

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – April 20, 2010**

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 7:30 P.M.

Roll Call: Boyle, Cioni, Gleba, McDonald, Higgins, Valentine - Present
Housel – Absent

Also Present: Lorraine Staples, Esq. Municipal Attorney
Richard Phelan, Borough Manager
Kristine Blanchard, Borough Clerk

Mayor McDonald led everyone in the flag salute.

Mayor McDonald read the following Statement into the Record:

“The requirements of the ‘Open Public Meetings Law, 1975, Chapter 231 have been satisfied in that adequate notice of this meeting has been published in the Star Gazette and posted on the Bulletin Board of Borough Hall stating the time, place and purpose of the meeting as required by law.

PROCLAMATION:

PROCLAMATION OF THE BOROUGH OF WASHINGTON

WHEREAS, it has become a tradition that the Month of May is designed as Older Americans Month; and

WHEREAS, the growing population of older adults in our county and our municipality continues to make innumerable positive contributions through their efforts as volunteers and citizens; and

WHEREAS, the Borough of Washington wishes to honor our older adults for their past and present contributions and encourages our older residents to remain in the mainstream of life as they continue to play a vital role in our society, and particularly in our local community.

NOW, THEREFORE, I, Scott McDonald, Mayor of the Borough of Washington do hereby proclaim **May 2010** as

OLDER AMERICANS MONTH

IN WITNESS WHERE OF, I have hereunto set my hand this 20th day of April in the year of our Lord, two thousand ten.

CORRESPONDENCE:

Motion made by Higgins, seconded by Gleba to receive and file the correspondence.

Ayes: 6, Nays: 0
Motion Carried

1. Department of Land Preservation: Route 57 Scenic Byway
2. Suburban Consulting Engineers: Stop Line Relocation – Washington Avenue
3. Washington Business Improvement District – Financial Report
4. Suburban Consulting Engineers: Pleasant Valley Mill Dam

Councilman Boyle stated that the proposal for Pleasant Valley Mill Dam should state not to exceed \$26,000. He stated that he would also like to see something that stated we must do this. Manager Phelan stated that we need to move on this or the Borough could be fined upwards of \$5,000.00 per day. Manager Phelan also explained that this money is coming out of capital monies not current fund money. Councilman Higgins asked for a breakdown of hours for the project.

Councilman Higgins made a motion to approve the Resolution Supporting the Establishment of the Route 57 Scenic Byway Committee with Warren County as the Lead Agency.

Ayes: 6, Nays: 0
Motion Carried

Resolution 107-2010

WHEREAS, much of State Highway 57 in Warren County has been designated as Route 57 Scenic Byway by the Federal Highway Administration (FHWA); and

WHEREAS, a Study Committee established under the auspices of the New Jersey Department of Transportation (DOT) has been working diligently to institute the required committee structure to oversee the Byway; and

WHEREAS, the committee has recommended a structure that is based on a government entity as lead agency.

THEREFORE BE IT RESOLVED by the Borough of Washington as follows:

The Borough of Washington hereby supports the establishment of the Route 57 Scenic Byway Committee with the County of Warren as the lead agency.

AUDIENCE

Joe Kresser 92 Carlton Avenue

Mr. Kresser asked when the Borough will be selling the old fire truck. Manager Phelan stated he needs to prepare the Ordinance and then the Borough can move forward with selling it. Mr. Kresser stated it is important; it is money in the Borough's pocket.

Penny Shaul 22 School Street

Ms. Shaul asked if the engineering proposal can be obtained by the public. Mayor McDonald stated yes.

ORDINANCES

Ordinance 3-2010 AN ORDINANCE FIXING THE SALARY AND WAGES OF CERTAIN MUNICIPAL OFFICIALS AND REPEALING PORTIONS OF PRIOR INCONSISTENT SALARY AND WAGE ORDINANCES FOR THE YEARS BEGINNING JANUARY 1, 2010 (Public Hearing/Adoption)

Mayor McDonald entertained a motion to introduce Ordinance #3-2010 on final adoption and have the clerk read by title.

