

WORK SESSION

DECEMBER 9, 2014

“On January 2, 2014, adequate notice of this meeting pursuant to the Open Public Meetings Act has been furnished by inclusion thereof in the Annual Schedule of Meetings for 2014, which has been posted on the bulletin board at Borough Hall, filed with the Borough Clerk, faxed to the Our Town, The Record, The Community News and The County Seat newspapers and distributed to all persons, if any, requesting copies of same pursuant to said Act.”

In case of an emergency or fire alarm you must evacuate the building by using any of the exit doors in the room. They are immediately to my right and the double doors at the rear of the room. Occupants must exit the building by using the staircase and not the elevator.

This meeting is being recorded by both video and audio and may be rebroadcast.

SALUTE TO THE FLAG

Mayor Padovano asked for a moment to remember Joan Kuss, mother of former Mayor Wayne Kuss, past President of both the Womens and Senior Club, Hackensack Hospital volunteer and longtime Maywoodian.

Members of the Governing Body present: Mayor Padovano, Council members Lindenau, Morrone, Messar, Febre, and Ballerini. Also present were Borough Attorney Ronald A. Dario, Borough Clerk Jean M. Pelligra and Borough Administrator Roberta Stern.

ABSENT: Council member Eisenberg

Gregory Polyniak of Neglia Engineering was present to give the monthly report.

1. 2009 NJDEP ECONOMIC RECOVERY PROGRAM

Scope: This project consists of improvements to the Lincoln / Mendez Intersection Drainage and the cleaning, televising, and lining of the Westerly Brook (see revised scope below).

Advertise Date:

Bid Date: 7/20/2011

Awarded: 8/4/2011

Start of Work: 10/17/2011

Projected Completion Date: 12/13/2012 (Phase #1)

Status: This project was awarded to Montana Construction in the amount of \$602,201.72 which was NJDEP - approved. In mid-April 2012, our office submitted a project revision plan package to the NJDEP that was approved in July 2012. This project was closed out by the Borough in March 2013.

The Spring Valley Avenue Pump Station project requires two separate legal tasks to be performed prior to project bidding. The first, the interlocal sanitary connection agreement is being addressed by legal counsel for both the Borough of Maywood and Paramus. The second is the easement purchases from the Spring Valley Avenue, Maywood office building property and the Hanjin, Paramus property

The Borough's conflict attorney forwarded a final draft agreement to the Borough of Paramus' conflict attorney in mid-July 2013. Negotiations were ongoing between both municipalities. At the Borough of

Paramus' July 09, 2014 Mayor and Council meeting, the Borough of Paramus executed the Interlocal Agreement. We understand that the Borough of Maywood has executed the said Interlocal Agreement at the July 22, 2014 Mayor and Council Meeting.

The Borough would pursue the easement purchases for the Spring Valley Avenue, Maywood office building property and the Hanjin, Paramus property. At this time, the Borough Attorney is attempting to schedule a meeting with our office, their office and the two property owners. After both of these items are completed, the project would be permitted and bid. It shall be noted that this project cannot proceed until these legal tasks are completed.

Following the easement purchases, an NJDEP TWA Application package would be submitted to the NJDEP for the project. Subsequent to the anticipated acquisition of this said permit, the project would be publically bid. We would anticipate the project bidding to occur in Spring – Summer 2015.

2. YEAR 2013 ROAD PROGRAM – EAST HUNTER AVENUE (NJDOT FUNDED), SPRING VALLEY ROAD, AND WEST FAIRMOUNT AVENUE PARKING LOT

Scope: The project consists of roadway improvements along East Hunter Avenue and Spring Valley Road along with parking improvements at the West Fairmount Avenue Parking Lot. The Borough acquired an NJDOT Municipal Aid Grant in the amount of \$150,000.00 for the East Hunter Avenue improvements.

