

Township of South Hackensack  
Bergen County, New Jersey  
October 11, 2007 7:30 P.M.  
Regular Meeting  
MINUTES

Gary C. Brugger, Mayor .....Present  
Walter Eckel, Jr., Deputy Mayor .....Present  
James Anzevino .....Present (7:40 p.m.)  
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 & Reports

Eckel motioned; Brugger seconded and the Committee unanimously agreed to accept the General Correspondence for September 2007 and file it in the appropriate file.

Brugger motioned; Eckel seconded and the Committee unanimously agreed to accept and approve application submitted by William G. Regan to become a member of the South Hackensack Fire Department.

Brugger motioned; Romano seconded and the Committee unanimously agreed to accept and approve application submitted by Pietro Maio to become a member of the South Hackensack Fire Department.

Brugger motioned; Eckel seconded and the Committee unanimously approved application submitted by Simon Allaria for a Blue Light Permit.

Eckel motioned; Romano seconded and the Committee unanimously agreed to accept with regret resignation as a part time dispatcher from Anthony Savino.

Petition – Agar Place residents request to change Agar Place to a one-way street  
Monthly department reports for September 2007

## Old Business

Brugger motioned; Romano seconded and the Committee unanimously approved an Application submitted by Ralph Zisa to install pavers in between the sidewalks and curb at 235-239 Huyler Street.

## Ordinances

Brugger motioned; Eckel seconded and the Committee unanimously agreed to open the public hearing on Ordinance 2007-11.

Brugger motioned; Eckel seconded and the Committee unanimously agreed to close the public hearing on Ordinance 2007-11.

Eckel motioned; Romano seconded to adopt Ordinance 2007-11 and advertise its adoption as prescribed by law. Roll Call Vote: Ayes: Anzevino, Eckel, Roman, Romano, Brugger.

### ORDINANCE NO. 2007-11

AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE I OF CHAPTER 189 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED "STREETS AND SIDEWALKS"

Eckel motioned; Brugger seconded to Introduce Ordinance 2007-12 and set the date for public hearing on November 8, 2008 at 7:30 p.m. Roll Call Vote: Ayes: Anzevino, Eckel, Roman, Romano, Brugger

### ORDINANCE NO. 2007-12

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED "FEES"

## Resolutions

Consent Resolution No. 2007-10

Offered: Brugger

Second: Eckel

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

Resolution No. 2007-172 Authorize Interlocal Agreement By and Between the Township of South Hackensack and the City of Hackensack

Offered: Brugger

Second: Anzevino

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

Resolution No. 2007-173 Authorize Convention Expenses – 92nd Annual New Jersey State League of Municipalities Convention

Offered: Brugger

Second: Eckel

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

## Committee Reports

Rosina Romano reported that she enjoyed attending the fire department memorial services that were held on October 7, 2007. She thanked those members of the police and public works who responded to her father when he recently became ill and was transported to Hackensack University Medical Center.

Jim Anzevino reminded all seniors to fill out the application for property tax relief reimbursement.

Mayor Brugger welcomed the new firefighters who recently joined the department.

## Public Comments

Danielle Monteleone, 30 Agar Place – Requested that the Township Committee change Agar Place from a two-way street to a one-way street. She presented them with a petition signed by residents of Agar Place. The Committee referred the matter to the police department for their recommendation.

Chief Frew – Requested that the Township Committee consider an increase for the crossing guards in next year's budget and an increase for the dispatchers when they work holidays.

Lonnie Bedell, 51 Grove Street – Advised the Committee that he has been attending the NJMC meetings and questioned if the entire township was under their jurisdiction. He was advised that only the Moonachie section falls within the jurisdiction of the NJMC. He further reported that he was invited and attended a ground breaking ceremony in Cliffside Park that he enjoyed very much.

Craig Green, 34 Agar Place – Commended Chief Frew for his command of the police department. Mr. Green supported the request to change the traffic direction of Agar Place from a one-way to a two-way street.

Dolly Montenegro, 57 Phillips Avenue – Requested that the Township Committee consider re-establishing an Industrial Commission. Regarding the recent construction of a home on Hegner Court, Mrs. Montenegro questioned why there was no follow-up with the driveway opening.

## Closed Session

Brugger motioned; Eckel seconded and the Committee unanimously agreed to go into closed executive session at 8:25 p.m.

Eckel motioned; Brugger seconded and the Committee unanimously agreed to return to open session at 9:22 p.m.

## Adjournment

Eckel motioned; Brugger seconded and the Committee unanimously agreed to adjourn the meeting at 9:25 p.m.

