

BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – July 6, 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: Housel, Cioni, Gleba, McDonald, Higgins, Valentine - Present
 McDonald – Absent

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

Deputy Mayor Housel led everyone in the flag salute.

Deputy Mayor Housel 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.

MINUTES:

Motion made by Cioni, seconded by Higgins to approve the minutes of the regular meetings of June 1, 2010 and June 15, 2010.

Corrections were noted by the Clerk.

Ayes: 6, Nays: 0
Abstain: Gleba from 6/1/10

CORRESPONDENCE:

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

Dawn Higgins Re: Harding Drive Block Party
Police Explorers Re: Donation
Fay Peticari Re: Swim Team

Ayes: 6, Nays: 0
Motion Carried

Councilman Cioni stated that the swim team is asking about possible refunds. He requested that Council, send a letter of apology regarding the late opening of the pool and amend the current Recreation Fee Resolution so that the Governing Body can refund 15% of all Borough Pool memberships; including swim team for 2010. The total amount of refunds will be \$2211.75. Councilman Cioni made a motion to move forward with the refunds and letter of apology, seconded by Councilman Valentine.

Ayes: 6: Nays: 0

Motion Carried

Motion made by Gleba, seconded by Boyle to allow the change of date for the Harding Drive block party.

Ayes: 5, Nays: 0

Abstain: 1 (Higgins)

Motion Carried

AUDIENCE

Mrs. Consida 47 Youmans Ave

Mrs. Consida discussed parking issues on Youmans Ave with the Mayor and Council. She stated that her neighbor had been before Council previously. She stated her neighbors have four vehicles and take up a lot of space so that there is no room for anyone else to park. She stated that one of the vehicles does not even run. She has called the police; but is requesting that Council look into striping the road for parking spaces. Manager Phelan stated that there is no money in the budget for striping the road. She stated that she knows of a contractor who would do the striping for free. Manager Phelan stated there would be a cost associated with having the engineer develop a striping plan. Manager Phelan asked Council if they want to consider this and expend the funds for line striping. Council agreed they would consider this once the Manager has reviewed the Youmans Avenue parking regulations, discussed the situation with the Police Chief, and has spoken to the engineer.

Joe Kresser 92 Carlton Ave –

Mr. Kresser asked how and when the Borough would be receiving the money from liquidated damages owed on the DPW Garage project. Manager Phelan stated that once the project is complete, the municipality must pay the contractor in full and then damages are negotiated. Mr. Kresser asked what the chances are of the Borough receiving this money. Manager Phelan stated it is hard to say; however the Borough's paper trail is solid. It is difficult to speculate on how negotiations will go or how a judge would feel.

Manager Phelan noted the DPW Garage is on track and is scheduled to be completed late August or early September.

Mrs. Sloan 89 Grand Ave

Mrs. Sloan asked if the Borough is any closer to paying off our massive debt. Deputy Mayor Housel stated yes; the Borough has allocated \$850,000 this year to go towards debt payments. She also asked if the Borough has been making their pension payments. Manager Phelan stated yes the Borough has never missed a pension payment.

Evelyn Morrison 20 Madison Avenue

Ms. Morrison asked the attorney if it is a conflict of interest when a sitting Council member is also helping to develop the newly formed Recreation Foundation 501 3C. Attorney Staples stated from what Ms. Morrison has described, she does not see anything that would prevent a Council member from helping. Ms. Morrison also stated that she and a group of people have been reviewing the Charter for Washington Borough. She asked if there was a space other than the library available for reviewing documents. Manager Phelan stated the conference room is available in Borough Hall, if not, we would always find a place for someone to sit and review whatever they like.

Motion made by Cioni, seconded by Gleba to close the audience portion of the meeting.

Ayes 6, Nays: 0
Motion Carried

BUSINESS IMPROVEMENT DISTRICT BUDGET PUBLIC HEARING AND ADOPTION.

Public Hearing

Evelyn Morrison 20 Madison Avenue

Ms. Morrison asked if the BID is an independent organization. Manager Phelan stated the BID is an independent organization formed by an Ordinance in 2003. The BID is funded by a special tax placed on the businesses. They also have other sources of funding such as fundraising, etc.

Motion made by Cioni, seconded by Gleba to close the Public Hearing.

Ayes: 6, Nays: 0
Motion Carried

Resolution 144-2010 Introducing and Approving the Budget of the Washington Borough Business Improvement District

Resolution 144-2010 was approved on a motion made by Higgins, seconded by Gleba and adopted.

