

Township of South Hackensack
Bergen County, New Jersey
February 9, 2017 7:00PM
Regular Meeting
AGENDA

Frank Cagas, Mayor
Gary C. Brugger
Walter Eckel, Jr.
Yris Encarnacion
William Regan

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

Call of Meeting to Order~

Flag Salute~

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.

Roll Call~

Correspondence ~

- ❑ Correspondence & Reports January 2016
- ❑ Bergen County Utilities Authority, January 30, 2017- BCUA Solid Waste Cooperative Marketing Program
- ❑ Boswell Engineering, February 6, 2017- Slack Environmental Services Billing for 77 Franklin Street- AKA- South Hackensack DPW
- ❑ Neglia Engineering Associates, February 6, 2017- Agreement for Professional Services- Proposal for Area in Need of Redevelopment Investigation of Certain Block & Lots

Old Business~

- ❑ Wesley/Green Street Improvements- Bid Date- Tuesday, February 28th at 11:00AM

- ❑ Street Sweeping Ordinance Update- *Report by Mayor Cagas*
- ❑ Sidewalk/Tree Project
- ❑ Authorize Township Clerk & Mayor to Sign Contract for JG Drywall- CDBG Senior Center Project
- ❑ Slack Environmental Services Billing for 77 Grove Street- *Forward to Mary Ellen Lyons, CPWM for Review*
- ❑ Agreement for Professional Services- Neglia Engineering

New Business~

- ❑ Bergen County Right of Away Agreement~ Verizon Wireless
- ❑ BCUA Solid Waste Agreement- Current Agreement Expires on May 31, 2017
- ❑ Authorize Township Attorney to Prepare Garbage & Recycling Bid Specs
- ❑ Appoint Frank Cagas as Police Commissioner

Ordinances~ Introduction-

- ❑ **ORDINANCE NO. 2017-01- Introduction, Public Hearing March 9, 2017 at 7:30PM**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 155 OF THE CODE OF SOUTH HACKENSACK ENTILED”PARKING”

By: _____ 2nd: _____ RC: _____

- ❑ **ORDINANCE NO. 2017-02- Introduction, Public Hearing March 9, 2017 at 7:30PM**

AN ORDINANCE TO AMEND AND SUPPLEMENT AND ADD CHAPTER 221 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK TO ADOPT REGULATIONS APPLICABLE TO GREASE TRAPS

By: _____ 2nd: _____ RC: _____

- ❑ **ORDINANCE NO. 2017-03- Introduction, Public Hearing March 9, 2017 at 7:30PM**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 46 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED “PERSONNEL POLICIES

By:

2nd:

RC:

Ordinances~ Adoption- N/A

Resolutions~

- Closed Executive Session Resolution
- Consent Agenda 2017-02
- Resolution No. 2017-078- Appoint Frank Cagas as Police Commissioner for 2017

Roll Call Vote

By:

2nd:

RC:

Mayor's Report~

Committee Reports~

Public Comments~

Adjournment~

.....

Resolution Authorizing Executive Session February 9, 2017
--

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 required 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.

Personnel

 (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 February 9, 2017.

.....

Consent Resolution 2017-02

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 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. 2017-068 – Payment of Bills February 2017

Resolution No. 2017-069 – January 2017 License Report

Resolution No. 2017-070 – Approval of Township Minutes

Resolution No. 2017-071- Award of Contract for 2015 CDBG to JD Drywall

Resolution No. 2017-072- Arbor Day Proclamation 2017

Resolution No. 2017-073- Authorize Agreement with Acacia Financial

Resolution No. 2017-074- Consent & Agreement for Municipal Court Administrator

Resolution No. 2017-075- Tax Appeal- Naturex, Inc 379 Huyler Street, Block 29 Lot 1

Resolution No. 2017-076- Waive Sewer Fees for Block 19, Lot 11- 356 Chestnut Avenue

Resolution No. 2017-077- Authorize Purchase of 2 Police Vehicles from Winner Ford

Motion:

Second:

February 9, 2017

ATTEST:

APPROVED:

Donna L. Gambutti, Township Clerk

Frank Cagas, Mayor

.....