Advertise Date:	9/16/2013
Bid Date:	10/03/2013
Award Date:	10/08/2013
Start of Work:	11/18/13
Anticipated Projected Completion Date:	Fall 2014

Status: Per the direction of the Governing Body at the August 27, 2013 Mayor and Council meeting, the Borough authorized the bid of construction documents for roadway improvements including but not limited to milling, paving, roadway reconstruction, curbing, ADA accessible ramps, and striping as follows:

1. Base Bid - East Hunter Avenue from Maywood Avenue to Van Cleve Street
2. Alternate Bid A – Spring Valley Road from approximately two hundred feet south of Cumming Avenue to eighty feet south of Sanzari Place (middle section to complete roadway)
3. Alternate Bid B – West Fairmount Avenue Parking Lot

The bid opening for this project occurred on October 03, 2013 at 11AM at Borough Hall. On October 08, 2013, the Borough awarded the project to the lowest responsible, AJM Contractors, Inc., 300 Kuller Road, Clifton, New Jersey 07011 for the Base Bid, Alternate Bid A, and Alternate Bid B in the amount of \$445,384.40.

Subsequent to the project award, a pre-construction meeting was held at Borough Hall on October 29, 2013 at Borough Hall. After the meeting, our office issued a Notice to Proceed. In mid-November 2013 and mid-April 2014, the project contractor began construction activities on Spring Valley Road and East Hunter Avenue, respectfully. At this time, construction on both roadways is substantially completed other than punch list items.

Neglia Engineering Associates informed the project contractor that the Borough wanted to delay parking lot improvements at the West Fairmount Avenue parking lot until school was out and after the July 4th Fireworks Celebration (July 06, 2014) per the direction of the Borough. On July 14, 2014, construction

activities began. On August 31, 2014 the parking lot was striped. At this time, construction is substantially completed pending punch list items.

Per the request of the Borough, Neglia Engineering Associates acquired a construction budget from the project contractor to address Spring Valley Avenue from its intersection with Spring Valley Road to the Borough of Paramus / Borough of Maywood municipal boundary near the pump station. The budget provided by the contractor was approximately \$40,000.00 excluding police traffic directors which would need to be addressed / funded by the Borough. The Governing Body authorized the Change Order as listed above during September 2014. During the week of October 31, 2014, this was completed by the project contractor.

3. PSE&G IMPROVEMENTS (CENTRAL AVENUE)

Scope: PSE&G will be constructed utility improvements within Central Avenue from the coincident municipal boundaries with the Borough of Rochelle Park and City of Hackensack.

Status: On April 02, 2014, Neglia Engineering Associates attended a meeting with Ms. Roberta Stern, Bergen County, AECOM (PSE&G's Engineer), Kemsco, Inc. (Project Contractor), and PSE&G on Central Avenue to review the utility improvement project. An overall project review letter was prepared and submitted to the Borough, PSE&G and its consultants on April 25, 2014.

Neglia Engineering Associates understands that public notices were to be distributed by PSE&G to residents on May 28, 2014. During the week of December 02, 2014, PSE&G was performing construction activities on Central Avenue, East of Route 17. Construction included the excavation and installation of new concrete curbing and sidewalk.

4. MAYWOOD AVENUE STREETScape (NJDOT FUNDED)

Scope: Per a correspondence produced by the Governor's Office on May 06, 2014, Neglia Engineering Associates understands that the Borough is to receive an NJDOT Municipal Aid Grant in the amount of \$149,000 for the Maywood Avenue Streetscape.

Status: Per the request of the Borough, Neglia Engineering Associates issued a proposal, dated May 14, 2014 for surveying, engineering, and construction management services for this project for review and consideration by the Governing Body. The proposal was approved at the November 25, 2014 Mayor and Council meeting.

During the week of December 02, 2014, Neglia Engineering Associates performed and completed field surveying services from East Hunter Road to Central Avenue. The completed survey plans will be available by December 19, 2014. Subsequent to the completion of the survey, Neglia Engineering Associates would recommend a meeting to review the scope and improvements prior to plan and specification preparation.

5. WEST PLEASANT AVENUE – TRAFFIC CIRCULATION (NJDOT DISCRETIONARY AID GRANT)

Neglia Engineering Associates understands that the Borough of Maywood has received an NJDOT Discretionary Aid Grant funding in the amount of \$30,000. During the week of October 06, 2014, the Borough received the signed grant agreement from the NJDOT allocating the funding for this project.

Neglia Engineering Associates prepared and issued a solicitation for the proposed intersection striping improvements during the week of October 13, 2014. A recommendation letter for the said improvements was issued shortly thereafter. The project was awarded by the Governing Body at the October 28, 2014

Mayor and Council meeting to Straight Edge Striping, LLC, 223 East Main Street, Bound Brook, New Jersey in the amount of \$20,891.20.