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

Ayes: 6 Nays: 0

Motion Carried

RESOLUTION #144 - 2010

INTRODUCING AND APPROVING THE BUDGET OF

THE WASHINGTON BOROUGH BUSINESS IMPROVEMENT DISTRICT

WHEREAS, the governing body of the Borough of Washington on June 4, 2003 adopted Ordinance 7-2003 creating the Washington Borough Special Improvement District; and

WHEREAS, the governing body of Borough of Washington designated the Washington Borough Business Improvement District Management Corporation as the District Management Corporation for the Special Improvement District; and

WHEREAS, the Washington Borough Business Improvement District Management Corporation Board of Directors have approved a 2010 Business Improvement District Budget for submittal to Borough Manager for submission to the Mayor and Council of the Borough of Washington for their consideration; and

WHEREAS, pursuant to N.J.S.A. 40:56-80 and N.J.S.A. 40:56-84, the governing body of Borough of Washington is required to approve the budget and fix the time and place for the holding of public hearing upon the budget; and

WHEREAS, the governing body of Washington Borough has determined that at least ten days prior to the hearing a complete copy of the proposed budgets shall be: (a) posted on the bulletin board in the Borough Municipal Building; (b) made available to each person requesting the same before and during the public hearing; (c) a copy of the budget shall be advertised along with the date, time and place of the hearing in a newspaper published in the county and circulating in the municipality at least 10 days prior to the hearing; and (d) the hearing shall be held not less than 28 days after the approval of the budget.

NOW, THEREFORE, BE IT RESOLVED, the governing body of the Borough of Washington that:

- 1) The Washington Borough Business Improvement District budget is hereby introduced and approved by the governing body of the Borough of Washington

for the period of January 1, 2010 – December 31, 2010 in the amount of \$277,975.

- 2) The hearing on the Washington Borough Business Improvement District Budget shall be Tuesday, July 6, 2010.
- 3) A special assessment in the amount of **\$200,000** will be imposed and will be collected with either the regular tax payment (or payment in lieu of taxes), or otherwise, on properties located within the Borough of Washington as set forth within Ordinance 7-2003 as amended from time to time and the assessment proposed will be determined by the Borough Assessor;
- 4) Payments received by the Borough of Washington for the District will be transferred to the Washington Borough Business Improvement District Management Corporation to be expended in accordance with the approved budget;
- 5) The Borough Clerk will be authorized to forward a certified copy of the adopting resolution to Washington Borough Business Improvement District Management Corporation, the Warren County Board of Taxation, and the Director of the Division of Local Government Services in the State of New Jersey Department of Community Affairs after the public hearing and adoption by a majority vote of the full membership of the governing body.

ORDINANCES

Ordinance 8-2010 AN ORDINANCE TO AMEND CHAPTER 85-81 OF THE CODE OF THE BOROUGH OF WASHINGTON,"ON STREET PARKING FOR HANDICAPPED." (Public Hearing/Adoption)

Deputy Mayor Housel entertained a motion to introduce Ordinance #8-2010 on final adoption and have the clerk read by title.

Motion made by Boyle, seconded by Cioni to introduce on final reading and have the clerk read by title only.

The Clerk read Ordinance #8-2010 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.

Roll Call: Gleba, Cioni, Higgins, Valentine, Boyle, Housel – Yes

Ayes: 6, Nays: 0

Motion Carried

Public Hearing:

Hearing no comments from the public motion made by Cioni, seconded by Valentine to close the public hearing.

Ayes: 6, Nays: 0
Motion Carried

Motion made by Higgins, seconded by Boyle to adopt Ordinance 8-2010 on final passage.

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

Ayes: 6, Nays: 0
Motion Carried

**ORDINANCE # 8-2010
BOROUGH OF WASHINGTON
WARREN COUNTY, NEW JERSEY**

**AN ORDINANCE TO AMEND CHAPTER 85-81 OF THE CODE OF THE
BOROUGH OF WASHINGTON, "ON-STREET PARKING FOR
HANDICAPPED"**

WHEREAS, a resident has requested that a handicapped parking space be designated in front of their residence, at 7 Jackson Avenue, with the request supported by a recommendation from the resident's medical doctor; and

WHEREAS, the Mayor and Council have determined that there is sufficient justification to designate the handicapped parking space as requested and that it is in the best interest of the Borough to do so.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Washington, County of Warren, that Borough Ordinance Article XVI – On Street Parking for Handicapped – Chapter 85-81 – Designation of spaces include the designation of restricted parking in front of 49 State Street. The following paragraph shall be added as follows:

1. The following paragraphs are to be added: “Jackson Avenue: west side beginning at a point 262 feet north of the northerly curb line of Washington Avenue (Route 57) and extending 22 feet westerly there from”

Section 2. This Ordinance shall take effect upon passage in accordance with law.

