



**BOROUGH COUNCIL
REGULAR MEETING AGENDA
August 24, 2021 AT 7:00 P.M.**

CALL TO ORDER

This meeting is being held in compliance with the Open Public Meeting Law in that the requirements of the law have been met with the posting of the meeting notice on the Municipal Bulletin Board, filed with the Borough Clerk and forwarded to The Courier News and The Star Ledger.

PLEDGE OF ALLEGIANCE

OPENING PRAYER

ROLL CALL

Mayor Robert Fazen
Council President Abel Gomez
C. Jake Hardin
C. Richard Jannuzzi
C. Brad Galeta
C. Vinnie Petti
C. Anthony Pranzatelli

APPROVAL OF MINUTES

August 10, 2021 Regular Meeting

Motion: Second:

Roll Call:

C. Abel Gomez___ C. Jake Hardin___ C. Richard Jannuzzi___
C. Brad Galeta___ C. Vinnie Petti___ C. Anthony Pranzatelli___



ADVERTISED HEARING OR SPECIAL PRESENTATION

COVID-19 Update

PRESENTATION OF COMMUNICATIONS, PETITIONS, ETC.

GREETINGS FOR COMMENTS AND INVITATIONS FOR DISCUSSION

OPENING OF BIDS

ENGINEER'S REPORT- DALE LEUBNER, SUPERINTENDENT OF PUBLIC WORKS

COMMITTEE REPORTS

Chair of Finance – C. Anthony Pranzatelli

Liaison Committees: Architectural Review Advisory Committee, Bound Brook Seniors

Chair of Public Works, Bldgs., Grounds & Utilities – C. Vinnie Petti

Liaison Committees:

Chair of Public Safety (Police & Fire) – Council President Abel Gomez

Liaison Committees: Board of Engineers, Board of Education, Historic Preservation Commission, Office of Emergency Management, Rescue Squad, Parking Commission,

Chair of Personnel, Administration & Ordinances - C. Brad Galeta

Liaison Committees: BB/SBB Municipal Alliance/Youth Services Commission, Recreation Commission, Shade Tree Commission

Chair of Economic Development C. Jake Hardin

Liaison Committees: Planning Board, Special Improvement District

Chair of Zoning, Construction & Code Enforcement - C. Richard Jannuzzi

Liaison Committees: Board of Health, Library Advisory Committee



INTRODUCTION OF ORDINANCES – FIRST READING

Ordinance 2021-023 Bond Ordinance Providing for the Purchase of a Solid Waste Truck and Related Equipment, in and by the Borough of Bound Brook, in the County of Somerset, State of New Jersey; Appropriating \$450,000 Therefor and Authorizing the Issuance of \$428,500 Bonds or Notes to Finance Part of the Cost Thereof

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on September 14, 2021.

Second:

Roll Call:

C. Abel Gomez____ C. Jake Hardin____ C. Richard Jannuzzi____
C. Brad Galeta____ C. Vinnie Petti____ C. Anthony Pranzatelli____

Ordinance 2021-024 An Ordinance of the Borough of Bound Brook Authorizing the Execution of a Lease Agreement Between the Borough of Bound Brook and Watchung Fire Company 3 for the Use of a Designation Portion of the Premises Located at 616 Vosseller Avenue, Bound Brook, New Jersey

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on September 14, 2021.

Second:

Roll Call:

C. Abel Gomez____ C. Jake Hardin____ C. Richard Jannuzzi____
C. Brad Galeta____ C. Vinnie Petti____ C. Anthony Pranzatelli____

ORDINANCES ON FINAL READING AND CONSIDERATION- SECOND READING



INTRODUCTION/DISCUSSION OF RESOLUTIONS

The resolutions listed below were submitted to the Governing Body for review and will be adopted by one motion.

If separate discussion is desired, the resolution may be removed by council action.

