

Township of South Hackensack
Bergen County, New Jersey
August 2, 2007 7:30 P.M.
Worksession Meeting
MINUTES

Gary C. Brugger, MayorPresent
Walter Eckel, Jr., Deputy MayorPresent
James AnzevinoPresent
Gene Roman.....Present
Rosina Romano.....Present

Also present:
David V. Nasta, Esq., Municipal Attorney
Linda LoPiccolo, Municipal Clerk

Call of Meeting to Order

Mayor Brugger called the Regular Meeting to order at 7:30 p.m. He advised that pursuant to the Open Public Meetings Act adequate notice of the meetings had been provided to *The Record*, *The Herald and News* and by posting a notice on the bulletin board in the clerk's office where notices are customarily posted. Everyone saluted the flag. The municipal clerk called the roll.

Correspondence

07/09/07 Block 1.01 Lot 4.14 Norma Phillips R.E.A. Corp., 410 Route 46, Sewer User Appeal 2007 – David Nasta was instructed by the Committee to check the appeal for completeness and report back to the Committee.

7/10/2007 Paul Juliano, Director of Public Works, Auction – The Committee instructed Mr. Roman to check with the DPW whether or not there were any items no longer needed that could be auctioned at Bergen County and report back to the Committee.

07/16/2007 Bergen County, Office of County Counsel RE: 9-1-1 Service – The clerk was instructed to forward the correspondence to Chief Frew for his recommendation and if his recommendation is to approve the Agreement the clerk should prepare the necessary resolution for adoption on August 9, 2007.

07/19/2007 Gregg Padovano, JMC 2007 Second Quarter Report & quote for video conferencing and “language line” – The Committee tabled the matter for further discussion on August 9, 2007.

7/23/07 Victor M. Gardella, Professional Insurance Associates – Recommendation to continue membership in the South Bergen Municipal Joint Insurance Fund – The clerk

was instructed by Mayor Brugger to prepare a resolution for renewal in the SBMJ IF for the August 9, 2007 meeting.

7/30/07 Michael Ward, OEM Coordinator/Dispatcher – Request to be appointed alternate crossing guard – The matter was referred to Chief Frew for his recommendation.

7/20/07 Glen Nicholson, Controller, Safer Development & Management Corp., Block 101 Lot 11.01, 60 Saddle River Avenue, Appeal of Sewer User Charges - Engineer Report dated July 16, 2007 – The matter was tabled for further review and discussion until August 9, 2007.

07/19/07 Anna Lomicky – Resignation as crossing guard effective July 31, 2007 – Eckel motioned; Anzevino seconded and the Committee unanimously agreed to accept the resignation from Anna Lomicky with regret.

07/13/07 Norman Nadasdi, Constable Bergen County – Annual Report and request for reappointment as Constable – Eckel motioned; Brugger seconded and the Committee unanimously agreed to authorize the reappointment of Norman Nadasdi as Constable for a one year term.

7/30/2007 Larry Paladino re: Retrofit Storm Drains – The Committee requested that they be provided with the total number of storm drains that need to be retrofitted.

7/26/2007 NJ State Firemen's Assoc Membership Application – Simon R. Allaria – Brugger motioned; Eckel seconded and the Committee unanimously agreed to accept the NJ State Firemen's Association Membership application from Simon R. Allaria

7/27/2007 Carlo Gioia, 86 Calicooneck Road, B 9 L 13 – new sidewalk application – The Committee approved the sidewalk application filed by Carlo Gioia.

7/30/2007 H. James Riley, Fire Chief re: Recommendation for fire engine purchase – Brugger motioned; Anzevino seconded and the Committee unanimously agreed to accept the recommendation by H. J. Riley regarding the purchase of a new fire engine, and further authorizing the clerk to prepare the necessary resolution authorizing its purchase.

7/30/2007 Larry Paladino Re: Police Department Bathroom – The clerk was asked to contact the NJMC to ask whether or not the renovation of the police bathroom would be an eligible expense under the grant.

6/29/2007 (rec'd 08/01/2007) DEP Compliance Evaluation & Assist Inspection – Brugger motioned; Romano seconded and the Committee unanimously agreed to accept the correspondence and place it in the appropriate file.

Old Business

Agreement with NJHMFA for Administrative Agent, Housing Officer – Nasta reported that he is still working on the matter; it has not yet been resolved.

Agreement with Hackensack for 30 Hoffman Street – Nasta reported that the Agreement has been accepted and adopted by the City of Hackensack and should forward the Agreement shortly.

Flooding – Green Street

Mayor Brugger advised that he attended a meeting that was recently held at the Stony Hill Inn with the state and contractor who will be replacing the Essex Street Bridge that spans Route 17 in Rochelle Park. Since the detour route involves Green Street in South Hackensack, Mayor Brugger brought to those in attendance the flooding problems that continue on Green Street when rain falls. Since the ditch underneath Route 80 is owned by the state, Brugger would like to see them pipe it. Senator Paul Sarlo who works for Sanzari Enterprises referred Mayor Brugger to state DOT officials. Mayor Brugger also reported that Paul Busch, Teterboro Administrator, reports that the storm drains along Green Street have been cleaned out and are completely free from any blockage.

DPW building repairs/renovations – The sidewalk and apron will be replaced beginning next week.

EJIF Audit – Paladino to report w/recommendations. Since the report was not received by Paladino, the matter was tabled until August 9, 2007.

Redevelopment Study Sub-Committee Recommendation – Mayor Brugger, who is on the redevelopment sub-committee, reported that Maser Consulting has prepared an extensive report after meeting with the members of the sub-committee over several months. One area that may be in need of redevelopment or rehabilitation is the Garfield Park section of the Township. The sub-committee is making a recommendation that the planning board become involved in the process. Brugger suggested that a resolution be placed on the agenda for the August 9th meeting.

New Business

Ordinances

Shade Tree Ordinance – Mayor Brugger suggested tabling the matter with no date.

Resolutions

Closed Session

Brugger motioned; Eckel seconded and the Committee unanimously agreed to adopt the closed session resolution

Committee Reports

Walter Eckel – He and Jim Anzevino have completed their interviews with the members of the police department and have prepared a report regarding those interviews. He would like to review it with the Committee prior to its release. Mr. Nasta suggested that Mr. Eckel provide him with the report to review prior to its release to anyone.

Rosina Romano – Would like to see an application for the park and playground to the Open Space Trust Program. Tom Yannetti will meet with Len Gatto from Commerce Risk this week to inspect the park and provide the Committee with a report on its condition.

Jim Anzevino – Reported that Annual Field Day will be held on Saturday, September 8th beginning at 1 p.m., rain date – September 9th. Opening day for soccer is Sunday, September 9th.

Gary Brugger – Reported that he and Rosina Romano attended the recently held TANAAC meeting. Overall flights have increased slightly. The airport has a new management team.

Public Comments

Dolly Montenegro, 57 Phillips Avenue -
Questioned if Allen Party Rentals on Huyler Street is discharging well water into the sanitary sewer and if so are they being charged for it. H. J. Riley, Construction Code Official will research the matter and report to the Township Committee.

Brugger motioned; Eckel seconded and the Committee unanimously agreed to close the meeting for public comments at 8:55 p.m.

Closed Session

Litigation – PBA Grievance, Personnel

Adjournment

Anzevino motioned; Brugger seconded and the Committee unanimously agreed to adjourn the meeting at 10:20 p.m.

Respectfully submitted,

Linda LoPiccolo
Municipal Clerk

Resolution Authorizing Executive Session

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.

X (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.

X (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 August 2, 2007.

Linda LoPiccolo
Township Clerk