

BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH

RESOLUTION 2023-176

**RESOLUTION AUTHORIZING THE DISCUSSION OF MATTERS
IN A CLOSED EXECUTIVE SESSION PURSUANT TO N.J.S.A 10:4-12 & N.J.S.A 10:4-13**

Mayor Fox offered the following resolution and moved its adoption:

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Mayor & Council of the Borough of Bradley Beach is of the opinion that such circumstances presently exist; and

WHEREAS, the matters to be discussed relate to a statutorily excluded topic under N.J.S.A 10:4-12(b), specifically:

- _____ Attorney-Client Privilege
- _____ Employment/Personnel
- _____ Imposition of Civil Penalty
- _____ Investigation
- _____ Leasing or Acquisition of Property
- X Pending or Anticipated Litigation
- _____ Protected Privacy Interests
- _____ Public Safety/Security
- _____ Contract Negotiation

NOW, THEREFORE, BE IT RESOLVED, by the Mayor & Council of the Borough of Bradley Beach that the Mayor & Council shall retire into executive session where the public shall be excluded and where the following matters shall be discussed:

- **217 McCabe Avenue**
- **Rapaport vs. Bradley Beach**

BE IT FURTHER RESOLVED, that the Mayor & Council shall reconvene in public session upon conclusion of the executive session discussions, which shall be approximately **40 minutes** following adoption of this Resolution; and

BE IT FURTHER RESOLVED, that the following persons are expected to attend this Executive Session: 1) Mayor & Council, 2) Interim Borough Administrator, 3) Borough Attorney, and 4) Municipal Clerk

BE IT FURTHER RESOLVED, that the minutes of this executive session shall be closed from public inspection and shall so remain until the reason for confidentiality ceases to exist, or upon formal action by the Mayor & Council at an official meeting.

BE IT FURTHER RESOLVED, minutes will be kept of said executive session, which minutes shall be confidential and shall not be disclosed to the public until the need for confidentiality no longer exists.

Seconded by Councilperson _____ and adopted upon the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Ms. DeMarco				
Ms. DeNoble				
Mr. Gubitosi				
Mr. Weber				
Mayor Fox				

CERTIFICATION

I, Erica Kostyz, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Governing Body at the May 24, 2023 Council Business Meeting.

Erica Kostyz, RMC, CMR
Municipal Clerk