Motion:

Second:

All in Favor:

2021-175 Resolution Memorializing Confirmation of Acceptance of Jonathan Ruiz Coyoy's New Jersey State Firemen's Association Application for Membership to the Bound Brook Fire Department

2021-176 Resolution Memorializing Confirmation of Acceptance of Justin Kopecky's New Jersey State Firemen's Association Application for Membership to the Bound Brook Fire Department

2021-177 Resolution Appointing Natasha Turchan as Tax Collector

UNFINISHED BUSINESS

Ordinance 2021-025 An Ordinance of the Borough of Bound Brook Authorizing the Removal of American Hose and Engine Company 2 from the Revised General Ordinances of the Borough of Bound Brook

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on September 14, 2021.

Second:

Roll Call:

C. Abel Gomez____ C. Jake Hardin____ C. Richard Jannuzzi____
C. Brad Galeta____ C. Vinnie Petti____ C. Anthony Pranzatelli____

NEW BUSINESS

Advertise 2022 RFQ for Professionals



APPROVAL OF VOUCHERS

2021-178 Resolution Approving Vouchers in the Amount of \$1,576,228.10

Motion: Second:

Roll Call:

C. Abel Gomez___ C. Jake Hardin___ C. Richard Jannuzzi___
C. Brad Galeta___ C. Vinnie Petti___ C. Anthony Pranzatelli___

OPEN TO THE PUBLIC FOR COMMENT

AUTHORIZE EXECUTIVE SESSION

2021-179 Resolution Authorizing Executive Session

Motion: Second: All in favor:

ADJOURNMENT

Motion: Second: All in favor:

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2021- 023

BOND ORDINANCE PROVIDING FOR THE PURCHASE OF A SOLID WASTE TRUCK AND RELATED EQUIPMENT, IN AND BY THE BOROUGH OF BOUND BROOK, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY; APPROPRIATING \$450,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$428,500 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BOUND BROOK, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of Bound Brook, in the County of Somerset, State of New Jersey (the “Borough”) as general improvements. For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$450,000, said sum being inclusive of a down payment in the amount of \$21,500 now available for said improvements or purposes as required by the Local Bond Law, as amended and supplemented (N.J.S.A. § 40A:2-1 et seq.) (the “Local Bond Law”), by virtue of an appropriation from the Capital Improvement Fund of the Borough for down payment or capital improvement purposes in a previously adopted budget or budgets of the Borough.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$450,000 appropriation not provided for by application hereunder of said \$21,500 down payment, negotiable bonds of the Borough are hereby authorized to be issued in the aggregate principal amount of \$428,500 pursuant to, and within the limitations prescribed by,

the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in an aggregate principal amount not exceeding \$428,500 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for the purchase of a solid waste truck and garbage containers for the Department of Public Works.

(b) The improvements and purposes set forth in Section 3(a) shall also include the following, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, environmental reports and remediation, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued by the Borough for said improvements and purposes is \$428,500.

(d) The estimated cost of said improvements and purposes to the Borough is \$450,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$21,500 available for such improvements and purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Somerset make a contribution or grant in aid to the Borough for the improvements and purposes authorized in Section 3 hereof, and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State

of New Jersey, and/or the County of Somerset. In the event that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Somerset shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is

hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$428,500, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$50,000 for items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough and, unless paid from other sources, the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of the obligations of the Borough authorized herein and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for

the benefit of holders and beneficial owners of the obligations of the Borough authorized herein and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, the interest on all tax-exempt bonds and notes issued under this bond ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

Jasmine D. Mathis
Borough Clerk

By: _____
Mayor Robert Fazen

Date of Introduction: August 24, 2021

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2021-024

AN ORDINANCE OF THE BOROUGH OF BOUND BROOK AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE BOROUGH OF BOUND BROOK AND WATCHUNG FIRE COMPANY NO. 3 FOR USE OF A DESIGNATED PORTION OF THE PREMISES LOCATED AT 616 VOSELLER AVENUE, BOUND BROOK, NEW JERSEY

WHEREAS, Watchung Fire Company No. 3 (“Company No. 3) owns real property known as 616 Vosseller Avenue, Bound Brook, New Jersey and designated on the official tax map of the Borough of Bound Brook as Block 3, Lot 68; and

