

Councilman Pendergast called the meeting to order at 7:30 p.m.

Flag Salute.

Roll Call: Present – Duffy, Insel, Pendergast, Shea, Smith, Valenta
Absent – Mayor Schaumburg

STATEMENT OF ADEQUATE NOTICE:

Councilman Pendergast read the following statement: “Adequate notice of this meeting has been provided, indicating the time and place of the meeting and the proposed agenda, which notice was posted, made available to newspapers, and filed with the Clerk of the Town of Clinton in accordance with Section 3(d) of Chapter 231 of the Public Laws of 1975.”

APPROVAL OF MINUTES

A motion was made by Mr. Smith, seconded by Mr. Duffy, to approve minutes of February 22, 2011 as submitted.

Vote all ayes
Motion carried

A motion was made by Mr. Smith, seconded by Mr. Duffy, to approve the budget minutes of February 23, 2011 as submitted.

Vote all ayes
1 Abstention (Insel)
Motion carried

APPROVAL OF MONTHLY REPORTS

A motion was made by Mrs. Insel, seconded by Mr. Shea, to accept the monthly reports for the month of February as submitted:

Assessor’s Report, Administrator’s Report, Buildings and Grounds Report, Clerk’s Account, Cat & Dog Licensing Accounts, Construction Control/Inspection Report, Fire Official Report, Police Report, Road Foreman’s Report, Sewer Collector’s Report, Tax Collector’s Report, Water Collector’s Report, Water Superintendent’s Report for January and February, Zoning Officer’s Report.

Vote all ayes
Motion carried

PUBLIC COMMENT

Walter Hetzel, Main Street, suggested that the Town of Clinton start up a Facebook Page or a Twitter Page totally controlled by the Town staff. Mrs. Valenta said she will look into it. Mr. Duffy said it should be titled as the “Official Page”. Mrs. Insel had suggested that a college student, with a marketing background, develop such a site as an intern, pro bono, of course. Mr. Pendergast said he will discuss this with the Mayor and continue to consider the site. Council agreed.

MAYOR’S COMMENTS – None

STREET BANNER REQUEST

A motion was made by Mr. Duffy, seconded by Mrs. Insel, to approve the banner request for Immaculate Conception Church’s Parish Festival. The Festival runs from June 15 through 19, 2011. The display dates are June 6 through June 20, 2011.

Vote all ayes
Motion carried

STREET BANNER REQUEST

A motion was made by Mr. Smith, seconded by Mr. Shea, to approve the banner request for the Red Mill Museum Village Bluegrass Festival 2011. The event is August 13, and the display dates are August 8 through August 14, 2011.

Vote all ayes
Motion carried

SPECIAL EVENT AND BANNER REQUEST

A motion was made by Mr. Duffy, seconded by Mr. Smith, to approve the Step Up for the ARC Walk to be held on Sunday, June 5, 2011. Police Chief Matheis has been copied on the event information, his review is required. The banner dates will be May 23 through May 30, 2011.

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #11-04 – BOND ORDINANCE

Kathy Olsen, CFO, explained that we have applied for a NJEIT grant to make improvements to the sewer utility, consisting of tertiary filter replacement for the wastewater treatment plant, and other necessary work. However, we must have the funds in place to receive the grant.

A motion was made by Mr. Smith, seconded by Mrs. Valenta, to adopt Ordinance #11-04 of first reading as submitted:

ORDINANCE #11-04

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE SEWER UTILITY IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$1,545,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,545,000 BONDS OR NOTES OF THE TOWN FOR FINANCING THE COST THEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Town of Clinton, in the County of Hunterdon, New Jersey (the "Town"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$1,545,000. No down payment is required as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Town, as more fully explained in Section 6(e) of this ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,545,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is improvements to the sewer utility, consisting of tertiary filter replacement for the wastewater treatment plant, including all related costs and expenditures

incidental thereto and further including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,545,000, but that the net debt of the Town determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$155,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the Town solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

Section 7. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The Town hereby declares the intent of the Town to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 8 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Vote all ayes
Motion carried

A notice of this ordinance will be placed in the March 16, 2011 edition of the Hunterdon Review and a second reading will take place on April 12, 2011.