The Clerk read Ordinance #3-2010 by title only and stated that this ordinance had been published in the Star Gazette as required by law; a copy was posted on the bulletin board and copies available upon request from the Clerk's office.

Motion made by Valentine, seconded by Cioni to introduce Ordinance 3-2010 on final adoption.

Roll Call: Gleba, Higgins, McDonald, Cioni, Valentine, Boyle

Ayes: 6, Nays: 0
Motion Carried

Public Hearing:

Hearing no comments from the public, motion made by Boyle, seconded by Higgins to close the public hearing.

Ayes: 6, Nays: 0
Motion Carried

Council Discussion: None

Motion made by Cioni, seconded by Valentine to adopt Ordinance 3-2010 on final passage.

Roll Call: Cioni, Boyle, Higgins, Gleba, Valentine, McDonald

Ayes: 6
Nays: 0
Motion Carried

ORDINANCE #3-2010

AN ORDINANCE FIXING THE SALARY AND WAGES OF CERTAIN MUNICIPAL OFFICIALS AND REPEALING PORTIONS OF PRIOR INCONSISTENT SALARY AND WAGE ORDINANCES FOR THE YEARS BEGINNING JANUARY 1, 2010

SECTION 1. The annual salaries, wages and salary and wage ranges for the municipal officials and employees of the Borough of Washington hereinafter named shall be as follows:

SCHEDULE A - FULL-TIME CLASSIFIED

POSITION TITLE

SALARY OR WAGE RANGE

Delete [] the following title:

[Police Chief \$72,500 - \$98,794 AN]

SCHEDULE B - PART-TIME CLASSIFIED

Add the following titles:

Code Enforcement Officer	\$7.25 - \$30.00 Hr.
Municipal Recycling Coordinator	\$1,000 - \$3,000 AN
Zoning Officer	\$7.25 - \$30.00 Hr.

SCHEDULE C - UNCLASSIFIED SERVICE

Tax Collector

\$41,532 - \$66,918 AN
or \$15.00-\$30.00 Hr.

SCHEDULE D - UNCLASSIFIED SERVICE

(TEMPORARY OR SEASONAL)

Assistant Recreation Supervisor(s) (Swim Team)

\$7.25 - \$25.00 Hr.

Recreation Supervisor Swimming (Swim Team)

\$7.25 - \$25.00 Hr.

Sports Official Basketball

\$7.25 - \$25.00 Hr.

SECTION 2. The rates contained herein shall become effective January 1, 2010.

SECTION 3. In accordance with Chapter 3, Article II, Section 15, Subsection E of the Code of the Borough of Washington, this Ordinance shall become effective 20 days after final passage unless the Council, by an affirmative vote of five (5) Council Members, shall adopt a resolution declaring the Ordinance to be an emergency upon which said Ordinance will take effect upon final passage.

REPORTS:

It was moved by Gleba, seconded by Cioni, to receive and file the following reports.

Issues and Details
CFO Report March 2010
Washington Borough Court March 2010
Managers Report (public version)
Zoning/Code Enforcement
Tax Collectors Report March 2010

PUBLIC HEARING ON 2010 INTRODUCED MUNICIPAL BUDGET

Kathy Halpin 86 Carlton Avenue

Ms. Halpin stated that the Borough has invested a lot of money into the pool. If Council decides to close the pool; we will lose continuity of having people join the pool and attracting businesses to the town. She stated in Hackettstown the swim team participants must join the pool in order to participate. Mr. Masenior has been doing a lot of good work in the park. She asked Council to reconsider closing the pool.