Resolution No. 2017-068- Payment of Bills- February 2017 **

Resolution No. 2017 – 069 Licenses – January 2017

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</u>	<u>License #</u>	<u>Fee</u>	<u>Type</u>
01/03/17	Luxe Nails	4575	\$ 100	General Merchandise
01/12/17	Noches De Cololumbia	4576	125	Restaurant

TOTAL: \$ 225

FIRE PERMITS

<u>Received</u>	<u>Business</u>	<u>License #</u>	<u>Fee</u>
-----------------	-----------------	------------------	------------

TOTAL FIRE: \$ 0

GRAND TOTAL ALL LICENSES/PERMITS: \$ 225

Consent Agenda Resolution No. 2017-02

Date: February 9, 2017

Resolution No. 2017- 070 Approval of Township Minutes

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.

September 1 & 8, 2016

Consent Resolution No. 2017-02

February 9, 2017

RESOLUTION NO. 2017-071 AWARDING J D DRYWALL LLC A CONTRACT FOR IMPROVEMENTS TO THE SENIOR CENTER FOR THE 2015 CDBG AUDIO VIDEO SYSTEM AND CEILING PROJECT

WHEREAS, the Township Committee determined that the South Hackensack Senior Center is in need of improvements to the ceiling tiles and along with that an upgrade to the audio/video system ; and

WHEREAS, the Township Committee authorized Neglia Engineering to prepare specification for said work and the Engineer solicited for quotes for said work which were to be completed and returned on December 19, 2016 by 5 p.m. and

WHEREAS, quotes would be acceptable because the project is under the bid threshold since South Hackensack has a Qualified Purchasing Agent (Chris Eilert), and

WHEREAS, the Township Committee has reviewed the submitted quotes and has determined with the advice of the Township Engineer and Township Attorney that J D Drywall is qualified and compliant with the terms of the scope of work and that it submitted the lowest responsible quote for said service,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that the aforementioned work is awarded to J D Drywall based upon their quote of \$19,850 and that the Mayor and Township Clerk are hereby authorized to execute a contract for the same.

Consent Agenda Resolution 2017-02

Date: February 9, 2017

Resolution No. 2017-072 ARBOR DAY PROCLAMATION 2017
--

Whereas In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas the holiday, called ARBOR DAY, was first observed with the planting of more than a million trees in Nebraska, and

Whereas ARBOR DAY is now observed throughout the nation and the world, and

Whereas trees can reduce the erosion of our specious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

Whereas trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

Whereas trees in our township increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas trees, wherever they are planted, are a source of joy and spiritual renewal,

NOW, THEREFORE, BE IT PROCLAIMED by the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey that the Township Committee does hereby proclaim **April 28th as ARBOR DAY** In the Township of South Hackensack, New Jersey, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and Further, I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

Consent Agenda Resolution No. 2017-02

Date: February 9, 2017

Resolution No. 2017-073

South Hackensack Township to enter into an AGREEMENT covering CONTINUING DISCLOSURE AGENT SERVICES and appointment as INDEPENDENT REGISTERED MUNICIPAL ADVISOR “of record”

THIS AGREEMENT, made and entered into as of the 1st day of January 2017 (“Agreement”) by and between the **South Hackensack Township, 227 Phillips Avenue, South Hackensack, NJ 07606-1600** (hereinafter referred to as the “Bond Issuer”), and Acacia Financial Group (“Acacia”), 601 Route 73 North, Suite 206, Marlton, NJ 08053.

WITNESSETH:

WHEREAS, the Bond Issuer has heretofore agreed through the execution of Continuing Disclosure Agreements (“CDAs”) in connection with one or more bond issuances to provide certain financial and other information and notices, within specified timeframes, in a manner prescribed by the regulators of the underwriter that purchased said bond issues; and

WHEREAS, but for the execution of the CDAs, the underwriter of such bonds would be prohibited from purchasing the bonds of the Bond Issuer; and

WHEREAS, in order to ascertain its compliance with various CDAs executed in conjunction with the issuance of bonds, the Bond Issuer must identify the requirements stipulated in those various CDAs and compare those requirements with its filings and correct any deficiencies; and

WHEREAS, new rules and regulations promulgated by the Securities and Exchange Commission (“SEC”) restrict the provision of advice concerning the issuance of municipal debt to those that are appropriately registered with SEC; and

WHEREAS, it is beneficial to retain the assistance of appropriately registered experts in the field of municipal bond finance, with knowledge and experience in these matters, to assist in assuring compliance with CDAs and to stand ready to provide advice as needed with the issuance of municipal debt as Municipal Advisor of Record; and

WHEREAS, Acacia provides such continuing disclosure services and is an independent registered municipal advisor under SEC regulations and has heretofore been appointed by the Bond Issuer to provide the same until the expiration of this Agreement, as defined in Section 3 herein; and

WHEREAS, the parties desire to set forth herein the terms and conditions under which Acacia will provide such services to the Bond Issuer.

