

“On January 3, 2017, 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 2017, which has been posted on the bulletin board at Borough Hall, filed with the Borough Clerk, faxed to the Our Town, The Record, and The Community News 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.

Mayor Febre spoke regarding the passing of retired Police Lieutenant Richard Price and asked everyone for a moment of silence.

SALUTE TO THE FLAG

ROLL CALL

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

ABSENT: Borough Administrator Roberta Stern

PROCLAMATIONS, PRESENTATIONS, ETC.

Mayor Febre presented Certificates of Commendation to Sergeant Derek Smith and Police Officer Peter Donatello.

Mayor Febre presented a Certificate of Recognition to Marc Pedone, EMT.

**PUBLIC HEARING ON THE SUBMISSION OF A CHANGE OF SCOPE
FOR THE YEAR 2016 BERGEN COUNTY OPEN SPACE TRUST
FUND GRANT AWARD**

Memorial Park Renovation – Children’s Playground Renovation Project

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

Hearing none, Mayor Febre closed this portion of the meeting to the public.

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).

Status: As requested by the Governing Body, Neglia Engineering Associates prepared and issued a draft construction management proposal to the NJDEP for review and comment on December 02, 2016 with the text approved by the NJDEP shortly thereafter. Subsequently, the same NJDEP-approved proposal was issued to the Governing Body and was approved by the Borough and NJDEP in late December 2016 and early January 2017, respectively.

At this time, a meeting has been scheduled for February 08, 2017 with the two property owners to review the project and inform of its anticipated schedule. After the meeting, the following tasks would be remaining prior to construction activities potentially proceeding:

1. The Borough would select a bid date. Our office would recommend Wednesday, May 03, 2017. We would inform the NJDEP of this bid date if deemed acceptable by the Borough.

2. The NJDEP would review the potential bid date and issue a letter potentially approving the date. Bidding cannot proceed until a final bid date letter is issued by the NJDEP. This date review and potential approval could take 45 days per discussions with the NJDEP.
3. The project would be bid once the NJDEP letter is secured.

At this time, we anticipate a late Spring / early Summer 2017 construction start date pending completion of the items listed above.

2. **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.

During the week of December 11, 2016, the streetscape lighting was energized by PSE&G and is functioning. As of February 07, 2017, the only open construction item is the hardscape in the vicinity of the southeast corner of Central Avenue and Maywood Avenue. We anticipate that this outstanding item will be addressed once favorable weather conditions exist or during Spring 2017. After completed, we will issue a NJDOT construction completion letter for final inspection with municipal and NJDOT closeout to follow.

3. **JERSEY AVENUE AND PARKWAY (NJDOT MUNICIPAL AID GRANT) & YEAR 2015 ROADWAY IMPROVEMENT PROGRAM**

On May 22, 2015, the Borough of Maywood was provided a letter from the NJDOT stating that it is to receive an NJDOT Municipal Aid Grant in the amount of \$149,000.00 for Parkway and Jersey Avenue.

Status: The NJDOT Final Inspection Letter was received on January 17, 2017. Two outstanding action items were listed, adjusting a valve cover cap and adjusting a "Stop Sign" at the intersection of Spring Valley Road and Parkway. We expect the contractor to complete these two remedial items within two weeks pending weather conditions.

Subsequent to completion of the two open items by the contractor, the municipal project closeout would occur. Thereafter, NJDOT closeout would follow. The Borough would then receive its outstanding grant funds.

4. **VARIOUS ADA RAMP IMPROVEMENTS (BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT)**

Neglia Engineering Associates understands that the Borough has received a Bergen County Community Development Block Grant in the amount of \$60,873.00 to address these ramp locations.

During and after construction activities, our office raised questions with respect to construction document compliance concerning the ramp installation at the intersection of Woodland Avenue and Jersey Avenue and Belgian Block curbing installation at the intersection of Elm Street and Woodland Avenue.

A meeting was held at Borough Hall on November 14, 2016 with the Borough, its professionals, and the contractor. At the meeting, it was resolved that the contractor would reconstruct the ramp at the aforementioned location and install the Belgian Block curb per the construction documents with no additional financial expenditure by the Borough. As of January 17, 2017, the Belgian Block curb installation and ramp reconstruction was completed. Once final documents from the contractor are received, we will proceed with project close-out.

