

Township of South Hackensack
Bergen County, New Jersey
October 9, 2008 7:30 P.M.
Regular Meeting
MINUTES

Rosina Romano, MayorPresent
Gene Roman, Deputy MayorPresent
James AnzevinoPresent
Walter Eckel, Jr.Present
Gregorio Maceri.....Present

Also present:

John M. Carbone, Esq., Municipal Attorney
Linda LoPiccolo, Municipal Clerk

Call of Meeting to Order

Mayor Romano called the Regular Meeting to order at 7:30 p.m. She 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 & Reports

Eckel motioned; Maceri seconded and the Committee unanimously accepted the Monthly Department Report – September 2008.

Eckel motioned; Roman seconded to accept correspondence from Robert R. Ceberio, Executive Director, NJMC Re: Notification of grant award of \$26,300 towards revitalization of Huyler Street. Mr. Anzevino abstained.

Maceri motioned; Eckel seconded to accept correspondence from Robert R. Ceberio, Executive Director, NJMC Re: Notification of grant appropriation of \$100,000 for each municipality within the meadowlands district. Applications must be submitted no later than December 5, 2008. Mr. Anzevino abstained.

Old Business

Newspaper (ONP) Recycling Agreement

Anzevino motioned; Eckel seconded to accept report of recommendation regarding recycling Agreement from Mr. Paladino.

4 Hegner Court – Curb Cut Request

Anzevino motioned; Maceri seconded and the Committee unanimously agreed to accept the report from the construction code official and authorize the curb cut at 4 Hegner Court.

Hackensack Mutual Aid Coverage

Walter Eckel reported that he is concerned that Hackensack is no longer responding to calls. He is concerned that town residents may be charged by Hackensack if they respond and that we may be left without coverage. He offered to sit on a sub-committee along with another member of the Committee to sit down with all Chiefs and representatives of Hackensack to discuss this issue. The clerk was asked to contact the Hackensack administrator to arrange a meeting.

Hearing – Entertainment License

Albina Biletska failed to appear for the hearing regarding her entertainment license. Roman motioned; Eckel seconded and the Committee unanimously agreed to revoke the entertainment license and prohibit future issuance of a license for failure to appear for the hearing.

Ordinances

Introduction of and set the date for public hearing

ORDINANCE NO. 2008-10

AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE OPERATION OF A CABLE SYSTEM WITHIN THE TOWNSHIP OF SOUTH HACKENSACK, NEW JERSEY TO CABLEVISION OF OAKLAND, LLC.

Anzevino motioned; Eckel seconded to Introduce Ordinance 2008-10 and set the date for public hearing to be held on November 13, 2008 at 7:30 p.m. Roll Call Vote: Ayes: Anzevino, Eckel, Maceri, Roman, Romano

Introduction of and set the date for public hearing

ORDINANCE NO. 2008-11

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 205 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED "VEHICLES AND TRAFFIC"

Maceri motioned; Roman seconded to Introduce Ordinance 2008-11 and set the date for public hearing to be held on November 13, 2008 at 7:30 p.m. Roll Call Vote: Ayes: Anzevino, Eckel, Maceri, Roman, Romano.

Resolutions

Resolution No. 2008-147 Appointment/Community Development Regional Committee

Offered: Roman

Second: Maceri

Roll Call Vote: Ayes: Anzevino, Eckel, Maceri, Roman, Romano

Anzevino and Eckel voted no

Consent Resolution No. 2008-10

Offered: Anzevino

Second: Maceri

Roll Call Vote: Ayes: Anzevino, Eckel, Maceri, Roman, Romano

Committee Reports

James Anzevino – Objected to his removal as a member of the Township's Community Development Committee, but wished the new members of the committee well. Anzevino would like to see the Township adopt a shade tree ordinance.

Mayor Romano – Reported that the Township is eligible for a \$3,000 grant from the state and suggested that the Township apply for it and use the funds for tree stump removal.

Eckel reported that the senior citizens club would like their floor cleaned.

Gregorio Maceri – Presented 2 letters from the Fire Department; 1 letter addressed the department's difficulty in maneuvering through certain streets because of illegally parked vehicles. Eckel remarked that new signs were to be posted and inquired as to whether or not that had been done.

Romano – Reported that the Township is exploring the possibility of picking up the school's recyclable paper to increase revenue for the town and decrease dumping costs for the school. Greg Maceri and Tom Yannetti will meet with school officials to discuss setting up a procedure.