Beth Uporsky 281 Wyoming Avenue

Ms. Uporsky stated that she was very surprised that Council would consider closing the pool this late in the spring. The Recreation Committee has collected revenues already. If the swim team pulls out of the schedule at the last minute it will cost the swim league. It will also send a far reaching message that Washington Borough is no longer a viable town. She stated we have eight teams playing at the stadium this year. The stadium will have more people in it than in decades and we show them a dead dry pool. Ms. Uporsky stated that in order to save the pool she has organized a pool advocacy committee. The first action of the committee will be to reduce the pools drainage of the revenue from the Borough with expanded user fees, grants, and corporate sponsorships. She stated that she hopes that members of the council will join our advocacy committee and reconsider keeping the pool open. The advocacy committee is prepared to move quickly to bring in an action plan.

Councilman Cioni asked if an action plan can be prepared by the next Council meeting. Council concurred to postpone their decision pending the proposed action plan.

Edna Detlefs 27 Fisher Avenue

Ms. Detlefs asked the status of the forensic audit. Mayor McDonald stated it is in the introduced budget and the submission date for responses is April 27.

Ken Chambers 64 Grand Avenue

Mr. Chambers stated that last week he attended the budget meeting. He is concerned about the DPW's proposal of streets that need to be repaired. Due diligence needs to be done by this governing body. The cost per street, per effort needs to be done. A timeline also needs to be established.

Gary Masenior Recreation Director

Mr. Masenior stated he wants to make a correction to the report he presented to Council last meeting. In it he stated there was a trust balance of \$82,000; it has come to his attention that the trust fund balance is \$15,000. Councilman Higgins asked why the disparity. Manager Phelan explained that in 2009, \$145,000 was anticipated in revenue. Because it was anticipated revenue, the money had to be transferred from the trust fund to the current fund as anticipated revenue. Manager Phelan stated that Mr. Masenior did not see the cash side and he did not know we only had \$15,000 in trust. Manager Phelan stated that Council will need to raise the money via taxation to run the pool.

Rich Maguire – 234 West Washington Avenue

Mr. Maguire asked what the proposed tax increase is right now. Manager Phelan stated it is 1.54 rounded up, which is .30 cents. The cost is \$300 on a \$100,000 assessed home.

Motion to close the public hearing for the 2010 Introduced Municipal Budget was made by Cioni, seconded by Valentine.

Ayes: 6, Nays: 0
Motion Carried

At this time Council recessed for ten minutes. Council reconvened with everyone present.

Councilman Cioni and Councilman Boyle presented an analysis of Refuse Pick Up Options.

Councilman Cioni stated that he and Councilman Boyle put together a presentation that details the possible options for refuse collection for the 2011 fiscal year. The goal is to provide Council and taxpayers with options so that we can make educated decisions on future waste removal. Councilman Cioni stated that currently the Borough has a four year contract with Blue Diamond disposal that will cost approximately \$270,000 in 2010, \$259,000 in 2011, and \$265,000 in 2012. Bulk pickup was removed from the contract in 2011 and 2012.

Councilman Cioni presented four options. Option one is to keep everything the same and leave Blue Diamond as the contractor. Option two is to opt out of the current contract and have all affected go out for private pickup. Option three would be to opt out of the current contractor and provide refuse collection in house. Option four would be a shared service agreement with a contiguous municipality.

Councilman Cioni explained that option one will leave current service as is and the municipal budget will maintain the line item amounts each year for this service. The approximate cost is 11.83 cents on the tax rate.

Councilman Cioni stated that by going with option two the Borough would opt out of the contract all together, and affected persons will have to go to private garbage pickup. The costs from several solicited companies were between \$70.00 and \$107 per quarter. The savings is that the amount for waste pickup will no longer need to be raised through taxes resulting in an estimated amount of 11.83 cents per year off the municipal budget. The pros would be the municipality does not have to raise the money through taxation; resident has more control. Cons are the expense will be managed by the taxpayers themselves, potential for more than one carrier and abuse.

Councilman Cioni stated that option three is having the service done in house. The Borough will need to purchase a truck and hire two part time laborers. The pros will be there is no profit for an outside contractor and the Borough has more control. A new vehicle can last twenty years if properly maintained. Some of the cons are there are higher initial start up costs. The Borough would need a back up truck and training would be required. There would be vehicle maintenance costs and liability insurance increases.