WHEREAS, the Borough of Bound Brook (“Borough”) wishes to enter into a written lease agreement with Company No. 3 for a portion of the real property located at 616 Vosseller Avenue, Bound Brook, in the Borough of Bound Brook and identified as Block 103, Lot 12 of the Tax Assessment Map of the Borough of Bound Brook; and

WHEREAS, Company No. 3 has represented to the Borough that it is a non-profit corporation organized as a social welfare organization within the meaning of Section 501(c)(4) of the Internal Revenue Code, as amended, and specifically for the purposes of rendering fire services; and

WHEREAS, N.J.S.A. 40A-12-1 et. seq. authorizes a municipality to lease property in certain circumstances, including for a public benefit or use; and

WHEREAS, the Borough finds such lease to be in the best interest of the residents of the Borough of Bound Brook in order to support and ensure firefighting and related services are provided to the Borough residents; and

WHEREAS, the Governing Body has reviewed the Lease Agreement and wishes to authorize the Mayor to execute same on behalf of the Mayor and Council.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Bound Brook that it hereby authorizes and approves the Mayor to execute and the Borough Clerk to attest, a lease agreement between the Borough of Bound Brook and Watchung Fire Company No. 3 for a one-year term, in the form attached hereto; and

IT IS FURTHER ORDAINED THAT, if any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of the ordinance; and

IT IS FURTHER ORDAINED THAT, the Ordinance shall take effect upon passage, approval and publication, as required by law.

First Reading Ordinance 2021-024

Jasmine D. Mathis
Borough Clerk

By: _____
Mayor Robert Fazen

Date of Introduction: August 24, 2021

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2021-175

RESOLUTION MEMORIALIZING CONFIRMATION OF ACCEPTANCE OF JONATHAN RUIZ COYOY'S NEW JERSEY STATE FIREMEN'S ASSOCIATION APPLICATION FOR MEMBERSHIP TO THE BOUND BROOK FIRE DEPARTMENT

WHEREAS, Jonathan Ruiz Coyoy has applied to become a volunteer firefighter in the Borough of Bound Brook Fire Department Hose Company No. 1; and

WHEREAS, evidence of physical fitness has been produced and background check has been performed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that the New Jersey State Firemen's Association Application for Membership for Jonathan Ruiz Coyoy to Hose Company No. 1 is hereby accepted.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: August 24, 2021

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2021-176

RESOLUTION MEMORIALIZING CONFIRMATION OF ACCEPTANCE OF JUSTIN KOPECKY'S NEW JERSEY STATE FIREMEN'S ASSOCIATION APPLICATION FOR MEMBERSHIP TO THE BOUND BROOK FIRE DEPARTMENT

WHEREAS, Justin Kopecky has applied to become a volunteer firefighter in the Borough of Bound Brook Fire Department Hose Company No. 1; and

WHEREAS, evidence of physical fitness has been produced and background check has been performed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that the New Jersey State Firemen's Association Application for Membership for Justin Kopecky to Hose Company No. 1 is hereby accepted.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: August 24, 2021

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2021-177

RESOLUTION APPOINTING NATASHA TURCHAN AS TAX COLLECTOR

WHEREAS, there is a vacancy in the Finance Department due to the retirement of the Tax Collector; and

WHEREAS, the Mayor and Council shall appoint and employ a Tax Collector; and

WHEREAS, it is the recommendation of the Borough Administrator, Finance and Personnel Committee that Natasha Turchan be appointed Tax Collector effective September 1, 2021; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that the above appointment is approved.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: August 24, 2021

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2021-025

AN ORDINANCE OF THE BOROUGH OF BOUND BROOK AUTHORIZING THE
REMOVAL OF AMERICAN HOSE AND ENGINE COMPANY 2 FROM THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK

WHEREAS, the Public Safety Committee has recommended the removal of the American Hose and Engine Company 2 from the Revised General Ordinances of the Borough of Bound Brook.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook in the County of Somerset, State of New Jersey, as follows:

SECTION 1: Chapter 2, Departments Established, Section 22, Fire Department, of The Revised General Ordinances of the Borough of Bound Brook is hereby amended and supplemented by deleting the text [**marked in bold and enclosed in brackets**] and inserting the text underlined and marked in bold to read as follows:

....