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

Section 1. Acacia will perform, inter alia, the tasks as described in the Scope of Services summarized in its submission attached hereto and made a part hereof.

Section 2. The Bond Issuer will compensate Acacia for services provided in

accordance with this agreement, as more particularly set forth below:

Continuing Disclosure Agent Service:

\$950 – All-inclusive fee (for up to three (3) outstanding issues), plus \$100 for each additional outstanding issue, if any, for which filings may be required.

Independent Registered Municipal Advisor of Record

There is **no fee** charged by Acacia for being designated as your Independent Registered Municipal Advisor (IRMA). As your IRMA, we will be available to answer general questions concerning outstanding debt issues, market conditions, preliminarily review financing proposals, or prepare preliminary project analyses.

A separate addendum to this Agreement will be provided for your acknowledgement, if you choose to have Acacia involved in a debt issuance or to undertake an in-depth evaluation of a proposal or project, perform a consultant service, or assist with rating agency surveillance. Our goal is to be available to you and to add value when you need our expertise.

Section 3. This Resolution, as to the Continuing Disclosure Agent and Independent Registered Municipal Advisor of record, shall be in effect through the Bond Issuer’s fiscal year-end and is subject to annual reappointment.

Section 4. Either party terminate upon giving thirty (30) days prior written notice.

Consent Agenda 2017-02
February 9, 2017

<p style="text-align:center">Resolution No. 2017-074 CONSENT AND AGREEMENT TO THE EXECUTION OF AN ORDER OF PROVISIONAL AUTHORIZATION AND DESIGNATION OF AN ACTING MUNICIPAL COURT ADMINISTRATOR BETWEEN THE MUNICIPALITY OF SOUTH HACKENSACK AND THE MUNICIPALITY OF CITY OF HACKENSACK</p>

WHEREAS, Pursuant to N.J.S.A. 2B:12-10 the Municipality of South Hackensack and the Municipality of Hackensack are required to provide for a Municipal Court Administrator; and

WHEREAS, Pursuant to N.J.S.A. 40A:65-1 et. Seq., any municipality of the State of New Jersey may contract with any other municipality or municipalities to share services that any party to the agreement is empowered to provide within its own jurisdiction; and

WHEREAS, in accordance with N.J.S.A. 2B:12-1(c) the Municipality of South Hackensack and the Municipality of Hackensack consent and agree to share the professional services of

the Municipal Court Administrator on a provisional basis to undertake the duties of the absent Municipal Court Administrator during scheduled and/or unscheduled leaves, within the two respective municipalities; and

WHEREAS, NOW THEREFORE BE IT RESOLVED, this 5th day of January 2017, that the Municipality of South Hackensack and the Municipality of Hackensack consent to the above agreement.

Consent Agenda 2017-02
February 9, 2017

Resolution No. 2017-075 Tax Appeal Naturex, Inc. 379 Huyler Street, Block 29; Lot 1

WHEREAS, Naturex Inc. Corp. is the owner and/or taxpayer of property located at 379 Huyler Street, also known as Block 29, Lot 1, in the Township of South Hackensack, New Jersey; and

WHEREAS, the taxpayer has filed a tax appeal for the year 2016 against the Township of South Hackensack in a matter entitled Naturex Inc. Corp. vs. Township of South Hackensack, which is presently pending in the Tax Court; and

WHEREAS, it has been recommended by the Tax Appeal Attorney, the Township Appraiser and the Township Assessor that the matter be settled at this time, and that such settlement is in the best interests of the Township;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of South Hackensack that the Tax Appeal Attorney be and he is hereby authorized and directed to execute any and all documents necessary in order to finalize the settlement of litigation entitled Naturex Inc. Corp. vs. Township of South Hackensack, so that for tax year 2016, the assessment of \$8,404,000 will be reduced to \$8,200,000, resulting in refund of \$5,639; and

BE IT FURTHER RESOLVED that the aforesaid settlement is predicated upon a waiver of any and all pre-judgment interest by the taxpayer, as long as the refunds are paid within 60 days of the issuance of Tax Court Judgments.