A pre-construction meeting was held at Borough Hall on November 06, 2014. It was determined that due to prevailing temperatures, the improvements would be constructed during Spring 2015. This would ensure adherence of the striping improvements.

We have also issued a proposal for construction management services for the subject project, dated October 28, 2014 for review and consideration. Typically, the NJDOT will reimburse for construction management services if sufficient grant funding is available.

6. BERGEN COUNTY COMMUNITY DEVELOPMENT – CALL FOR PROJECTS

Bergen County Community Development has called for projects. Grant applications are due December 05, 2014. Per the direction of the Borough, Neglia Engineering Associates issued an ADA ramp improvement list for various intersections throughout the Borough along with an engineer's estimate on November 14, 2014. These materials would be utilized by the Borough Grant Consultant for preparation of a Bergen County Community Development Block Grant application and package.

7. SPRING VALLEY ROAD – COOLIDGE AVENUE TO SPRING VALLEY AVENUE

Per the request of the Borough, Neglia Engineering Associates prepared and issued an engineer's estimate for roadway improvements on Spring Valley Road from Coolidge Avenue to Spring Valley Avenue on December 02, 2014. The improvements included point repair of sidewalk, curbing, ADA ramps, milling, paving, and striping. The estimate illustrated an improvement budget of \$198,312.00.

8. BOROUGH ROADWAY IMPROVEMENTS MAP

Per the request of the Borough, Neglia Engineering Associates prepared and issued a Borough roadway improvement map on November 17, 2014. The plan illustrate roadways and roadway sections that may be included in future roadway programs.

Mr. Polyniak stated his office will be preparing a cost estimate for Oak Avenue between West Pleasant Avenue and Parkway for the Borough's review and potential consideration for bonding.

Council President Ballerini stated a condition has developed in the area where repairs had been made on Lincoln Avenue and asked the Borough Engineer to look into it.

Mr. Polyniak stated his office will contact the project contractor regarding the ponding issue.

Council President Ballerini asked the Borough Engineer to review the intersection at West Pleasant and Lincoln Avenues before moving forward on the traffic circulation project.

Administrator Stern stated the CDBG Grant application has been filed for the ADA ramps.

There being no further questions or comments from the Council, Mayor Padovano closed this portion of the meeting.

PROCLAMATIONS, PRESENTATIONS, ETC.**PUBLIC HEARING ON THE SUBMISSION OF A CHANGE OF SCOPE
FOR THE YEAR 2013 BERGEN COUNTY OPEN SPACE TRUST
FUND GRANT AWARD****Capital Redevelopment and Rehabilitation Project**

Mayor Padovano opened the meeting to the public for any comments or questions.

There being no comments or questions from the public, Mayor Padovano closed this portion of the meeting.

MEETING OPEN TO THE PUBLIC (FIVE MINUTE TIME FRAME)

Thomas Richards – 347 Golf Avenue – He stated the storm sewer inlet at the northeast corner of Romaine and Golf Avenues is collapsing and there is also a problem with the storm drain on the dead end between Our Lady Queen of Peace Church and Golf Avenue; adding perhaps Saddle Brook can be called to view the sewer line which appears to be collapsing.

There being no further comments, Mayor Padovano closed this portion of the meeting.

PUBLIC HEARING ON PENDING ORDINANCES – ADOPTION OF ORDINANCES

NONE

CORRESPONDENCE AND REPORT OF BOROUGH CLERK

Borough Clerk Pelligra reported on the following:

1. She stated the agenda was revised to add the authorizing resolution for release of the Vornado Project cash bond and amendments to the preliminary bill list.
2. She stated a copy of the response from the Planning Board Attorney regarding Ordinance #14-14 relating to the zoning map amendments was distributed to the council file boxes; adding the ordinance will be on for adoption at our next council meeting.

REPORT OF ADMINISTRATOR

Administrator Stern reported on the following:

1. She stated Mitchell Humphrey will be installing new computer software in the building department; adding when a training date is confirmed, the department will be closed for the day.

REPORT OF ATTORNEY

Attorney Dario stated he has a report for closed session.

COMMITTEE REPORTS

Council member Lindenau reported on the following:

1. The street sweeper was out for repair and was back in service as of last Thursday.

Council member Morrone reported on the following:

1. He stated the 2015 shred, electronics and hazardous waste collection dates have been scheduled and he will report on them after the first of the year.

