

**Township of South Hackensack  
PLANNING BOARD  
May 17, 2010  
7:30 p.m.  
MINUTES**

At 7:47 p.m. this meeting was Called to Order. Pursuant to the Open Public Meetings Act, adequate notice of this meeting was provided to The Record and The Herald News and by posting a copy of the meeting notice on the bulletin board in the clerk's office where notices are customarily posted.

The Chairman led the Flag Salute.

The Secretary called the Roll.

**Members Present**

James Anzevino  
Vincent Stefano  
Frank Capolupo  
Ray DeRiso  
John Schettino, Esq.

**Members Absent**

Pat Spadavecchia  
Anthony Vigilanti  
Leo Rossi  
Frank Cagas  
Butch Walsh

**Minutes**

DeRiso **motioned**; Anzevino **seconded** to approve the Minutes of April 19, 2010.  
All in favor.

**Correspondence**

No Correspondence.

**Old Business**

**Memorialize Resolution:**

PB Application #2010-01  
490 Huyler Street, LLC  
490 Huyler Street – Block: 23.02 Lots: 4,5  
Site Plan Approval

DeRiso **motioned**; Spadavecchia **seconded** to memorialize the resolution;  
Seven (7) Yes: Anzevino, Stefano, Spadavecchia, Capolupo, Vigilanti, Rossi, and DeRiso; Two (2) Absent: Walsh and Cagas.

April 19, 2010

**Resolution to Appoint Kauker and Kauker as Planner**

PB Application #2010-02

71 Saddle River Avenue

Block: 102 Lot: 40

Conceptual Review for Zone Change

The Board Members reviewed that Kauker and Kauker will provide bulk requirements, restrictions, and review the master plan with recommendations. Once the report from Kauker and Kauker is provided and obtained Board approval, the Township Committee would implement by a resolution. The cost will be approximately \$7,500 not to exceed \$10,000 with the applicant bearing the cost. The applicant has already placed \$10,000 in escrow. The Board also discussed a need for an economic impact study, which is to be provided by applicant as well as police, fire, and engineering approvals. The project would produce \$1 million in net income to help alleviate property taxes. There is concern that the condos might incur additional staffing to the schools, and emergency services as well as a delayed response time for assistance. Board Attorney, Mr. Schettino, will contact Kauker and Kauker regarding a time frame for a report and inform the Board.

Stefano **motioned**; Rossi **second** to adopt the resolution. Seven (7) Yes: Anzevino, Stefano, Spadavecchia, Capolupo, Vigilanti, Rossi, and DeRiso;  
Two (2) Absent: Walsh and Cagas.

**New Business**

No New Business.

**Board Discussion**

Mr. DeRiso had concerns with 310 Huyler Street, Teggiano's Restaurant with it needing several variances for a retail building on the site plan. This client will be heard on June 28, 2010 for a conceptual review.

**Meeting Open to the Public**

There were no comments.

At 8:40 p.m. Capolupo **motioned**; Spadavecchia seconded to **adjourn**. **All in favor**.

Respectfully Submitted,



Lydia Heinzelman  
Secretary

April 19, 2010

RESOLUTION

PLANNING BOARD OF THE TOWNSHIP OF SOUTH HACKENSACK

DATED: MAY 17, 2010

APPLICATION NO.: 2010-01

APPLICANTS: 490 Huyler Street, LLC  
83 South Street  
Morristown, N.J. 07960

APPLICANT'S ATTORNEY: JOSEPH L. BASRALIAN, ESQ.

PREMISES: 490 Huyler Street  
Block 23.02, Lots 4 & 5

OWNER OF PREMISES: 490 HUYLER STREET, LLC

DATE OF PRESENTATION: January 19, 2010

Site application for preliminary and final site plan approval with variances for parking space size, parking, parking in the front yard and continuation of existing nonconformities.

