

RESOLUTION

NUMBER: 240 -2014

ADOPTED: NOVEMBER 20, 2014

BOROUGH OF HIGH BRIDGE COUNTY OF HUNTERDON, STATE OF NEW JERSEY

AUTHORIZATION TO MEET IN EXECUTIVE SESSION

WHEREAS, the Mayor and Council of the Borough of High Bridge seek legal advice on possible litigation against the Town of Clinton regarding sewer rates, the PBA Contract, Personnel Issue Richard Drift, Personnel Issue John Gregory, and such other issues as are announced during the open session of the Council Meeting on November 20, 2014 that can be discussed in Executive Session; and

WHEREAS, pursuant to the provisions of N.J.S.A. 10:4-12b, matters concerning personnel, pending litigation, contracts and land acquisition may be discussed in sessions from which members of the public may be excluded; and

WHEREAS, the Mayor and Council are of the opinion that such discussions should, in the best interest of the citizens of the Borough of High Bridge, be held in Executive Session.

WHEREAS, the executive session minutes will be released if and as required by law, including as to (1) pending or anticipated contract negotiations in which the Borough is or may become a party, the purchase, lease or acquisition of real property, and the setting of banking rates or investment of public funds, after the contract is signed or it is clear that negotiations will not resume, (2) pending or anticipated litigation, after the conclusion of the lawsuit in which the Borough is or may become a party, including the time for any appeals, or, if no lawsuit is filed, after the statute of limitations has run on the issue or it is otherwise clear that no lawsuit will be filed, (3) tactics and techniques utilized in protecting the safety and property of the public, if the disclosure would not impair such protection, and (4) matters that would impair the right to receive funds from the US Government if and when the impairment no longer exists. The Borough does not anticipate that executive session minutes covered by the following sections of the Open Public Meetings Act will be released: N.J.S.A. 10:4-12b(1)(information rendered confidential by State or Federal statute), b(3)(material constituting an unwarranted invasion of privacy), b(7)(advice falling within the attorney-client privilege), b(8)(certain employment matters, unless the affected employees or appointees request the release in writing) and b(9)(deliberations regarding the imposition of specific civil penalties)."

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of High Bridge, in the County of Hunterdon and State of New Jersey as follows:

1. The general public shall be excluded from the discussions in these matters pursuant to the provisions of N.J.S.A. 10:4-12B.

2. Matters discussed in Executive Session shall, when appropriate, be made public.
3. It is anticipated that formal action may be taken following this Executive Session.

ATTEST:

 John Gregory, Administrator
 Acting Municipal Clerk

 Mark Desire
 Mayor

ROLL CALL VOTE				
COUNCIL MEMBER	YES	NO	ABSTAIN	ABSENT
Mayor Desire	■	■	■	■
Councilman Flynn				
Councilwoman Hughs				
Councilman Rapp				
Councilwoman Scarcia				
Councilman Stemple				