

**SPECIAL MEETING
SEPTEMBER 23, 2014**

A regular meeting of the Mayor and Council of the Borough of Bradley Beach was held in the council chamber on the above date.

CALL TO ORDER

Councilman Galassetti opened the meeting with a salute to the flag.

Sunshine Law

The meeting has been noticed publicly according to the Open Public Meetings Act requirement for “Annual Notice”, and posted on the official bulletin board.

Roll Call 5:37 PM

Present: Council: *Cotler, Volante, Goldfarb, Galassetti
Mayor Engelstad*
Business Administrator Wilkins
Borough Attorney DuPont via phone
Secretary: Municipal Clerk Mary Ann Solinski
* Mayor Engelstad arrived 5:38
*Councilman Cotler arrived 5:39

Resolution 198 **RETIRE INTO CLOSED SESSION TO DISCUSS SIMONE
LITIGATION MATTERS AS RECOMMENDED BY THE
BOROUGH ATTORNEY REGARDING 811 OCEAN AVENUE**

ON MOTION by Galassetti / Volante moved to adoption
ROLL CALL AYES: Volante, Goldfarb, Galassetti
 NAYS: None
 ABSENT: Cotler, Engelstad

ADOPTED RESOLUTION.

Council retired into Executive Session at 5:38PM

Attorney McGovern also via telephone.

Counsel advised that the judge has combined the appeal for the group license with the appeal for permitted use for 811 Ocean Avenue and expects a court order on the matter within a few weeks. Counsel cautioned that if the Borough contests the combination, the borough runs the risk of the judge ruling in the anticipated court order granting both the license and the permitted use case. They also advised that the order can also include that the borough would be liable for \$50,000 or more in attorney fees for the plaintiff.

Council returned to open session at 6:03PM.

The Mayor announced that no action will be taken at this time.

ADJOURNMENT

ON MOTION by Engelstad / Cotler the meeting was adjourned at 6:03 PM.

Mary Ann Solinski, RMC, CMC
Municipal Clerk