REPORTS:

Motion made by Cioni, seconded by Valentine to receive and file the following reports.

Issues and Details
Managers Reports

Ayes: 6, Nays: 0
Motion Carried

Councilman Cioni noted that the Manager reported in his May 17 report that he had reached out to the Fire Chief three times regarding the required reporting documents from the Fire Department and has not had a response. Councilman Cioni would like the Fire Chief at the next meeting with the reports and an explanation why there was no response.

COMMITTEE REPORTS:

DPW: No Report

Streets Committee: Councilman Boyle would like to schedule a meeting for September 13 at 7:30 p.m. He requested that Manager Phelan keep him updated on the parking issue on Youmans Avenue.

Finance Committee: No Report

Shared Services Committee: Councilman Boyle stated that he was unable to meet with Belvidere regarding the shared services for garbage collection. Hampton Borough is currently working out the numbers.

Senior Services: Deputy Mayor Housel reported the next meeting will be August 25 at 6:30 p.m.

Website Committee: - Councilman Cioni stated that all of the pool information has been placed on the website.

Sewer – No Report

Park Committee – No Report

Grant Committee: Councilwoman Gleba stated the committee submitted a letter of interest to William Penn for the dam project. We received a letter of denial. She reported that the committee is waiting to hear on the Home Depot grant. There were two action items from the last meeting. The committee will need to know who the point of contact is for each department and committee/commission. Also, we are going to be creating a needs list for each department and committee/commission.

OLD BUSINESS:

Budget

2010 Transitional Aid

Manager Phelan stated that he is working on the application for transitional aid. There are many more requirements this year from the state. He stated that he needs to find out from Council if anyone has any questions or if anyone has any changes to the budget prior to the Borough applying.

Councilman Higgins questioned the reduction in the budget for bringing the sewer billing in house. Manager Phelan stated the reduction for sewer billing will show in expenditures on the sewer side. Councilman Higgins questioned the \$28,000 for other expenses in Buildings and Grounds. Manager Phelan stated this is for items we can not fix in house such as the air conditioning and the elevator. Councilman Higgins asked if the PERS contribution could be deferred. Manager Phelan stated no, the Borough deferred the payment last year because it was a requirement of the extraordinary aid application.

Councilman Higgins stated the Capital Improvement Fund has an allocation of \$75,000. He motioned that the fund be reduced to half - \$37,500, seconded by Councilman Boyle.

Ayes: 6, Nays: 0
Motion Carried

Councilman Higgins noted that on the Transitional Aid application the Borough must show decreases in such items as salaries and wages. He asked if the Borough has reached out to the bargaining units again. Manager Phelan stated the unions refuse to concede. Manager Phelan also explained that the Borough can demonstrate that when full time vacancies occur; the Borough reduces the position to part time. We can also demonstrate that spending levels are at or below what they were in 2008.

Councilman Higgins asked about the \$380,000 received from the state to offset the downtown streetscape project. He asked if the money was directly used to repay 2010 debt. Manager Phelan stated that the Bond Ordinance states that the money received from the state must be used to directly repay the bond.

Councilman Higgins stated he would like to review the professional service agreements. Manager Phelan stated that the agreements can be reviewed however; the professionals were appointed for a one year term. Councilman Higgins suggested lowering the recreation department budget to \$82,000. Councilwoman Gleba stated that she previously recommended a reduction in the recreation budget and was told that the Recreation Committee needed to approve. Councilman Cioni stated the recreation budget has been reduced and if it is reduced any more the pool will only be open four days a week and there will be a significant impact on the programs.

Councilwoman Gleba requested the Borough Manager confirm the reduction for the salary and wages for Mayor and Council. She stated the number should be higher since there are four Council members not receiving a salary. Councilwoman Gleba also asked the manager to confirm the reduction in the Finance Department of \$7,100 made by the CFO. She stated that is not showing on the budget documents.

Councilwoman Gleba suggested several items she would like to see on the Transitional Aid application so that the Borough is able to make a strong case for aid. She stated that we need to stress we are a bare bone services municipality. The Borough does not offer items such as senior services and health services. We have saved money by bringing the sewer billing in house. The shared services that the Borough participates in should be highlighted. She stated the Council did consider moving the Municipal Library to the County Library however it would cost more to the tax payers. The Borough has made cuts to library hours and has made a reduction in staff. The Borough has eliminated bulk pickup of garbage and decreased tonnage. We have been proactively selling land and vehicles. The Borough has minimal capital improvement projects and four Council members have stopped taking stipend. The Borough is also looking into debt restructuring.

