

Mayor Kovach called the meeting to order at 7:30 p.m.

Flag Salute.

Roll Call: Present – Carberry, Pendergast, Rylak, Shea, Smith, Sosidka Mayor Kovach

STATEMENT OF ADEQUATE NOTICE:

Mayor Kovach 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. Carberry seconded by Mr. Smith to approve the minutes of October 14, 2014 as submitted.

Vote all ayes
Motion carried

PUBLIC COMMENT - None

MAYOR’S COMMENTS – None

COMMUNITY HOPE PRESENTATION

Mayor Kovach introduced Gema Diaz, the Outreach Coordinator of SSVF, (Supportive Services for Veteran Families) Community Hope services. The program is funded by the Veteran’s Administration and is to help veterans that are in need of transitional housing, temporary financial assistance, transportation and car repairs, day care, moving costs, short term utility payments, emergency food, and counseling to name some of the services available to veterans and their families. There is a 24 hour hotline and referrals are accepted for someone in need. Mayor Kovach invited representatives of the Open Cupboard Food Pantry and Rolling Thunder to meet with Ms. Diaz and learn of the assistance available to veterans. Anne Underhill from the Pantry and Gary Scheffmeyer of Rolling Thunder attended and met with Ms. Diaz after the presentation to open the lines of communication with each other.

Council was highly impressed with the opportunities made available to veterans and thanked Ms. Diaz for her time and efforts.

BANNER REQUEST – ST. PATRICK’S DAY PARADE

A motion was made by Mr. Smith, seconded by Mr. Rylak to approve the banner request for the Friendly Sons of St. Patrick’s to be displayed March 2 through March 16, 2015. The banner will also be promoting the Run O’the Mill 5K for March 14 and the parade is Sunday, March 15.

Vote all ayes
Motion carried

RESOLUTION #128-14 – NJEIT LEBANON BOROUGH WATER MAIN REHABILITATION PROJECT

A motion was made by Mr. Smith, seconded by Ms. Sosidka, to adopt Resolution #128-14 as submitted:

The following resolution was adopted at a regular meeting of the Town Council of the Town of Clinton, in the County of Hunterdon, New Jersey held at the Municipal Building in the Town on October 28, 2014, and the same shall be reflected in the minutes of such meeting.

PRESENT: Carberry, Pendergast, Rylak, Shea, Smith, Sosidka, Mayor Kovach

Mr. Smith introduced and moved the adoption of the following resolution and Ms. Sosidka seconded the motion:

RESOLUTION # 128-14

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$2,650,000 GENERAL IMPROVEMENT BONDS, SERIES 2015, OF THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY PURSUANT TO THE 2015 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM.

WHEREAS, the Town of Clinton (the "Town"), in the County of Hunterdon, New Jersey, has determined that there exists a need within the Town to provide for the Lebanon Borough Water Main Rehabilitation Project for the Water Utility (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Town and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Town and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the 2015 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Town has determined to finance the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Town to authorize, execute, attest and deliver the Town's General Improvement Bonds, Series 2014, in an aggregate principal amount not to exceed \$2,650,000, a portion of which will be to the Trust (the "Trust Loan Bond") and a portion of which will be to the State (the "Fund Loan Bond" and, together with the Trust Loan Bond, the "Town Bonds") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements;

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust without any public offering, all under the terms and conditions set forth herein; and

WHEREAS, in connection with the issuance of the Town Bonds to the Program, the governing body of the Town wishes to authorize the execution of certain certificates and opinions as may be required by the Program or Bond Counsel to the Town (collectively, the "Escrowed Documents") by the Mayor, Chief Financial Officer, Town Clerk, Counsel to the Town, Project Engineer or Appraiser and/or Bond Counsel to the Town (collectively, the "Town Representatives") on or before the date when the Town is scheduled to close the loans in escrow with the Program (the "Escrow Closing Date"), such documents to be delivered to Bond Counsel and held by Bond Counsel until such time as the Town authorizes release of the same.