APPLICATION: For site plan approval with variances to modify the existing car and truck parking areas and to increase the on-site parking combined with certain drainage improvements to reduce the building coverage and to increase the landscaped area; to permit nine (9') feet x eighteen (18') feet parking spaces; to permit parking within the front yard setbacks of Huyler Street and Bruce Court; to continue all existing non-conformities which would otherwise constitute variances but for the preexisting conditions; and such additional waivers and variances which may be required as set forth on the attached letter dated January 8, 2010 and January 19, 2010 by Boswell Engineering, incorporated herein by reference.

WHEREAS, 490 Huyler Street, LLC has applied to the Planning Board of the Township of South Hackensack for site plan approval and variances for parking stall size, parking, parking in the front yard and continuation of all existing nonconformities in order to modify the existing car and truck parking areas, improvements to reduce the building coverage and to increase the landscaped area and to increase the on-site parking combined with certain drainage improvements on property located at 490 Huyler Street, Block 23.02, Lots 4 & 5 in the Township of South Hackensack; and

WHEREAS, the applicant has by affidavit presented proof to the Board that all owners of property situate within and without the municipality and within 200 feet of the premises to be affected have been given notice pursuant to the applicable statute; and

WHEREAS, an affidavit of publication has also been submitted attesting to publication in The Record on January 7, 2010 of a Notice of Hearing; and

WHEREAS, on January 19, 2010, the Board held a public hearing at which time it heard the testimony and considered the arguments on behalf of the applicant; and

WHEREAS, at said hearing the Board also heard and gave consideration to all other persons desiring to be heard; and

WHEREAS, on January 19, 2010, the Board, after due

consideration and deliberation granted the applicant's request by a formal vote for site plan approval and variances for parking stall size, parking, parking in the front yard and continuation of all existing nonconformities in order to modify the existing car and truck parking areas, improvements to reduce the building coverage and to increase the landscaped area and to increase the on-site parking combined with certain drainage improvements; and

**WHEREAS**, the following members were present and voted in favor of the application: Mayor James Anzevino, Committee Member F. Cagas, Chairman Vincent Stefano, F. Capolupo, L Rossi and A. Vigilante; and

**WHEREAS**, pursuant to N.J.S.A. 40:55D-10(g) said decision must be reduced to writing and shall include findings of fact and conclusions based thereon; and

**WHEREAS**, on May 17, 2010, the Planning Board in open and public session, does hereby adopt, ratify and confirm the following as its findings of fact and conclusions of law:

1. The applicant is the owner of Lots 4 & 5, in Block 23.02 more commonly known as 490 Huyler Street, LLC South Hackensack, New Jersey. The property is 107,218 square feet and is located on the northeasterly corner of Huyler Street and Chhippewa Street in the "C" industrial zone pursuant to Township Ordinances.

2. The applicant's property presently consists of a fully developed one-story, 107' x 730' square foot masonry industrial/commercial building with a parking lot for approximately 63 cars and 11 trucks.

3. The site slopes gently from east to west. The impervious area totals 176,136 square feet or 93.83% of the site.

4. The applicant proposes to refurbish the existing parking facilities. The southerly parking and the Huyler Street frontage will be developed for a total of 92 parking spaces including four (4) handicapped spaces) The impervious areas on site will be reduced by approximately 3,126 square feet, the drainage will be improved and landscaped areas introduced throughout the site.

5. The site presently provides sixty-three (63) spaces. The building contains 10,722 square feet of office area which requires fifty-four (54) spaces at one (1) per every two hundred (200') square feet and 138 parking spaces for 96,496 square feet of warehouse area based upon one (1) for every seven hundred (700) square feet. The existing landscaped area is 6.17%.

6. The application requires the continuation of the following preexisting nonconformities: front yard setback where 35' is required and 15.16 feet is proposed at Bruce

Court; and minimum side yard setback where 20 feet is required and 12.80 feet exists.