Councilwoman Gleba made several 2010 budget reduction recommendations. Councilwoman Gleba motioned to postpone the update of the Borough Codebook; removing the allocation from the Borough Clerk's budget. This was seconded by Councilman Valentine.

Ayes: 6, Nays: 0
Motion Carried

Councilwoman Gleba motioned to remove the \$6,000 allocated for unforeseen expenses in the General Administration budget. This was seconded by Councilman Cioni.

Ayes: 6, Nays: 0
Motion Carried

Councilwoman Gleba also motioned to remove the \$5,000 contingency allocation from administration, seconded by Councilman Cioni.

Ayes: 6, Nays: 0
Motion Carried

Councilwoman Gleba motioned to remove the \$10,000 for downtown redevelopment, seconded by Councilman Higgins

Ayes: 6, Nays: 0
Motion Carried

Councilwoman Gleba motioned to reduce the Fire Official's budget by \$2,000 he had requested for updates to various publications, seconded by Councilman Cioni.

Ayes: 6, Nays: 0
Motion Carried

Councilwoman Gleba motioned to reduce the legal expenses by \$6,000. Manager Phelan cautioned that this line item includes potential litigation. Motion made by Councilwoman Gleba to reduce the legal expenses budget by \$6,000, seconded by Councilman Boyle.

Ayes: 4, Nays: 2 (Valentine, Cioni)
Motion Carried

Councilwoman Gleba motioned to remove the \$100,000 allocated for the forensic audit from the municipal budget. She stated given the amount of the potential tax increase this is not a good time for this and we need to be able to prove to the state that we are making major budget reductions. This motion was seconded by Deputy Mayor Housel.

Ayes: 4, Nays: 2 (Higgins, Boyle)

Deputy Mayor Housel stated with the cuts the Council made this evening, the Borough has cut \$173,500 out of the municipal budget equaling 4.6 cents.

Refuse Collection

Councilwoman Gleba suggested removing the leaf and vegetative services out of the garbage contract. She also suggested Council discuss the privatization of garbage pick up.

Councilman Boyle noted that Council may want to consider putting the question to the voters as a referendum. Councilman Cioni stated that the burden of paying for refuse collection would fall to the homeowners; however they would see a savings in their tax bill. Councilman Boyle stated he would like the voters input on this. Council discussed

whether or not the question posed to voters would be binding or non-binding. The Borough Attorney and Borough Clerk will review the statute on referendums. Councilwoman Gleba motioned to have the ballot question prepared, seconded by Councilman Boyle.

Ayes: 6, Nays: 0
Motion Carried

Candy De Fillippis 116 Broad Street

Ms. De Fillippis asked how the Borough would deal with rental properties. Manager Phelan stated that if a rental property became an issue it would be dealt with by Code Enforcement.

Council discussed removing vegetative waste out of the refuse collection contract. There is a six month out clause in the contract to remove any option included in the contract. Manager Phelan stated that by removing vegetative waste; it would save the municipality \$28,000 per year excluding tipping fees. Council discussed other options for residents such as possibly taking the vegetative waste to Washington Township's facility, the Warren County Landfill, or having our own DPW pick it up. This topic was tabled until a later date.

Borough Pool

Manager Phelan stated the Recreation Director has stepped down from his position. The Borough Pool opening was delayed by ten days. He explained there were some roadblocks in opening the pool and we responded as best we could given the circumstances. Councilman Cioni stated that Andrew and Paul did a lot of work to get the pool ready. Considering all that needed to be done they did a fantastic job.

Julia Quelly 4 Cleveland Street

Ms. Quelly stated that she has unofficially become the citizen liaison to the recreation department. She stated that she had some concerns regarding the recreation page of the Borough website and had spoken to Councilman Cioni. She explained to Council that she had some concerns regarding staff not wearing gloves in the snack stand. She also stated that the telephone is not working at the Borough Pool. She asked if the Borough is giving the supervisors the level of empowerment they need to obtain the items they need to run the pool. Manager Phelan stated he has spoken with the supervisory staff at the pool and they are well aware of the procedures and have the ability to purchase items when needed. He will also look into the telephone.

