

Township of South Hackensack
Bergen County, New Jersey
February 7, 2008 7:30 P.M.
Worksession Meeting
MINUTES

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

John M. Carbone, Esq., Municipal Attorney
Linda LoPiccolo, Municipal Clerk
Also present: Approximately 16 residents/employees

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; Anzevino seconded and the Committee unanimously agreed to accept and place on file the January General Correspondence.

Romano motioned; Roman seconded and the Committee unanimously agreed to accept, file and authorize the clerk to respond to the January 2, 2008, Wade E. Miller, P.E., PSE&G re: requesting information regarding 2008 construction plans.

Anzevino motioned; Eckel seconded and the Committee unanimously agreed to accept correspondence dated January 9, 2008, from Lawrence J. Paladino, Jr. and authorize John M. Carbone to prepare the specifications for a dump truck.

Eckel motioned; Romano seconded to accept correspondence dated January 10, 2008, from Michael F. Cherubini, Chief, South Hackensack Ambulance Corps Inc. re: Clothing Allowance Report for 2007, and authorize payment to those who qualify.

Romano motioned; Maceri seconded and the Committee unanimously agreed to accept and place on file correspondence dated January 19, 2008, from Carmine Maceri, Secretary, SHFD re: Fire Chief vacancy.

Maceri motioned; Eckel seconded and the Committee unanimously agreed to accept and file correspondence dated January 21, 2008, from David N. Grubb, Exec. Director, Municipal Excess Liability Joint Insurance Fund (MEL JIF) re: POL/EPL Deductibles

Eckel motioned; Roman seconded and the Committee unanimously agreed to accept and file correspondence dated January 22, 2008, from Maureen D. Cherubini, LOSAP Officer Ambulance Corps re: 2007 LOSAP Report – Ambulance Corps., and to authorize the clerk to prepare the necessary resolution authorizing payment and increase permitted by law.

Anzevino motioned; Roman seconded and the Committee unanimously agreed to accept and file correspondence dated January 23, 2008, from Gary Shaw, Government Affairs Director, Cablevision re: Renewal Ordinance, and refer the matter to John M. Carbone for review.

Eckel motioned; Anzevino seconded and the Committee unanimously agreed to accept and approve the purchase request dated January 28, 2008, from Bob Serio, Chief, SHVAC – Request to purchase items listed and charge to NJMC MAP Grant 2008.

Eckel motioned; Maceri seconded and the Committee unanimously agreed to accept and place on file correspondence dated January 29, 2008, from Michael Nasta, LOSAP Officer re: 2007 LOSAP Report – Fire Department.

Anzevino motioned; Eckel seconded and the Committee unanimously agreed to accept correspondence dated February 1, 2008, from Lawrence J. Paladino, Jr., CPWM, re: sewer meter Garfield Park Ejector Station.

Anzevino motioned; Eckel seconded and the Committee unanimously agreed to accept correspondence dated February 1, 2008, from Lawrence J. Paladino, Jr., CPWM re: Tree located at 477 Chestnut Avenue.

Anzevino motioned; Maceri seconded and the Committee unanimously agreed to accept and file correspondence dated February 4, 2008, from Nino Colonelli, 36 Old Jacksonville Road, Towaco re: sewer charge 65 Maple Ave.

Eckel motioned; Roman seconded and the Committee unanimously agreed to accept and to authorize payment as requested in the correspondence dated February 5, 2008, from Linda LoPiccolo, Municipal Clerk re: Request to attend Municipal Clerks Association Conference April 21-14, 2008.

Anzevino motioned; Eckel seconded and the Committee unanimously agreed to accept correspondence dated December 21, 2007, from Kris Kolluri, Commissioner, DOT re: Municipal Aid Program award for Hoffman and First Streets in the amount of \$50,000, to contact the City of Hackensack regarding an Interlocal Agreement for Hoffman Street, have the treasurer check for available funds in prior ordinances, and to authorize Boswell Engineering to prepare bid specifications for the resurfacing of Hoffman Street.

Maceri motioned; Roman seconded; Eckel abstained and the remainder of the Committee unanimously agreed to accept correspondence dated February 7, 2008, from Carmine Maceri, 2nd Lt., SHFD, re: 2007 clothing allowance and to authorize payment to those who qualify.

Eckel motioned; Maceri seconded and the Committee unanimously agreed to accept correspondence dated February 7, 2008, from Carmine Maceri, 2nd Lt., SHFD, re: Fire Chief vacancy and authorize payment to those who qualify.

