

RESOLUTION NO. 165-2018

BOROUGH OF ROSELAND
COUNTY OF ESSEX, STATE OF NEW JERSEY

RESOLUTION TO CLOSE TO EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act (OPMA), P.L.1975, Ch.231 (N.J.S.A. 10:4-12 et seq.) permits the exclusion of members of the general public from any meeting of this public body in certain limited circumstances, including:

- (a) the discussion of pending or anticipated litigation in which the public body is or may become a party; and
- (b) any matters that fall within the attorney client privilege as set forth in Section 7(b)7 of the OPMA to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer; and

WHEREAS, this public body is of the opinion that such circumstances presently exist with regard to matters of pending or anticipated litigation and matters that fall within the attorney client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer; and

WHEREAS, the Governing Body wishes to discuss the following:

- 1. Caldwell Sewer Agreement
- 2. Fair Share Housing v. Roseland
- 3. West et al, v. Borough of Roseland, Chief McDonough and Captain Kitchin
- 4. Personnel

WHEREAS, minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roseland that in accordance with the OPMA the governing body hereby determines to meet in closed session from which the public is excluded; and

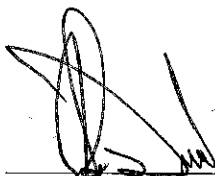
The closed session will be limited to matters relating to pending and anticipated litigation involving the public body or matters which fall within the attorney client privilege; and

Minutes of the closed session will be prepared and maintained by the public body and the minutes will be made available to the public at such time as the litigation to be discussed has been completed and/or at the time that the circumstances that give the privileged communication between the governing body and its attorney have ceased; and

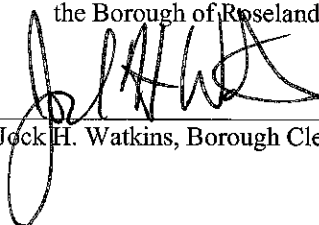
This Resolution will be effective immediately.

COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	RECUSE	ABSENT
Councilman Bardi			X				
Councilman Jacobs	X		X				
Councilman Leonard							X
Councilman Smith		X	X				
Council President Tolli							X
Councilman Tsilionis							X
Mayor Duthie (In case of tie)							
VOTE:			3	0			

I do hereby certify that the forgoing is a true and exact copy of a Resolution adopted by the Mayor and Borough Council of the Borough of Roseland on May 15, 2018.



John Duthie, Mayor



Jock H. Watkins, Borough Clerk