Respectfully submitted,

Linda LoPiccolo  
Municipal Clerk

**Consent Resolution No. 2007-10**

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. 2007-167 Authorizing Executive Session**

**Resolution No. 2007-168 Licenses –October, 2007**

**Resolution No. 2007-169 Endorse Community Development Grant Application – Public Facilities & Improvements**

**Resolution No. 2007-170 Endorse Community Development Grant Application – Barrier Free Sidewalks & Ramps, Memorial School**

**Resolution No. 2007-171 Endorse Community Development Grant Application – Hoffman Street Resurfacing**

**Resolution No. 2007-174 Bills 1,328,523.50**

Offered: Brugger

Second: Eckel

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

Date: October 11, 2007

**Resolution No. 2007-167 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 require in order for the attorney to exercise his ethical duties as a lawyer. **Local 11 Grievance, Lighthouse Restaurant Services**

\_\_\_\_(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 October 11, 2007.

Linda LoPiccolo  
Township Clerk

**Resolution No. 2007-168 Licenses –October, 2007**

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:

Received	Business Name	License No.	Fee
09/19/07	Robin Tarallo	3615	\$5.00
09/24/07	Express Furniture	3616	\$100.00
10/03/07	Thrift Merch LLC	3617	\$100.00
10/09/07	Luis Perdomo	3618	\$5.00

Consent Agenda Resolution No. 2007-10  
Date: October 11, 2007

**Resolution No. 2007-169 Endorse Community Development Grant Application – Public Facilities & Improvements**

WHEREAS a Bergen County Community Development Grant in the amount of \$170,500.00 has been proposed by the Township Committee of the Township of South Hackensack, 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 2007-10  
October 11, 2007

<b>Resolution No. 2007-170 Endorse Community Development Grant Application – Barrier Free Sidewalks &amp; Ramps, Memorial School</b>
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WHEREAS a Bergen County Community Development Grant in the amount of \$ 86,000 has been proposed by the Township Committee of the Township of South Hackensack, for Barrier Free Sidewalks & Ramps, Memorial School 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 2007-10  
October 11, 2007

<b>Resolution No. 2007-171 Endorse Community Development Grant Application – Hoffman Street Resurfacing</b>
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WHEREAS a Bergen County Community Development Grant in the amount of \$ 53,000 has been proposed by the Township Committee of the Township of South Hackensack, for Hoffman Street Resurfacing 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 2007-10  
October 11, 2007

**Resolution No. 2007-172 Authorize Interlocal Agreement By and Between the Township of South Hackensack and the City of Hackensack**

WHEREAS the Township of South Hackensack is desirous of entering into an Interlocal Agreement with the City of Hackensack for the storage of salt for the coming winter season; and

WHEREAS the City of Hackensack has the facilities to store road salt at its present location in Hackensack; and

WHEREAS in the spirit of cooperation, the City of Hackensack is willing to provide space at its current facility to store road salt for the Township of South Hackensack; and

WHEREAS the Township of South Hackensack will pay to the City of Hackensack an annual fee of \$1,000 to defray the administrative costs associated with the salt storage,

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 to execute an Agreement and other documents acceptable to the township attorney in accordance with the terms set forth therein.

Offered: Brugger  
Roll Call Vote: Ayes: Anzevino, Eckel, Roman, Romano, And Brugger  
Date: October 11, 2007

**Resolution No. 2007-173 Authorize Convention Expenses – 92nd Annual New Jersey State League of Municipalities Convention**

WHEREAS the Annual New Jersey State League of Municipalities Convention will be held in Atlantic City, New Jersey, Tuesday, November 13, 2007 through Friday, November 16, 2007, and

WHEREAS the Township Committee of the Township of South Hackensack is desirous of authorizing certain township officials to attend the convention and provide for the funding for those officials

NOW, THEREFORE, BE IT RESOLVED that the following Township officials are hereby authorized to attend the annual League of Municipalities Convention:

1. Township Committee (5)
2. Police Chief
3. Deputy Municipal Clerk or Deputy Clerk
4. Tax Assessor
5. Fire Prevention Chief
6. D.P.W Superintendent
7. Zoning Officer or Construction Official
8. Emergency Manager

BE IT FURTHER RESOLVED that the following limits and terms of the convention shall be as follows:

1. Time off with pay shall not exceed two (2) work days;
2. Proof of attendance at no less than one League of Municipalities seminar each day is required;
3. Hotel accommodations provided by the Township shall not exceed two (2) nights;
4. Hotel accommodations provided by the Township or reimbursed to an employee shall not exceed 145.00 per night, inclusive of all taxes and fees;
5. Reimbursement of meal and travel expenses shall not exceed \$100 per day, maximum of \$200;
6. Convention registration fee not to exceed \$45.00 shall be paid by the municipality or reimbursed to attendees upon submission of a valid receipt;
7. Reimbursement of expenses shall be paid after submission of receipts to the Municipal Clerk
8. All cancellations and/or room changes must be reported to the Municipal Clerk no later than October 15, 2007.
9. Any charges incurred by the municipality as a result of late cancellations will be the responsibility of the employee/official

Offered: Brugger

Second: Eckel

Roll Call Vote: Ayes: Anzevino, Eckel, Roman, Romano, And Brugger

Date: October 11, 2007