NOW, THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the governing body of the Town as follows:

Section 1. In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Town hereby sells and awards its Town Bonds in an aggregate principal amount not to exceed \$2,650,000 in accordance with the provisions hereof. The Town Bonds have been referred to and are described in a bond ordinance of the Town, which bond ordinance is entitled, "Bond Ordinance Providing for the Lebanon Borough Water Main Rehabilitation Project for the Water Utility of the Town Of Clinton, in the County of Hunterdon, New Jersey, Appropriating \$6,700,000 Therefor and Authorizing the Issuance of \$6,700,000 Bonds or Notes of the Town for Financing the Cost Thereof" and finally adopted by the Town at a meeting duly called and held on May 28, 2013, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Town (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amounts of the Trust Loan Bond and the Fund Loan Bond to be issued, which aggregate principal amount shall not exceed \$2,650,000;
- (b) The maturity and annual principal installments of the Town Bonds, which maturity shall not exceed 20 years;
- (c) The date of the Town Bonds;
- (d) The interest rates of the Town Bonds;
- (e) The purchase price for the Town Bonds; and
- (f) The terms and conditions under which the Town Bonds shall be subject to redemption prior to their stated maturities.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Town Bonds by the parties authorized under Section 4(c) hereof.

Section 4. The Town hereby determines that certain terms of the Town Bonds shall be as follows:

- (a) The Trust Loan Bond shall be issued in a single denomination and shall be numbered R-1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered R-2;
- (b) The Town Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Town Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Town Clerk.

Section 5. The Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

Section 6. The law firm of McManimon, Scotland & Baumann, LLC is hereby authorized to arrange for the printing of the Town Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State for the Program, to arrange for same. The Town auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Town Bonds. The Mayor, the Chief Financial Officer and the Town Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information. Bond Counsel to the Town is hereby authorized to accept and hold the Escrowed Documents on or before the Escrow Closing Date and to release same upon the direction of the Town.

Section 7. The Town hereby designates the Chief Financial Officer to award the Bonds in accordance with Section 2 hereof and such financial officer shall report in writing the results of the sale to this Council as required by law.

Section 8. The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Town Bonds, and are further authorized to deliver same to the Trust and the State upon delivery of the Town Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Section 9. This resolution shall take effect immediately.

Section 10. Upon the adoption hereof, the Town Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Town, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

ROLL CALL: Carberry, Pendergast, Rylak, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #129-14 – NJEIT – EXECUTION AND DELIVERY OF LOAN AGREEMENTS

The following resolution was adopted at a regular meeting of the Town Council of the Town of Clinton, in the County of Hunterdon, New Jersey held at the Municipal Building in the Town on October 28, 2014 and the same shall be reflected in the minutes of such meeting.

PRESENT: Carberry, Pendergast, Rylak, Shea, Smith, Sosidka, Mayor Kovach

Mr. Smith introduced and moved the adoption of the following resolution and Mr. Pendergast seconded the motion:

RESOLUTION #129-14

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS TO BE EXECUTED BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND EACH OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE 2015 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

WHEREAS, the Town of Clinton (the "Town"), in the County of Hunterdon, New Jersey, has determined that there exists a need within the Town to provide for the Lebanon Borough Water Main Rehabilitation Project for the Water Utility (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Town and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Town and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the 2015 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Town has determined to finance the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Town to authorize, execute, attest and deliver the Town's General Improvement Bonds, Series 2015, in an aggregate principal amount not to exceed \$2,650,000, a portion of which will be to the Trust (the "Trust Loan Bond") and a portion of which will be to the State (the "Fund Loan Bond" and, together with the Trust Loan Bond, the "Town Bonds") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

WHEREAS, the Trust and the State have expressed their desire to close in escrow the making of one or more of the Loans, the issuance of one or more of the Town Bonds and the execution and delivery of one or more of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the Trust, the State, the Town and the escrow agent named therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Town as follows:

Section 1. The Trust Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Town by either the Mayor or the Chief Financial Officer in substantially the forms attached hereto as Exhibits A, B and C, respectively, with such changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Town (collectively, the "Town Consultants") and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Town Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Town Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Town as determined hereunder and to affix the corporate seal of the Town to such Financing Documents.