Consent Agenda 2017-02

February 9, 2017

Resolution No. 2017-076 Authorize to Waive Sewer Fees Block 19 Lot 11

WHEREAS, the property owner for 356 Chestnut Avenue has filed an appeal for their 2017 sewer account bill for consumption in 2016,

WHEREAS, the Tax Collector has reviewed the documents submitted by the property owner and also reviewed the consumption on this property for the past few years,

WHEREAS, the Tax Collector has submitted to the Township Committee her recommendation that the Sewer User Fees be waived one time only for 2017 and advised the property owner that if this continues from year to year there will be charges,

WHEREAS, on February 2, 2017 the Township Committee of the Township of South Hackensack , County of Bergen, New Jersey have reviewed the documents provided and have agreed with the tax collectors recommendation to waive the Sewer Fees which results in a credit of \$1175.30 on Account No. 14792005-0.

Consent Agenda Resolution 2017-02

Date: February 9, 2017

**Resolution No. 2017-077
AUTHORIZING THE PURCHASE OF TWO (2) POLICE VEHICLES FROM
WINNER FORD**

WHEREAS, the Township Committee of the Township of South Hackensack (Township Committee) in consultation with the Chief of Police has determined that it is in the best interest of the public health, safety and welfare to purchase two additional police vehicles ; and

WHEREAS, the Township Committee has determined that the vehicles as specified in the attached summary prepared by Winner Ford pursuant to New Jersey Contract # 88728 meet with the specifications set forth by the Chief of Police and offer the best price available to the Township through the aforementioned state contract:

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that the Mayor and Township Clerk are hereby authorized to enter into a contract and/or sign any purchase orders or other related documents necessary to purchase the two (2) vehicles described on the attached vehicle summary for a total sum not to exceed \$80,000.00, funds permitting.

Consent Agenda 2017-02
February 9, 2017

Resolution No. 2017-078 Appoint Of Frank Cagas as Police Commissioner for 2017

WHEREAS, William G. Regan was appointed by the Township Committee as the Police Commissioner for the year 2017; and

WHEREAS, Mr. Regan was recently charged with a disorderly person offense by the South Hackensack Police department; and

WHEREAS, the Township Committee believes that it would be inappropriate to permit Mr. Regan to continue to serve in the role of Police Commissioner due to his arrest and pending charges;

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that William Regan is hereby removed as the Police Commissioner for the year 2017; and

BE IT FURTHER RESOLVED that Frank Cagas is hereby appointed as Police Commissioner for the year 2017.

I hereby certify that the foregoing resolution truly represents the resolution passed by the Mayor and Council of Township of South Hackensack, _____ members present voting affirmatively, _____ members voting in the negative, and _____ members abstaining.

Motion:
Second:
Roll Call Vote:
February 9, 2017

ORDINANCE NO. 2017-01

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 155 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED "PARKING"

BE IT ENACTED AND ORDAINED, by the Township Committee of the Township of South Hackensack that Chapter 155 Article IV "Municipal Building Parking Lot" be amended and supplemented as follow:

Section I: Chapter 155-18 (C) is revised to read as follows: "The five (5) parking places so designated by signs along the westerly side of the parking lot only for the Township Clerk, Finance Assistant, Township Tax Collector, Township Court Administrator and Township Technical Assistant respectively.

Section II: All ordinance or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of said inconsistency.

Section III: If any portion of this ordinance is found to be invalid or unconstitutional by a court of competent jurisdiction the remainder of this ordinance shall remain in full force and effect.

Section IV: This ordinance shall take effect upon passage and publication as required by law.

Introduction- February 9, 2017

Motion:

Second:

Roll Call Vote:

ATTEST

Donna L. Gambutti, Township Clerk

Frank Cagas, Mayor

ORDINANCE # 2017-02

AN ORDINANCE TO AMEND AND SUPPLEMENT AND ADD CHAPTER 221 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK TO ADOPT REGULATIONS APPLICABLE TO GREASE TRAPS

WHEREAS, The Board of Health and the Township Committee recognize that grease traps are necessary to ensure that the harmful quantities of grease and oil do not enter the Township's sewer system; and

WHEREAS, the Board of Health and Township Committee are desirous of creating regulations for the installation, inspection and maintenance of grease traps in appropriate facilities throughout the Township; and

WHEREAS, the Board of Health and Township Committee are further desirous of creating appropriate penalties to be assessed in the case of non-compliance with these regulations.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Township Committee of the Township of South Hackensack, as follows:

Chapter 221 of the Code of the Township of South Hackensack is entitled "Grease Traps" is hereby added and reads as follows:

Section 1: PURPOSE

To aid in the prevention of sanitary sewer blockages, backups and obstructions from contributions and accumulation of fats, oils, and greases into the sanitary sewer system from industrial or commercial establishments, particularly food preparation and serving facilities.