Council member Messar reported on the following:

1. He stated the Maywood School District is hosting a Parent Internet Safety Program sponsored by the Bergen County Prosecutor's office on January 8, 2015 at 7:00 pm in the Maywood Avenue School large gym and encouraged parents to attend.

Council member Febre reported on the following:

1. He announced the 2015 officers for the Fire Department and First Aid Squad:

- Fire Department - Chief Anthony Scozzafava
Assistant Chief Christopher Tuttle
Deputy Chief Jack McManus
- First Aid Squad - Captain Elyse Miller
1st Lieutenant Tiffany Rutledge
2nd Lieutenant Amie Porcelli

2. He thanked outgoing First Aid Squad Captain, Marc Pedone, for a job well done.
3. He stated the Annual Santa Cade hosted by the Maywood First Aid Squad and Fire Police will be held on Christmas Eve, adding the schedule is opposite of last year.
4. He stated members of our police department are first to arrive at fire scenes and often extinguish or reduce the extent of the fire prior to the fire department's arrival; adding our officers care about their jobs and community and we are fortunate to have such a wonderful police force.

Council President Ballerini reported on the following:

1. He stated this will be his last council meeting and thanked members of the council, Borough Clerk, Administrator and Attorney for having had the opportunity to serve and work with them. He also thanked his family, friends, borough employees and members of the police department.

REPORT OF MAYOR

Mayor Padovano reported on the following:

1. He thanked everyone who participated in the annual tree lighting ceremony especially our sponsors, local businesses and families and emergency services.
2. He stated caroling will continue in the Community Bank parking lot the next two Fridays at 6:00 pm.
 - December 12, 2014 Girls Scouts – Also collecting donations for food pantry
 - December 19, 2014 Maywood Avenue School Choir
3. He stated signs at the borough parks will be replaced.
4. He thanked the students of Maywood Avenue and Memorial Schools for providing the ornaments for the tree in the lobby of the municipal building.
5. He stated the Historical Committee is hosting bus tours to see the holiday lights throughout the town on Sunday, December 21, 2014; adding the bus will leave from the Senior Recreation Center at 5:30 pm and 7:00 pm.
6. He echoed Council member Febre's comments regarding the police department especially Officer Phayre and Sergeant Smith who were first to respond to a recent fire on East Hunter Avenue whose quick action helped the fire department prevent the situation from getting out of hand.
7. He thanked outgoing Captain Marc Pedone and Neal Richards for their service during the past two years on the First Aid Squad.
8. He thanked Council President Ballerini for his service during the past three years and prior years; adding it was a pleasure to serve with you and you will be missed by this council.

ACTION LIST ITEMS

1. **Zoning Ordinance Review**: Mayor Padovano stated the Planning Board Attorney has prepared a memo for discussion at their next meeting.
2. **Regulating the Care of Vacant Properties in Foreclosure**: Mayor Padovano stated the Borough Attorney has prepared an ordinance for introduction.
3. **RFQ's**: Mayor Padovano stated the RFQ's are available and are due on December 23, 2014.
4. **Fire Department By-Laws**: Mayor Padovano stated changes to the fire department by-laws were submitted to the borough attorney for review.

5. **Reorganization Meeting Date:** Mayor Padovano stated the Reorganization Meeting will be scheduled for January 2, 2015 at 7:00 pm.

Mayor Padovano stated he received correspondence from Community Development requesting representatives be appointed by December 30, 2014.

RESIGNATIONS – ACCEPTANCE OF THE FOLLOWING

1. Daniel O’Rourke from the Department of Public Works effective 12/17/2014.
2. James Panos as a member of the Maywood Planning/Zoning Board effective 12/9/2014.

Council member Morrone moved the resignations be accepted, seconded by Council member Febre; and so carried by unanimous roll call vote.

APPOINTMENTS – APPROVAL OF THE FOLLOWING

NONE

COUNCIL APPROVAL OF THE FOLLOWING

1. From Our Lady Queen of Peace Church - requesting permission for their annual Bingo License and Instant Raffle License effective January 8, 2015 to December 17, 2015.

Council member Lindenau moved for the approval, seconded by Council member Messar; and so carried by unanimous roll call vote.