5. **WEST MAGNOLIA AVENUE / MAGNOLIA LANE – BERGEN COUNTY BRIDGE INSPECTION**

Bergen County with the State of New Jersey has created an inspection program to inspect small culverts and bridges throughout all municipalities within the State. Bergen County and the State hired Pickering, Corts & Summerson of Newtown, Pennsylvania to perform inspections which included the Magnolia Lane / West Magnolia Avenue Bridge / Culvert over the Westerly Branch of the Saddle River. This bridge serves as access to two residences located at the terminus of the said roadway. On November 11, 2016, Neglia Engineering Associates and the Borough of Maywood received a report from the County's engineering consultant concerning this structure.

Status: As requested at the December 13, 2016, Mayor and Council Meeting, Neglia Engineering Associates issued a proposal for review and consideration to remove the Magnolia Lane / West Magnolia Avenue Bridge / Culvert. It would be anticipated that the two most western residences would be serviced by a new roadway with access to Brook Avenue. Guiderail and signage would be installed

to remove the bridge from use. This option was permitted by the State's engineer per a November 23, 2016 E-mail correspondence which has been provided to the Borough for its records.

The Borough authorized our office to proceed with the proposed roadway improvements project in late December 2016. Our office has proceeded with the project design. Field surveying services are to be completed on February 08, 2017. It is anticipated that the project would be bid and constructed during Late Summer / Early Fall 2017 due to NJDEP Land Use Division Permitting regulations.

6. PSE&G IMPROVEMENTS (69kV IMPROVEMENT PROJECT)

On January 06, 2017, a project meeting was held at Borough Hall with PSE&G, the Borough, and Neglia Engineering Associates present. The following was determined concerning the 69 kV Improvement project at this meeting:

Status: At this time, construction activities are proceeding on both Maywood Avenue and Spring Valley Road. PSE&G is installing the 69kV utility poles on Spring Valley Road and is transferring existing service mains to the 69kV poles installed on both Spring Valley Road and Maywood Avenue.

7. NJDOT MUNICIPAL GRANT – YEAR 2017 CALL FOR PROJECTS

Neglia Engineering Associates was in receipt of a letter, dated November 17, 2016 from the NJDOT which announced the Year 2017 NJDOT Municipal Aid Program. The Borough has selected the Maywood Avenue Streetscape – Phase II to file a grant package for primary funding and Oak Avenue for secondary funding. Our office submitted the grant packages for both project locations to the NJDOT on January 24, 2017.

8. YEAR 2016 ANNUAL STORMWATER REPORT AND SUPPLEMENTAL QUESTIONNAIRE – NJDEP MUNICIPAL STORMWATER MANAGEMENT PROGRAM

Per the NJDEP Municipal Stormwater Management Program requirements, the Borough of Maywood must file the Year 2016 Annual Report to the NJDEP Bureau of Nonpoint Source Pollution by May 01, 2017. This submission must be on-line. The Borough has authorized our services to proceed with the application package, but we have been informed that the online application will not be available until early March 2017.

9. YEAR 2016 AND YEAR 2017 ROADWAY IMPROVEMENTS PROJECTS – PSE&G LETTER REQUEST

As requested by the Borough, Neglia Engineering Associates prepared and provided a letter listing Year 2016 and Year 2017 Roadway improvements projects within the Borough in accordance with a request made by PSE&G. This letter is an attempt to coordinate future PSE&G improvement projects with Borough capital improvements projects. Our office issued this project letter to PSE&G and the Borough on February 07, 2017.

Mr. Polyniak spoke regarding the Maywood and Lodi sewer bills and stated we have not received the BCUA rates but they are expected by the end of February; adding, once the rates are issued, we will supply the list to the borough of the large commercial and industrial water users to be invoiced.

Mayor Febre questioned the handicapped accessible ramps that were not completed as part of the grant.

Mr. Polyniak responded he can compile a list of the ramps that were not completed; adding the borough can apply for community development money next year to complete the ramps.

