

**BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH**

**RESOLUTION 2023-207**

**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
- 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:

- **Affordable Housing Certification Litigation.**
- **704 Fourth 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) Borough Administrator, 3) Borough Attorney, 4) Municipal Clerk, 5) the Borough Planner, 6) the Borough Fair Share Housing 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 Councilperson DeNoble and adopted upon the following vote:

	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Ms. DeMarco	X			
Ms. DeNoble	X			
Mr. Gubitosi	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 Governing Body at the July 26, 2023 Council Business Meeting.



Erica Kostyz, RMC, CMR  
Municipal Clerk