

RESOLUTION 2016-304A

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING JAMES J. GLUCK, ESQUIRE TO SERVE AS HEARING OFFICER WITH REGARD TO CERTAIN EMPLOYMENT MATTERS INVOLVING THE TOWNSHIP OF BARNEGAT.

WHEREAS, the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey (hereinafter referred to as the “Township”) has advised an employee of the Township’s intention to discipline the employee; and

WHEREAS, the employee as invoked the provisions of N.J.S.A. 40A:14-147, *et seq.*, which requires an internal hearing before discipline is imposed; and

WHEREAS, the invocation of the employee’s statutory right to an internal hearing requires the Township to appoint a hearing officer to carefully consider all of the evidence; and

WHEREAS, the Township Solicitor has recommended James J. Gluck, Esquire, to serve as the hearing officer in this matter; and

WHEREAS, the James J. Gluck, Esquire is duly licensed attorneys for the State of New Jersey and are each well qualified to be considered as a hearing officers in this employment related matter.

NOW, THEREFORE, BE IT RESOLVED this 2nd day of August, 2016 by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey as follows:

**DASTI, MURPHY
McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS**

COUNSELLORS AT LAW

620 WEST LACEY ROAD
P.O. BOX 1057
FORKED RIVER, N.J. 08731

1. James J. Gluck, Esquire is hereby appointed as hearing officer for the Township of Barnegat at an hourly rate not to exceed \$175.00 per hour with regard to the pending employment related grievance filed by an employee of the Township.

2. The Township Committee hereby authorizes and directs the Mayor, Township Administrator and Township Clerk to execute any and all necessary documents, including a contract for legal services, to be prepared by James J. Gluck, Esquire.

3. Award of contract is made to James J. Gluck, Esquire based on the merits and abilities of James J. Gluck, Esquire. This contract award is not made through the "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. This contract is not anticipated to exceed \$17,500.00. Should the contract exceed \$17,500.00, then James J. Gluck, Esquire shall certify to the Township that neither he, his subsidiaries, assigns or principals have made any contribution that is reportable pursuant to the Election Law Enforcement Commission, pursuant to N.J.S.A. 19:44A-8 or N.J.S.A. 19:44A-16 within one (1) year preceding the award of this contract.

4. That a copy of the necessary notice shall be published in an official newspaper as required by law within ten (10) days of the date hereof.

5. A copy of this Resolution will be forwarded to the Township Clerk to the following:

- (a) Honorable John J. Novak, Mayor;
- (b) Martin Lisella, Township Administrator;
- (c) Jerry J. Dasti, Esquire;
- (d) Tom Lombarski, CFO, Township of Barnegat; and
- (e) James J. Gluck, Esquire.


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CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Township of Barnegat at a meeting held on August 2, 2016, a quorum being present and voting in the majority.



MICHELE RIVERS, RMC, TOWNSHIP CLERK

**DASTI, MURPHY
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Prepared by:

**DASTI, MURPHY, McGUCKIN, ULAKY,
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Forked River, New Jersey 08731