Regarding the senior housing project, Romano reported that the meeting that was scheduled for last Monday has been postponed until next Thursday. We are waiting for the county to appoint someone to review the matter and prepare a report.

Public Comments

Anzevino motioned; Roman seconded and the Committee unanimously agreed open the meeting for public comments.

Joanne DeGrosa, 51 Grove Street – Questioned if the lease has been signed. Mr. Carbone advised her that the lease was signed over 2 ½ years ago. The issue is that Grove Street Housing has not secured their financing. She then questioned who was responsible for the large hole in the ground at the site. Carbone replied that the developer is responsible for the site.

Angelo Cerbo, Hegner Court – Asked if the developer has/had a deadline. Carbone replied that the developer has had several extensions granted to date. They have submitted 4 different lenders, all have backed out. Currently, PNC bank is a possible lender. The lease was conditioned upon their securing a lender. Mr. Cerbo commented that the project is taking way too long.

Lonnie Bedell, 51 Grove Street – He opposed the Township Committee's handling of a recent contract matter with the department of public works.

Anzevino motioned; Roman seconded and the Committee unanimously agreed to end the public session at 8:07 p.m.

Adjournment

Roman motioned; Maceri seconded and the Committee unanimously agreed to adjourn the meeting at 8:07 p.m.

Respectfully submitted,

Linda LoPiccolo
Municipal Clerk

Consent Resolution No. 2008-10

WHEREAS, the Township Committee of the Township of South Hackensack, has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Township Committee of the Township of South Hackensack is/is not desirous of removing a resolution from the consent agenda,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of South Hackensack that the following resolutions on the Consent Agenda are hereby approved and adopted:

Resolution No. 2008-148 Agreement Between City of Hackensack and the Township of South Hackensack as an Interlocal Service Agreement for the Repaving of Hoffman Street in Both Municipalities

Resolution No. 2008-149 Approve Minutes

Resolution No. 2008-150 Authorize Firefighter Convention Expenses

Resolution No. 2008-151 Authorizing Settlement in the Matters Under PERC Docket Nos. 2007-068 And 2007-203 and Further Authorizing the Execution of All Documentation Necessary to Effectuate the Same

Resolution No. 2008-152 Authorize Developer's Agreement Mahopac Partners, LLC

Resolution No. 2008-153 Appoint Hugh James Riley Construction Code Official

Resolution No. 2008-154 Appoint Hugh James Riley Building Sub-Code Official

Resolution No. 2008-155 Recreation – Appoint Carol Perone Assistant Director

Resolution No. 2008-156 Resolution Authorizing the Contract with Green Sky Industries for the Disposal of Certain Recyclable Materials

Resolution 2008-157 Adopting a form for a Tort Claim Notice for the Township of South Hackensack

Resolution No. 2008-158 Endorse Community Development Grant Application – Garfield Park Sewage Pump Station Flood proofing

Resolution No. 2008-159 Licenses –October 2008

Resolution No. 2008-160 Bills List - \$1,338,335.77

WHEREAS, the City of Hackensack (Hereinafter "Hackensack") and the Township of South Hackensack (Hereinafter "South Hackensack") both municipal entities of the State of New Jersey and are desirous of entering into a Inter-local Services Agreement under the provisions of N.J.S.A. 40:8A-1 for the providing the repaving of Hoffman Street; and,

WHEREAS, the Municipalities desire, therefore, to enter to an Interlocal Services Agreement for the repaving of Hoffman Street between the municipalities and agree that they shall do all acts necessary to effectuate such agreement and to share the costs of repaving and the related undertakings as set forth in the attached agreement (Exhibit "A") and Engineering Proposal of Boswell Engineering dated June 4, 2008 (Exhibit "B"); and,

WHEREAS, pursuant to the Interlocal Services Act, N.J.S.A. 40:8A-1 municipalities within the State of New Jersey are permitted to enter into agreements for the joint provision of services; and,

WHEREAS, a form of Interlocal Services Agreement has been prepared and same has been approved by the attorneys for the Township of South Hackensack and the City of Hackensack; and,

WHEREAS, "Hackensack" through its governing body by a resolution adopted on August 5, 2008, a copy attached as "Exhibit C" has agreed to the terms and conditions hereof; and,

WHEREAS, "South Hackensack" by this action desires to accept the proposals, agreements and approvals and authorize the execution of such agreements.

