

Emergency Meeting 9:00 PM  
September 28, 2010

John Gillespie requested an emergency meeting regarding the reforestation, NJDEP and the New Jersey Turnpike. He explained the urgency for the meeting exists because there is a hearing scheduled for 10 am tomorrow morning to file a complaint regarding the re-forestation monies, pending litigation with the Turnpike and NJDEP. The urgency exists depending on the direction the committee gives this evening, a hearing is scheduled for 10 am Friday morning and there would not be adequate time to give notice. The emergency meeting would be limited to discussion of the TDR issues associated with the turnpike widening and re-forestation.

Mr. Hlubik made a motion seconded by Mr. Durr to deem this meeting an emergency.

Deputy Mayor Durr called the meeting to order. Roll call was taken showing present: Deputy Mayor Lawrence H. Durr and Committeeman Michael J. Hlubik. Also present was John Gillespie, Township Attorney. The Open Public Meetings act statement was read and compliance noted.

### Resolution

Resolution 2010-9-7 was approved on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

#### TOWNSHIP OF CHESTERFIELD RESOLUTION 2010-9-7

*A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, NJSA 10:4-12*

*WHEREAS, the Township Committee of the Township of Chesterfield is subject to certain requirements of the Open Public Meetings Act, NJSA 10:4-6, et. seq.; and*

*WHEREAS, the Open Public Meetings Act, NJSA 10:4-12 provides that an Executive Session not open to the public may be held for certain specified purposes when authorized by Resolution; and*

*WHEREAS, it is necessary for the Township Committee of the Township of Chesterfield to discuss, in a session not open to the public, certain matters relating to the item or items authorized by Resolution; and*

*WHEREAS, it is necessary for the Township Committee of the Township of Chesterfield to discuss, in a session not open to the public, certain matters relating to the item or items authorized by NJSA 10:4-12b and designated below:*

- *Matters required by law to be confidential.*
- *Matters where the release of information would impair the right to receive funds.*
- *Matters involving individual privacy.*
- *Matters relating to collective bargaining agreements.*
- *Matters relating to the purchase, lease, or acquisition of real property or the investment of public funds.*
- *Matters relating to public safety and property.*
- X** ***Matters relating to litigation, negotiations and the attorney-client privilege.***
- *Matters relating to the employment relationship.*
- *Matters relating to the potential imposition of a penalty.*
- *Matters relating to deliberations on administrative and/or quasi-judicial matters.*

NOW, THEREFORE, BE IT RESOLVED *by the Township Committee of the Township of Chesterfield, assembled in public session on September 28, 2010 that an Executive Session closed to the public shall be held at 9:00 PM in the Chesterfield Township Municipal Building for the discussion of matters relating to the specific items designated above.*

*It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.*

*The foregoing resolution was duly adopted by the Township Committee of the Township of Chesterfield at a public meeting held the*

Mr. Hlubik made a motion seconded by Mr. Durr to enter executive session at 9:15 PM.

The Committee returned to regular session at 9:52 PM.

Mr. Hlubik made a motion seconded by Mr. Durr directing the Township Attorney as discussed in close session and if needed to go to court. All agreed.

Having no further business the meeting was adjourned at 9:52 PM on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

Respectfully submitted,

Caryn M. Hoyer, RMC  
Deputy Township Clerk