7. The improvements as proposed require the following variances:

a. Parking within the front yard. According to Sec. 208.7F(1), front yard parking in the C District is prohibited where the front lot line is adjacent to a public right-of-way.

b. Parking stall size where 10' x 20' is required and 9' x 18' and 9' x 15' are proposed.

c. Loading space size. Off-street loading space shall be 15' x 50' while 10' x 40' are being proposed.

d. Number of parking spaces. The applicant proposes 92 car spaces while 192 car spaces are required.

8. Michael Lanzafama, a licensed Engineer and Planner, testified as follows:

The property is located in the "C" Industrial zone. There is an existing warehouse and office building that fronts on three streets creating practical difficulties. The property is <sup>4.3</sup> 43 acres. There are existing nonconformities with respect to the side yard, front yard, landscaped area and parking and impervious coverage. The applicant proposes to remove a 512 square foot structure on the corner of north Bruce Street increasing the side yard to 12.83 eliminating the nonconformities. There are 15 existing loading bays, 63 parking spaces where 192 are required. The applicant proposes to add 16 parking spaces inclusive of two handicapped spaces on Huyler Street for four (4) compact spaces on the north side and five

6/21/10 - Board Approved  
C. Lanzafama - LEH

additional parking spaces on the east side. There is the option of adding ten (10) additional parking spaces on the north side if the loading bay area is removed. On the south side, impervious and landscaped area will be removed. These will be two (2) driveways out to Chippewa Street, a curbed area and defined parking spaces. Approximately 3000 square feet of impervious area will be removed and the landscaped area increased from 6.5% to approximately 7.8% eliminating the nonconformities. The impervious coverage will be reduced from 93.83% to 92.17%. As part of the landscape plan, flowering pear trees, china holly and evergreen hedge will be planted along Huyler Street matching the trees on Chippewa Street. Arborvitae will be planted on the south and east sides. The drainage system will be improved for the Huyler Street parking area and the existing collection system cleaned out. Applications have been filed with the Bergen County Soil and Sedimentary Control District and the Bergen County Planning Board.

The application seeks a variance for parking stall size as 9' x 18' are proposed for 68 spaces; five (5) parking spaces will be 9' x 22' and four (4) will be 9' x 15'. A total of 92 parking spaces are proposed where 192 are required. The variances requested are appropriate pursuant to N.J.S.A. 40:55D-70(c)(1) and (c)(2) as there are practical difficulties due to the location of the



property and existing building specifications with respect to the three (3) front yards. Pursuant to N.J.S.A. 40:55D-70(c)(2), a variance for parking stall size is appropriate as it allows for more parking spaces, a reduction of impervious area, additional landscaping and improves access and safety for ingress and egress and pedestrian traffic. There are no negatives nor any substantial detriment to the zone plan or public good.

9. The South Hackensack Terminal Corporation (predecessor in title ) was granted rights to use the "bed and rails" from Huyler Street to the building. This was recorded in Deed Book 3476, Page 165 in 1953. There are no restrictions on the use of the northeast corner of the property for parking.

**WHEREAS**, the Planning Board of the Township of South Hackensack hereby concludes that the proposal of the applicant is in accordance with the zoning and planning scheme of the Township of South Hackensack and, upon satisfaction of all the conditions hereinafter imposed, will not be detrimental to the general welfare; and

**WHEREAS**, the Planning Board of the Township of South Hackensack based upon the foregoing findings of fact, hereby concludes that:

1. The proposal of the applicant is in accordance with the zoning and planning scheme of the Township of South

Hackensack and, upon satisfaction of all the conditions hereinafter imposed, will not be detrimental to the general welfare; and

2. The Planning Board has considered the site plan submitted by the application with reference to the objectives set forth in the South Hackensack Book entitled "The Site Plan Review Ordinance of the Township of South Hackensack"; and

3. The site plan, as approved by the Board, will be compatible with the aforementioned objectives of the site plan ordinance; and

4. The applicant's request for variances is also justified pursuant to N.J.S.A. 40:55D-70(c)(1) which requires the applicant to demonstrate a hardship, such as "exceptional narrowness, shallowness or shape of a specific piece of property" or by reason of exceptional or unique topographic conditions, physical features or an exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.