NOW THEREFORE BE IT RESOLVED, that the Township Committee of South Hackensack approves the terms and understanding of this joint undertaking, adopts the provision of the engineering proposal, directs the Municipal Clerk to seek public bids as soon as possible for the constructions, and the Mayor and Clerk are authorized to execute all necessary and proper documents, agreements and undertakings to carry out this joint agreement and work.

Consent Agenda Resolution 2008-10
Dated: October 9, 2008

Resolution No. 2008-149 Approve Minutes
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BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey that the following minutes be and are hereby approved as submitted.

August 7, 2008 - Worksession
August 14, 2008 - Regular
September 11, 2008 6 pm Special
September 11, 2008 7 pm Special
October 2, 2008 - Worksession

October 9, 2008 – Regular Meeting

Consent Resolution No. 2008-10
Date: October 9, 2008

Resolution No. 2008-150 Authorize Firefighter Convention Expenses

WHEREAS, the Township Committee of the Township of South Hackensack is desirous of supplementing the cost of attendance at the Annual Firefighter Convention held in Wildwood, New Jersey

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey, that all Life Members to the New Jersey State Firemen Association who attend the convention receive a stipend of \$100.00, and

BE IT FURTHER RESOLVED that the Fire Prevention Chief, Fire Chief, and Deputy Fire Chief, who are also Life Members receive an additional stipend in the amount of \$175.00

BE IT FURTHER RESOLVED that reimbursement for expenses will be made providing that following the convention a signed voucher along with a receipt of expenses is submitted to the Treasurer.

Life Members

1. Spadavecchia, Pat
2. Marrella, Michaelangelo
3. Nasta, Michael, Jr.
4. Riley, Hugh J.
5. Cherubini, Michael
6. Garbutt, John
7. DeRiso, Raymond
8. Falato, Leonard
9. Panagia, William
10. Nasta, Michael

Dated: October 9, 2008
Consent Agenda Resolution 2008-10

Resolution No. 2008-151 Authorizing Settlement in the Matters Under PERC Docket Nos. 2007-068 And 2007-203 and Further Authorizing the Execution of All Documentation Necessary to Effectuate the Same

WHEREAS, the Township is currently party to two matters filed with the Public Employment Relations Commission under the above referenced docket numbers; and

WHEREAS, the grieving party has heretofore agreed to withdrawal of the charge under Docket No. 2007-203; and

WHEREAS, the Township Committee has reviewed and approved the attached schedule, made a part hereof, and agrees that a resolution of the charges under Docket No. 2007-068 in accordance with the calculations set forth therein is in the best interest of the township

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that the mayor, municipal clerk and township attorney be and are hereby authorized to take all steps necessary to effectuate the settlement of the above matters in accordance with the financial schedules set forth and attached hereto; and

BE IT FURTHER RESOLVED, that the expenditure of all funds necessary and proper to effectuate said settlement as attached hereto are hereby authorized.

BE IT FURTHER RESOLVED that this is a settlement of an issue for this claim only.

Consent Agenda Resolution No. 2008-10

Date: October 9, 2008

Resolution No. 2008-152 Authorize Developer's Agreement Mahopac Partners, LLC
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Whereas the Planning Board of the Township of South Hackensack has reviewed and granted developmental approvals to Mahopac Partners, LLC for property at 450 Huyler Street, South Hackensack, NJ; and,

Whereas in furtherance of the approvals, conditions, terms, and understandings, a Developer's Agreement was prepared between the Planning Board of the Township of South Hackensack, Mahopac Partners, LLC, and the Township Of South Hackensack embodying the terms and conditions of the developmental approvals, a copy of which is attached hereto; and,

Whereas the Planning Board of the Township of South Hackensack and Mahopac Partners, LLC have executed the attached agreement and found the terms to be necessary, proper and acceptable.

Now therefore be it resolved that the Township Committee of the Township Of South Hackensack does hereby approve and agree to the terms in the attached agreement, and directs and authorizes the Mayor and Municipal Clerk to execute the agreement on behalf of the Township, and provide copies to all parties, the Code and Building Officials and the Township Engineer.

Consent Agenda Resolution 2008-09

Date: October 9, 2008

Resolution No. 2008-153 Appoint Hugh James Riley Construction Code Official

BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey that Hugh James Riley be and is hereby appointed as Construction Code Official of the Township of South Hackensack for a term of four (4) years effective October 1, 2008, whose term shall expire September 30, 2012.