RESOLUTION #66-11 – CANCELLATION OF TRUST FUND ACCOUNTS

RESOLUTION # 66-11

WHEREAS, there exists on the books within the Town's Trust Account old balances; and

WHEREAS, the old balances are no longer needed for their original purposes;

NOW, THEREFORE, BE IT RESOLVED, that the following trust account balances in the amount of \$61,848.92 are hereby cancelled to Trust Surplus:

<u>Trust Sub-Account</u>	<u>Amount</u>
Filming Fund	\$37,617.27

Special Deposits	7,652.17
Miscellaneous	79.48
Road Opening Permits	8,500.00
Excavation Bonds	8,000.00

ROLL CALL: Ayes: Duffy, Insel, Pendergast, Shea, Smith, Valenta

Vote all ayes
Motion carried

RESOLUTION #68-11 – AUTHORIZING APPLICATION FOR A LOAN FROM NJEIT

A motion was made by Mr. Smith, seconded by Mr. Shea, to adopt Resolution #68-11 as submitted:

RESOLUTION #68-11

RESOLUTION AUTHORIZING APPLICATION FOR A LOAN FROM THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM

WHEREAS, the Town of Clinton intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for the interior and exterior rehabilitation of a 2.5 million gallon steel water storage tank and installation of a cathodic protection system.

NOW, THEREFORE, BE IT RESOLVED that James Naples, Business Administrator be authorized to act as the Authorized Representative to represent the Town of Clinton in all matters relating to the project undertaken pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. The Authorized Representative may be contacted at 43 Leigh Street, P.O. Box 5194, Clinton, New Jersey 08809, 908-735-8616.

Vote all ayes
Motion carried

RESOLUTION #69-11 – APPLICATION TO NJEIT FOR REPLACEMENT OF WATER MAINS

A motion was made by Mr. Smith, seconded by Mr. Shea, to adopt Resolution #69-11 as submitted:

RESOLUTION #69-11

RESOLUTION AUTHORIZING APPLICATION FOR A LOAN FROM THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM

WHEREAS, the Town of Clinton intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for the replacement of the existing 4-inch and 6-inch water mains in the Clinton Downtown area, totaling

2,520 linear feet, with 12-inch and 8-inch diameter ductile iron pipe to provide safe and reliable water service.

NOW, THEREFORE, BE IT RESOLVED that James Naples, Business Administrator be authorized to act as the Authorized Representative to represent the Town of Clinton in all matters relating to the project undertaken pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. The Authorized Representative may be contacted at 43 Leigh Street, P.O. Box 5194, Clinton, New Jersey 08809, 908-735-8616.

Vote all ayes
Motion carried

RESOLUTION #70-11 – CANCELLATION OF CAPITAL IMPROVEMENT APPROPRIATIONS

A motion was made by Mrs. Insel, seconded by Mr. Duffy, to adopt Resolution #70-11 as submitted:

RESOLUTION #70-11

WHEREAS, certain Capital appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Fund;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton, that the following unexpended and dedicated balances of Capital Improvement Appropriations be cancelled to the Capital Improvement Fund:

<u>Ord. No.</u>	<u>Date Auth.</u>	<u>Purpose</u>	<u>Amt.-Funded</u>
02-06	3/26/02	Improve. to Recreation Facilities	\$3,192.84
03-07	4/8/03	Reconstruct Rupells Road	471.84
03-09	5/13/03	Various Projects	4,956.64
07-07	5/22/07	Pavers/Sidewalk Repairs	<u>732.20</u>
			\$9,353.52

ROLL CALL: Ayes: Duffy, Insel, Pendergast, Shea, Smith, Valenta

Vote all ayes
Motion carried

RESOLUTION #71-11 – OVERPAYMENT OF TAXES

A motion was made by Mrs. Valenta, seconded by Mr. Duffy, to adopt Resolution #71-11 as submitted:

RESOLUTION #71-11

WHEREAS, the Tax Collector of the Town of Clinton has received an overpayment for following block and lot due to refinance,

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Clinton that the Chief Financial Officer be authorized to refund the overpayment to the following account:

<u>BLOCK</u>	<u>LOT</u>	<u>OWNER</u>	<u>AMOUNT</u>
1	30.02	Patel, Niranjana & Sushma	\$ 2,351.20

BE IT FURTHER RESOLVED that the Tax Collector remove the overpayment on the above block and lot for the 1st quarter of 2011.

