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

Flag Salute.

Roll Call: Present – Carberry, Dineen, Pendergast, Rylak, 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 the Council Meeting held September 12, 2017.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS – AUGUST

A motion was made by Mr. Pendergast, seconded by Mr. Carberry to approve the monthly reports for the month of August for the Wastewater Treatment Plant and Treasurer’s Reports.

Vote all ayes
Motion carried

PUBLIC COMMENT

Second grade teachers at Clinton Public School, Liz Hedden and Cassie Rudd attended this evening’s meeting to promote a community outreach program being run with the second graders. Kelly De Jesus, another second grade teacher involved in the project was unable to attend this evening. The overall theme is “Communication, pride, service!” Ms. Rudd presented a brief slideshow showing statistics of homelessness and the need for socks. The second graders are on a mission to collect 1,000 pairs of new socks for the needy from October 2 to October 27, 2017. Clinton Public School is seeking the support of the community and the permission of Council to display posters around town. Drop off bins will be placed at the Clinton Book Shop on East Main Street and the Towne Restaurant on Main. The teachers felt that with the half a marathon being held on Sunday, October 8, 2017, and the runners picking up their packets on Main Street, Saturday, October 7, that would be a great opportunity to collect a lot of donations. Mayor Kovach told the teachers that if the students hit their goal of 1,000, she will host a pizza party for them! A motion was made by Mr. Carberry, seconded by Mr. Rylak, to show support to the second graders and their project!

Vote all ayes
Motion carried

MAYOR’S COMMENTS

1. Citizen Involvement form received from Richard Miller, Georges Place, interested in being named the Town Historian. Mr. Miller provided a resume along with his application. A motion was made by Ms. Sosidka, seconded by Mr. Rylak, to appoint Mr. Miller as the Town Historian.

Vote 5 ayes
2 nays (Carberry, Pendergast)
Motion carried

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2. Citizen Involvement form received from John Kashwick, Water Street, interested in the open position on the Shade Tree Commission. A motion was made by Ms. Dineen, seconded by Mr. Carberry, to appoint Mr. Kashwick to the Commission.

Vote all ayes
Motion carried

PROCLAMATION – KNOCK OUT OPIOID ABUSE DAY

Mayor Kovach presented a proclamation to Stan Prater of JCP&L and Glenn King, Executive Director of Freedom House. Freedom House, Inc. supports initiatives designed to raise awareness about opiate abuse in New Jersey and takes steps to prevent addition. October 6, 2017 is to be recognized as Knock Out Opioid Abuse Day in Clinton, New Jersey.

PRESENTATION – INGERMAN PROPERTIES

Geoff Ingerman of Ingerman Properties, a family run development company in business since 1982 has built over 8,400 units. Mr. Ingerman distributed copies of design characteristics for residential developments that have been built and the professionalism to compliment the communities they have been constructed in. Quality materials are used to accentuate the architecture and designs of the area. Units are all rentals and house high end facilities such as pools, gyms and even office space for occupants that work from home. The presentation was very impressive and Council thanked Mr. Ingerman for his time.

BANNER REQUEST – HUNTERDON COUNTY LIBRARY

Council is in receipt of a banner request from the Hunterdon County Library to display a banner from March 12 through 25, 2018 to promote New Jersey Makers Day. A motion was made by Ms. Sosidka seconded by Ms. Dineen, to approve the banner request.

Vote all ayes
Motion carried

BEST PRACTICES

The Best Practices worksheets were reviewed by the Mayor and Council. A motion was made by Mr. Rylak, seconded by Ms. Sosidka, authorizing the Finance Officer, Kathy Olsen, to forward to the State.

RESOLUTION #110-17 – URGING STATE LEGISLATURE TO EXTEND 2% CAP

A motion was made by Mr. Carberry, seconded by Mr. Rylak, to adopt Resolution #110-17 as submitted:

RESOLUTION #110-17

Resolution Urging the State Legislature to Extend the 2% Cap on Police and Fire Arbitration Contract Awards

WHEREAS, local municipalities require specific tools to address the rising cost of municipal government; and

WHEREAS, in July 2010 the Governor and New Jersey State Legislature enacted a permanent 2% cap on municipal and school board tax levies with limited exceptions that did not include police and fire arbitration contract awards; and