Councilman Boyle presented option four by stating that there is a potential for a shared service agreement with several communities. The shared service must be equal or better

than the existing service and financial benefits must be demonstrated. There may be a concern over loss of control or a reduced level of responsiveness and the potential for increased costs at the end of an agreement.

Don Eller 44 W. Church

Mr. Eller stated that he does not want to see our employees involved in garbage collection. While he appreciates the informative presentation he would like to know what other municipalities that are similar in size spend on refuse collection. There are also many landlord/tenant issues that will come up with privatization.

Councilwoman Gleba asked what the cost is right now per household. Councilman Cioni stated it is between \$280 and \$350.

COMMITTEE REPORTS:

DPW Garage: Manager Phelan stated that there was a successful pre-construction meeting with the new general contractor and subcontractor. A new timeline has been put into place and progress is being made.

Sewer Committee: Councilman Higgins stated the sewer committee met on April 8 and is recommending that the Borough go with the first proposal from Stephanie Lewis. Proposal two should be done by the Manager and CFO; if they are not able to do proposal two then they recommend going with Ms. Lewis's number two proposal in 2011.

Streets Committee:

Finance Committee: Councilman Cioni stated the Frequently Asked Questions were answered by the CFO and Manager. These have been placed on the website.

Shared Services Committee: Councilman Boyle stated he is scheduled to meet with Glen Gardner the first week in May regarding refuse collection.

Senior Services:

Website Committee: - Councilman Cioni reported the comptrollers report is on the website.

Park Committee – Councilman Cioni stated there are no updates from the BID yet. There is a meeting scheduled at the end of April to discuss future options.

Grant Committee: - Councilwoman Gleba stated this committee will be meeting April 28 at 7:00 p.m. in the conference room.

Cable Committee:

OLD BUSINESS:

None

NEW BUSINESS

Interlocal Agreement Approval County of Warren Solid Waste Disposal

Motion made by Cioni, seconded by Boyle to approve the Interlocal Agreement for Solid Waste Disposal at the County of Warren.

Ayes: 5, Nays: 1 (Higgins)

Motion Carried

Resolution 85-2010 Void and Replace Check

Resolution 85-2010 was moved on a motion made by Boyle, seconded by Valentine and adopted.

Roll Call: Boyle, Valentine, Higgins, Gleba, Cioni, McDonald

Ayes: 6, Nays: 0

Motion Carried

RESOLUTION #85-2010

A RESOLUTION TO VOID AND REPLACE A CHECK

WHEREAS, check #1642 was written 04/22/09 on Washington Borough's Developer's Escrow Fund-PNC Bank Sub-account # 7200020897 in the amount of \$287.50 and made payable to Suburban Consulting Engineers, 100 Valley Road, Suite 202, Mount Arlington, NJ 07856; and

WHEREAS, the Treasurer's Office became aware that there was insufficient monies on deposit in the PNC Bank Sub-account, and held release of this check which is now stale-dated; and

WHEREAS, a check was received from PNC Bank on 03/31/10 to replenish the funds in their developer's escrow account in the amount of \$307.50;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Borough Treasurer is authorized to void and replace check #1642. A replacement check in the amount of \$287.50 should be made payable to Suburban Consulting Engineers.

Resolution 86-2010 Refunding of Sewer Payment

Resolution 86-2010 was moved on a motion made by Boyle, seconded by Valentine and adopted.