ROLL CALL: Ayes: Duffy, Insel, Pendergast, Shea, Smith, Valenta

Vote all ayes
Motion carried

RESOLUTION #73-11 – TONNAGE GRANT APPLICATION

A motion was made by Mr. Duffy, seconded by Mr. Shea, to adopt Resolution #73-11 as presented:

**2010 RECYCLING
RESOLUTION #73-11**

TONNAGE GRANT APPLICATION RESOLUTION

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the Tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for and keeping accurate, verifiable records of materials Collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the consent of the Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a resolution should designate the individual authorized to ensure that The application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton, that the Town of Clinton hereby endorses the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection, Office of Recycling and designates James T. Naples, Town of Clinton Recycling Coordinator, to ensure that the said resolution is properly filed.

Vote all ayes
Motion carried

CORRESPONDENCE

1. Council is in receipt of a letter from Attorney William Robertson, representing Hunterdon Capital, LLC, owner of property known as Block 31, Lots 24.02, 24.03, 24.04 and 24.05 in the Town of Clinton. Their original plans for a development on the site were for 4 new residential building lots and approvals were given. However, at this time, Hunterdon Capital is asking for a reduction in the number of lots to possibly a single lot or reconfigured into a reduced number of lots. Gebhardt & Keifer Attorney, Leslie Parikh, in attendance this evening for Richard Cushing, Esq., explained the request and has drafted a memo to the Town Planning Board deferring to their expertise in connection with Hunterdon Capital's application to vacate the subdivision. Council authorized sending the memo.
2. Hunterdon County Roads, Bridges and Engineering Department has notified the Town of Clinton, that the Pony Truss Bridge will be closed for maintenance in June, 2011. Council discussed the timeframe of the closing and Mr. Naples said he will contact the County to advise them of activity in June and ask for a change in their schedule.

REPORTS FROM COUNCIL & TOWN OFFICIALS

Councilman Duffy

1. Attended the Clinton Fire Department meeting along with Mr. Naples. They discussed lighting in the parking lot and came to a decision to keep the lights that are there, readjust angles, install timers and shields so they will not encroach on the neighbors. The cost is being worked out.
2. Grand Opening for Citispot on Friday, March 11, 2011 from 6:00 p.m. to 7:00 p.m.

Councilwoman Valenta

1. Board of Education – tentative budget approved under the 2% CAP. Discussed sharing services and outsourcing janitorial services, amounting to savings of \$50,000.00. Discussions taking place about bringing in other school districts because enrollment is down.

Councilwoman Insel

1. Clinton Guild meeting Thursday, March 10, 2011 8:30 a.m. to 10:00 a.m.

Councilman Pendergast

1. Police Committee met and discussed replacing the Chief's car.

Councilman Shea

1. Roads Committee discussed plans for Main, East Main, Lower Center Street resurfacing project and sewer line televising. Letter to go out to all merchants and property owners.

Councilman Smith

1. Rescue Squad – working with Clinton Fire Department regarding LOSAP and working together to change procedure in obtaining retirement points and service hours. Both

departments will come before Council once they finalize their plans. Squad gained 8 new members with certification in February. 136 calls in February, steady increase in calls.

2. Shared Services meeting with municipalities was poorly attended.

Kathy Olsen, CFO

1. Three years of the full Town of Clinton has been posted on the website, in accordance with State requirements.
2. Budget meeting, Wednesday, March 9, 2011 at 6:00 p.m.

James T. Naples, PW/Business Administrator

1. Mr. Naples thanked Mr. Duffy for including him at the Clinton Fire Department meeting and introducing him to their members.

