

Township of South Hackensack
Bergen County, New Jersey
August 5, 2010 7:30 P.M.
Worksession Meeting
MINUTES

James Anzevino, Mayor.....Present
Walter Eckel, Jr., Deputy MayorPresent
Gary BruggerPresent
Frank CagasPresent
Gregorio Maceri.....Present

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

Call of Meeting to Order

Mayor Anzevino called the Regular Meeting to order at 7:30 p.m. He advised that pursuant to the Open Public Meetings Act Annual Notice of the meetings had been provided to *The Record, the Herald and News* and by posting the Annual 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 & Reports

Anzevino motioned; Maceri seconded and the Committee unanimously agreed to accept and file correspondence dated July 8, 2010, from Jennifer H. Kleinman, Acting Clerk to the Board Re: Freeholder Resolution urging the Federal Home Loan Bank of NY to honor its mission and fund as requested the Grove Street Project in the Township of South Hackensack.

Brugger motioned; Eckel seconded and the Committee unanimously agreed to accept correspondence dated July 18, 2010, from Richard Vanatta, Plumbing Sub-Code Official Re: Request for re-appointment and move the matter to closed session for further discussion.

Anzevino motioned; Eckel seconded and the Committee unanimously agreed to accept and move to New Business correspondence dated July 21, 2010, Danielle Pasquale, Office of the County Counsel, Bergen County Re: Agreement between County of Bergen and Township of South Hackensack 9-1-1 Communication Services.

Brugger motioned; Anzevino seconded and the Committee unanimously agreed to accept and move to New Business correspondence dated July 21, 2010, from Lawrence J. Paladino, Jr. CPWM, Superintendent Re: Bollard for 22 Leuning Street

Old Business

2001 Lexus – Request to Title/Register/Insure

Chief Frew advised the Committee that they could obtain title and auction the vehicle.

CDBG grant application – due October 8th

The Committee suggested asking the school if they would like to submit an application. The clerk suggested that the township submit an application for barrier free improvements to Veterans Park playground.

Vehicle Locator Software -

Chief Frew submitted a proposal to install vehicle locators in 10 police vehicles to the members of the Township Committee for their consideration. Frew received prior approval from the Bergen County Prosecutor's Office to purchase the 10 units, software and first year's fees totaling \$6,500 from confiscated funds. Frew offered to pay the department's 2009 and 2010 MARS maintenance fees from the confiscated funds as well to offset the cost of future vehicle locator software maintenance fees which were expected to be \$2,600 per year. After review of the material submitted and consideration of the expense and its potential benefits, Anzevino motioned; Eckel seconded and the Township Committee unanimously agreed to deny Chief Frew's request to purchase the vehicle locator software for the police department. Mayor Anzevino suggested that the chief consider purchasing a police vehicle, new guns or other equipment that may be needed by the department.

Garfield Park Pump Station Flood-Proofing – Contract Award

The clerk advised that the Township has already spent considerable engineering funds to prepare the bid specifications and bid package for the project. Other than engineering construction, the remaining costs (construction) will be paid with two community development grants and suggested that the Township Committee move forward with the project. The Committee directed the clerk to prepare the necessary resolution of award for adoption on August 12, 2010.

Recycling Contract to expire 12/31/2010

David Nasta was directed to prepare bid package for advertisement for a September bid date. Nasta indicated that he required a technical specification to prepare the bid package. The sub-committee will prepare a specification and forward to Nasta for bid package.

New Business

Maple Grove Cemetery

Walter Eckel reported that dirt is washing down from the Maple Grove cemetery onto Moonachie Road and the properties along Moonachie Road. A wall was constructed along Moonachie Road and complaints are that water flows over the wall washing dirt and debris along with it. Residents complained that there has been a problem for many

years but has recently become much worse. Mr. DeRiso advised that he believes the construction official has contacted the county since Moonachie Road is a county road. Mayor Anzevino asked that the clerk and residents be kept informed of the status of the problem.

Ordinances

Shade Tree Ordinance – Circulated for review

Mayor Anzevino suggested and the other members of the Committee agreed to review the ordinance over the week and advise of any changes or corrections that they would like prior to introduction on August 12, 2010.

Resolutions

Resolution No. 2010-151 Adoption of 2010 Approved Municipal Budget

Offered: Anzevino Second: Eckel

Roll Call Vote: Ayes: Anzevino, Brugger, Cagas, Eckel, Maceri

Mayor Anzevino advised that the adopted budget will increase cost the average home an increase of \$115.00. That increase does not include school and county increases, or the loss of REAP aid. Anzevino indicated that he intended to discuss further cuts with the public works department.

Resolution No. 2010-152 Approval to Submit a Grant Application and Execute a Grant Agreement with the NJDOT for Improvements to Various Street – Philips Avenue, Dyer Avenue and Lincoln Street FY2011 project.

Offered: Brugger Second: Maceri

Roll Call Vote: Ayes: Anzevino, Brugger, Cagas, Eckel, Maceri

Resolution Authorizing Closed Executive Session – August 5, 2010

Offered: Anzevino Second: Brugger

Roll Call Vote: Ayes: Anzevino, Brugger, Cagas, Eckel, Maceri

Committee Reports

Mayor Anzevino reported that the senior housing project is expected to begin its occupancy within the next few weeks and continue through the month of September until it is fully occupied. Move in preference will be given to those occupants who do not need to give 30 days notice.

