

**Millburn Township Committee Special Meeting Minutes**

Minutes of the Special Emergency Meeting of the Township Committee of the Township of Millburn, in Essex County, New Jersey, held in Town Hall starting at 3:00 PM on the above date in order to hold a closed session.

Mayor Prupis opened the special emergency meeting and read the following statement:

Please be advised that the Millburn Township Committee is holding an emergency special meeting for the purpose of conducting a closed session to discuss: Pending Litigation – Attorney Client Privileged briefing on pending Litigation/ Court Ordered Mediation involving the Declaratory Judgment Action, Fair Share Housing Center, Woodmont Properties. The meeting will be limited to discussion of and acting with respect to such matters of urgency and importance

The normal requirements of the law regarding 48 hours’ notice have not been met due to lack of time and subject matter, however notices of this Emergency Meeting were emailed to the Item of Millburn Short Hills and the Star Ledger and posted on the township bulletin board on Friday, March 26, 2021 at 3:24PM. This emergency meeting is being called to prevent harm to the public interest likely to result from a delay in holding the closed session meeting and the need for such adequate notice could not reasonably have been foreseen at a time when adequate notice could have been provided.

Upon call of the roll, the following Committee members were recorded present: Magee Miggins (remote, via Zoom), Dianne Thall Eglow, Tara B. Prupis (remote, via Zoom), Sanjeev Vinayak (arrived at 4:04PM, remote, via Zoom) and Richard J. Wasserman (remote, via Zoom)

Also present were: Municipal Clerk Christine Gatti, Business Administrator Alex McDonald, Assistant Business Administrator Jesse Moehlman, Christopher Falcon, Township Attorney (remote, via ZOOM); Ed Buzak, Special Counsel (remote, via ZOOM), Beth Zall, Planning Board Chair and member of Litigation Management Steering Committee (remote, via ZOOM), Priya Patel, Environmental Commission Chair and member of Litigation Management Steering Committee (remote, via ZOOM)

**PUBLIC DISCUSSION**

Mayor Prupis asked if anyone had questions or comments. No one wished to be heard.

**RESOLUTIONS**

**Resolution 21-098**

Mayor Prupis asked for a motion to approve Resolution 21-098 in order to authorize the emergency meeting. A motion was made by Mr. Wasserman to approve the resolution, seconded by Ms. Miggins.

Roll Call Vote: All Ayes

**RESOLUTION 21-098  
AUTHORIZE EMERGENCY MEETING**

**WHEREAS**, an Millburn Township Committee Emergency meeting has been called for the purpose of conducting a closed session meeting to discuss: Pending Litigation – Attorney Client Privileged briefing on pending Litigation/ Court Ordered Mediation involving the Declaratory Judgment Action, Fair Share Housing Center, Woodmont Properties and the only formal action that is expected to be taken at this meeting is consideration of a resolution to authorize the emergency meeting and a resolution to enter into closed session as required by law; and

**WHEREAS**, the normal requirements of the law regarding 48 hours’ notice have not been met due to lack of time and subject matter, however notices of this Emergency Meeting were sent to the official newspapers of the township, the Item of Millburn Short Hills and the Star Ledger; and which notice provided that at 3:00 p.m. on March 30, 2021, that the Millburn Township Committee will hold

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the Special Emergency Meeting in order to hold a closed session at the Municipal Building in the meeting room, located at 375 Millburn Avenue, Millburn; and

WHEREAS, this emergency meeting is called in order to prevent substantial harm to public interest likely to result from a delay in holding the closed session meeting; and

WHEREAS, the need for such adequate notice could not reasonably have been foreseen at a time when adequate notice could have been provided;

NOW THEREFORE BE IT RESOLVED by the Millburn Township Committee of the Township of Millburn, County of Essex, authorizes the Emergency Meeting on March 30, 2021 at 3PM by 3/4<sup>th</sup>s of the members of the Township Committee

Resolution 21-099

Mayor Prupis asked for a motion to approve Resolution 21-099 in order to enter into closed session. A motion was made by Mr. Wasserman to approve the resolution, seconded by Ms. Miggins.

Vote: All Ayes

RESOLUTION 21-099
RESOLUTION TO CLOSE SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the Public from a meeting under certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances do exist;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Millburn in the County of Essex, State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matters;

The general nature of the subject matter to be discussed is as follows:

a.) Pending or Anticipated Litigation – Attorney Client Privileged briefing on pending Litigation/ Court Ordered Mediation involving the Declaratory Judgment Action, Fair Share Housing Center, Woodmont Properties

2. The minutes of the discussions shall be made public as soon as the matters under discussion are no longer of a confidential or sensitive nature.

ADJOURNMENT

Mayor Prupis asked if anyone had any remaining comments or questions. Receiving none, she made a motion to adjourn the special emergency meeting which was seconded by Ms. Thall Eglow. The meeting was adjourned at 4:35 PM. Vote: All Ayes

Christine A. Gatti, RMC
Township Clerk

Approved: July 13, 2021