RESOLUTION #72-11 – TRANSFER OF FUNDS

A motion was made by Mr. Pendergast, seconded by Mr. Smith to adopt Resolution #72 -11 as presented:

RESOLUTION # 72-11

WHEREAS, various 2010 bills have been presented for payment this year, which bills were not covered by order number and/or recorded at the time of transfers between the 2010 Budget Appropriation Reserve in the last two months of 2010; and

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Clinton that transfers in the amount of \$1,000.00 be made between the 2010 Budget Appropriation Reserves as follows:

	<u>FROM</u>	<u>TO</u>
Gasoline		
Other Expenses	\$1,000.00	
Legal		
Other Expenses		\$1,000.00
TOTALS	<u>\$1,000.00</u>	<u>\$1,000.00</u>

ROLL CALL: Ayes: Duffy, Insel, Pendergast, Shea, Smith, Valenta

Vote all ayes
Motion carried

APPROVAL OF STANDBY AND OVERTIME

A motion was made by Mr. Smith seconded by Mr. Duffy to approve the standby and overtime pay attached to these minutes for February 18 through March 3, 2011.

ROLL CALL: Ayes: Duffy, Insel, Pendergast, Shea, Smith, Valenta

Vote all ayes
Motion carried

PAYMENT OF BILLS

A motion was made by Mrs. Valenta, seconded by Mrs. Insel to approve the voucher list attached to these minutes.

ROLL CALL: Ayes: Duffy, Insel, Pendergast, Shea, Smith, Valenta

Vote all ayes
Motion carried

RESOLUTION #-74-11 – EXECUTIVE SESSION – Potential Litigation

A motion was made by Mr. Smith, seconded by Mrs. Valenta, to enter into Executive Session at 8:00 p.m. to discuss a matter of Potential Litigation.

RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act; *N.J.S.A. 10:4-6 et seq.*, declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

WHEREAS, the Open Public Meetings Act also recognizes exceptions to the right of the public to attend portions of such meetings; and

WHEREAS, the Mayor and Council find it necessary to conduct an executive session closed to the public as permitted by the *N.J.S.A. 40:4-12*; and

WHEREAS, the Mayor and Council will reconvene in public session at the conclusion of the executive session;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Clinton, County of Hunterdon, State of New Jersey that they will conduct an executive session to discuss the following topic(s) as permitted by *N.J.S.A. 40:4-12*:

A matter which Federal Law, State Statute or Rule of Court requires be kept confidential or excluded from discussion in public (Provision relied upon:

_____);

_____A matter where the release of information would impair a right to receive funds from the federal government;

_____A matter whose disclosure would constitute an unwarranted invasion of individual privacy;

_____A collective bargaining agreement, or the terms and conditions thereof (Specify contract:

____ A matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed;

_____ Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

_____ Investigations of violations or possible violations of the law;

 X _____ Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (the general nature of the litigation or contract negotiations is:

_____ OR _____ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.)

_____ Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer; (The general nature of the matter is: _____

OR _____ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists);

_____ Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective or current public officer or employee of the public body, where all individual employees or appointees whose rights could be adversely affected have not requested in writing that the matter(s) be discussed at a public meeting; (The employee(s) and/or general nature of discussion is _____

OR _____ the public disclosure of such information at this time would violate the employee(s) privacy rights; therefore this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists.;

_____ Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit;

BE IT FURTHER RESOLVED that the Mayor and Council hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Town Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Town or any other entity with respect to said discussion. That time is currently estimated to be: _____ (estimated length of time) OR upon the occurrence of _____

BE IT FURTHER RESOLVED that the Mayor and Council, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

Vote all ayes
Motion carried

A motion was made by Mrs. Insel, seconded by Mrs. Valenta, to return to the Regular Council meeting at 8:13 p.m.

ADJOURNMENT: There being no further business, a motion was made by Mrs. Insel, seconded by Mrs. Valenta to adjourn the meeting at 8:15 P.M.

Vote all ayes
Motion carried

Cecilia Covino, RMC/CMC

Councilman Pendergast