

**SPECIAL MEETING  
15 PARK AVENUE  
MAYWOOD, NJ**

**JANUARY 28, 2019  
MONDAY 7:30 PM**

“On January 22, 2019, adequate notice of this meeting pursuant to the Open Public Meetings Act has been furnished by inclusion thereof in the Annual Schedule of Meetings for 2019, which has been posted on the bulletin board at Borough Hall, filed with the Borough Clerk, faxed to the Our Town, The Record, and The Community News newspapers and distributed to all persons, if any, requesting copies of same pursuant to said Act.”

In case of an emergency or fire alarm, you must evacuate the building by using the exit door at the rear of the room. Occupants must exit the building by using the staircase and not the elevator.

***Special Meeting for the purpose of:***

Ongoing COAH Litigation and upcoming Fairness Hearing that will be held in closed session, along with any other matters that may arise subsequent to this notice. No formal action will be taken.

**Members of the Governing Body present:** Mayor Febre, Council members Bennin, Bolan, Ullman, Gervino, Lindenau, and Garofalow. Also present were Borough Attorney Brian E. Eyerman, Borough Administrator Roberta Stern, and Borough Clerk Jean M. Pelligra.

**CLOSED SESSION**

Council member Garofalow made a motion to go into closed session; seconded by Council member Gervino – All in Favor.

**BOROUGH OF MAYWOOD**  
**Closed Session Resolution # 48-19**

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, pursuant to the provisions of the Open Public Meetings Act, that the Mayor and Council meet in closed session to discuss the following subject matter(s):

**Litigation and Fairness Housing**

which subject matter(s) is (are) permitted to be discussed in closed session pursuant to the following designated sub-section(s) of Section 7 of the Open Public Meetings Act:

- ( ) Sub-section 1 dealing with material rendered confidential by express provision of Federal or State law
- ( ) Sub-section 2 covering a matter in which release of information would impair a right to receive federal funds
- ( ) Sub-section 3 involving disclosure of material that would constitute an unwarranted invasion of privacy, including material related to an individual's personal and family circumstances, without the express written consent of the individual involved
- ( ) Sub-section 4 pertaining to collective bargaining agreements and the terms, conditions and negotiations thereof
- (X) Sub-section 5 dealing with the acquisition of real property, the setting of bank rates, or the investment of public funds where discussion thereof would adversely affect the public interest
- ( ) Sub-section 6 dealing with tactics and techniques used in protecting the safety and property of the public where disclosure could impair such protection or investigation of violation of the law
- (X) Sub-section 7 dealing with pending or anticipated litigation, contract negotiations, or matters falling within the attorney-client privilege
- ( ) Sub-section 8 concerning personnel matters dealing with employment, appointment, termination, or terms and conditions of employment of any person or persons, or the evaluation,

promotion or disciplining of employees unless all employees involved consent to disclosure thereof

( ) Sub-section 9 involving deliberations after public hearing on a matter which may result in the imposition of a civil penalty or the suspension or loss of a license

AND BE IT FURTHER RESOLVED that, as precisely as can be determined at this time, the discussion conducted in the said closed session can be disclosed to the public upon taking final action thereon, provided disclosure shall not violate the attorney-client privilege or constitute an undue invasion of privacy; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Maywood

( ) Will return to open session after this meeting.

(X) Do not envision that they will return to open session after this meeting but reserves the right to do so.

Date of Passage: 1/28/2019 Time: 7:30 pm

### **ADJOURNMENT**

Council member Bolan moved the meeting be adjourned; seconded by Council member Garofalow and so carried at 9:10 p.m.

Borough Clerk