RESOLUTIONS BY TITLE – CONSIDERATION OF THE FOLLOWING

RESOLUTION # 166-14

**A RESOLUTION ENDORSING THE BERGEN COUNTY OPEN SPACE TRUST FUND
CHANGE OF SCOPE**

WHEREAS, the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund (“County Trust Fund”), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of municipal recreation facilities; and,

WHEREAS, the Borough of Maywood had received a 2013 Trust Fund matching grant award in the amount of \$82,302.00, which was approved via County of Bergen Board of Chosen Freeholders Resolution No. 665-14 dated June 4, 2014, for the Borough's project entitled "Memorial Park Improvements;" and,

WHEREAS, Memorial Park Improvements were to include the following park improvements: conversion of basketball courts to full-size tennis courts, ball field rehabilitations, dog park improvements, and retaining wall improvements ; and

WHEREAS, the Borough of Maywood desires to further the public interest by using all or a portion of the existing matching grant of \$82,302.00 from the 2013 County Trust Fund to fund the following park improvements: ball field rehabilitations, dog park improvements, retaining wall improvements, small gazebo, bleacher replacement at the ball fields, and fencing around the children's playground; and,

WHEREAS, the governing body/board has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions and desires to submit an application to use the matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body/board received public comments on the proposed park improvements in the application on December 9, 2014; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood:

1. That it is hereby authorized to submit the above completed project application to the County; and,
2. That Mayor and Council of the Borough of Maywood has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That Mayor and Council of the Borough of Maywood is committed to providing a dollar for dollar cash match for the project; and,
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.

- 5. That Mayor and Council of the Borough of Maywood agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
- 6. That this resolution shall take effect immediately.

RESOLUTION # 167-14
RESOLUTION AUTHORIZING CANCELLATION OF OUTSTANDING CHECKS

Whereas, the Audit recommends the review and cancellation of old stale dated checks, and

Whereas, after review the Municipal Court Administrator has requested checks from 2012 and 2013 General and Bail Accounts be cancelled in order to transfer monies back to the municipality,

Now, therefore, be it resolved by the Mayor and Council of the Borough of Maywood that the listed stale dated checks be and are hereby cancelled effective this date December 9, 2014.

**Municipal Court – General
 Outstanding Check List
 as of October 31, 2014**

<u>Date</u>	<u>Ck #</u>	<u>Amount</u>	<u>Date</u>	<u>Ck #</u>	<u>Amount</u>	
12/7/12	2109	\$ 35.00	4/9/13	1019	\$ 0.26	
1/9/13	2118	\$ 200.00	5/18/13	1025	\$ 5.00	
			5/18/13	1027	\$ 10.00	
			6/13/13	1035	\$ 20.00	
			10/15/13	1053	\$ 1.00	
TOTAL A =		\$ 235.00	TOTAL B =		\$ 36.21	
					TOTAL =	\$ 271.26

**Municipal Court – Bail
 Outstanding Check List
 as of October 31, 2014**

<u>Date</u>	<u>Ck #</u>	<u>Amount</u>	<u>Date</u>	<u>Ck #</u>	<u>Amount</u>	
6/7/13	1084	\$ 245.00				
11/7/13	1151	\$ 18.00				
11/15/13	1156	\$ 250.00				
12/6/13	1169	\$ 61.00				
TOTAL A =		\$ 574.00	TOTAL B =		\$ 0.00	
					TOTAL =	\$574.00

RESOLUTION # 168-14
A RESOLUTION RATIFYING AND CONFIRMING THE PURCHASE OF A LIVESCAN FINGERPRINT UNIT FOR THE MAYWOOD POLICE DEPARTMENT WITH FUNDS FROM THE D.E.A. ACCOUNT

WHEREAS, a need exists within the Borough to purchase an updated LiveScan Fingerprint unit for the Maywood Police Department; and

WHEREAS, the Police Chief has indicated the purchase will be made fully with funds from the D.E.A. account; and

WHEREAS, pursuant to Resolution # 31-14, purchases in excess of \$1,000 require Mayor and Council approval;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, that the Borough Administrator is hereby authorized to sign and issue a purchase order for the Police Chief to purchase the LiveScan Fingerprint Unit (GSA Contract GS-35F-0199R) which includes training, shipping and set up costs for use by the Maywood Police Department in the sum of \$20,101.79, payable to Crossmatch Technologies, Inc. 3950 RCA Boulevard, Suite 5001, Palm Beach Gardens, FL. 33410 pursuant to the price quotations received from Crossmatch Technologies, whose response was most advantageous to the Borough, price and other factors considered.