Old Business

Sidewalk Repairs – Mayor moved to New Business

Renewal of Bond Anticipation Note

Loretta D'Ambrosio, Treasurer reported the following to the members of the Committee regarding the upcoming Bond Anticipation Note renewal: In 2006 the Township paid off a \$130,000 bond and rather than reduce the debt service in the 2007 budget, the auditors advised to maintain the debt service and use the funds to pay down future notes. We have now been advised that we can not do that and that those funds (\$105,325) have now become surplus as of December 31, 2007 since they were not used in 2007. This amount could be re-appropriated in this year's budget, to pay off four ordinances totaling \$97,937 that must be paid off or permanently bonded. D'Ambrosio requested authorization to re-appropriate the funds in the 2008 debt service. She advised that the pay down on the Bond Anticipation Note that will be renewed at the end of February is \$73,692. In addition, funding should be included for Vreeland Avenue (\$51,400); purchase of a fire truck (\$438,000); and Ordinance 2005-12 (\$154,000). The total Bond Anticipation Note renewal amount is \$1,852,124.00 There is a provision for the purchase of a sewer jet in Ordinance 2005-12, and since it is her understanding that the Township will not be purchasing a sewer jet at this time and that amount will be removed from the amount to be borrowed.

Eckel motioned; Roman seconded and the Committee unanimously agreed to authorize the pay down of \$97,937.00 from surplus in the February 22, 2008 B.A.N. renewal.

Anzevino motioned; Eckel seconded and the Committee unanimously agreed to authorize Steve Rogut, Esq., Bond Counsel to prepare the necessary resolutions to effectuate the Bond Anticipation Note renewal in the total amount not to exceed \$1,852,124.00.

Maintainco, Inc. – Request for Street Sign 50th Anniversary

Romano motioned; Eckel seconded and the Committee unanimously authorized to add a sign indicating Maintainco Way in honor of their 50th Anniversary and to prepare a proclamation regarding their Anniversary celebration.

Police Chief Request to hire police officers

Roman reported that chief Frew submitted a confidential report and on advice of legal counsel, requests that the matter be moved into closed session since it involves public safety. It is not a personnel discussion. Carbone advised that there are issues discussed in the report that the Committee needs to understand regarding public safety and that those things should be discussed in closed session.

New Business

FY09 Appropriations Requests – Maceri advised that the Committee could prepare and submit various federal grant applications and submit them to Rothman's office no later than February 20, 2008.

Recycling Collection Contract – Expires 9/30/08

Mayor Romano reported that in reviewing the contract it was learned that in addition to newspapers other paper may also be included for pick-up and recycling such as telephone books, computer paper, cards, etc. She suggested that these added items be picked up with the newspaper and that proper notification should be distributed. Mr. Anzevino suggested adding the school to the program since they do not recycle paper. Mr. Anzevino will meet with Larry Paladino and have him confirm with the recycler on this contact the recycling center to make sure that we can bring other paper as indicated in our contract.

Ordinances

Review and Consider for Introduction and Referral to the Planning Board

ORDINANCE 2008-04

An Ordinance of the Township of South Hackensack to Add a Provision Requiring Residential, Commercial and Industrial Developers to Meet the Fair Share Obligation for Affordable Housing in Accordance with the Growth Share Standards Adopted by the Council on Affordable Housing

Romano motioned; Anzevino seconded to Introduce Ordinance 2008-04 and set the date for its public hearing as March 6, 2008. Roll Call Vote: Ayes: Anzevino, Eckel, Maceri, Roman, Romano

Review a draft of ordinance to amend fee for entertainer license

The clerk was advised to list this ordinance on the February 14, 2008 agenda for introduction.

Review a draft of ordinance to place a lien on property for unpaid charges

This ordinance was not reviewed

Review a draft of COLA ordinance

The clerk was instructed to list this ordinance on the February 14, 2008 agenda for introduction.

during their construction. She reported that the Senior Citizen Club will be holding a fish fry on Friday, March 7, 2008, from 6-8 p.m. \$10 for adults, \$5 for children.

Understanding that the senior housing project was granted 120 day extension, what is the status of the project? Romano explained that they are seeking another funding source. We expect to hear from them regarding that shortly.

Mrs. Montenegro suggested that the Township Committee be more involved in the school board activity, that he is the highest paid superintendent. Years ago there was cooperation between the school board and the Township.

Closed Session

Anzevino motioned; Roman seconded and the Committee unanimously agreed to go into closed session to discuss the following closed session matters at 9:00 p.m.

Negotiations – Lawrence J. Paladino, Jr.
Public Safety – Police Report from Chief Michael Frew
Litigation – TSH & PBA Local 102 Docket CO-2006-307

Anzevino motioned; Romano seconded and the Committee unanimously agreed to re-open the meeting to the public at 9:58 p.m.

Adjournment

Anzevino motioned; Romano seconded and the Committee unanimously agreed to adjourn the meeting at 9:59 p.m.

Respectfully submitted,

Linda LoPiccolo
Municipal Clerk

Resolution 2008 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.

X (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.

X (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. **TSH & PBA Local 102 Docket CO-2006-307**

X (8) *Matters Relating to the Employment Relationship*: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting. **Nasta request for additional compensation**

(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 7, 2008.

Linda LoPiccolo
Township Clerk