

**RESOLUTION**

**NO.: 2014-052**

**WHEREAS**, the Executive Director has advised that he has received a subpoena to testify in the matter, State v. Bunero, in the Superior Court of New Jersey; and

**WHEREAS**, based on the facts, the Executive Director's status, as a potential witness, in the foregoing matter, arises out of his official capacity as Executive Director for the North Bergen Parking Authority; and

**WHEREAS**, in accordance with McCurrie v. Town of Kearny, 174 N.J. 523, 531 (2002) governing bodies have a moral obligation, and hence the discretionary authority, to pay expenses incurred in good faith by municipal employees providing that the municipality's exercise of discretion to pay its employee's legal expenses is a showing that the employee was acting in good faith in the course of official duties in a matter in which the governing body had an interest; and

**WHEREAS**, the Executive Director was acting in good faith in the course of his official duties, in matters in which the Parking Authority had an interest,

**NOW, THEREFORE, BE IT RESOLVED**, by the Commissioners of the North Bergen Parking Authority, that the above recitals are incorporated herein; and

**BE IT FURTHER RESOLVED** that the Parking Authority hereby appoints Ramon Gonzalez, Esq., of the law firm of Gonzalez & Caride, to represent the Executive Director in the above referenced matter, at the rate of \$170.00 per hour; and

**BE IT FURTHER RESOLVED** that the fee for said services shall not exceed the sum of \$5,000.00, without further authorization of the Board of Commissioners and is subject to certification as to the availability of funds;

**BE IT FURTHER RESOLVED**, that notice of this appointment be published once in the Authority's legal newspaper, as required by NJSA 40A:11-5; and

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to:

1. Robert P. Baselice, NBPA Executive Director
2. Edward L. Weyand, NBPA Accountant
3. McEnerney, Brady & Co., NBPA Auditor
4. Clerk of the Township of North Bergen
5. Ramon Gonzalez, Esq.

	YES	NO	ABSTAIN	ABSENT
Steven R. Monetti, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vasu N. Rao, Treasurer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Frank Colaluca, Commissioner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Diana Madrid, Commissioner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

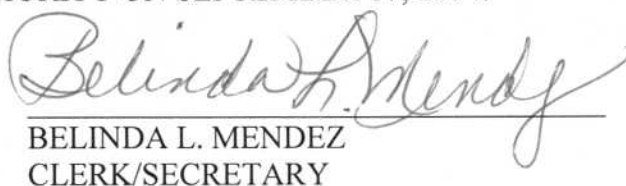
DATED: September 17, 2014

ATTEST:



BELINDA L. MENDEZ  
CLERK/SECRETARY

I HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS DULY ADOPTED BY THE NORTH BERGEN PARKING AUTHORITY ON SEPTEMBER 17, 2014.

  
BELINDA L. MENDEZ  
CLERK/SECRETARY