, they must be resubmitted to the BCSCD in order to amend the permit and stamped approval drawing shall be submitted to this office for the files.

Comments With Regard to Sheets (SP-10, SP-11, SP-12, SP-13 & SP-13A:

40. The Applicant shall provide at a minimum the following additional details:
 - As previously requested, the Applicant shall submit to this office for review a completed ADA ramp design certification, signed and sealed by a licensed professional engineer.

Comments With Regard to Sheets SP-16:

41. This lighting design in general meets the site lighting design requirements. Therefore, Boswell McClave Engineering takes no exception to site lighting.



HVAC Matters:

42. The Applicant has advised that there will not be any roof top HVAC mechanicals.

General:

43. Since the Applicant has modified the Site Plan, the drawings shall be resubmitted to the Township's Police and Fire Departments regarding emergency vehicular access, site circulation, fire fighting matters including fire lanes. The Applicant shall provide written documentation of the department's approvals.

Summary of Required Jurisdictional Agency Reviews & Approvals, Permits & Certifications:

44. The following is a list of the required reviews to be performed by jurisdictional agencies: * *

- Bergen County Soil Conservation District (permit received dated 5/31/12; to be amended)
- Bergen County Planning Board (refer to correspondence Items K. and L. above.)
- New Jersey Department of Environmental Protection (TWA Permit and Individual Flood Hazard Permit); Flood Hazard Permit already submitted (refer to Item H. above). This permit must be amended/modified with NJDEP due to the site changes and Building 'C' elevation change. Stamped copies of all jurisdictional approval drawings must be submitted to the Township and this office.
- Stormwater Management Review by NJDEP due to this project being classified as a "Major Development"
- Handicap Ramp Design and Construction Inspection Certification for Boswell and the County of Bergen
- A letter from United Water stating that they will provide water to this site with the required amounts and pressures

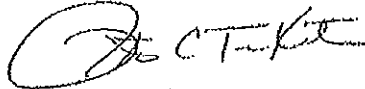
45. The Applicant shall submit copies of all jurisdictional review requests to the Planning Board and this office for our files. *

Township of South Hackensack Planning Board
March 20, 2014
Page 13 of 13

Should you have any questions or require additional information, please do not hesitate to contact me,

Very truly yours, .

BOSWELL McCLAVE ENGINEERING



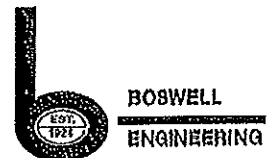
Peter C. Ten Kate, P.E.

EFS/ajf

Enclosures

cc: Ray DeRiso, Zoning Officer
Armand Marini, Construction Code Official
John L. Schettino, Esq.
Township of South Hackensack Fire Department
Township of South Hackensack Police Department
Lawrence J. Paladino, CPWM, Superintendent of Public Works
James P. Mullen, Esq.
Anthony Condemi
Robert W. Dill, RA, PP
Roger Hendrickson, P.E., SESI
Anthony Castillo, P.E., SESI

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CP ENGINEERS, LLC

115 DEMAREST ROAD, SUITE A • SPARTA, N.J. 07871-4405
(973) 300-4003 • fax (973) 300-4003 • www.cpeengineers.com

September 25, 2012

Condem International
22 South Main Street
South Hackensack, New Jersey 07606

C/O Anthony Castillo, P.E., Principal
SESI Consulting Engineers, Inc.
12A Maple Avenue
Pino Brook, New Jersey 07058

Re: Condem International
South Hackensack Sanitary Sewer Pumping Station Hydraulic Analysis

Dear Mr. Castillo:

Pursuant to SESI Consulting Engineers' request for an estimate of the South Hackensack Sanitary Sewer Pumping Station (SHPS) capacity, we have performed a hydraulic calculation based on information provided by SESI, the South Hackensack DPW, and PVSC. This information included; existing flow data, record drawings of the existing Pump Station and six (6) inch DIP force main, pump curves for the two (2) existing 7.5 HP EMU model PA104-249 pumps, and operational pressure data for the existing PVSC 30 inch force main.

Based on the above information we have estimated the SHPS capacity to be approximately 200 gpm at a TDH of 68 feet with one (1) pump in operation and 275 gpm at a TDH of 73 feet with two (2) pumps in operation.

Utilizing a peaking factor of 4.0, this Pump Station is estimated to handle a peak daily wastewater flow of 72,000 GPD with one (1) pump in operation and 99,000 GPD with two (2) pumps in operation.