Section 2. The Authorized Officers of the Town are hereby further severally authorized to (i) execute and deliver, and the Town Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Town to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Town Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. This resolution shall take effect immediately.

Section 4. Upon the adoption hereof, the Town Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Town, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

EXHIBIT A

TRUST LOAN AGREEMENT

EXHIBIT B

FUND LOAN AGREEMENT

EXHIBIT C

ESCROW AGREEMENT

ROLL CALL: Carberry, Pendergast, Rylak, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #130-14 – CHANGE ORDER – LEIGH STREET

A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to adopt Resolution #130-14 as submitted:

**RESOLUTION #130-14
CHANGE ORDER NO. 1**

WHEREAS, the need has arisen for a change order to the Leigh Street Improvement Project, and;

WHEREAS, there were changes in quantities to the sidewalks and handicap ramps, and;

WHEREAS, the original contract price was \$95,268.00 and the proposed increase is \$717.13 bringing the total adjusted contract amount to \$95,985.13;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton that Change Order Number 1 for the Leigh Street Improvement Project be approved.

ROLL CALL: Carberry, Pendergast, Rylak, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #131-14 – CANCELLATION OF LIEN

A motion was made by Ms. Sosidka, seconded by Mr. Rylak, to adopt Resolution #131-14 as submitted:

RESOLUTION # 131-14

WHEREAS, the Tax Collector of the Town of Clinton has been paid \$10,242.28, the amount necessary to redeem Tax Sale Certificate #2014-10 on Block 15, Lot 10, assessed to Hunterdon Rentals, LLC, and purchased by Alterna Funding I LLC/MTAG as Custodian for.

NOW THEREFORE BE IT RESOLVED, on this 28th day of October by the Mayor and Council of the Town of Clinton, County of Hunterdon, that the Chief Financial Officer be authorized to issue a check in the amount of \$10,242.28(certificate) & \$44,000.00 (premium) to Alterna Funding I LLC, MTAG as Custodian for, P.O. Box 54817, New Orleans, LA, 70154, upon receipt of the Original Tax Sale Certificate endorsed for cancellation, and

BE IT FURTHER RESOLVED that the Tax Collector be authorized to cancel Lien #2014-10 on Block 15, Lot 10, assessed to Hunterdon Rentals LLC, from the Town of Clinton Tax Records.

ROLL CALL: Carberry, Pendergast, Rylak, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

MAILING OF SMART GROWTH SURVEY

Councilman Rylak, Chair of the Smart Growth Committee, has been diligently working on a survey for Town residents and non-residents alike, to get feedback as to their vision for the Town of Clinton. A survey that may be completed on-line or written and submitted, Mr. Rylak was hoping to receive at least 500 responses. As of today there were 254 responses received. The topic of discussion is to decide whether a mailing is possible due to budget restraints. A price for printing will be requested from the

county, to cut down on the newsletter and to include the survey to reach all residents. A motion was made by Mr. Rylak seconded by Mr. Carberry, to spend the money to mail the survey with the newsletter.

ROLL CALL: Ayes: Carberry, Pendergast, Rylak, Shea, Sosidka, Mayor Kovach
Abstain: Smith

Vote all ayes
1 Abstention (Smith)
Motion carried

CORRESPONDENCE

1. A letter has been received from Anthony E. LoCascio, EA, CTC of LoCascio Consulting, LLC, a financial planner, offering the Town employees tax preparation services at a reduced price. Council discussed receiving the letter and passing it along to the employees. As to not solicit services for anyone, Attorney Cushing drafted a memo to accompany this and other types of solicitation to read:

“From time to time, the Town receives offers directed to Town employees from local merchants or professionals. The Mayor and council agreed to pass on these offers. Please note that while the Town does not endorse or review the quality of the services or products, it did want to alert you to the opportunity. The choice as to whether to utilize these services or products is entirely yours”

This memo will accompany all solicitations from this point forward.