Consent Agenda Resolution 2008-10
Date: October 9, 2008

Resolution No. 2008-154 Appoint Hugh James Riley Building Sub-Code Official

BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey that Hugh James Riley be and is hereby appointed as Building Sub-Code Official of the Township of South Hackensack for a term of four (4) years effective October 1, 2008, whose term shall expire September 30, 2012.

Consent Agenda Resolution 2008-101
Date: October 9, 2008

Resolution No. 2008-155 Recreation – Appoint Carol Perone Assistant Director

BE IT RESOLVED by the Township Committee of the Township of South Hackensack that Carol Perone be and she is hereby appointed as Assistant Recreation Director effective October 1, 2008 to fill her unexpired term that was vacated as a result of her retirement effective September 1, 2008, whose term shall expire December 31, 2008.

Consent Agenda Resolution 2008-09
Date: October 9, 2008

Resolution No. 2008-156 Resolution Authorizing the Contract with Green Sky Industries for the Disposal of Certain Recyclable Materials

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

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

WHEREAS proposals were received from the following vendors:

- Green Sky Industries, 42 Chestnut Street, Clifton, NJ
- Joseph Damato Paperstock, LLC, t/a Greenstar, 59-85 Florida Avenue, Paterson, NJ

WHEREAS those proposals were evaluated by the South Hackensack Department of Public Works and a recommendation made in a memo dated October 7, 2008,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack that the Mayor and Township Clerk be and are hereby authorized and directed to execute an appropriate agreement with Green Sky Industries, 42 Chestnut Street, Clifton, NJ, for the disposal and the accounting in accordance with law of the aforesaid materials collected by the Department of Public Works as a result of the Recycling Program of this Township, which contract shall be for a period of five (5) years, the maximum permitted under N.J.S.A. 40A: 11-15(3), in consideration of the payment, for the aforesaid recyclable paper of a floor price of \$80.00 per ton base price or 120% of the high quote for grade number 6 paper as determined in the "yellow sheet" for the New York market if higher than the base, and for the aforesaid plastic and glass, \$20.00 per ton. Said contract shall be all in accordance with the terms and conditions to be approved by the Township Clerk and in such form as may be hereafter approved by the Township Attorney.

Consent Agenda Resolution 2008-10

Dated: October 9, 2008

<p>Resolution 2008-157 Adopting a form for a Tort Claim Notice for the Township of South Hackensack</p>
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WHEREAS, the Township of South Hackensack has determined it is necessary and proper to adopt the attached official "Notice of Tort Claim" form; and,

WHEREAS, the Township of South Hackensack has further determined and declared that this "Notice of Tort Claim" form shall be used by any person or entity wishing to make, file or perfect a claim against the Township of South Hackensack under the New Jersey Tort Claim Act; and,

WHEREAS, a claim will not be considered filed, received or perfected as required by the New Jersey Tort Claims Act until the adopted Notice of Claim form is completed in full and in writing, and filed with the Township Clerk the Township of South Hackensack.

NOW, THEREFORE, BE IT RESOLVED that the Township of South Hackensack Township Committee does hereby adopt the Notice of Tort Claim form as the official and only permissible form to be used therein; and,

It is further resolved that this resolution and a copy of this Notice of Tort Claim be posted and made available on the website of the municipality and provided to any person requesting a copy.

Consent Agenda Resolution 2008-10
Date: October 9, 2008

**Resolution No. 2008-158 Endorse Community Development Grant Application –
Garfield Park Sewage Pump Station Flood proofing**

WHEREAS a Bergen County Community Development Grant in the amount of \$110,467 has been proposed by the Township Committee of the Township of South Hackensack for the Garfield Park Sewage Pump Station Floodproofing, in the municipality of the Township of South Hackensack, New Jersey, and

WHEREAS pursuant to the State Interlocal Services Act, Community Development Funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS the aforesaid project is in the best interest of the people of the Township of South Hackensack and the County of Bergen; and

WHEREAS this Resolution does not obligate the financial resources of the Municipality and is intended solely to expedite expenditure of the aforesaid Community Development Funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of South Hackensack hereby confirm endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

Consent Agenda Resolution 2008-10
October 9, 2008

Resolution No. 2008-159 Licenses –October 2008

WHEREAS, The following have made applications and paid a fee for various licenses, and

WHEREAS, the Township Committee has no exception to the issuance of these licenses,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that the following licenses by and are hereby approved unless noted and with conditions as noted.

