

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION
No. 26-248

AUTHORIZING A CLOSED EXECUTIVE SESSION FOR THE
PURPOSE OF DISCUSSING PENDING LITIGATION
(Plaza Place Civic Association, et al. vs. City of Ocean City, et al.)
AND CONTRACT NEGOTIATIONS REGARDING
REDEVELOPMENT AGREEMENT FOR
600 BOARDWALK REHABILITATION ZONE

WHEREAS, the Open Public Meetings Act provides for the closing of public meetings by way of Resolution under certain circumstances, as provided in that Act, and when the governing body determines that it is in the public interest to close said meeting; and

WHEREAS, City Council finds that the matters identified below fall within the exceptions set forth in the Open Pubic Meetings Act at N.J.S.A. 10:4-12 (b), which includes matters involving pending litigation and contract negotiations in which the City is or may become a party, and communications protected by the attorney-client privilege to the extent confidentiality is required for counsel to exercise professional responsibility.

WHEREAS, the City of Ocean City is a defendant in the matter of *Plaza Place Civic Association, et al. vs. City of Ocean City, et al.*, Docket No. CPM-L-347-26; and

WHEREAS, City Council is engaged in contract negotiations with the owner of 600 Boardwalk regarding a proposed redevelopment agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, County of Cape May, New Jersey as follows:

1. City Council shall enter closed session to discuss the following matters only:

a. Pending litigation captioned *Plaza Place Civic Association, et al. v. City of Ocean City, et al.* Docket No. CPM-L-347-26, including litigation strategy, settlement considerations, and confidential legal advice from the City Attorney and special counsel, if any.

b. Negotiations with the owner of 600 Boardwalk concerning proposed terms for a possible redevelopment agreement between the City and the owner, including negotiation strategy, proposed contract terms, and confidential legal advice related to those negotiations.
2. The closed-session discussion shall be limited to the matters described in paragraph 1 and to information properly protected by the applicable statutory exceptions. The Council shall not deliberate in executive session on general redevelopment policy, the public merits of any proposed project or use, or any other subject not independently exempt under N.J.S.A. 10:4-12 (b).
3. No formal action shall be taken in executive session. Any action requiring a vote of the Council, including approval of a settlement or authorization or approval of a redevelopment agreement, shall be taken at a meeting open to the public in accordance with law.
4. The minutes of the executive session shall be maintained as required by law. The minutes and the substance of the closed-session discussions shall remain confidential only so long as disclosure would adversely affect the City’s litigation position, negotiation position, attorney-client privilege, or other protected interest. The Council shall authorize public disclosure, in whole or in appropriate redacted form, when the Plaza Place litigation has concluded or the need for confidentiality otherwise no longer exists and when the negotiations concerning a redevelopment agreement for 600 Boardwalk have concluded, been abandoned, or may be disclosed without adversely affecting the City’s position.
5. This Resolution shall take effect immediately upon adoption.

Terry Crowley, Jr., Council President

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, September 3, 2026 with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes						
Crowley						
Hartzell						
Kelly						
Levchuk						
Polcini						
Winslow						

Melissa G. Rasner, City Clerk