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WHEREAS, salary costs, to a great extent, drive property tax increases; and

WHEREAS, in December 2010 the Legislature unanimously approved and the Governor enacted a temporary 2% cap on police and fire arbitration contract awards in an effort to control increasing salary costs and provide a solution to assist local governments in keeping property taxes down and cost under control; and

WHEREAS, the December 2010 legislation included an April 1, 2014 sunset on the 2% arbitration cap while the 2% property tax levy remained permanent for municipalities and school boards; and

WHEREAS, in June 2014 the Legislature unanimously approved and the Governor enacted an extension to December 31, 2017 for the 2% arbitration cap, however, the 2% property tax levy cap continues to remain permanent, without an exemption for police and fire arbitration contract awards; and

WHEREAS, municipalities continue efforts to contain costs and provide vital services to residents within the 2% property tax levy while the New Jersey economy remains sluggish and taxpayers struggle to keep their homes and pay their taxes; and

WHEREAS, we recognize that this change in arbitration reform needs a longer time to mature in order to see the benefits of the legislation and its actual impact on the cost of local government budgets and the impact on taxpayers; and

WHEREAS, the final report and recommendations of the Police and Fire Public Interest Arbitration Impact Task Force, which was established in the December 2010 legislation, is not due until the same day as the expiration of the cap on interest arbitration awards, December 31, 2017; and

WHEREAS, we recognize it is now time for our taxpayers to benefit directly from these cost saving measures as many police and fire contracts will come due for negotiation after the sunset date, and

WHEREAS, if the cap on interest arbitration expires while the 2% levy cap remains in effect, municipalities will be forced to reduce or eliminate municipal services in order to fund interest arbitration awards;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Town of Clinton urges the State Legislature to extend the 2% cap on Police and Fire Arbitration Contract Awards for 5 more years at which time the Legislature will have hard data to examine and then make a final decision as to whether this law should be made permanent; and

BE IT FURTHER RESOLVED, that a copy of this Resolution is forwarded to Assemblyman John DiMaio, Assemblyman Erik C. Peterson, Senator Michael Doherty, the Commissioner of the Department of Labor, the Lieutenant Governor and the Governor of State of New Jersey and the League of Municipalities.

Vote all ayes
Motion carried

RESOLUTION #111-17 – CANCELLATION OF OUTSTANDING CHECKS

A motion was made by Mr. Carberry, seconded by Mr. Rylak, to adopt Resolution #111-17 as submitted:

RESOLUTION # 111-17

WHEREAS, there exists on the books of various Town accounts old outstanding checks; and

WHEREAS, the outstanding checks are more than six months old;

NOW, THEREFORE, BE IT RESOLVED, that the following checks in the amount of \$2,062.82 are hereby cancelled:

<u>CHECK NO.</u>	<u>DATE</u>	<u>AMOUNT</u>
<u>Current Account</u>		
6621	3/10/15	\$ 124.00
6944	7/14/15	100.00
8665	4/11/17	213.84
<u>Water Operating Account</u>		
11162	1/27/15	\$ 336.14
<u>Sewer Operating Account</u>		
204521	12/22/15	\$ 10.00
204573	1/26/16	10.00
<u>Payroll Salary</u>		
6038	4/2/15	\$ 8.24
6523	4/28/16	57.41
6881	3/2/17	24.73
<u>Unemployment Account</u>		
1016	8/28/12	\$ 465.78
<u>Utility Trust Account</u>		
81198	1/27/15	\$ 410.94
81225	3/18/15	27.49
81254	6/9/15	49.55
81264	6/26/15	6.78
81284	7/22/15	29.40
81351	10/28/15	67.55
81502	9/29/16	51.96
81503	9/29/16	46.65
81538	12/7/16	20.72
81541	12/7/16	1.64

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

Vote all ayes
Motion carried

RESOLUTION #112-17 – RE-ALLOCATION OF RESERVE FUNDS

A motion was made by Mr. Smith, seconded by Mr. Rylak, to adopt Resolution #112-17 as submitted:

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RESOLUTION #112-17

REALLOCATE SEWER CAPITAL RESERVE FUNDS

WHEREAS, the Town of Clinton Sewer Utility has certain Capital Reserve Funds; and

WHEREAS, from time to time those funds are no longer required for the specific projects they were intended; and

WHEREAS, the Town of Clinton Sewer Utility wishes to use Capital Reserve Funds for Plant Expansion for other Sewer Utility Improvements;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Clinton requests that the Chief Financial Officer reallocate \$125,000.00 from the Capital Reserve Fund for Plant Expansion to the Capital Reserve Fund for Sewer Utility Improvements.