Section 2: DEFINITIONS

- A. Fats, Oils, and Greases ("FOG"). Organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in the United States code of Federal Regulations 40 CFR 136, as may be amended from time to time. All are sometimes referred to herein as "grease" or "greases".**
- B. Grease Trap. A device for separating and retaining waterborne greases and grease complexes prior to the wastewater exiting the trap and entering the sanitary sewer collection and treatment system. These devices also serve to collect settable solids generated by and from food preparation activities, prior to the water exiting the trap and entering the sanitary sewer collection and treatment system.**
- C. Food Service Facility* Those establishments primarily engaged in activities of preparing, serving, or otherwise making available for consumption foodstuffs and that use one or more of the following preparation activities: cooking by frying (all methods), baking (all methods), grilling, sautéing, rotisserie cooking, broiling (all methods), boiling, blanching, roasting, toasting, or poaching. Also included are infrared heating, searing, barbecuing, and any other food preparation activity that produces a hot, non-drinkable food product in or on a receptacle that requires washing. These facilities include restaurants, cafeterias, hotels, motels, hospitals, nursing homes, schools, grocery stores, prisons, jails, churches, camps, caterers, manufacturing plants, or any other sewer users who discharge applicable waste as determined by the Plumbing Sub code Official, Construction Official, Township representative or Health inspector.**

- D. User. Any person who contributes, causes or permits the contribution or discharge of wastewater into sewers within the Township's boundaries, including persons who contribute such wastewater from mobile sources, such as those who discharge hauled wastewater.

Sections: CONTROL PLAN FOR FOG AND FOOD WASTE

- A. Any new construction, renovation or expansion of Food Service Facilities shall be required to submit to the Township a FOG and food waste control plan that will effectively control the discharge of undesirable materials into the wastewater collection system.
- B. Any existing Food Service Facilities shall also be required to submit a FOG and food waste control plan that will effectively control the discharge of undesirable materials into the wastewater collection system. Each Food Service Facility will have ninety (90) days from the passage of this Ordinance to provide the plan. Existing facilities shall not be exempt from the requirements of this ordinance. There will be no "Grandfathering".
- C. The Control Plan must be submitted, signed and sealed, from a licensed architect if required by the Plumbing Sub code Official, Construction Official, Township representative or Health Inspector.
- D. Evaluation of current traps and cleaning frequency by rendering company must be prepared and submitted to the Plumbing Sub code Official, Construction Official, Township representative or Health Inspector.

Section 4: INSTALLATION REQUIREMENTS

All existing, proposed, or newly remodeled Food Service Facilities inside the Township of South Hackensack shall be required to install, at the user's expense, an approved, properly operated and maintained grease trap or acceptable grease recovery system.

Sections: ACCESS

Access to grease traps shall be available during normal Township business hours to allow for their maintenance and inspection by the Plumbing Sub code Official, Construction Official, Construction Official, Township representative or Health Inspector. Access include the ability to open the trap, if the Plumbing Sub code Official, Construction Official Township representative or Health Inspector require access. Should an emergency situation arise, the access must be provided to the Plumbing Sub code Official, Construction Official, Construction Official, Township representative or Health Inspector.

Section.6: GREASE TRAP MAINTENANCE

- A. Cleaning. The user, at the user's expense, shall maintain all grease traps to assure proper operation and efficiency. Maintenance of grease trap shall include the complete removal of all contents, including floating materials, wastewater, and bottle sludge and solids. Decanting or discharging of removed waste back into the trap from which it was

removed
or any other grease trap, for the purpose of reducing the volume to be
disposed, is
prohibited. Any needed repairs shall be noted. Repairs shall be made at user's
expense.

- B. Cleaning Frequency.** The grease trap must be pumped out completely a
minimum of
once a month, or more frequently, as determined by the Plumbing Sub code
Official,
Construction Official, Construction Official, Township representative or Health
Inspector as needed to prevent carryover of grease into the sanitary sewer system.
This work shall be performed by a qualified and licensed hauler.

