

**MAYOR AND COUNCIL
EMERGENCY MEETING
JUNE 29, 2021
6:30 PM**

The Emergency Meeting of the Mayor and Council of the Borough of Rockaway, in the County of Morris, New Jersey, was held at the Community Center, 21-25 Union Street, Rockaway, NJ 07866 with Mayor Thomas Mulligan presiding. Mayor Mulligan called the meeting to order at 6:30 p.m.

Mayor Mulligan read the following statement: The normal notice requirements of the Open Public Meetings Act have not been met. It was necessary to call this meeting because of an emergency situation which has developed. The nature of the urgency is that the existing engineer on the Fox Lake Dam Project notified the Borough this morning of their desire to discontinue their involvement on the project effective tomorrow. If the meeting had been delayed in order to give proper notice, the public would have suffered substantial harm in that the project timeline would be in serious jeopardy.

This meeting was called on June 29, 2021 at one p.m., and at two o'clock p.m. on June 29, 2021 notice of this meeting was given by posting the notice at the Borough Municipal Building, 1 E. Main Street, filing with the Clerk and by sending the notice to the Citizen and the Daily Record.

This meeting will be limited to the discussion of and/or action on the above-described emergent matter.

In accordance with N.J.S.A. 10:4-9(b), there must be an affirmative vote of three quarters of the members present to hold the meeting despite notwithstanding the failure to provide adequate notice.

Council Member	Yes	No	Abstain	Recuse	Absent
Councilman Greuter	X				
Councilman Haynes	X				
Councilman Hurley	X				
Councilman McDonald	X				
Councilman Smith	X				
Council President Burnside					X

CALL TO ORDER

Council Member	Present	Absent
Councilman Greuter	X	
Councilman Haynes	X	
Councilman Hurley	X	
Councilman McDonald	X	
Councilman Smith	X	
Council President Burnside		X

Borough Administrator Patricia Reiche and Borough Attorney Joseph J. Bell, Esq., were also present.

Everyone present participated in the salute to the flag.

PUBLIC COMMENT

Mayor Mulligan opened the meeting for public comment.

There being none, Mayor Mulligan closed the meeting to the public.

CLOSED SESSION

RESOLUTION 120-21: CLOSE MEETING TO THE PUBLIC

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the Public from a meeting under certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances do exist;

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

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:

Possible Litigation

3. The minutes of the discussion shall be made public as soon as the matters under discussion are no longer of a confidential or sensitive nature.
4. This resolution shall take effect immediately.

DATE: July 8, 2021

BOROUGH OF ROCKAWAY

ATTEST: Kimberly Cuspilich, Acting Borough Clerk

BY: Thomas Mulligan, Mayor

Moved	Seconded	Voice Vote	
Councilman Greuter	Councilman Smith	In favor: X	Against:

Mayor and Council went into closed session at 6:03 p.m. and resumed the public meeting at 7:04 p.m.

ADJOURNMENT

Moved	Seconded	Voice Vote		Time
Councilman Hurley	Councilman Smith	In favor: X	Against:	7:05 pm

Kimberly Cuspilich, Borough Clerk

Date approved: July 8, 2021