ROLL CALL: AYES: Carberry, Dineen, Pendergast, Rylak, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #113-17 – CANCELLATION OF RESERVE BALANCES

A motion was made by Mr. Smith, seconded by Mr. Pendergast to adopt Resolution #113-17 as submitted:

RESOLUTION # 113-17

WHEREAS, there exists on the books of the Water Utility Account various reserve balances; and

WHEREAS, these balances are no longer required for their said purposes;

NOW, THEREFORE, BE IT RESOLVED, that the following reserve balances be cancelled back to the Water Utility Fund Balance in the amount of \$4,847.00:

Reserve for Preparation of Tax Maps	\$1,246.00
Reserve for Vehicle	\$3,601.00

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

Vote all ayes
Motion carried

RESOLUTION #114-17 – CANCELLATION OF RESERVE BALANCES

A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to adopt Resolution #114-17 as submitted:

RESOLUTION # 114-17

WHEREAS, there exists on the books of Various Grant Receivable Accounts and Appropriation Balances; and

WHEREAS, these balances are no longer required for their said purposes;

NOW, THEREFORE, BE IT RESOLVED, that the following reserve balances be cancelled back to the Town's Fund Balance:

	<u>Receivable</u>	<u>Reserve</u>	<u>Difference</u>
Hart Community Grant	\$ 2,381.38	\$5,754.54	\$ 3,373.16
Highlands Feasibility	\$11,750.00	\$8,000.00	\$(3,750.00)

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

Vote all ayes
Motion carried

RESOLUTION #115-17 – OPPOSITION FOR LEGISLATIVE PROPOSAL

A motion was made by Mr. Rylak, seconded by Ms. Dineen, to adopt Resolution #115-17 as submitted:

RESOLUTION NO. 115-17

**RESOLUTION EXPRESSING OPPOSITION TO LEGISLATIVE PROPOSALS REGARDING
THE OPEN PUBLIC MEETINGS ACT AND OPEN PUBLIC RECORDS ACT**

WHEREAS, the New Jersey Senate Budget and Appropriations Committee took action on Senate Bill Nos. 1045 and 1046, which amend the Open Public Meetings Act and Open Public Records Act, respectively, on June 29, 2017; and

WHEREAS, the Committee released the bills to the full Senate without recommendation because the bills are unnecessary, unpopular with the public, and would result in significant financial and administrative burdens on municipalities; and

WHEREAS, the bills fail to adequately protect taxpayers, municipalities and, especially, municipal clerks from abusive, harassing, and purposefully confrontational individuals who submit voluminous requests for no legitimate reason; and

WHEREAS, the legislation would expand the Open Public Meeting Act to create impractical and burdensome requirements with respect to subcommittees and working groups established by the entire governing body, which would effectively limit the ability of small groups of local officials discussing issues of public concern for the purposes of informing the governing body; and

WHEREAS, under the bills, the responsibilities of municipal clerks, who the Legislature has already loaded with responsibilities beyond the scope of their office, would be stretched even further than current law requires without a single dollar of additional resources provided to, or authorized to be collected by, municipalities; and

WHEREAS, the bills would impose a financial burden on municipalities that would not be offset by a revenue source other than the property tax, making the bills unfunded mandates prohibited by the New Jersey Constitution; and

WHEREAS, some municipalities are more equipped than others to meet the burdens that would

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be imposed by Senate Bill Nos. 1045 and 1046, however, without assistance of any kind from the States or the courts, every municipality would be on its own to meet the myriad new requirements of the law.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Clinton, that the Legislature is strongly urged to reject Senate Bill Nos. 1045 and 1046 and draft new legislation to modernize OPRA and OPMA while providing municipalities and clerks with the resources to effectuate these changes for the benefit of the public.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed with the legislative sponsors of Senate Bill Nos. 1045 and 1046 and Assembly Bill Nos. 2697 and 2699, the Speaker of the General Assembly, the President of the Senate, and the Governor, and all parties are urged to listen to the concerns of local officials and prevent Senate Bill Nos. 1045 and 1046 from becoming law.

