

BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH

RESOLUTION 2022-140

**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:

- | | |
|---------------|------------------------------------|
| <u> X </u> | Attorney-Client Privilege |
| <u> </u> | Employment/Personnel |
| <u> </u> | Imposition of Civil Penalty |
| <u> </u> | Investigation |
| <u> </u> | Leasing or Acquisition of Property |
| <u> X </u> | Pending or Anticipated Litigation |
| <u> </u> | Protected Privacy Interests |
| <u> </u> | Public Safety/Security |
| <u> X </u> | 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:

- Litigation – Veteran Relocation Project vs. Bradley Beach
- Attorney-Client Privilege/Potential Litigation – OPRA Compliance
- Attorney-Client Privilege/Personnel – Rice Notice Compliance
- Contractual – Borough Auditor/Financial Consultant

BE IT FURTHER RESOLVED, that the Mayor & Council shall reconvene in public session upon conclusion of the executive session discussions, which shall be approximately 60 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) Borough Administrator, 3) Borough Attorney, 4) Municipal Clerk, 5) Borough CFO, 6) Borough Financial Consultant and 6) Borough Labor Attorney.

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 Councilman Sexsmith and adopted upon the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Mr. Bonnell	X			
Mr. Gubitosi	X			
Mr. Sexsmith	X			
Mr. Weber	X			
Mayor Fox	X			

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 Mayor and Council at the May 10, 2022 Council Business Meeting.

Erica Kostyz, RMC, CMR
Municipal Clerk