General Licenses

<u>Received</u>	<u>Business Name</u>	<u>License No.</u>	<u>Fee</u>
09/26/08	Bob Esposito	3726	5.00
10/02/08	Ralph Parent	3727	5.00

Consent Agenda Resolution No. 2008-10
Date: October 9, 2008

**Resolution No. 2008 – 161 Redemption of Tax Sale Certificate No. 07-00005(Tax)-
1 Wilson Street**

WHEREAS, Indy Mac Bank (Chase), mortgagee of the property at 1 Wilson Street, commonly known as Block 39 Lot 5 has provided the moneys for redemption of Tax Sale Certificate No. 07-00005,

WHEREAS, the lienholder, US Bank-Cust/Sass Muni V dtr has agreed to this redemption amount,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack, County of Bergen that the redemption moneys of \$4815.95 be paid to US Bank-Cust/Sass Muni V dtr – 2 Liberty Place – 50 South 16th Street Suite 1950-Philadelphia, PA 19102.

Consent Agenda Resolution No. 2008-10
Date: October 9, 2008

Resolution No. 2008-162 Change Order Vreeland Avenue

WHEREAS the Township's Engineer has transmitted Change Order No. 2 in the amount of \$(8,650.65) to rectify quantities with regard to Improvements to Vreeland Avenue,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey that Change Order No. 2 for Improvements to Vreeland Avenue in the net amount of \$(8,650.65), attached hereto and made a part hereof, be and is hereby approved.

BE IT FURTHER RESOLVED that the Mayor be and is hereby authorized and directed to execute the change order on behalf of the Township of South Hackensack.

Consent Agenda Resolution 2008-10
Date: October 9, 2008

NEW JERSEY DEPARTMENT OF TRANSPORTATION

STATE AID PROJECTS

CHANGE ORDER NUMBER - 2

Division of Local Aid and Economic Development

RECEIVED

SEP 22 2008

SOUTH HACKENSACK
MUNICIPAL CLERK

Project Improvements to Vreeland Avenue Section 2
And Vreeland Avenue

Municipality Township of South Hackensack and City of Hackensack

County Bergen County

Contractor 4 Clean Up

In accordance with the project Supplementary Specification, the following are changes in the contract.
 Location and Reason for Change (Attach additional sheets if required).

Within Project Limits
 As-Built Quantities

Item No.	Description	Quantity (+/-)	Unit Price	Amount
7	Milling, 2" Variable Depth	-348.00	\$4.00	-\$1,392.00
8	Superpave HMA 12.5M64	-3.00	\$74.00	-\$222.00
9	Bicycle Safe Grates	-3.00	\$250.00	-\$750.00
10	Reset Castings	-7.00	\$100.00	-\$700.00
12	9x20 Concrete Vertical Curb	-5.00	\$27.00	-\$135.00
14	Concrete Sidewalk 4" Thick	-50.00	\$50.00	-\$2,500.00
17	HMA Driveway 6" Thick	-35.00	\$17.00	-\$595.00
6A	Remove and Replace Roadway Base	-100.00	\$20.00	-\$2,000.00
7A	Milling, 2" Variable Depth	-445.00	\$4.00	-\$1,780.00
8A	Superpave HMA 12.5M64	-160.00	\$74.00	-\$11,840.00
10A	Reset Castings	-2.00	\$100.00	-\$200.00
12A	9x20 Concrete Vertical Curb	-37.00	\$27.00	-\$999.00
15A	Concrete Sidewalk 6" Thick	-30.00	\$53.00	-\$1,590.00
16A	Concrete Driveway 6" Thick	-14.00	\$53.00	-\$742.00
13A	9x18 Concrete Vertical Curb	58.00	\$26.00	\$1,508.00
14A	Concrete Sidewalk 4" Thick	75.00	\$50.00	\$3,750.00
20S	Asphalt Price Adjustment	1	11544	\$11,544.00

Amount of Original Contract \$278,686.50

Adjusted Amount Based on -\$494.00

Change Order No.1 & 2 -\$8,643.00

\$269,549.50

% Change in Contract
 [(+) Increase or (-) Decrease] -4%

Extra \$5,258.00

Supplemental \$11,544.00

Reduction -\$25,445.00

Total Change -\$8,643.00

Approved: _____

(Engineer)

(Date)

(Presiding Officer)

(Date)

(Contractor)

(Date)

(District Manager)
 (Division of Local Aid and
 Economic Development)

(Date)