Vote all ayes
Motion carried

RESOLUTION #116-17 – CANCELLATION OF UNEXPENDED BALANCES

A motion was made by Mr. Pendergast, seconded by Ms. Dineen, to adopt Resolution #116-17 as submitted:

RESOLUTION #116-17

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 removed from the Town's books;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton, that the following unexpended balances be cancelled:

General Capital

<u>Ord. No.</u>	<u>Date Auth.</u>	<u>Purpose</u>	<u>Amt.-Funded</u>
2008-05	6/10/08	Sidewalk Improvements	\$ 600.00
2010-06	5/11/10	Improvements to Rachel Ct. and Gebhardt Field	\$ 44,388.65
2013-18	8/21/13	Gas Pumps	\$.83
2015-17	10/27/15	Imp. to Municipal Property	\$ 136.00

Water Utility Capital

2009-11	8/25/09	Water Utility Improvements	\$395,347.01
2010-09	6/22/10	Leigh Street Improvements	

		and Wells 12R and 16	\$358,678.15
2013-08		Halstead Street Water Mains	\$ 6,375.09

Sewer Utility Capital

1989-10	8/22/89	Renovation and Upgrade to Clinton WWTP	\$158,196.00
2008-10	8/26/08	Clinton Knolls Project	\$ 9,140.53
2011-4	4/12/11	Tertiary Filters Upgrade	\$128,428.81

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

Vote all ayes
Motion carried

RESOLUTION #118-17 – GRANT APPLICATION – NJDOT – UNION ROAD

A motion was made by Mr. Smith, seconded by Mr. Carberry, to adopt Resolution #117-17 as submitted:

RESOLUTION #118-17

RESOLUTION: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Union Road Improvement Project

WHEREAS, the northern portion of Union Road is in need of Improvement

WHEREAS, Robert J. Clerico, P.E., Town Engineer, has prepared a cost estimate for improvements to this road.

NOW, THEREFORE, BE IT RESOLVED that the Mayor & Council of the Town of Clinton formally approved the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2018-Union Road-00192 to the New Jersey Department of Transportation on behalf of the Town of Clinton.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Town of Clinton and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approved the execution of the grant agreement.

Vote all ayes
Motion carried

RESOLUTION #119-17 – GRANT APPLICATION – NJDOT – KINGS CROSSING LOOP

A motion was made by Mr. Smith, seconded by Mr. Carberry, to adopt Resolution #119-17 as submitted:

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RESOLUTION #119-17

RESOLUTION: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Kings Crossing Loop Improvement Project

WHEREAS, Mitchell Lane, Haver Farm Road and Helen Road (aka Kings Crossing Loop) are in need of Improvement

WHEREAS, Robert J. Clerico, P.E., Town Engineer, has prepared a cost estimate for improvements to these roads.

NOW, THEREFORE, BE IT RESOLVED that the Mayor & Council of the Town of Clinton formally approved the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2018-Kings Crossing Loop -00193 to the New Jersey Department of Transportation on behalf of the Town of Clinton.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Town of Clinton and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approved the execution of the grant agreement.

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #17-07 – CAPITAL SEWER IMPROVEMENTS

A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to introduce Ordinance #17-07 on first reading:

CAPITAL ORDINANCE #17-07

CAPITAL ORDINANCE OF THE TOWN OF CLINTON SEWER UTILITY, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE MAKING OF IMPROVEMENTS IN, BY AND FOR THE TOWN OF CLINTON SEWER UTILITY AND APPROPRIATING THEREFOR THE SUM OF \$125,000.00 FROM THE SEWER CAPITAL RESERVES FOR

SEWER UTILITY IMPROVEMENTS

BE IT ORDAINED, by the Mayor and Council of the Town of Clinton, in the County of Hunterdon, State of New Jersey as follows:

Section 1. The Town of Clinton in the County of Hunterdon, State of New Jersey, is hereby authorized to make the following improvements to the Sewer Utility in, by and for the Town, including all work, materials and appurtenances necessary and suitable therefore:

ESTIMATED

PURPOSE

COST

Improvements to the WWTP	\$125,000.00
TOTAL	\$125,000.00

Section 2. The aggregate sum of \$125,000.00 is hereby appropriated from the Reserve for Sewer Utility Improvements within the Capital Improvement Fund of the Town of Clinton Sewer Utility to the payment of the cost of the improvements as described in Section 1 hereof.

