

March 15, 2006

Mr. Scott called the Special Meeting of the Union Township Planning Board/Board of Adjustment to order at 8:00 p.m. The meeting was held jointly with the Township Committee. The Sunshine Statement was read by Mr. Scott.

Members Present: Mr. Martin, Mr. Grossi, Mr. Bischoff, Mr. Mulhall, Mr. Rossi, Mr. Lukasik, Mr. Rosol, Mr. Brand and Mrs. Scott

Members Absent: Mr. Roth

Mr. Scott indicated that the Board would be holding an Executive Session for purposes of discussing litigation pending against the Planning Board. Mr. Rossi, serving as Mayor, also indicated that the Township Committee would be conducting an Executive Session with the Planning Board to discuss the pending litigation. Mr. Scott requested a motion to enter Executive Session. Mr. Bischoff made a motion for the Board to go into Executive Session for purposes of discussing pending litigation. Mr. Rosol seconded the motion.

Vote: All Ayes (No Negative votes or abstentions)

A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH N.J.S.A. 10:A-4-12

WHEREAS, the Planning Board of the Township of Union is subject to the Open Public Meetings Act, N.J.S.A. 10:A-4-6, et Seq. and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:A-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 is necessary for the Planning Board of the Township of Union to discuss in a session not open to the Public certain matters related to the item authorized by N.J.S.A. 10:4-1b and designated above: matters Relating to Litigation

Now, therefore, be it resolved by the Planning Board of the Township of Union, assembled in Public Session on March 15, 2006, in the Union Township Municipal Building, 140 Perryville Road, Hampton, N.J. 08827, for the discussion of matters relating to the specified item designated above.

It is anticipated the deliberations conducted in closed session may be disclosed to the public upon determination by the Planning Board that the public interest will no longer be served by such confidentiality.

A motion to leave Executive Session was made by Mr. Bischoff and seconded by Mr. Grossi.

Vote: All Ayes (No Negative votes or abstentions)

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Mr. Bischoff made a motion to authorize counsel to enter into negotiations with Pilot with respect to resolution of the pending action including with particularity the completeness issues and to resolve the pending action in accordance with the means and upon the terms and conditions outlined by counsel during Executive session. Mr. Brandt seconded the motion.

Vote: All Ayes (No Negative votes or abstentions)

Mr. Bischoff made a motion to adjourn with there being no further business to conduct. Mr. Rosol seconded the motion.

Vote: All Ayes (No Negative votes or abstentions)

Meeting Adjourned

John R. Scott, Board Chairman