5. Further, under N.J.S.A. 40:55D-70(c)(2), wherein an application or appeal relating to a specific piece of property is a deviation from the zoning ordinance but would advance the purposes of the zoning ordinances of the Borough, and the benefits of that deviation would substantially

outweigh any detriment, the Board may grant the requested variance relief.

6. The variances will enhance the site. The Planning Board finds that the granting of the variances for parking, parking stall size, and parking in the front yard and the continuation of preexisting nonconformities are appropriate. The variances for parking, parking stall size and parking in the front yard are appropriate pursuant to N.J.S.A. 40:55D-70(c)(1) and 40:55D-70(c)(2) given the size of the property and building and its existing location. There are three (3) front yards creating practical difficulties with respect to the use of the site and the ability to create additional parking spaces.

7. The variance for parking stall size is appropriate pursuant to N.J.S.A. 40:55D-70(c)(2) as the proposed size represents a better plan than the zoning ordinance.

8. The proposed parking stall sizes are appropriate for commercial properties, will provide more parking spaces, reduce impervious coverage, provide additional landscaping, improve access to the site and safety for pedestrian traffic.

9. There would be no negative impacts and in balancing the positives with the negatives, the positives clearly outweigh the negatives as there would be a benefit to the public good.

the conditions under which this application is approved may have changed by the expiration of that period.

9. The plans shall be revised to reflect parallel parking on Bruce Court reducing the number of parking spaces from the proposed 5 to 6.

10. The applicant shall secure an abandonment letter from the railroad with respect to the railroad tracks on Bruce Court.

11. The applicant shall increase the radius on Huyler Street onto Bruce Court if approved by the Bergen County Planning Board.

12. The execution of a Developer's Agreement between the applicant and the Township of South Hackensack.

13. There shall be a provision in the Developer's Agreement for satisfactory completion of all municipal improvements, and the implementation of all improvements required on the plan, and the implementation of all conditions in this resolution. The Developer's Agreement shall be satisfactory to the Planning Board and the Township Attorney. The developer shall have ninety (90) days upon receipt of the Developer's Agreement to execute and return same.

The approval granted herein is further subject to the following:

1. Approval by all Township agencies having jurisdiction over this matter, including but not limited to, the Township Engineer.

2. Approval by the Bergen County Soil Conservation District.

BE IT FURTHER RESOLVED that this approval is specifically granted based upon the testimony of the applicant, his witnesses, the exhibits, and the application submitted to the Planning Board, all of which have been relied upon by the Board.

BE IT FURTHER RESOLVED that the relief granted to the Applicant is specifically made subject to any conditions referred to herein. In the event any condition is held to be invalid, unenforceable, or unlawful, the entire variance shall be unenforceable. It is the intent of the Board that the variance not be approved if any condition is invalid, and that the conditions are not severable from any variances or relief granted herein.

On May 17, 2010 according to the below indicated votes.

<u>Name</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>No Vote</u>
James Anzevino, Mayor	✓			
F. Cagas				→ ✓ ABSENT
V. Stefano	✓			
F. Capolupo	✓			
L. Rossi	✓			
A. Vigilante	✓			
P. Spadavecchia	✓			
B. Walsh				→ ✓ ABSENT
R. DeRiso	motioned ✓			

APPROVED (✓)  
Attest: Lydia Heinzelman  
Secretary

DISAPPROVED ( )  
Approved: Vincent Stefano  
Chairman

I hereby certify the foregoing to be a true copy of a resolution adopted by the Planning Board at a meeting held on the 17<sup>th</sup> day of May, 2010.