RESOLUTION # 169-14
RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES/ESCROW FEES MADE BY VORNADO BERGEN MALL, LLC FOR THE BERGEN TOWN CENTER DEVELOPMENT IN THE BOROUGH OF MAYWOOD, BERGEN COUNTY, NEW JERSEY

WHEREAS, the Vornado Bergen Mall, LLC entered into a Developer's Agreement with the Borough of Maywood and guaranteed the installation of all improvements at the Bergen Town Center Mall and were required the posting of performance guarantees in the amount of \$233,508.60 and cash escrow fees in the amount of \$36,000.00; and

WHEREAS, on the advice and consent of Neglia Engineering the Borough Engineer who has reviewed the completed project and authorized the release of the performance guarantee/escrow fees based upon the fact that all improvements at the Bergen Town Center Mall site have been completed in accordance with the approved plans and in satisfactory compliance of local, State and Federal regulations, if applicable; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Maywood, County of Bergen, State of New Jersey that the Mayor be and he is hereby authorized and directed to execute, and the Borough Clerk to attest, to any and all documents necessary so that all performance guarantees previously tendered in the amount of \$233,508.60 and cash escrow fees in the amount of

\$36,000.00, together with interest but minus any payments made pursuant to the agreement, be released to Vornado Bergen Mall LLC.

Council member Messar moved for the adoptions, seconded by Council member Morrone; and so carried by unanimous roll call vote.

NEW BUSINESS

OLD BUSINESS

MISCELLANEOUS BUSINESS

Mayor Padovano stated in honor of the 120th Anniversary of the Borough of Maywood he encourages everyone to learn about the borough's history. He stated the trivia of the day is the purchase of 15 Park Avenue to be utilized as the borough hall and fire department building was approved by special election on July 12, 1899 by a vote of forty-five to eighteen, adding at the same election the bond for the purchase of the property was passed in the amount of \$2,100.00. He stated a new building was constructed shortly after the purchase but was destroyed by fire on October 30, 1914 and rebuilt in 1915; adding our current building was completed in 2003.

CLOSED SESSION – IF APPLICABLE

Council member Morrone made a motion to go into closed session; seconded by Council member Messar - All in Favor.

BOROUGH OF MAYWOOD
Closed Session Resolution # 170-14

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, pursuant to the provisions of the Open Public Meetings Act, that the Mayor and Council meet in closed session to discuss the following subject matter(s):

Contract Negotiations, Personnel

which subject matter(s) is (are) permitted to be discussed in closed session pursuant to the following designated sub-section(s) of Section 7 of the Open Public Meetings Act:

() Sub-section 1 dealing with material rendered confidential by express provision of Federal or State law

() Sub-section 2 covering a matter in which release of information would impair a right to receive federal funds

() Sub-section 3 involving disclosure of material that would constitute an unwarranted invasion of privacy, including material related to an individual's personal and family circumstances, without the express written consent of the individual involved

() Sub-section 4 pertaining to collective bargaining agreements and the terms, conditions and negotiations thereof

() Sub-section 5 dealing with the acquisition of real property, the setting of bank rates, or the investment of public funds where discussion thereof would adversely affect the public interest

() Sub-section 6 dealing with tactics and techniques used in protecting the safety and property of the public where disclosure could impair such protection or investigation of violation of the law

(X) Sub-section 7 dealing with pending or anticipated litigation, contract negotiations, or matters falling within the attorney-client privilege

(X) Sub-section 8 concerning personnel matters dealing with employment, appointment, termination, or terms and conditions of employment of any person or persons, or the evaluation, promotion or disciplining of employees unless all employees involved consent to disclosure thereof

() Sub-section 9 involving deliberations after public hearing on a matter which may result in the imposition of a civil penalty or the suspension or loss of a license

AND BE IT FURTHER RESOLVED that, as precisely as can be determined at this time, the discussion conducted in the said closed session can be disclosed to the public upon taking final action thereon, provided disclosure shall not violate the attorney-client privilege or constitute an undue invasion of privacy; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Maywood

() Will return to open session after this meeting.

(X) Do not envision that they will return to open session after this meeting but reserves the right to do so.

Date of Passage: 12-9-2014 Time: 8:10 pm

ADJOURNMENT

Council member Morrone moved the meeting be adjourned; seconded by Council member Febre and so carried at 9:30 p.m.

Borough Clerk