MEETING OPEN TO THE PUBLIC (FIVE MINUTE TIME FRAME)

Mayor Febre opened the meeting to the public for any comments on or off the agenda.

Hearing none, Mayor Febre closed this portion of the meeting to the public.

PUBLIC HEARING ON PENDING ORDINANCES – ADOPTION OF ORDINANCES

NONE

CORRESPONDENCE AND REPORT OF BOROUGH CLERK

Borough Clerk Pelligra reported on the following:

1. She confirmed a Special Meeting will be held on April 4, 2017 at 6:00 pm for our Elected Officials Training.

REPORT OF ADMINISTRATOR

Administrator Stern was absent.

REPORT OF ATTORNEY

Attorney Dario stated he has a report for closed session.

COMMITTEE REPORTS

Council member Padovano reported on the following:

1. She reported the Maywood Wellness Challenge, a twelve week walking program, will begin on Wednesday, March 29, 2017 at 7:00 pm.

Council member Gervino reported on the following:

1. He stated he attended the February 6, 2017 Municipal Alliance meeting and reported on upcoming events.
2. He reported Senior Club #1 will host a fall prevention program on March 15, 2017 from 11:30 am to 1:00 pm.

Council member DeHeer reported on the following:

1. He wished everyone a Happy Valentine's Day.
2. He reported the building department collected \$4,442.00 in permit fees from January 26, 2017 to today.
3. He stated he met with the Fire Department Chiefs and Fire Police Officers and they each submitted an outline for a five year plan which he will distribute to the Mayor and Council.
4. He reported the following from the Planning Board:
 - The Sears building has been torn down; adding the concrete slab will be taken care of by the Army Corps.
 - The former Duane Reade has reopened as a medical building.
 - The Board met with an applicant for the old Design Spree/Fedex building.

Council member Lindenau reported on the following:

1. He reported the DPW has been performing general property maintenance and repairs on borough buildings; adding our plow equipment is in good shape and replacement parts have been restocked.

Council member Morrone reported on the following:

1. He reported on BCUA recycling presentations that are scheduled for Memorial and Maywood Avenue Schools on March 7th and 9th, 2017.
2. He stated a shred event is scheduled for November 4, 2017 from 9:00 am to 1:00 pm at Maywood Avenue School.
3. He wished everyone a Happy Valentine's Day.

Council President Messar reported on the following:

1. He congratulated Sergeant Smith, Police Officer Donatello and EMT Pedone for their lifesaving actions.
2. He reported Borough issued "non-solicitation" stickers will be available for initial pick-up on the following dates; adding residents will be required to complete a form that is also available online and pay a fee of \$1.00.

- Wednesday, February 22, 2017 4:00 pm – 7:00 pm
- Saturday, February 25, 2017 9:00 am – 12:00 noon
- Tuesday, February 28, 2017 4:00 pm – 7:00 pm

REPORT OF MAYOR

Mayor Febre reported on the following:

1. He stated the Borough is offering a new “E-Newsletter” and explained how residents can sign up on the Borough website.
2. He encouraged residents to sign up for Nixle text alerts for emergency and traffic notifications as well as updates on the PSE&G project.
3. He stated the Mayor and Council has been asked to take an ad journal for Maywood Avenue School; and asked if the Council was in agreement to take a full page ad in the amount of \$100.00. Council was in agreement.
4. He stated the Northeast Scout Museum in Rochelle Park is hosting a Scouter of the Year Award Dinner and Tricky Tray on Friday, April 21, 2017 at the American Legion Post #170 in Rochelle Park at 6:00 pm; adding Martha DeYoung is being honored for 50 years in scouting.
5. He wished everyone a Happy Valentine’s Day.

ACTION LIST ITEMS

NONE

RESIGNATIONS – ACCEPTANCE OF THE FOLLOWING

1. Arlene Formisano from the Recycling Committee effective February 14, 2017.

Council member Morrone moved the appointment, seconded by Council member Lindenau; and so carried by unanimous roll call vote.

APPOINTMENTS – APPROVAL OF THE FOLLOWING

1. Shannon McVey as part-time Parking Enforcement Officer at an hourly rate of \$15.50 per hour effective February 14, 2017.
2. Natalia Tello as part-time Telecommunicator at an hourly rate of \$15.50 per hour effective February 14, 2017.