Roll Call: Boyle, Valentine, Cioni, Higgins, Gleba, McDonald

Ayes: 6, Nays: 0
Motion Carried

RESOLUTION #86-2010

A RESOLUTION AUTHORIZING THE REFUNDING OF
A PAYMENT OF THE BOROUGH'S
SEWER SERVICE CHARGE

WHEREAS, according to the Treasurer's records, there is an advanced payment showing on the following property; and

<u>BLOCK/LOT</u>	<u>PROPERTY OWNER/ PROPERTY LOCATION</u>	<u>AMOUNT TO BE REFUNDED</u>
4/2	Rachael Semonche 263 Carlton Avenue	\$ 256.00

The owner made an advance payment for the sewer utility invoice, prior to the rate increase. The \$450.00 payment on January 25, 2010 was intended to cover sewer charges for January through October 2010. The owner has requested to receive a partial payment reimbursement (May-October). A refund of \$256.00 should be mailed to:

Rachael Semonche
263 Carlton Avenue
Washington, NJ 07882

WHEREAS, the Borough Treasurer's office has received a written request that

the above amount be refunded.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Borough Treasurer is authorized to refund the above overpayment amount.

Resolution 88-2010 Resolution Approving Recreation Fees

Resolution 88-2010 was moved on a motion made by Cioni, seconded by Valentine and adopted.

Roll Call: Cioni, Valentine, McDonald, Gleba – Yes
Higgins, Boyle – No

Ayes: 4
Nays: 2
Motion carried

RESOLUTION NO.88-2010

**RESOLUTION MEMORIALIZING THE ESTABLISHMENT
OF RECREATION FEES FOR 2010**

WHEREAS, the Borough Manager and Recreation Director provided the Mayor and Council with a proposed fee schedule for pool and park activities; and

WHEREAS, in that fees were reviewed to determine whether they are fair to the public and fairly reflect the reasonable cost of public facilities, taking into account such municipal expenses as wages and benefits, insurance, utility costs, maintenance and repair costs and other unpredictable costs incurred by the Borough to operate the Borough's recreational facilities; and

WHEREAS, the Mayor and Council have reviewed the attached fee schedule as proposed by the Borough Manager and Recreation Director and wish to memorialize the approval of the 2010 fee schedule, a copy of which fee schedule is attached to this resolution and has been posted on the Borough website; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey as follows:

The 2010 Recreation Fee Schedule, in the form attached to this resolution, is hereby approved.

Washington Borough Recreation Department

Sign-Up and Fee Schedule 2010

Girl's Softball: Ages 2nd thru 8th Grade

January 15 7:00 - 8:00 p.m.
January 16 9:00 - 11:00 a.m.
January 30 9:00 - 11:00 a.m.
February 20 9:00 - 11:00 a.m.

Boro Residents: \$35 per person, Not to exceed \$70 per family
Non-Residents: \$40 per person, Not to exceed \$80 per family

Karate/Self-Defense - Session 2: Ages 5 thru 12

March 5 7:00 - 8:00 p.m.
March 6 9:00 - 11:00 a.m.
March 13 9:00 - 11:00 a.m.

Boro Residents: \$40 per participant
Non-Residents: \$45 per participant

Easter Egg Hunt: Ages 3 to 6th Grade

March 20 2:00 p.m.
Washington Borough Park
Raindate: March 27

Free

Swim Team: Ages 5 to 18

March 26 7:00 - 8:00 p.m.
March 27 9:00 - 11:00 a.m.
April 10 9:00 - 11:00 a.m.

Boro Residents: \$50 each person, not to exceed \$125 per family
Non-Residents: \$100 each person, not to exceed \$250 per family

Swim Lessons: Ages 2 1/2 and Up

April 16 7:00 - 8:00 p.m.
April 17 9:00 - 11:00 a.m.
April 24 9:00 - 11:00 a.m.

Boro Residents: All Levels - \$45
Non-Residents: All Levels - \$65

Pool Membership

Sign up at any time beginning March 26

Boro Residents: Family - \$175; Individual - \$100; Senior - Free
Non-Residents: Family - \$265; Individual - \$150; Senior - \$50

Soccer: Ages 5 to 8th Grade

May 7 7:00 - 8:00 p.m.
May 8 9:00 - 11:00 a.m.
May 15 9:00 - 11:00 a.m.