Lydia Heinzelman  
Lydia Heinzelman, Secretary

CERTIFICATION TO THE RESOLUTION  
OF THE TOWNSHIP OF SOUTH HACKENSACK

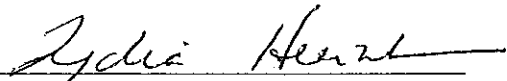
DATED: MAY 17, 2010

REGARDING THE APPLICATION OF:

490 HUYLER STREET LLC

APPLICATION NO. 2010-01

I hereby certify that the foregoing resolution truly represents the resolution passed by the Planning Board of the Township of South Hackensack on MAY 17, 2010 7 members present voting affirmatively, ~~0~~ members voting in the negative, and 2 members abstaining/ABSENT

  
Lydza Heinzelman, Secretary

The newspapers of **New Jersey** make public notices from their printed pages available electronically in a single database for the benefit of the public. This enhances the legislative intent of public notice - keeping a free and independent public informed about activities of their government and business activities that may affect them. Importantly, Public Notices now are in one place on the web ([www.PublicNoticeAds.com](http://www.PublicNoticeAds.com)), not scattered among thousands of government web pages.

**County:** Bergen  
**Printed In:** The Record, Hackensack  
**Printed On:** 2010/05/20

**PLANNING BOARD TOWNSHIP OF SOUTH HACKENSACK  
PUBLIC NOTICE**

NOTICE is hereby given that the Planning Board of the Township of South Hackensack, by resolution duly adopted on May 17, 2010, for the reasons set forth in its resolution of that date, conditionally granted approval to the application of 490 Huyler, LLC, as to premises designated as Lots 4 & 5 in Block 23.02 and more commonly known as 375 Huyler Street, for site plan approval with variances for parking space size, parking, parking in the front yard and continuation of existing nonconformities. Said approval was made expressly conditioned upon the satisfaction of all of the terms and conditions contained in that resolution. A copy of that resolution is on file in the office of the Township Clerk, 227 Phillips Avenue, South Hackensack, New Jersey, and is available for inspection by members of the public during the regular business hours of that office.  
Dated: May 18, 2010

Lydia Heinzelman  
Secretary  
South Hackensack Planning Board  
May 20, 2010-Fee:\$28.35(30) 2857012

**Public Notice ID: 13185481**



RESOLUTION

PLANNING BOARD OF THE TOWNSHIP OF SOUTH HACKENSACK

**WHEREAS**, a property owner has presented a conceptual plan that requires a re-examination of the Master Plan as it pertains to C-1 Industrial Zone; and

**WHEREAS**, it is necessary for the Board to engage the services of a Planner to provide an analysis for said project; and

**WHEREAS**, Kauker & Kauker, Town Planning and Development Consultants, 356 Franklin Avenue, Wyckoff, New Jersey will perform the services of preparing an analysis for a fee as follows: \$135.00/hour for Michael F. Kauker; \$125.00/hour for Michael D. Kauker; and \$100.00/hour for Senior Associate Planner; and

**WHEREAS**, funds are available to compensate said planner by deposit of escrow monies by the applicant, Conдеми Motor Company, in the amount of \$10,000.00; and

**WHEREAS**, based upon the background and experience, the Planning Board of the Township of South Hackensack has determined that Kauker & Kauker is qualified to perform the service of preparing a planning and zoning analysis and recommendations for the zoning of 71 Saddle River Avenue, Lot 40, Block 102, as identified on the tax assessment map of the Township of South Hackensack.

**NOW THEREFORE, BE IT RESOLVED**, that the Planning Board of the Township of South Hackensack, South Hackensack, County of Bergen, and State of New Jersey hereby approves the appointment of Kauker & Kauker to perform the services of preparing an analysis for a planning and zoning analysis and recommendations for the zoning of 71 Saddle River Avenue located in the C-1 Industrial Zone, in the Township of South Hackensack for a fee as follows: \$135.00 per hour for Michael F. Kauker, \$125.00 per hour for Michael D. Kauker and \$100.00 per hour for Senior Associate Planner; and

**BE IT FURTHER RESOLVED**, that the compensation for said position is commensurate with N.J.S.A. 40A:11-7 of the Local Public Contracts Law which specifically exempts such contracts from public bidding; and

BE IT FURTHER RESOLVED, that the Planning Board is hereby authorized and directed to publish this designation in The Record within ten (10) days from the date hereof; and

BE IT FURTHER RESOLVED, that the Board Attorney is hereby authorized to prepare the necessary documents and that the Planning Board is hereby authorized to execute same on behalf of the Planning Board of the Township of South Hackensack.