2-22.3 **Officers.**

The office of the Fire Department Board of Engineers shall consist of a Chief, Deputy Chief, and First Assistant Chief [**and Second Assistant Chief**], all of which shall be filled by Fire Department members who shall serve for a term of two years and until their successors are qualified and sworn in by the Borough. Each of the [**four**] three fire companies in the Borough shall be represented by one of the foregoing officers. The Chief shall select a Secretary and Treasurer. The Fire Chief shall be responsible to the Mayor and Borough Council for the training and efficient operation of the Department. The Chief shall keep or cause to be kept an accurate inventory record of all equipment and property of the Department and shall report monthly to the Mayor and Borough Council regarding the activities and general condition of the Department, including such suggestions or recommendation as may be proper and necessary.

...

2-22.9 **Organization.**

- a. The Fire Department shall consist of [**four**] three volunteer Fire Companies; namely, Hose Company No. 1, [**American Hose and Engine Company No. 2**], Watchung Fire Company No. 3, and Relief Fire Company No. 4.
- b. Each Fire Company shall consist of not more than 30 active firefighters and not more than five junior members

...

SECTION 2: REPEAL OF INCONSISTENT PROVISIONS

Any article, chapter, section, paragraph, subsection, clause, or other provision of the Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

SECTION 3: SEVERABILITY

In case, for any reason, any portion or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other portion or provision of this Ordinance, except so far as the portion or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

SECTION 4: EFFECTIVE DATE

This Ordinance shall take effect in accordance with the law.

SECTION 6: CODIFICATION

This ordinance shall be a part of the Code of Borough of Bound Brook as though codified and fully set forth therein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Code.

Jasmine D. Mathis
Borough Clerk

By: _____
Mayor Robert Fazen

Date of Introduction: August 24, 2021

BOROUGH OF BOUND BROOK
RESOLUTION 2021-178

APPROVAL OF VOUCHERS

BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, and State of New Jersey that vouchers are approved for the following funds in the amount of \$ 1,576,228.10.

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$ 1,477,710.34
GENERAL CAPTIAL	\$ 149.38
GENERAL TRUST FUND	\$ 2,249.02
RECREATION TRUST	\$ 19,060.20
DOG/CAT TRUST	\$ 5.40
HOUSING REHAB	\$ 381.00
UNEMPLOYMENT TRUST FUND	\$ 5,566.60
SEWER	\$ 780.00
PAYROLL	\$ 23,985.00
TAX COLLECTOR TRUST	\$ 30,300.00
TAX TITLE LIEN REDEMPTION	\$ 7,557.91
DEVELOPERS ESCROW	\$ 8,483.25
TOTAL	<u>\$ 1,576,228.10</u>

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

Date of Adoption: August 24, 2021

BOROUGH OF BOUND
County of Somerset

RESOLUTION 2021-179

RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS, NJSA 10:4-12 allows for a public body to go into closed session during a public meeting; and

WHEREAS, the Borough of Bound Brook has deemed it necessary to go into closed session to discuss matters which are exempted from the public; and

WHEREAS, the regular meeting of the Borough of Bound Brook will reconvene.

NOW THEREFORE BE IT RESOLVED, that the Borough Council will go into closed session for the following reasons as outlined in NJSA 10:4-12; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Borough of Bound Brook hereby declares that the discussion of subject(s) may be made public at a time when the Borough Attorney advises the Borough Council that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough or any other entity with respect to said discussion. That time is currently estimated as the time of said matter.

NOW THEREFORE BE IT FINALLY RESOLVED that the Borough is excluded from the portion of the meeting during which the discussion(s) shall take place and hereby directs the Municipal Clerk to take the appropriate action to effectuate the terms of this resolution.

Reason for Closed Session –

Any pending or anticipated litigation or contract negotiations which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as lawyer. Under certain circumstances, if public disclosure of the matter would have a potentially negative impact on the borough's position in the litigation or negotiation, this information may be withheld until such time that the matter is concluded or the circumstances no longer present a potential impact.

Approved:

Mayor Robert P. Fazen

Attest:

Jasmine D. Mathis, Borough Clerk

Date of Adoption: August 24, 2021