



**TOWNSHIP OF DOWNE
CUMBERLAND COUNTY, NEW JERSEY**

	YES	NO	ABSTAIN	ABSENT
Bart, E.				X
Byrne, S.				X
Jordan, L.	X			
Rothman, M.	X			
Campbell, R.	X			

Resolution Number: R-105-2022 Dated: October 20, 2022 Offered By: CAMPBELL Seconded By: JORDAN

**RESOLUTION AUTHORIZING THE HOLDING OF A MEETING
ON AN EMERGENT BASIS PURSUANT TO N.J.S.A. 10:4-9B
ON THE 20TH DAY OF OCTOBER 2022**

WHEREAS, the law of the State of New Jersey calls for Township Committee meetings to be held on notice to the public including publication in two newspapers as well as posting; and,

WHEREAS, the Downe Township Committee did seek to hold an Emergency Meeting and sought to publish in two newspapers and post the intention to hold an emergency meeting at 4:00 pm on October 20, 2022; and,

WHEREAS, on the afternoon of October 20, 2022 the Downe Township Committee did determine that publication 48 hours in advance of the meeting, pursuant to law, in advance of the meeting did not occur and therefore a violation of the Open Public Meetings Act would occur absent extreme circumstances; and,

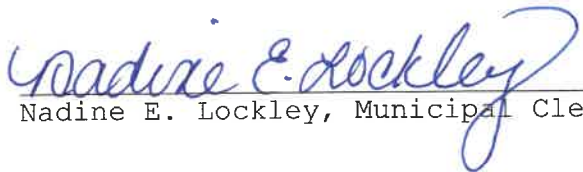
WHEREAS, after an explanation of N.J.S.A. 10:4-9b regarding the vote of $\frac{3}{4}$ of the members present to hold a meeting notwithstanding the failure to provide adequate notice based upon a determination that a meeting is necessary on a matter of such urgency and importance that a delay for purposes of providing adequate notice would be likely to result in substantial harm to the public interest, and the Committee having determined to undertake such a meeting based upon that reasoning and limiting its discussion of and acting with respect only to the matter of urgency and importance, namely in this case being authorization to execute a lease agreement with the New Jersey Department of Environmental Protection for the Fortescue and Gandy Beach Wastewater Project which was determined by the Township Committee to be a matter of urgency and importance;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Downe, County of Cumberland and State of New Jersey that an emergent meeting pursuant to the terms of N.J.S.A. 10:4-9 is to be held on October 20, 2022 based upon the urgency of the execution of the lease agreement for this project considered as an emergency meeting based on the requirement of the immediate return the lease of the lease agreement pursuant to N.J.S.A. 40A-4-9 and N.J.A.C. 5:30-11.9, and the Township Clerk is directed to advertise the emergency meeting and action taken in accordance with applicable law including, by way of example and not limitation, N.J.S.A. 10:4-9 (3) and N.J.A.C. 5:30-11.9.

THIS RESOLUTION was adopted at an Emergency Meeting of the Township of Downe Township Committee meeting held on October 20, 2022.

ATTEST:

TOWNSHIP OF DOWNE


Nadine E. Lockley, Municipal Clerk


Michael L. Rothman, Mayor

C E R T I F I C A T I O N

I, **NADINE E. LOCKLEY, RMC, CMR**, Municipal Clerk of the Township of Downe, County of Cumberland, State of New Jersey do hereby certify the foregoing to be a true and accurate copy of the Resolution adopted by the Downe Township Committee of the Township of Downe, County of Cumberland, State of New Jersey, at the Regular Meeting held on October 20, 2022 at 4:00 pm at the Municipal Complex.

DATE

NADINE E. LOCKLEY, RMC, CMR
Municipal Clerk