On May 17, 2010 according to the below indicated votes.

<u>Name</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>No Vote</u>
James Anzevino, Mayor	✓			
Vincent Stefano Chairman	✓			
P. Spadavecchia	✓			
F. Capolupo	✓			✓ Absent
B. Walsh				✓ Absent
F. Cagas				
A. Vigilanti	✓			
L. Rossi	✓			
R. DeRiso	✓			
APPROVED (X)		DISAPPROVED ( )		
Attest: <u>Lydia Heinzelman</u>		Approved: <u>Vincent Stefano</u>		
Secretary		Chairman		

I hereby certify the foregoing to be a true copy of a resolution adopted by the Planning Board at a meeting held on the 17<sup>th</sup> day of May 2010.

Lydia Heinzelman  
Lydia Heinzelman, Secretary

CERTIFICATION TO THE RESOLUTION  
OF THE TOWNSHIP OF SOUTH HACKENSACK

DATED: May 17, 2010

REGARDING THE APPLICATION OF:

KAUKER & KAUKER TOWN PLANNING CONSULTANTS

APPLICATION NO. 2010-02

I hereby certify that the foregoing resolution truly represents the resolution passed by the Planning Board of the Township of South Hackensack on May 17, 2010 7 members present voting affirmatively, 0 members voting in the negative, and 2 members abstaining. Assent

Lydia E. Heinzelman  
Lydia Heinzelman, Secretary

The newspapers of New Jersey make public notices from their printed pages available electronically in a single database for the benefit of the public. This enhances the legislative intent of public notice - keeping a free and independent public informed about activities of their government and business activities that may affect them. Importantly, Public Notices now are in one place on the web ([www.PublicNoticeAds.com](http://www.PublicNoticeAds.com)), not scattered among thousands of government web pages.

**County:** Bergen  
**Printed In:** The Record, Hackensack  
**Printed On:** 2010/05/20

PLANNING BOARD  
TOWNSHIP OF SOUTH HACKENSACK

PUBLIC NOTICE

NOTICE is hereby given that the Planning Board of the Township of South Hackensack, by resolution duly adopted on May 17, 2010, for the reasons set forth in its resolution of that date, approves the appointment of Kauker & Kauker to perform the services of preparing an analysis for a planning and zoning analysis and recommendations for the zoning of 71 Saddle River Road, Lot 40 of Block 102. A copy of that resolution is on file in the office of the Township Clerk, 227 Phillips Avenue, South Hackensack, New Jersey, and is available for inspection by members of the public during the regular business hours of that office.

Dated: May 18, 2010

Lydia Heinzelman  
Secretary  
South Hackensack Planning Board  
May 20, 2010-Fee:\$25.52(27) 2857145

Public Notice ID:

AGREEMENT FOR PROFESSIONAL SERVICES  
FOR THE REEXAMINATION OF THE BOROUGH'S MASTER PLAN

THIS AGREEMENT, dated 21 day of ~~May~~<sup>June</sup>, 2010

BETWEEN: TOWNSHIP OF SOUTH HACKENSACK PLANNING BOARD,  
a Municipal Corporation of the  
State of New Jersey, with its principal  
Offices at 227 Phillips Avenue, South Hackensack  
New Jersey 07606 (hereinafter referred to as  
the "Board")

AND KAUKER & KAUKER, LLC,  
(hereinafter referred to as "Board Planner")  
356 Franklin Avenue, Wyckoff, New Jersey 07481

WHEREAS, there is presently an application before the  
Planning Board of the Township of South Hackensack by  
Condemi Motor Company, 22 South Main Street, South  
Hackensack, New Jersey; and

