WEST DEPTFORD TOWNSHIP

RESOLUTION 2016-151

RESOLUTION OF THE TOWNSHIP OF WEST DEPTFORD, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY AUTHORIZING A CLOSED SESSION FOR THE DISCUSSION OF POTENTIAL LITIGATION – BIRCHLY COURT

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12b permits a public body to go into a closed session during a public meeting to discuss certain matters as follows:

(1) *Matters required by law to be confidential:* Any matter which by express provision of the Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
(2) Any matter in which the release of information would impair the right to receive federal funding.
(3) *Matters involving individual privacy:* Any matter, the disclosure of which constitutes an unwarranted invasion of individual privacy such as records, data, reports, recommendations or other personal material of any education, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including, but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned .
(4) *Matters pertaining to a collective bargaining agreement:* Any matter involving a collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
(5) *Matters relating to the purchase, lease acquisition of real property or investment of public funds:* Any matter involving the lease, purchase or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
(6) *Matters of public protection:* Any tactic and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection.
(7) *Matters relating to litigation, negotiations and attorney-client privilege:* Any matter of pending or anticipated litigation or contract negotiation other than in (4) above in which the Township is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required for the attorney to exercise ethical duties as a lawyer.
(8) *Matters relating to the employment relationship:* Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of , promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all of the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed in pubic.
(9) *Deliberations after public hearing.* Deliberations by the Authority occurring after a public hearing that may result in a civil penalty or the suspension or loss of a license or permit of a responding party; and

WHEREAS, the Authority has determined that it is necessary to go into a closed session to discuss certain matters relating to the items as permitted by N.J.S.A. 10:4-12b

NOW, THEREFORE BE IT RESOLVED, by the Township Committee, of the Township of West Deptford, County of Gloucester, and State of New Jersey will go into closed session to discuss the following, in accordance with the aforesaid provisions of the Open Public Meetings Act, after which it will reconvene in the public:

1. Matters Relating to Potential Litigation and Attorney-Client Privilege-Pursuant to N.J.S.A 10:4-12b(7) – discussion of Birchly Court.

BE IT FURTHER RESOLVED that the minutes of the closed session will be made available to the public when the need for privacy no longer exists.

ADOPTED at the meeting of the Township Committee of the Township of West Deptford held on May 18, 2016.

TOWNSHIP OF WEST DEPTFORD

DENICE DICARLO, Mayor

ATTEST:

LEE ANN DEHART, Acting Municipal Clerk

CERTIFICATION

I, Lee Ann DeHart, Acting Municipal Clerk, of the Township of West Deptford, in the County of Gloucester, do hereby certify that the foregoing Resolution was presented and duly adopted by the Township Committee at a meeting of the Township of West Deptford held on ~~March 16~~ May 18, 2016.

LEE ANN DEHART, Acting Municipal Clerk