Candy De Fillippis 116 Broad Street

Ms. De Fillippis stated that regarding the Manager's letter she feels it was a slap in the face that when the pool was in need of volunteers to help with the opening; no one called the Recreation Committee. Manager Phelan stated that at the May 4 meeting; when it was stated the Borough needs volunteers 100 hands went up in the audience but only four people signed the volunteer sheet. Councilman Boyle stated the Council liaison to the Recreation Committee may need to play a more active role. Deputy Mayor Housel stated that he hopes the Recreation Committee would be proactive rather than reactive in situations like this. Manager Phelan stated that the Borough Pool liaison should have been coordinating with the Recreation Committee. Councilman Boyle stated that since the Borough Manager is now Acting Recreation Director he should be attending the meetings and helping to get the Recreation Committee organized and on track. Manager Phelan stated that with the transitional aid application becoming due and the day to day operations of the pool do not leave him enough time to attend recreation meetings.

At this time Council recessed for ten minutes.

Council reconvened with all Council in attendance present.

Rick Feldman 10 Prosper Way

Recreation Chairperson Rick Feldman noted for the record that on the July 3 correspondence given to the Manager he is not listed as the pool liaison. There is no pool liaison.

NEW BUSINESS

Approval of Chris Considine – Member of Washington Borough Fire Department

Motion made by Valentine, seconded by Boyle to approve Chris Considine as a member of the Washington Borough Fire Department.

Ayes: 5, Nays: 0
Abstain: 1 (Higgins)
Motion Carried

Escrow Account Fees Ordinance for Board of Adjustment and Planning Board

Manager Phelan stated that both the Planning Board and the Board of Adjustment have approved the amended ordinance and would like Council to consider at their next meeting. Council will introduce at the next scheduled meeting.

VOUCHERS

Deputy Mayor Housel entertained a motion to pay the claims and vouchers in the amount of \$ 1,074,908.47.

Motion made by Valentine, seconded by Cioni and adopted.

Roll Call: Valentine, Cioni, Housel, Boyle, Higgins
Gleba – Abstain
Higgins – Abstain from Fire Department Vouchers

Ayes: 5, Nays: 0

Abstain: 1 – Gleba (Higgins from Fire Department only)

RECAP

Manager Phelan will work on sending out the 15% rebates for the pool memberships. He will notify the road department with the revised dates for the block party on Harding Drive. Manager Phelan will look into the Youmans Avenue parking issue. He will reach out to the Fire Chief to attend the next Council meeting. He will implement the discussed budget reductions. He will work with the Borough Clerk and Attorney regarding the ballot questions on refuse collection. He will provide a new budget summary page for Councilwoman Gleba and schedule Verizon to come out and take a look at the phone at the pool.

COUNCIL REMARKS

Councilman Boyle asked if the Council would receive an abandoned property report. Manager Phelan stated the list was compiled and notices were sent out. There was a poor response. Mortgage companies do not care. Councilman Boyle stated at the last meeting a question had been raised regarding why the manager had looked up a resident to see if they were current on their property taxes. Manager Phelan stated that is not why he reviewed the record. He stated that if Councilman Boyle has an issue it should be discussed in executive session if it is a personnel issue with him. Manager Phelan stated he looked at a property record. Every record is a public record including taxes.

Councilman Higgins asked about the Borough not accepting zoning applications and what would happen if someone did something they were not supposed to do. Manager Phelan stated they could get fined after the fact. Councilman Higgins asked if we had received bids on the repair work for the well pump at the pool. Manager Phelan stated of the people he reached out to, no one has called him back yet. Councilman Higgins stated that he does not have an issue with the BID not being on the agenda simply the way it

was handled. Councilman Higgins stated that this Council has done nothing but knock the volunteers of this town. He stated you can't blame volunteers in this town. Councilman Higgins thanked the volunteers of this town for all they do and stated instead of being adversarial we need to recognize the job that they do.

Councilwoman Gleba stated that she agrees with Councilman Higgins that we need to thank volunteers however she has never blamed a volunteer in this town. Councilwoman Gleba presented a budget summary from another town that she will create and that the Borough can send out with the tax bills and post on the website.

Councilman Valentine stated that he works with the volunteers and does not know anyone in this room or on this Council that blames volunteers.

Councilman Cioni stated that he personally has donated 100 hours of volunteer time for this town. Councilman Higgins statement is a ridiculous statement.

Deputy Mayor Housel commented that First Friday in the Borough was fantastic. He gave kudos to Washington Celebrates America committee for the days' events and the outstanding fireworks.

EXECUTIVE SESSION

RESOLUTION 143-2010

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: COURT _____ 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.);

 X 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 _____ Personnel 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 11:00 p.m.

Ayes: 6, Nays: 0.
Motion carried.

Deputy Mayor Charles “Terry” Housel

Kristine Blanchard, RMC Borough Clerk