According to SESI, the proposed development is to consist of; 32,476 square feet (sf) of mixed use commercial space, 69 one bedroom residential units, and 72 two bedroom residential units. To be conservative, we have assumed that 25 percent of the commercial space will be occupied as restaurant use. Therefore, the projected average daily flows from the development are as follows:

Commercial Development (retail office): 24,476sf x 0.1 gpd/sf =	2,448 gpd
Commercial Development (restaurant): 160 seats x 35 gpd/seat =	5,600 gpd
1 Bedroom Residential Units: 69 units x 150 gpd/unit =	10,350 gpd
2 Bedroom Residential Units: 72 units x 225 gpd/unit =	16,200 gpd
Projected Flow	34,598 gpd

Based upon a current average daily flow of 13,000 gpd (as confirmed through PVSC flow meter records), the total projected average daily flow to be conveyed by the Pump Station is 47,598 gpd. This flow is clearly within the capacity of the existing Pumping Station, as calculated above.

Additionally, it is our understanding that the existing Agreement between South Hackensack and PVSC limits the total average daily flow (ADF) to PVSC from this Pump Station to 50,000 GPD. Based on the above, it appears that the total projected average daily flow can be conveyed without the need for renegotiation of the existing South Hackensack/PVSC Agreement.

Condemi International
September 26, 2012
Page 2 of 2



Should you have any questions regarding the above, please do not hesitate to contact me.

Respectfully submitted,

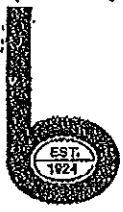
CP Engineers, LLC

~~_____~~
Stephen E. Donati, P.E.
Vice President

Co Dennis J. Karakos, P.E.
Carroll J. Oliva, P.E.

Z:\Condemi Motors\Letters\SES1 SH Pump Sta Capacity 9-25-2012.doc

File



BOSWELL McCLAVE ENGINEERING

ENGINEERS ■ SURVEYORS ■ PLANNERS ■ SCIENTISTS

330 Phillips Avenue • P.O. Box 3162 • South Hackensack, N.J. 07668-1722 • (201) 641-0770 • Fax (201) 641-1631

October 24, 2012

Planning Board
Township of South Hackensack
227 Phillips Avenue
South Hackensack, New Jersey 07606

Attention: Ms. Lydia Heinzelman, Planning Board Secretary

Re: Condem International Inc.
Garfield Park Pump Station Hydraulic Review
Block 102, Lot 40
71 Saddle River Avenue
Township of South Hackensack
PB #2012-02
Our File No. SHES-285

Dear Members of the Planning Board:

Boswell McClave Engineering has just received and reviewed a letter regarding the Garfield Park Sanitary Pump Station Hydraulic Analysis performed by Stephen B. Donati, P.E. of CP Engineers, LLC and dated September 25, 2012. Based on our review of the submitted information, we offer the following comments:

1. The previously requested hydraulic analysis of the gravity sanitary sewer pipe from the point of tie-in from this development to the pump station has not been submitted to this office for review as of this date.
2. A cursory review of the submitted information appears to be in order, however, the Applicant shall provide in the form of appendices to this letter, substantiating documentation of the information presented in the first paragraph of the above referenced letter (see attached) to the Township and this office to review along with the summary analysis presented in said letter.
3. The Applicant shall also provide the performance and system head curves along with the information requested in Item 2. above.
4. The Applicant shall make written reference as to where the unit flows in the attached analysis were obtained. Are these the flows from N.J.A.C. 7:14-23.3? If so, please state the fact.

AC.
will be submitted

will be submitted

Ms. Lydia Heinzelman, Planning Board Secretary
October 24, 2012
Page 2 of 2

anything above the \$10,000 barn will be by the Applicant

5. The 47,598 gpd average daily flow (ADF) is very close the maximum flow allowable of 50,000 gpd per the Township's existing agreement with the PVSC. What type of assurance does the Township have that the Commercial/retail and the Commercial/restaurant mix of the proposed development does not change to affect an increase in flow such as an increase in the Commercial/restaurant use and thus exceed the 50,000 gpd? Nothing to date in the public hearing testimony has been able to tie down the actual uses. This is a very serious concern to the Township and must be dealt with at this time. The Applicant shall provide testimony with regard to this matter.
6. Has any consideration been given to date as per placing a second level onto the existing pump station and moving all the panels and equipment to said level as discussed in meetings with the Township representatives? The Applicant shall provide testimony with regard to this matter.
7. Can the walls of the existing pump station handle the static and dynamic loads of a second floor? The Applicant shall provide testimony with regard to this matter.
8. Will the NJDEP entertain issuing a permit for obstructing flow within the floodway caused by raising the existing pump station building by adding on a second floor? The Applicant shall provide testimony with regard to this matter.