WHEREAS, the Township of South Hackensack has  
determined that there exists a need to retain the services  
of a Planner to conduct a planning and zoning analysis with  
regard to said application; and

WHEREAS, by Resolution dated May 17, 2010, the  
Township of South Hackensack Planning Board retained the  
services of Kauker & Kauker, LLC to conduct a planning and  
zoning analysis and produce a subsequent zoning amendment  
for the Township of South Hackensack; and

WHEREAS, pursuant to law, the parties hereto wish to  
enter into an agreement for Professional Legal Services  
with respect to a planning and zoning analysis of the  
property located at 22 South Main Street, South Hackensack,  
New Jersey; and

NOW, THEREFORE, the parties hereunder do agree as  
follows:

1. Kauker & Kauker, LLC is hereby retained by the  
Planning Board of the Township of South Hackensack to  
conduct a planning and zoning analysis of the property  
located at 22 South Main Street, South Hackensack, New  
Jersey.

2. Kauker & Kauker, LL shall charge in accord with the attached fee schedule attached hereto and made a part hereof.

3. The parties to this Contract agree to incorporate into this contract the mandatory language of subsection 3.4(a) of the Regulations promulgated by the Treasurer pursuant to P.L. 1975 c. 127, as amended and supplemented from time to time, and the contractor or subcontractor agrees to comply fully with the terms, provisions and obligations of said subsection 3.4(a), provided that said subsection shall be applied subject to the terms of subsection 3.4(d) of said Regulations.

4. The parties to the Agreement agree to incorporate into this Agreement the mandatory language of Section 5.3 of the Regulations promulgated by the Treasurer pursuant to P.L. 1975 c. 127, as amended and supplemented from time to time, and the contractor or subcontractor agrees to comply fully with the terms, provisions and obligations of said Section 5.3.

5. During the performance of this Agreement, Kauker & Kauker, LLC agree as follows:

a. Kauker & Kauker shall not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status or sex. She will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation; and selection for training, including apprenticeship. Michael Kauker agrees to post in conspicuous spaces, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this non-discrimination clause.

b. Kauker & Kauker will, in all solicitations or advertisements for employees placed by or on behalf of the Board, state that all qualified applicants will receive

consideration or employment without regard to age, race, creed, color, national origin, ancestry, marital status or sex.

c. Kauker & Kauker, where applicable, will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the Public Agency compliance Officer advising the labor union or workers representative of Board Planner's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

d. Kauker & Kauker agree to comply with any regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time.

e. Kauker & Kauker agree to attempt in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975. C. 127, as amended and supplemented from time to time.

f. Kauker & Kauker agree to inform, in writing, all recruitment agencies, including employment agencies, placement bureaus, colleges, universities and labor union, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

g. Kauker & Kauker agree to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with their principles of job-related testing, as established by the statutes and court decision of the State of New Jersey and as established by applicable federal law and applicable federal court decisions.

h. Kauker & Kauker agree to review all procedures relating to transfer, upgrading, downgrading, and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status or sex, and conform with the applicable employment goals, consistent with the statutes and court decisions of the State of New Jersey, and applicable federal law and applicable federal court decisions.

i. Kauker & Kauker will furnish such reports or other documents to the Affirmative Action Office as may be requested by the office from time to time in order to carry out the purposes of these regulations, and the Borough will furnish such information as may be requested by the Affirmative Action Office for conducting a compliance investigation pursuant to subchapter 10 of the Administrative Code (N.J.A.C. 17:27).

8. Kauker & Kauker shall submit a copy of the Certificate of Employee Information Report or Form AA-302 Initial Employee Information Report prior to any payments being made under this contract. ) do!

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed and the day and year first written above.

WITNESS:

TOWNSHIP OF SOUTH HACKENSACK  
PLANNING BOARD

By: 

By:  6-21-2010

WITNESS:

KAUKER & KAUKER, LLC

By: 

By: 

MICHAEL F. KAUKER