

TOWNSHIP COMMITTEE MINUTES
SPECIAL MEETING
MARCH 1, 2021

This special meeting of the Township Committee of the Township of Bordentown was held virtually using Zoom due to the ongoing public health emergency.

PRESENT: Mayor Stephen Benowitz
Deputy Mayor Eric Holliday
Committeeman Eugene Fuzy
Committeeman James Kostoplis
Committeewoman Aneka Miller
Administrator Michael Theokas
Clerk Maria Carrington
Attorney Eileen Fahey

Mayor Benowitz called the meeting to order at approximately 6:31 p.m.
Roll Call was taken by Township Clerk Carrington.
The Mayor led a salute to the flag.

Township Clerk Carrington read the following Open Public Meeting Announcement:

This meeting is called pursuant to the provisions of the Open Public Meeting Act. Adequate and electronic notice of this meeting was provided. Notice of this special meeting was transmitted to the *Burlington County Times* and *The Times* on February 23, 2021. On that same date, the notice of this special meeting was, and remains, posted on the Township website and the bulletin board in the Municipal Building. A copy of the notice is also on file in the Township Clerk's office to be made available to the public upon request. The proceedings of this meeting are being electronically recorded.

Resolution 2021-3-1 entitled RESOLUTION TO MEET IN CLOSED EXECUTIVE SESSION moved by Committeeman Fuzy and seconded by Committeeman Kostoplis. Voice Vote: All Aye.

BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby exclude the public to meet in Closed Executive Session for the purpose of discussing:

- Attorney/Client Privilege: Litigation

No formal action was taken during the closed session. The minutes of the closed session may be disclosed to the public when it is determined that the above matters no longer require confidentiality.

The closed session was adjourned at 8:29 p.m. through a motion made by Committeeman Kostoplis, seconded by Committeewoman Miller. Voice Vote: All Aye. The meeting was reopened to the public.

Public Participation

Deputy Mayor Holliday made a motion to open the meeting for public participation; seconded by Committeewoman Miller. Voice Vote: All aye.

KEVIN JOHNSON, TEAM CAMPUS II, 115 US ROUTE 30: Mr. Johnson asked why the deliberations regarding the rezoning request are being done in closed session. He believes because his application was presented in a public format that the decision making should also be in public. Attorney Fahey says that Attorney-Client privilege is involved and that she disagrees with his interpretation of the Open Public

Meetings Act. She said any action on the request will be made in public, but legal issues are intended to be shielded from the public. Mr. Johnson believes that there are no legal issues. Mr. Johnson also asked Mr. Theokas why he has not responded to his request for a list of medical facilities looking to come into the Township. Mr. Theokas responded that he is still working on it.

There being no further public comment, Committeeman Kostoplis made a motion to close the meeting to the public; seconded by Committeeman Fuzy. Voice Vote: All aye.

Committeeman Fuzy made a motion to adjourn the meeting at 8:39 PM; seconded by Committeeman Kostoplis. Voice Vote: All aye.

Respectfully Submitted,

MARIA CARRINGTON, TOWNSHIP CLERK