Section 3. Said improvements are lawful capital improvements of the Sewer Utility having a period of usefulness of at least five (5) years. Said improvements shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefited.

Section 4. The capital budget of the Town of Clinton Sewer Utility is hereby amended to conform with provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 5. This capital ordinance shall take effect after final passage and publication as required by law.

Vote all ayes
Motion carried

A copy of this ordinance will be published in the Hunterdon Review edition of October 4, 2017. A public hearing will be held October 24, 2017.

CORRESPONDENCE - NONE

REPORTS FROM COUNCIL

Councilman Smith

1. Roads Committee – resolutions passed earlier this evening were discussed at the last committee meeting. A meeting with NJDOT will be held in the municipal building on Monday, October 30, 2017 at 10:30 a.m. to discuss the Route 173 and 513 project. NJDOT is seeking stakeholders input. Town engineer, Robert Clerico, has filed the sidewalk project in front of the Clinton House with SHPO, the State Historic Preservation Office.
2. Water Committee discussed a proposal of a new water line in front of the Clinton House. Committee also addressed the 2018 water budget.
3. Clinton First Aid & Rescue Squad are taking the off track gator/ambulance to help hurricane hit areas of St. Croix, Virgin Islands.

Councilwoman Dineen

1. Shade Tree Commission had some trees removed and will be replacing a few in the near future. Ms. Dineen welcomed new member, John Kashwick.

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2. Economic Development Committee meeting with Marc Saluk, Executive Director, on Tuesday, October 3, 2017 in Council chambers.

Councilwoman Sosidka

1. Board of Health – the doggie waste stations are being used! Board of Health members keep stations stocked.
2. Historic Commission is working on preserving Clinton through electronic and video recordings. Mark from Citispot has been engaged to film longtime residents and has been doing a great job. His latest release was a documentary of Gene De Cleene that aired at Audio Synergy on Main Street recently. Other slated interviews are Frank Hooper and his fire truck and Peter Osborne, formerly of the Red Mill Museum Village, for a walking tour of the cemetery next to the Clinton Presbyterian Church.

Councilman Pendergast

1. Sewer Committee discussed the filter building improvements and the estimated cost of \$175,000. Earlier this evening the ordinance for the funds was introduced.

Councilman Carberry

1. Board of Recreation – movie night at the Red Mill was a huge success thanks to the planning of Sean Rogan.
The soccer club that uses the field at Hunts Mill will be closing off the small field to start the refurbishing process.
The Commission is also considering extending the summer recreation program with additional experimental programs.

Councilman Rylak

1. Smart Growth – the binder with all the surveys has been delivered to the clerk's office for anyone interested in reviewing.
2. Clinton Conservancy continues to amaze under the leadership of Kathy Madden. The Clinton Fire Department came to the aid of the conservancy to water the dry grounds where planting will take place near the berm on Water Street. Thank you again to the fire department for their assistance in watering the plants at the Welcome to Clinton signs and again for softening the land along the berm.

Mayor Kovach

Mayor Kovach informed Council that Freeholder Lanza responded to the letter sent regarding the proposed fire department coverage and understands council's concerns.

STANDBY AND OVERTIME

A motion was made by Mr. Carberry seconded by Ms. Dineen to approve the standby and overtime submitted for the period of September 8 through September 21, 2017 attached to these minutes.

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

Vote all ayes
Motion carried

PAYMENT OF BILLS

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

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

Vote all ayes
Motion carried

RESOLUTION #120-17 – EXECUTIVE SESSION – LITIGATION

A motion was made by Mr. Pendergast, seconded by Mr. Carberry to enter into Executive Session at 8:37 p.m. to discuss a matters of litigation.

RESOLUTION #120-17

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
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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;

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_____ 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;

Pending or anticipated litigation or contract negotiation in which the public body is or may become 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

ADJOURNMENT: Upon returning from Executive Session at 9:29 p.m. and there being no further business, a motion was made by Ms. Dineen seconded by Mr. Rylak to adjourn the meeting at 9:30 p.m.

Cecilia Covino, RMC/CMC
Municipal Clerk

Mayor Janice Kovach