

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 5:00 PM on the above date in order to hold a closed session.

Deputy Mayor Wasserman 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. 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, June 18, 2021 at 2:48PM. 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 Township Committee members were recorded present: Maggee Miggins, Dianne Thall Eglow, Sanjeev Vinayak and Richard J. Wasserman

Absent: Tara B. Prupis

Also present were: 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), Paul Phillips, Planner (remote, via ZOOM), Municipal Clerk Christine Gatti (remote, via ZOOM)

PUBLIC DISCUSSION

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

RESOLUTIONS

Resolution 21-188

Deputy Mayor Wasserman asked for a motion to approve Resolution 21-188 in order to authorize the emergency meeting. A motion was made by Ms. Miggins to approve the resolution, seconded by Ms. Thall Eglow.

Roll Call Vote: All Ayes

**RESOLUTION 21-188
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 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 2:48 p.m. on June 18, 2021, that the Millburn Township Committee will hold the

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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 June 23, 2021 at 5PM by 3/4ths of the members of the Township Committee

Resolution 21-189

Deputy Mayor Wasserman asked for a motion to approve Resolution 21-189 in order to enter into closed session. A motion was made by Ms. Miggins to approve the resolution, seconded by Ms. Thall Eglow.

Vote: All Ayes

RESOLUTION 21-189
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 Litigation – Attorney Client Privileged briefing on pending Litigation/ Court Ordered Mediation involving the Declaratory Judgment Action, Fair Share Housing Center

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

Deputy Mayor Wasserman asked if anyone had any remaining comments or questions. Receiving none, a motion to adjourn the special emergency meeting was made by Mr. Vinayak and seconded by Ms. Thall Eglow. The meeting was adjourned at 6:25 PM. Vote: All Ayes

Christine A. Gatti, RMC
Township Clerk

Approved: October 5, 2021