- 3 -

- C. Disposal.** The grease trap must be cleaned and maintained in a way pursuant to
the
Control Plan.
- D. Maintenance Log.** A grease trap cleaning/maintenance log indicating each cleaning
for
the previous 24 months shall be maintained by each Food Service Facility. This log
shall
include the date, time, amount pumped, employee/user, hauler (if applicable),
and
disposal method and shall be kept in a conspicuous location for inspection Said log'
shall
be made available to the Plumbing Sub code Official, Construction Official,
Township representative or Health Inspector upon request.
- E. Retention of Records.** Each user shall retain all cleaning and maintenance records
for
review by the Plumbing Sub code Official, Construction Official, Township
representative
or Health Inspector upon their request. The maintenance records shall include
the
following information:
1. Facility name, address, contact person, and telephone number.
 2. Company name, address, telephone number, and contact name of person
responsible
for performing the maintenance, cleaning, pumping, or repair of grease trap.
 3. Types of maintenance performed.
 4. Dates maintenance was performed.
 5. Date of next scheduled maintenance.
 6. Copies of manifests.

The Plumbing Sub code Official, Construction Official, Township representative or
Health Inspector will perform periodic inspections of these facilities and shall notify
the user of any additional required maintenance or repairs. Upon written
notification by the Plumbing Sub code Official, Construction Official, Township
representative or Health inspector, the user shall be required to perform the
maintenance and records of said maintenance with 14 calendar days. Upon
inspection by the Plumbing Sub code Official, Construction Official, Township
representative or Health inspector, the user may be required to install, at his
expense, additional controls to provide a complete system which prevents discharges
of undesirable materials into the waste water collection system.

Section: ADDITIVES

Any biological additive(s) placed into the grease trap or building discharge line
including, but not limited to, enzymes, commercially available bacteria, or other
additives designed to absorb, purge, consume, treat, or otherwise eliminate fats,
oils, and grease in no way be considered as a substitution to the maintenance
procedures required herein. • '

Sections: ENFORCEMENT AND FINES

- A. Recovery of Damages. **When the discharge from a Food Service Facility obstruction, damage, or any other impairment to the treatment works or expense, fine, penalty, or damage of whatever character or nature to the Township of South Hackensack shall invoice the owner for same incurred by the invoice is not paid, the Plumbing Sub code Official, Construction Official, representative or Health Inspector shall notify the Township Attorney to take shall be appropriate to seek reimbursement.** **causes causes any Township, the the Township If Township such actions as**
- B. **Penalty. Any person- who violates the Article is- subject to the following fines.**
- 1. First Offense: Up to \$250/day until corrected, plus reimbursement of costs and damages.**
 - 2. ,, Second .Offense: \$500/day until corrected, plus reimbursement of costs and damages.**
 - 3. Third or more Offense: \$1, 000/day until corrected, plus reimbursement of costs and damages, plus possible closure of discharge to Borough Sewers.**
 - 4. Failure to draft the Control Plan shall result in a fine of \$50/day until corrected.**
- 4 -**
- 5. Failure to maintain the Maintenance Log shall result in a fine of \$50/day until corrected.**
 - 6. Violations of Section 6, entitled Grease Trap Maintenance, may result in the user hiring a qualified and licensed hauler to maintain the. Grease traps for one year from the time of the violation, based on the determination of the Plumbing Sub code Official, Construction Official, Township representative or Health Inspector.**

Section 9: Remedies Nonexclusive.

The remedies provided for in this Ordinance are not mutually exclusive. The Plumbing Sub code Official, Construction Official, Township representative or Health Inspector may take any, all, or any combination of these actions against a noncompliant person.

Section 10: Severability

If any section or provision of this ordinance shall be held invalid in any court, the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid and shall be inseparable from the remainder or any portion thereof.

Section 11: Repealer

All ordinances or parts of ordinances which are inconsistent with this ordinance are hereby repealed, but only to the extent of such inconsistency.

This ordinance shall take effect upon final passage and publication as prescribed by law.

Motion:

Second:

Roll Call Vote:

Introduction- February 9, 2017

ATTEST

DONNA L. GAMBUTTI, TWP. CLERK

FRANK CAGAS, MAYOR

ORDINANCE NO. 2017-03

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 46 OF THE
CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED
“PERSONNEL POLICIES”**

BE IT ENACTED AND ORDAINED, by the Township Committee of the Township of South Hackensack that Chapter 46, Article II Section 3 “Health and accident insurance continued” shall be amended and supplemented as follow:

Section I: Section 46-3 “Health and Accident insurance continued” be and is hereby rescinded

.

Section II: All ordinance or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of said inconsistency.

Section III: If any portion of this ordinance is found to be invalid or unconstitutional by a court of competent jurisdiction the remainder of this ordinance shall remain in full force and effect.

Section IV: This ordinance shall take effect upon passage and publication as required by law.

Introduction February 9, 2017

Motion:

Second:

Roll Call Vote:

ATTEST

Donna L. Gambutti, Township Clerk

Frank Cagas, Mayor