# TOWNSHIP OF WYCKOFF RESOLUTION #2021-C17 (A)

NJSA 10:4-12b (7)

#### **Pending Litigation**

## A. Estate of Elizabeth Acquaire vs. Township of Wyckoff

December 7, 2021

Present:

Rudolf E. Boonstra

Thomas J. Madigan Timothy E. Shanley

Not Present:

Melissa D. Rubenstein, Mayor

Peter J. Melchionne

Staff Present:

Robert Landel, Township Attorney

Thomas Garlick, Associate Township Attorney Robert J. Shannon, Township Administrator Nancy A. Brown, Acting Municipal Clerk

7:35 pm

Mr. Garlick reported to the Township Committee the import of his research, discussions with Plaintiff's Attorney, and his meetings with the two Fordham Avenue property owners who would be impacted if the dedicated and unpaved right of way of Lebanon Street between Colgate Avenue and Fordham Avenue is vacated.

The Township Committee discussed this strategy and asked questions. A consensus appeared to exist to approve this strategy to resolve the litigation. Mr. Shanley will make a motion once the Work Session open discussion is reconvened to authorize the vacation action and to authorize the Township Attorney to prepare the required ordinance.

No action taken.

Adjourn Discussion: 7:43 pm.

Nancy A. Brown, Acting Municipal Clerk

Rudolf E. Boonst/a, Township Committeeman

SCANNED

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## TOWNSHIP OF WYCKOFF COUNTY OF BERGEN STATE OF NEW JERSEY RESOLUTION #21-C17

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INTRODUCED: Shawley

SECONDED: Madigan

MEETING DATE: December 7, 2021

REFERENCE: Closed Session - Pending

Litigation

VOTE: BOONSTRA V MADIGAN MELCHIONNE A SHANLEY RUBENSTEIN

WHEREAS, the Township Committee of the Township of Wyckoff is subject to certain requirements of the "Open Public Meetings Act", N.J.S.A. 10:4-12, et seq.; and,

**WHEREAS,** the "Open Public Meetings Act", N.J.S.A. 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 was necessary for the Township Committee of the Township of Wyckoff to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

N.J.S.A. 10:4-12b (7) – Pending Litigation
A - Estate of Elizabeth Acquaire vs. Township of Wyckoff
B – Greenstar/Waste Management vs. Township of Wyckoff

**NOW, THEREFORE, BE IT RESOLVED,** by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey assembled in public session on December 7, 2021, meeting, hereby authorize that an Executive Session closed to the public shall be conducted on December 7, 2021, in the Municipal Court Room at Town Hall, 340 Franklin Avenue, Wyckoff, New Jersey 07481, for the discussion of matters relating to the specific items designated above.

**BE IT FURTHER RESOLVED**, that the minutes of the said closed session will be made public when the Township Committee of the Township of Wyckoff determines the reason for the minutes to remain closed no longer exists and the Municipal Clerk shall attach to this resolution when completed the Closed Session Meeting Minutes related to the specific items designated above.

### CERTIFICATION

I, NANCY A. BROWN, ACTING MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF HEREBY CERTIFIES THIS RESOLUTION TO BE A TRUE AND CORRECT COPY OF THE RESOLUTION AS ADOPTED BY THE WYCKOFF TOWNSHIP COMMITTEE ON NOVEMBER 7, 2021.

NANCY A. BROWN ACTING MUNICIPAL CLERK