*In process
will be
& asked
to pay*

*NJDEP
would act on*

Boswell McClave Engineering does not have any additional comments at this time regarding this matter; however, we reserve the time to comment at a later date once the requested substantiating is submitted for our review.

Should you have any questions, please call.

Very truly yours,

BOSWELL McCLAVE ENGINEERING

Elliot F. Sachs

Elliot F. Sachs, P.E., BCER, CMB, CPWM
Township Engineer Representative

BFS/s

Enclosure

- cc: Ray DeRiso, Zoning Officer
H. James Riley, Construction Code Official
John L. Schettino, Esq.
Township of South Hackensack Fire Department
Township of South Hackensack Police Department
Lawrence J. Paladino, CPWM, Superintendent of Public Works
James P. Mullen, Esq.
Robert W. Dill, RA, PP
Roger Hendrickson, P.E., SBSI
Anthony Castillo, P.E., SESI
Stephen E. Donati, P.E., CP Engineers, LLC

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BOSWELL
ENGINEERING

LAW OFFICES OF
JOHN L. SCHETTINO, LLC

800 MAIN STREET-STE. 101
HACKENSACK, N.J. 07601
TELEPHONE (201) 498-9768
FACSIMILE (201) 498-9769
Email: jmail@lslegal.com

August 27, 2013.

James P. Mullen, Esq.
222 Mt. Airy Rd., Ste. 210
Basking Ridge, NJ 07920

Re: Condem International, Inc.
71 Saddle River Avenue, South Hackensack

Dear Mr. Mullen:

In response to your letter dated August 21, 2013, please be advised that pursuant to N.J.S.A. 40:55D-42, a Board is permitted to impose certain contributions for off track improvements as a condition of site plan approval provided a municipality has adopted an Ordinance with respect to same. The contribution for the improvements must be deemed necessary as a direct consequence of the development. The off track improvements are limited by the statute to water, sewer, drainage and street improvements. The contributions must be fair and reasonable. Pursuant to Ordinance 208-62 set forth in Art. XII entitled "MII District-Mixed Use II Zone", all developers of property shall bear the cost of any upgrades or improvements required to be made to the waste water conveyance and pumping system, potable water supply system and/or sanitary system.

As you know, the Resolution adopted by the Board on November 29, 2012, set forth several conditions including the following:

(a) 8. The applicant shall comply with all recommendations set forth in all the Township Engineer's review letters.

(b) 17. The applicant shall submit final revised plans for review by the Board Engineer and signature by the Board Chairman.

(c) 19. The applicant shall submit all necessary information to the Township Engineer regarding the capacity of the pump station and the increase in the daily flow.

(d) 20. The applicant shall provide the necessary funds to the Township as determined by the Township Engineer to improve the pump station by raising the roof, constructing a second floor and moving the generator and all electrical equipment, heaters and control panels to the second floor as well as the necessary funds to perform the design, inspection, services and obtain the necessary permits from any and all local, county and state agencies.

The Resolution also specifically provides that the approval is granted based upon the testimony of the applicant, his witnesses, the exhibits and the application submitted to the Planning Board all of which have been relied upon by the Board. Your letter specifically refers to condition no. 20 which is clear and unequivocal in its intent and meaning.

The condition in question relates to the pump station which directly impacts waste water flow for the within development as well as several other properties in the area.

At this point in time, in order to determine the scope and intent of this condition, it is necessary for your client to provide the documentation set forth in the attached letter dated October 24, 2012 from Boswell McClave Engineering pertaining to the pump station. This is necessary to determine whether the calculations and information pertaining to the capacity of the pump station provided by your expert at the hearing are accurate. Once this information has been provided to the Board Engineer for his review and comment, a determination will be made by the Board as to the condition in question. If a hearing is deemed necessary to address this issue, same will be scheduled by the Board thirty (30) days after the requested information is provided to the Engineer.

Additionally, enclosed herein please find a copy of a letter dated October 19, 2012 from Boswell McClave Engineering setting forth the items and information that still must be submitted to the Engineer before the site plan can be approved and permits issued for this project, with the exception of item no. 56 which has been satisfied.