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

COUNCIL APPROVAL OF THE FOLLOWING

1. From American Legion Post #142 – requesting permission to hold an Off-Premise 50/50 raffle at 135 E. Passaic Street, Maywood, on Saturday, June 24, 2017 from 7:00 pm to midnight.
2. From Maywood Police Department – permission to host the Annual National Night Out event on Tuesday, August 1, 2017 in Memorial Park from 6:00 pm to 10:00 pm.

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

RESOLUTIONS BY TITLE – CONSIDERATION OF THE FOLLOWING

RESOLUTION # 48-17

AUTHORIZING THE PURCHASE AND INSTALLATION OF EQUIPMENT FOR A POLICE VEHICLE USING FUNDS FROM THE D.E.A. ACCOUNT

WHEREAS, a need exists within the Borough to purchase and install various equipment in and on the new police vehicle for use by 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 # 29-17, 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 purchase, and to sign and issue purchase orders for the equipment and installation of said equipment in and on the new police vehicle at a cost of \$3,178.80, payable to East Coast Emergency Lighting, Inc., 200 Mecco Drive, Millstone Township, NJ 08535, pursuant to the price quotation received from East Coast Emergency Lighting Inc., whose response was most advantageous to the Borough, price and other factors considered.

RESOLUTION # 49-17
RESOLUTION AUTHORIZING BIDDING FOR THE
PURCHASE AND INSTALLATION OF TWO BACKUP
EMERGENCY GENERATORS USING FUNDS AWARDED THROUGH THE
HAZARD MITIGATION GRANT PROGRAM

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF MAYWOOD, BERGEN COUNTY, NEW JERSEY, that the Borough Clerk is hereby authorized and directed to place an advertisement in the Our Town and the Record for the receipt of sealed bids for the purchase and installation of two (2) Backup Emergency Generators, one for the Maywood DPW building on East Hunter Avenue and the other for the Maywood Senior Citizen building at 147 West Magnolia Avenue, in accordance with specifications therefor, of a form approved by the Borough Attorney, in accordance with law.

RESOLUTION # 50-17
RESOLUTION AUTHORIZING FIREWORKS DISPLAY AGREEMENT
BETWEEN THE BOROUGH OF MAYWOOD AND INTERNATIONAL
FIREWORKS MFG. CO. INC.

WHEREAS, the Borough of Maywood has decided to conduct a fireworks display during their July 4th Celebration on the date of July 2, 2017 with a rain date to be determined before March 1, 2018; and

WHEREAS, the display will be provided and supplied by International Fireworks Mfg. Co. Inc. whose address is 242 Sycamore Road, Douglasville PA 19518; and

WHEREAS, the cost as written in said contract is \$11,000.00 in total;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF MAYWOOD, BERGEN COUNTY, NEW JERSEY, that the Mayor, Adrian J. Febre, is hereby authorized to execute and the Borough Clerk, Jean M. Pelligra, to attest an agreement between the Borough of Maywood and by International Fireworks Mfg. Co. Inc. subject to the availability of funds and in accordance with all requirements set forth by the South Bergen Joint Insurance Fund as determined by our Risk Manager, Professional Insurance Associates of 429 Hackensack Street, Carlstadt, NJ 07072, and approval of the location and display by the Borough of Maywood's Fire Official, Thomas Tuttle, as well as being subject to the Borough Attorney's approval as to form.

RESOLUTION #51-17
RESOLUTION ENDORSING THE BERGEN COUNTY OPEN SPACE
TRUST FUND APPLICATION

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, 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 outdoor municipal recreation facilities; and,

WHEREAS, the Borough of Maywood desires to further the public interest by obtaining a matching grant of \$38,268.00 with \$19,134.00 from the County Trust Fund to fund the following project: Memorial Park Renovation – Children’s Playground Renovation; and,

WHEREAS, the Mayor and Council of the Borough of Maywood has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions, and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the Mayor and Council of the Borough of Maywood held the required Public Hearing to receive public comments on the proposed park improvements in the application on February 14, 2017 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 Borough of Maywood:

1. That it is hereby authorized to submit the above completed project application to the County on **February 14, 2017**; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, 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 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 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 # 52-17
RESOLUTION OF SUPPORT AUTHORIZING THE
SUSTAINABLE JERSEY GRANT APPLICATION

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Maywood strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Borough of Maywood is certified and actively participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program;

THEREFORE, the Mayor and Council of the Borough of Maywood has determined that the Borough of Maywood should apply for a \$20,000 grant for establishment of an anti-litter program from the Sustainable Jersey Small Grants Program.

THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Maywood, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant.

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

INTRODUCTION OF ORDINANCES

ORDINANCE # 1-17

AN ORDINANCE AMENDING CHAPTER 161 TO ADD ARTICLE V (5) GOVERNING THE FEEDING AND KEEPING OF UNLICENSED CATS IN THE BOROUGH

BE IT ORDAINED BY THE BOROUGH MAYOR AND COUNCIL OF THE BOROUGH OF MAYWOOD, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

WHEREAS, the Mayor and Council of the Borough of Maywood wishes to amend Chapter 161 by adding Article V (5) to govern the feeding and keeping of unlicensed cats within the Borough.

NOW, THEREFORE, BE IT ORDAINED by the Borough Mayor and Council of the Borough of Maywood, County of Bergen, as follows:

Section 1: Chapter 161 shall be amended by adding Article V (5) which shall be entitled "Article V: Unlicensed Cats". Such new article shall begin at § 161-33 and shall read as follows:

ARTICLE 5: UNLICENSED CATS

§ 161-33 Feeding of unlicensed cats prohibited.

No person, firm or corporation shall attract or attempt to attract unlicensed cats by means of feeding or the placing of quantities of water, feed, or any other food or fluids generally known to attract cats, nor shall anyone maintain any condition whereby the leaving of such food or fluids has the effect of attracting unlicensed cats to feed upon such food in such condition.

§ 161-34 Shelters for unlicensed cats prohibited.

No person, firm or corporation shall build or maintain a shelter for the keeping of unlicensed cats within the Borough of Maywood.

§ 161-35 Violations and penalties.

Any person, persons, firm or corporation violating any of the provisions of this article shall be subject to a fine not exceeding \$1,000 or imprisonment for a period not exceeding 90 days, or both. Each and every day that a violation shall be found to exist shall constitute a separate violation of this article.

Section 2: All ordinances of the Borough of Maywood which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 3: If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

Section 4: This ordinance shall take effect upon passage and publication according to law.

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

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood that Ordinance #1-17, pass on first reading and that said Ordinance will be further considered for final passage at a meeting of the Mayor and Council to be held on February 28, 2017 at 7:30 pm at the Borough Hall, 15 Park Avenue, Maywood, New Jersey at which time and place all persons interested therein will be given an opportunity to be heard concerning the same, and that the Borough Clerk is hereby authorized and directed to advertise the same according to law.

NEW BUSINESS

Council member DeHeer stated he was not a strong supporter of the ordinance; however, with the help of Mayor Febre and Borough Clerk Pelligra he has been provided with information on a Trap, Neuter and Release (TNR) program for feral cats available to us through the County which he believes together with Ordinance #1-17 will better address the problem; adding he would like to request that this information be placed on the borough website.

Council member DeHeer stated a resident has questioned the reason why our roadways are not plowed closer curb to curb during a snowstorm.

DPW Superintendent Neumann was present and replied our workers are instructed to plow curb to curb.

Mayor Febre stated prior to this past snowstorm, we sent several Nixle alerts advising residents not to park on the street during the snow emergency.

Council member Lindenau also stated snow removal contractors and residents cannot put snow in the roadway.

OLD BUSINESS

MISCELLANEOUS BUSINESS

CLOSED SESSION – IF APPLICABLE

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

BOROUGH OF MAYWOOD **Closed Session Resolution # 53-17**

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):

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
- () 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: 2-14-2017 Time: 8:10 pm

ADJOURNMENT

Council member Lindenau moved the meeting be adjourned; seconded by Council member Morrone and so carried at 9:25 p.m.

Borough Clerk