A motion was made by Mr. Carberry, seconded by Mr. Smith, to proceed with this procedure and attach the memo.

ROLL CALL: Ayes: Carberry, Pendergast, Shea, Smith, Sosidka, Mayor Kovach
Nay: Rylak

Vote all ayes
1 Nay (Rylak)
Motion carried

REPORTS FROM COUNCIL & TOWN OFFICIALS

Richard Phelan, PW/Business Administrator

Mr. Phelan updated council on the Halstead Street Water Main Replacement Project. Halstead Street from Rachel Court to Lower Center will be closed from 8:00 a.m to 3:00 p.m. during the water main installation. Notification has been given to resident. The next phase of the project will be Water Street.

Councilman Smith

1. Water Committee – new main wet taps and house hook ups will be made to houses beginning week of November 3, 2014.

Commendations to Sgt. Jay Hunter for an investigation made to a former utility programmer for hacking the system and causing mayhem for weeks. Sgt. Hunter and other investigators visited the programmer's house in Cape May and collected his computers as evidence. No personal information was ever jeopardized of residents.

Councilman Shea

1. Shade Tree Commission met with the arborist and will begin working on a plan within the next month and budget for next year. Shade Tree budget is still viable and if not needed for Fall storm management, funds may be used to begin stump removal for all the trees removed last year.
2. Road Committee to meet November 7, 2014.

Councilwoman Sosidka

1. 150th Committee is hard at work and Christie Wood has begun painting the mural in the alleyway. The Recreation Commission and 150th Committee have decided to keep the Town Picnic separate from the 150th Birthday Bash.

Christie Wood, Historic Commission Chair, hosted a boy scout troop to tour of the Municipal Building, Leigh Mansion on Monday, October 27th. It was a big success!

Sunday, November 9, 2014, Al Rylak's book dedication to his wife, Ginny, at the Clinton Book Shop from 1:00 p.m. to 2:30 p.m.

Councilman Pendergast

1. Clinton Fire Department has purchased a hot dog cart! Residents and visitors will see them around Main Street, please support them!

Councilman Carberry

1. Mr. Carberry met with the Clinton Fire Department and after reviewing their insurance policies was able to get them a reduction in coverage payments of \$5,000.

Councilman Rylak

1. Smart Growth Committee will meet on Monday November 3, 2014 at 7:00 p.m. Mr. Rylak thanked Council for their consideration of the mailing of the survey.

See everyone Sunday, November 9, 2014 at 1:00 p.m. for the book signing of "To Ginny, A View from Apartment 15T".

STANDBY AND OVERTIME

A motion was made by Mr. Smith seconded by Mr. Pendergast to approve the standby and overtime submitted for October 10 through October 23, 2014 attached to these minutes.

ROLL CALL: Ayes: Carberry, Pendergast, Rylak, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

PAYMENT OF BILLS

A motion was made by Mr. Smith, seconded by Mr. Sosidka to approve the voucher list attached to these minutes.

ROLL CALL: Ayes: Carberry, Pendergast, Rylak, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION 132-14 – EXECUTIVE SESSION - PENDING LITIGATION

A motion was made by Mr. Pendergast, seconded by Mr. Rylak, to enter into Executive Session to discuss a matter of pending litigation at 8:28 p.m.

Vote all ayes
Motion carried

RESOLUTION # 132-14

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: Land Acquisition 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

Chief Financial Officer, Kathy Olsen, and Town Clerk, Cecilia Covino, were asked to leave the Executive Session. Attorney Cushing took the minutes of Executive Session in the absence of the clerk.

ADJOURNMENT: Upon returning from Executive Session and there being no further business, a motion was made by Mr. Rylak seconded by Mr. Smith to adjourn the meeting at 8:40 p.m.

Cecilia Covino, RMC/CMC
Town Clerk

Mayor Janice Kovach