**RESOLUTION 2023 – 16**

**RESOLUTION AUTHORIZING EXECUTIVE SESSION**

**WHEREAS,** while 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 County of Morris to be held in public, 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 County of Morris has determined that #5 is an issue permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance shall be discussed during an Executive Session to be held on June 8, 2023 at 6:00 PM; 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"** _____

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☒ **"(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 Morris County Affordable Housing Corporation.

☐ **"(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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☐ **"(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."**

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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."** _____

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_____;

☐ "(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 ____20____ minutes after which the public meeting of the Housing Authority County of Morris 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 County of Morris will go into Executive Session for **only** the above stated reasons;

**BE IT FURTHER RESOLVED** that the Board of Commissioners of the Housing Authority County of Morris 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 |
|---|---|---|
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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.

_____
Kelly A. Stephens, Secretary

6/8/23
_____
Date Adopted