

**RESOLUTION 2016-01-03**

**RESOLUTION AUTHORIZING EXECUTIVE SESSION**

**WHEREAS**, the Sen. Byron M. Baer Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., requires all meetings of the Housing Authority Town of Dover to be held in public, and N.J.S.A. 10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in “Executive Session,” i.e. without the public being permitted to attend, and

**WHEREAS**, the Housing Authority Town of Dover has determined that there are three matters to be discussed in Executive Session on to be held on January, 5 2016 at 4:30pm P.M, and

**WHEREAS**, the nine (9) exceptions to public meetings set forth in N.J.S.A. 10:4-12(b) are listed below, and next to each exception is a box within which **the number** of issues to be privately discussed that fall within that exception shall be written, and after each exception is a space where additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written.

**“(1) Any matter which, by express provision of Federal law, State statute or rule of court shall be rendered confidential or excluded from public discussion.”** The legal citation to the provision(s) at issue is: \_\_\_\_\_ and the nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_;

**“(2) Any matter in which the release of information would impair a right to receive funds from the federal government.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_  
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\_\_\_\_\_;

**“(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian)**

shall request in writing that the same be disclosed publicly.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_

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“(4) Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body” The collective bargaining contract(s) discussed are between the Board and \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_;

“(5) Any matter involving the purchase lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_

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\_\_\_\_\_;

“(6) Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_

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\_\_\_\_\_;

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“(7) Any pending or anticipated litigation or contract negotiation in 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 a lawyer.” The parties to and docket numbers of each item of litigation and/or the parties to each contract discussed are the Housing Authority Town of Dover and the Morris County Housing Authority; and the nature of the discussion, described as specifically as possible without undermining the need for confidentiality is Executive Management Services Contract;

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“(8) Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.” Subject to the balancing of the public’s interest and the employee’s privacy rights under South Jersey Publishing Co. v. New Jersey Expressway Authority, 124 N.J. 478, the employee(s) and nature of the discussion, described as specifically as possible without undermining the need for confidentiality are **terms and condition of employment including compensation.**

1. Executive Director position.
2. A need to hire a full-time positon.

“(9) Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_

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**WHEREAS**, the length of the Executive Session is estimated to be sixty minutes after which the public meeting of the Housing Authority Town of Dover shall (circle one) reconvene and immediately adjourn or reconvene and proceed with business.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Housing Authority Town of Dover will go into Executive Session for **only** the above stated reasons;

**BE IT FURTHER RESOLVED** that the Board of Commissioners of the Housing Authority Town of Dover hereby declares that its discussion of the aforementioned subject(s) will be made public at a time when the public’s interest in disclosure is greater than any privacy or governmental interest being protected from disclosure. For each of the above items, the

estimated date by which such disclosure can be made and/or the occurrence that needs to take place before disclosure can be made are listed below (attach separate sheet if necessary).

Subject of Discussion	Estimated Date	Necessary Occurrence
Personnel	March 31, 2016	

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**BE IT FURTHER RESOLVED** that the Secretary, at the present public meeting, shall read aloud enough of this resolution so that members of the public in attendance can understand, as precisely as possible, the nature of the matters that will privately discussed.

**BE IT FURTHER RESOLVED** that the Clerk, on the next business day following this meeting, shall furnish a copy of this resolution to any member of the public who requests one at the fees allowed by N.J.S.A. 47:1A-1 et seq.

Original Signed By:

\_\_\_\_\_  
Roberta L. Strater, Secretary

1/5/2016

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Date Adopted