Mayor Anzevino reminded Chief Frew and others that they can not exceed his budget and that he expected him to reduce overtime. He asked the township attorney to draft a memo that he will circulate to the police and public works departments reminding them that they must stay within their budgets.

Walter Eckel reminded everyone that although the Township Committee made cuts to the school budget and made recommendations where those cuts should be made, the ultimate decision where to cut the school budget lies with the school board.

Frank Cagas – Reported that during a recent severe storm that included rain and high winds, the Township lost 2 trees on Calicooneck Road and 1 in Veterans Park. He would like to see that those trees are replaced and would like to see the township start a tree bank.

Gary Brugger – Reported that the fire truck is expected to be delivered sometime next week. Unfortunately, there was an issue with the power steering that delayed delivery a few more days; however, the repair to the power steering is expected to be complete within a few days.

Gregorio Maceri – Reported that since there were several parents in attendance at the last meeting of the Township Committee complaining that they were confused and not receiving answers to their questions, he sent a letter to the school board advising of the parents concerns and reminding the school board that the Township Committee budget suggestions.

Mayor Anzevino requested that all members of the Committee consider a Volunteer of the Year Award nominee and report back at the next meeting. Anzevino then suggested the appointment of Jamie DiPiazza as a member of the South Hackensack Zoning Board at the next meeting to replace Blasé Coppola who recently retired after serving for many years.

Public Comments

Lonnie Bedell, 51 Grove Street – Advised everyone in attendance that Memorial School's 8th grade class was holding a fundraiser at Rita's on Route 46 and invited everyone to participate to help raise funds for the class.

Closed Session

Anzevino motioned; Eckel seconded and the Committee unanimously agreed to go into closed session at 9:03 p.m.

Minutes were recorded of the closed session matters discussed. Those minutes will be released and available to the public when authorized by the Township Committee and permitted by law.

Anzevino motioned; Maceri seconded and the Committee unanimously agreed to re-open the meeting to the public at 10:10 p.m.

Offered: Brugger

Second: Maceri

Roll Call Vote: Ayes: Anzevino, Brugger, Cagas, Eckel, Maceri

Date: August 5, 2010

Resolution Authorizing Executive Session – August 5, 2010

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.

Nick Ulliana – Non payment of dental premium
PBA Arbitration/Negotiation
Montenegro et al v. TSH
TC Land LLC v. TSH – 19 Empire Blvd. – tax appeal litigation
Huyler Ruta, Inc. v TSH – 600 Huyler Street – tax appeal litigation
Real Property Tax Appeals – Report from Joseph J. Rotolo, Esq.

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.

Angelo Sortino – Non payment of costs
Richard Vanatta – Request for re-appointment, notification of absence

(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 5, 2010.

Linda LoPiccolo
Township Clerk

SECTION 2 - UPON ADOPTION FOR YEAR 2010

RESOLUTION 2010-151

Be It Resolved by the Governing Body of the Township of South Hackensack, County of Bergen that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 5,784,079 (Item 2 below) for municipal purposes, and
- (b) \$ _____ (Item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and,
- (c) \$ _____ (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d) \$ _____ (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy

Anzevin
Brugger
DeGans
Gettel
Nice RA

RECORDED VOTE

Ayes _____

Nays _____

Abstained _____

Absent _____

SUMMARY OF REVENUES

1. General Revenues			
Surplus Anticipated			
Miscellaneous Revenues Anticipated	08-100	\$	573,000
Receipts from Delinquent Taxes	13-099	\$	1,408,456
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)	15-499		
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:	07-190	\$	5,784,079
Item 6, Sheet 42			
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	0-195	\$	
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only	07-191	\$	
4. To Be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:			
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)			
Total Revenues	07-191	\$	
	13-299	\$	7,765,535

SECTION 2 - UPON ADOPTION FOR YEAR 2010

5. GENERAL APPROPRIATIONS			
Within "CAPS"		xxxxxxx	xxxxxxx
(a&b) Operations Including Contingent		xxxxxxx	xxxxxxx
(c) Deferred Charges and Statutory Expenditures - Municipal		34-201	\$ 5,377,039
(g) Cash Deficit		34-209	\$ 868,016
Excluded from "CAPS"		46-885	\$
(a) Operations - Total Operations Excluded from "CAPS"		xxxxxxx	xxxxxxx
(c) Capital Improvements		34-305	\$ 1,133,524
(d) Municipal Debt Service		44-999	\$ 12,850
(e) Deferred Charges - Municipal		45-999	\$ 235,664
(f) Judgements		46-999	\$ 34,801
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)		37-480	\$
(g) Cash Deficit		29-405	\$
(k) For Local District School Purposes		46-885	\$
(m) Reserve for Uncollected Taxes		29-410	\$
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)		50-899	\$ 103,641
		07-195	
Total Appropriations		34-499	\$ 7,765,535

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 5th day of August, 2010. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2010 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 5th day of August, 2010,  Clerk

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