

Township of South Hackensack  
Bergen County, New Jersey  
January 9, 2020 7:00PM  
Regular Meeting  
AGENDA

James Anzevino, Mayor  
Gary Brugger  
Frank Cagas  
Yris Encarnacion  
Luis Perdomo

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~

Special Presentations~

- South Hackensack Police Officers Association 2019 Scholarship Recipients
- George Reggo~ Distinguished Service

## Correspondence~

- ❑ General Correspondence and Reports for December 2019
- ❑ Carmine Maceri, Fire Chief, December 30, 2019- Letter of Resignation from Fire Firefighter Michael Novak
- ❑ Carol Perone, Assistant Director of Recreation, December 31, 2019~ Request for Unpaid leave of absence

## Old Business~

- ❑ Veteran Friendly Municipality – Presentation By LTC, Peter Lupo, Esquire- NJ State Veteran’s Chamber of Commerce

## New Business~

- ❑ Garbage/Recycling Contract- *Report by Township Attorney*
- ❑ Accept and Approve LOSAP Report for 2019 by Francesco Maceri
- ❑ Unpaid Paid Leave Request for Carol Perone, January 1, 2020- March 31, 2020
- ❑ Application for Curb Cut @ 2 Calicooneck Road- Block 1301- Lot 4.2 – *See attached Report from Captain Chinchar*
- ❑ Appoint Nicholas Mazzaccaro as DPW Full – Time Laborer – Effective January 27, 2020

## Resolutions~

### **Resolution No. 2020-059-**

**APPOINTING CAPTAIN ROBERT KAISER AS DEPUTY CHIEF OF THE SOUTH HACKENSACK POLICE DEPARTMENT AND AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A CONTRACT BY AND BETWEEN THE TOWNSHIP AND ROBERT KAISER AS DEPUTY CHIEF OF THE SOUTH HACKENSACK POLICE DEPARTMENT- Roll Call Vote**

By:

2<sup>nd</sup>:

RC:

### **Administration of OATH OF OFFICE To Deputy Chief Robert Kaiser**

- ☐ Closed Executive Session Resolution
- ☐ Consent Agenda Resolution 2020-01A
  
- ☐ Ordinances~ Introduction~ N/A
  
- ☐ Ordinances~ Adoption~ N/A

## **Mayor's Report~**

Committee Reports~

Public Comments~

Adjournment~

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| <b>Consent Resolution 2020-01 ( A) January 2020</b> |
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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. 2020-060- December License Report**

**Resolution No. 2020-061- Establishing South Hackensack as Veteran Friendly Municipality**

**Resolution No. 2020-062- Renewing Top Dog Burgers & More LLC Liquor License for Term of 2019-2020**

**Resolution No. 2020-063- Interlocal Agreement for Mutual Aid Plan & Rapid Deployment Force**

**Resolution No. 2020-064- Cancellation of Tax Balances for 2019**

**Resolution No. 2020-065- Cancellation of 2019 Sewer User Charge Balances**

**Resolution No. 2020-066- Authorize Developers Agreement for Laurjo Construction**

**Resolution No. 2020-067- Authorizing the Execution of an Agreement with Weeping Pines for Landscape Services for Veteran's Park for the year 2020**

**Motion:**

**Second:**

**January 9, 2020**

Approved:

Attest:

\_\_\_\_\_  
James Anzevino, Mayor

\_\_\_\_\_  
Donna L. Gambutti, Municipal Clerk

**Resolution Authorizing Executive Session January 9, 2020**

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 require 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.

**Robert Kaiser**

(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 January 9, 2020*

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**RESOLUTION NO. 2020-059**

**APPOINTING CAPTAIN ROBERT KAISER AS DEPUTY CHIEF OF THE SOUTH HACKENSACK POLICE DEPARTMENT AND AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A CONTRACT BY AND BETWEEN THE TOWNSHIP AND ROBERT KAISER AS DEPUTY CHIEF OF THE SOUTH HACKENSACK POLICE DEPARTMENT**

**WHEREAS**, the Township has created the position of Deputy Chief of the South Hackensack Police Department within its ordinances; and

**WHEREAS**, Robert Kaiser has served as an officer of the department for 29 years and currently serves in the positions of Captain of Department; and

**WHEREAS**, the Township recognizes the accomplishments, experience and dedication to the Department and Community displayed by Captain Kaiser during his career; and

**WHEREAS**, the Township Committee desires to fill the position of Deputy Chief by the appointment of Captain Robert Kaiser from within the ranks of the South Hackensack Police; and

**WHEREAS**, the contractual arrangement between the township and PBA Local 102 does not provide for or define the rights, benefits and obligation of the Township and a Deputy Chief; and

**WHEREAS**, the Township and Robert Kaiser are desirous of entering into a contract whereby their rights, benefits and obligations would be defined;

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of South Hackensack that Robert Kaiser be and is hereby appointed as Deputy Chief of the South Hackensack Police Department and that the Mayor and Township Clerk be and the same are hereby authorized to execute the contract attached hereto between the Township and Robert Kaiser as Deputy Chief of the South Hackensack Police Department which said form has been reviewed and approved by the Township Attorney.

Motion:

Second:

Roll Call Vote:

January 9, 2020

**ATTEST;**

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Donna L. Gambutti, Township Clerk

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James Anzevino, Mayor