\$40 for 5, 6, and 7 years old
\$45 for 8 years and up; not to exceed \$90 per family

Field Hockey: Ages 2nd to 6th Grade

May 7 7:00 - 8:00 p.m.
May 8 9:00 - 11:00 a.m.
May 15 9:00 - 11:00 a.m.

Boro Residents: \$40 per person, not to exceed \$80 per family
Non-Residents: \$50 per person, not to exceed \$100 per family

Karate/Self-Defense - Session 3: Ages 5 thru 12

May 7 7:00 - 8:00 p.m.

May 8 9:00 - 11:00 a.m.

May 15 9:00 - 11:00 a.m.

Boro Residents: \$40 per participant

Non-Residents: \$45 per participant

Men's Basketball

TBD

Team Sponsor \$500

Boro Residents: \$60

Non-Residents: \$70

High School Students: \$40

Movies in the Park

Friday Evenings in July and August

Free

Movies begin at dusk (approx. 8:30 p.m.) at Boro Park

Bring a lawn chair or blanket

Youth Basketball: Ages 3rd to 8th Grade

October 8 7:00 - 8:00 p.m.

October 9 9:00 - 11:00 a.m.

October 16 9:00 - 11:00 a.m.

Boro Residents: \$45 per person, not to exceed \$90 per family

Non-Residents: \$55 per person, not to exceed \$110 per family

Street Hockey: Ages K to 8th Grade

October 8 7:00 - 8:00 p.m.

October 9 9:00 - 11:00 a.m.

October 16 9:00 - 11:00 a.m.

Boro Residents: \$40 per person, not to exceed \$80 per family

Non-Residents: \$50 per person, not to exceed \$100 per family

Grand Illumination Ceremony

TBD 5:30 p.m.

Free

Holiday House Decorating Contest

Judging to End December 20

Free

Karate/Self-Defense - Session 1 - 2010: Ages 5 thru 12

December 10 7:00 - 8:00 p.m.

December 11 9:00 - 11:00 a.m.

December 18 9:00 - 11:00 a.m.

Boro Residents: \$40 per participant *

Non-Residents: \$45 per participant *

* Prices subject to change per 2011 Fee Schedule

Baseball Field Usage Fee

TBD

Late Fee of \$10.00 will apply after the last sign-up date for each activity
All sign-ups are held at Borough Hall; 100 Belvidere Avenue, Washington NJ Second Floor
With the exception of swim lessons, early registration via mail or drop-off is encouraged.
Forms may be mailed to the Recreation Department, 100 Belvidere Avenue, Washington, NJ 07882
Registration forms are also available on the Borough website: washingtonboro-nj.org
Please call 689-8290 with any questions.

VOUCHERS

Motion made by Cioni, seconded by Higgins to pay the vouchers and claims in the amount of \$ 208,545.56.

Ayes: 6, Nays: 0
Motion Carried

RECAP

Manager Phelan will get a breakdown of the costs from the engineer for the Mill Pond Dam project. He will send our request to the DOT for the stop line relocation. He will also move forward with the sewer forecast, with the CFO, as requested by the sewer committee.

COUNCIL REMARKS

Councilwoman Gleba remarked that Councilman Cioni and Councilman Boyle did a good job on their presentation.

Councilman Higgins motioned to have the ordinance prepared for the next meeting for the sale of municipal property, seconded by Councilman Boyle. All – yes.

Councilman Boyle stressed to the Governing Body that they take a serious look at refinancing the Borough's debt. Mayor McDonald stated it is in Bond Counsel's hands right now.

EXECUTIVE SESSION

RESOLUTION 87-2010 **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 Borough of Washington, County of Warren, 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; Real Estate Acquisitions

_____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: DPW Garage _ 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 Borough Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough or any other entity with respect to said discussion. That time is currently estimated to be: SIX MONTHS (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.

Hearing no further business to come before Council, it was moved by Cioni, seconded by Valentine that the meeting be adjourned at 10:50 p.m.

Ayes: 6, Nays: 0.
Motion carried.

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk