

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – March 15, 2011**

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: Gleba, McDonald, Jewell, Boyle, Torres - Present
Valentine, Higgins - Absent

Also Present: Richard Phelan, Borough Manager
Lorraine Staples, Municipal Attorney
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.

CORRESPONDENCE

Mike Schmidt Memorial Car Show Rain Date
Kaffe Kaprys Outside Seating Request

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

Ayes: 5, Nays: 0
Motion carried

Motion made by Jewell, seconded by Boyle to approve the rain date for the Mike Schmidt Memorial Car Show.

Ayes: 5, Nays: 0
Motion Carried

Motion made by Gleba, seconded by Jewell to approve the outside seating request for Kaffe Kaprys.

Ayes: 5, Nays: 0
Motion Carried

AUDIENCE

Mayor McDonald opened the audience portion of the meeting.

Mr. Sherman 15 Gardners Court

Mr. Sherman stated he was here regarding an issue with dogs at Steinhardt Field. Manager Phelan stated that he was aware of this and the signs are going to be placed at the field.

Mr. Sherman also stated he had some safety concerns with kids who are climbing on the wall by the concession area. He requested a fence be placed there. The baseball league will donate the labor. Manager Phelan stated he has spoken with a representative from the league regarding this and the Borough did not budget for a new fence this year. However, the orange temporary snow fence may be a fix in the meantime. He will look in to this.

Bob Del Elba 86 West Stewart St.

Mr. Del Elba stated he would like the Borough Manager to explain the process with the forensic audit now that the proposals were received. Manager Phelan stated that seven proposals were received. The Governing Body received a summary of these proposals. Many of the proposals had curable deficiencies. Manager Phelan stated he is waiting for the deficiencies to be corrected. The deadline is Thursday for submission of corrections. The Governing Body will then need to decide who they will interview.

ORDINANCES

None

REPORTS:

Motion was made by Gleba, seconded by Torres to receive and file the following reports:

1. Managers Reports (redacted version)
2. DPW Report
3. Issues/Details
4. Tax Collectors Current Fund Revenue
5. Tax Collectors Sewer Fund Revenue
6. CFO Expenditure Report

Ayes: 5, Nays: 0
Motion Carried

COMMITTEE REPORTS:

Councilwoman Gleba asked if any surveys had been received. Manager Phelan stated not as of today. Council will review again at the next Council meeting.

OLD BUSINESS

Recreation Commission Ordinance Discussion

Mayor McDonald stated that he had received the information from Councilman Torres regarding Ordinances and Bylaws in other municipalities. He had not had the opportunity to review all of the information. Councilwoman Gleba noted that she had sent Councilman Torres her comments. Councilman Torres highlighted a few of the items from the other municipalities that this Council may want to consider; a Recreation liaison to work and meet with neighboring municipalities, the commission should not be able to incur debt, the commission must submit an annual report to Council, and be required to present their budget to the Governing Body. He also noted that having a non voting member representative from the School Board is a plus.

Councilwoman Gleba asked if the Commission will be allowed to conduct fund raisers. Manager Phelan stated that they will need to abide by Green Acres laws. Manager Phelan will provide this information to the Recreation Committee as requested by Recreation Committee member Penny Shaul. Councilman Torres will also forward the ordinance and bylaw information to Ms. Shaul as well.

Councilman Torres recommended discussing further at the next Council meeting when Council has had more of an opportunity to review the information he sent.

Municipal Budget Discussion

Councilman Jewell inquired about the police mechanic in the budget for the Washington Township Police Department. Manager Phelan explained that Washington Township is not hiring a new person; however this is listed as a new line item in the budget so that the mechanic services can be split among the three municipalities.

Manager Phelan asked Council how they would like to handle the purchase of the SUV in the proposed Capital Budget from Washington Township.

Councilman Boyle moved to not move forward and approve the SUV purchase for Washington Township Police Department, seconded by Councilwoman Jewell.

Ayes: 5, Nays, 0
Motion Carried

Councilwoman Gleba noted that a 1 cent reduction will equal 37,500. She would like to remove \$5000, from both telephone and water usage for a reduction of \$10000 in the budget.

Manager Phelan cautioned a reduction in the water usage due to the new wash bay at the DPW garage.

Councilwoman Gleba motioned to reduce the telephone line item in the budget by \$5000.00, seconded by Councilman Boyle.

Ayes: 4, Nays:1 (Torres)
Motion Carried

Councilman Boyle stated that he will not be accepting his salary for Councilman this year and the salary line item can be reduced.

SEWER CONNECTION FEES PUBLIC HEARING:

Resolution 60-2011 Sewer Connection Fees Public Hearing

Mayor McDonald opened the Public Hearing on the Sewer Connection Fees.

Mayor McDonald gave a brief explanation of the connection fees to the audience. He stated these fees are what is collected when a property owner wants to connect to the sewer system. Councilwoman Gleba noted she would like to have a copy of the worksheet used to determine the fee.

Hearing no comments from the audience, motion made by Gleba, seconded by Jewell to close the Public Hearing

Ayes: 5, Nays: 0
Motion Carried

Resolution 60-2011 Sewer Connection Fees for 2011

Resolution 60-2011 was moved on a motion made by Gleba, seconded by Jewell and adopted.

Roll Call: Gleba, Jewell, Boyle, Torres, McDonald

RESOLUTION # 60-2011
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF WASHINGTON, WARREN
COUNTY, NJ ESTABLISHING SEWER
CONNECTION FEES

WHEREAS, Stephanie Lewis, Municipal Capital Management has completed the

analysis of the Sewer Utility debts structure and has recommended that the Sewer Connection Fee be adjusted to \$4,343.09; and

WHEREAS, a public hearing was advertised for March 15, 2011; and

WHEREAS, said public hearing was held in Council Chambers on March 15, 2011 at 7:30 p.m.

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 sewer connection fee be increased to \$4,343.09.

BE IT FURTHER RESOLVED THAT this change will be effective immediately upon passage of this resolution.

NEW BUSINESS

Resolution 61-2011 Emergency Temporary Appropriations Current Fund

Resolution 61-2011 was moved on a motion made by Gleba, seconded by Torres and adopted.

Roll Call: Gleba, Torres, McDonald, Boyle, Jewell

Ayes: 5, Nays: 0

Motion Carried

RESOLUTION 61-2011

**A RESOLUTION PROVIDING FOR EMERGENCY TEMPORARY
APPROPRIATIONS FOR CURRENT FUND**

WHEREAS, there will be a delay in the adoption of the 2011 Borough of Washington, County of Warren, New Jersey, Local Municipal Budget; and

WHEREAS, a temporary budget in the amount of 26.25% of the total appropriations in the 2010 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance was adopted in January 2011; and

WHEREAS, if additional funds are not budgeted the public welfare will be adversely affected; and

WHEREAS, it is the recommendation of the Chief Financial Officer this emergency temporary appropriation be authorized

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Washington, County of Warren, New Jersey, that in accordance with N.J.S.A. 40A:4-20, an emergency temporary appropriation be and same is hereby made for in the amount of \$1,048,499.27 and that said emergency temporary appropriation shall be provided in full in the 2011 budget.

CURRENT FUND

GENERAL ADMIN SW	19,969.67
GENERAL ADMIN OE	4,943.17
MAYOR & COUNCIL Part Time	2,416.67
MAYOR & COUNCIL OE	1,285.83
CLERK SW	12,111.77
CLERK OE	2,504.91
FINANCIAL ADMIN SW	15,370.72
FINANCIAL ADMIN OE	2,500.00
AUDIT SERVICES	6,495.00
TAX COLLECTION SW	26,473.17
TAX COLLECTION OE	1,467.50
TAX ASSESSMENT SW	6,434.79
TAX ASSESSMENT OE	3,616.67
LEGAL OE	11,500.00
ENGINEERING	7,916.67
PLANNING BOARD Part Time	621.27

PLANNING BOARD OE	1,956.22
BOARD OF ADJ Part Time	664.17
BOARD OF ADJ OE	930.56
LOCAL CODE ENF SW	6,666.67
LOCAL CODE ENF OE	312.50
P.E.O.S.H.A	-
LIABILITY INSURANCE	36,666.67
WORKER'S COMP	-
GROUP HEALTH INSURANCE	35,747.24
UNEMPLOYMENT INSURANCE	3,957.83
POLICE DEPT SW	2,434.67
POLICE DEPT OE	347,500.00
EMERGENCY MGMT Part Time	835.83
EMERGENCY MGMT OE	166.67
FIRE DEPT OE	5,553.17
AID TO VOL AMBULANCE OE	3,216.67
FIRE & SAFETY CODE ENF SW	3,622.33
FIRE & SAFETY CODE ENF OE	958.33
FIRE HYDRANTS	11,333.33
STREETS & ROADS SW	60,596.33
STREETS & ROADS OE	32,249.50
SOLID WASTE COLLECTION	43,166.67
BUILDINGS & GROUNDS SW	2,013.87

BUILDINGS & GROUNDS OE	5,032.50
SHADE TREE COMMISSION SW	155.67
SHADE TREE COMMISSION OE	2,250.00
RECREATION SW	-
RECREATION SW - Part-Time	6,666.67
RECREATION OE	-
MUNICIPAL LIBRARY SW	36,785.25
MUNICIPAL LIBRARY OE	7,587.00
ELECTRICITY	9,833.33
TRAFFIC LIGHTS OE	13,500.00
TRAFFIC LIGHTS Street Lighting	416.67
TELEPHONE	5,833.33
WATER	2,500.00
NATURAL GAS	5,833.33
HEATING OIL	833.33
SEWAGE DISPOSAL	-
GASOLINE & DIESEL	2,500.00
SOLID WASTE DISPOSAL	28,900.00
CONTINGENT	-
Refund of Tax Appeals	-
PERS	136,453.00
SOCIAL SECURITY	15,086.67
DCRP	500.00

MUNICIPAL COURT SW	-
MUNICIPAL COURT OE	40,655.50
PUBLIC DEFENDER - Legal Services	1,000.00
Total	\$ 1,048,499.27

Resolution 62-2011 Emergency Temporary Appropriation for Sewer Utility

Resolution 62-2011 was moved on a motion made by Gleba, seconded by Torres and adopted.

Roll Call: Gleba, Torres, McDonald, Jewell, Boyle

Ayes: 5, Nays: 0
Motion Carried

RESOLUTION 62-2011

A RESOLUTION PROVIDING FOR EMERGENCY TEMPORARY APPROPRIATIONS FOR SEWER UTILITY

WHEREAS, there will be a delay in the adoption of the 2011 Borough of Washington, County of Warren, New Jersey, Local Municipal Budget; and

WHEREAS, a temporary budget in the amount of 26.25% of the total appropriations in the 2010 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance was adopted in January 2011; and

WHEREAS, if additional funds are not budgeted the public welfare will be adversely affected; and

WHEREAS, it is the recommendation of the Chief Financial Officer this emergency temporary appropriation be authorized

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Washington, County of Warren, New Jersey, that in accordance with N.J.S.A. 40A:4-20, an emergency temporary appropriation be and same is hereby made for in the amount of \$240,583.75 and that said emergency temporary appropriation shall be provided in full in the 2011 budget.

SEWER OPERATING OE	240,583.75
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Total

\$240,583.75

Resolutions 63-2011 through 65-2011 Redemption of Tax Certificate

Resolutions 63-2011 through 65-2011 were moved on a motion made by Torres, seconded by Gleba and adopted.

RESOLUTION #63-2011

A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS, THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on September 16, 2010 to US Bank Cust CCTS Capital, LLC, TLGS; 2 Liberty Place, 50 South 16th Street Ste 1950, Philadelphia, PA 19102, in the amount of \$207.50 for taxes or other municipal liens assessed for the year 2009 in the name of Singleton, Lora & Ayeshia L (now Jacques Raymond), as supposed owners, and in said assessment and sale were described as 23 Alvin Sloan Avenue, Block 2.09 Lot 21, which sale was evidenced by Certificate #10-00001; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 3-2-11 and before the right to redeem was cut off, as provided by law, Wells Fargo for Jacques Raymond, claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust CCTS Capital, LLC, by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$273.97, which is the amount necessary to redeem Tax Sale Certificate #10-00001.

NOW THEREFORE BE IT RESOLVED, on this 15th day of March, 2011 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to US Bank Cust CCTS Capital, LLC, TLGS; 2 Liberty Place, 50 South 16th Street Ste 1950, Philadelphia, PA 19102 in the amount of **\$273.97**.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 2.09 Lot 21 from the tax office records.

RESOLUTION # 64-2011

A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing

district of Washington Borough, County of Warren, State of New Jersey, were sold on September 16, 2010 to Stonefield Inv Fund I, LLC, 21 Robert Pitt Drive #202, Monsey, NY 10952, in the amount of \$158.86 for taxes or other municipal liens assessed for the year 2009 in the name of Johnson, Susan, as supposed owners, and in said assessment and sale were described as 22 S Prospect St, Block 101 Lot 22, which sale was evidenced by Certificate #10-00040 and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 3-02-11 and before the right to redeem was cut off, as provided by law, CitiMortgage claiming to have an interest in said lands, did redeem said lands claimed by Stonefield Inv Fund I, LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$693.50, which is the amount necessary to redeem Tax Sale Certificate #10-00040;

NOW THEREFORE BE IT RESOLVED, on this 15th day of March, 2011 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Stonefield Inv Fund I, LLC, 21 Robert Pitt Drive #202, Monsey, NY 10952 in the amount of **\$693.50**.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 101 Lot 22 from the tax office records.

RESOLUTION # 65-2011

A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on September 16, 2010 to Changsheng Lu, 4235 Coral Berry Path, Apt 204, Gurnee, IL 60031, in the amount of \$468.47 for taxes or other municipal liens assessed for the year 2009 in the name of Colon, Rafael, as supposed owners, and in said assessment and sale were described as 6 Ramapo Way, Block 101.01 Lot 1, which sale was evidenced by Certificate #09-00023; and;

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 3-02-11 and before the right to redeem was cut off, as provided by law, CitiMortgage claiming to have an interest in said lands, did redeem said lands claimed by Changsheng Lu by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$3,279.48, which is the amount necessary to redeem Tax Sale Certificate #09-00023.

NOW THEREFORE BE IT RESOLVED, on this 15th day of March, 2011 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Changsheng Lu, 4235 Coral Berry Path, Apt 204, Gurnee, IL 60031 in the amount of **\$3,404.48** (this amount consists of \$3,279.48 Certificate Amount redeemed + \$125.00 Premium)

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 101.01 Lot 1 from the tax office records.

Resolution 66-2011 Stop Payment and Replace Check

Resolution 66-2011 was moved on a motion made by Gleba, seconded by Jewell and adopted.

Ayes: 5, Nays: 0
Motion carried

RESOLUTION #66-2011

RESOLUTION STOP PAYMENT AND REPLACE CHECK

WHEREAS, a Current Account check #3970 was issued on 02/03/2011 to Mac Millan, P.O. Box #7777-W8040, Philadelphia, PA 19175 in the amount of \$1,377.25; and

WHEREAS, it came to the attention of the Finance Office that a wrong vendor with the same name had been issued the check in error and the check had been mailed to the above vendor's lockbox; and

WHEREAS, there was no response to inquiries to try to locate the check and have it returned to the Borough of Washington;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Washington that the Treasurer be authorized to stop payment of check #3970 and reissue the check to Mac Millan Oil Co., P.O. Box 90010, Allentown, PA 18109-0010 in the amount of \$1,377.25.

Resolution 67-2011 Cancel Recreation Trust Account Checks

Resolution 67-2011 was moved on a motion made by Gleba, seconded by Jewell and adopted.

Ayes: 5, Nays: 0
Motion Carried

RESOLUTION #67-2011

RESOLUTION CANCEL RECREATION TRUST ACCOUNT CHECKS

WHEREAS, several Recreation Trust checks were issued on July 21, 2010, as listed below:

Ck. #5362 7/21/10: \$2.25 Issued to: Debbie Childers, 76 Mill Pond Rd., Washington, NJ 07882

Ck. #5374 7/21/10: \$26.25 Issued to: Allyson Fawcett, 129 E. Washington Ave., Washington, NJ 07882

Ck. #5377 7/21/10: \$26.25 Issued to: Kenneth Frutchey, 16 Nunn Avenue, Washington, NJ 07882

Ck. #5417 7/21/10: \$26.25 Issued to: Nichole Sawyer, 39 Beethoven Ave., Washington, NJ 07882

Ck. #5434 7/21/10: \$9.75 Issued to: Karen Wiessler, 19 Saddlebrook Drive, Washington, NJ 07882

WHEREAS, letters were written to payees on December 7, 2010 and February 7, 2011, requesting the payee to deposit said checks or if the check was misplaced to notify the Finance Office in writing to stop payment and reissue the check.

WHEREAS, responses were requested by February 22, 2011, and no responses were received regarding the above-captioned outstanding checks.

WHEREAS, it is the policy of PNC Bank to consider the checks stale-dated six months after the issue date, after which time they will not pay same;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Washington that the Treasurer be authorized to cancel the above checks, making them null and void.

VOUCHERS

Mayor McDonald entertained a motion to approve the payments and vouchers in the amount of \$620, 317.30

Motion made by Boyle, seconded by Torres and approved.

Roll Call: Torres, McDonald, Boyle, Jewell, Gleba – Yes
Jewell – abstain from EMS and Fire Department vouchers
Gleba – abstain from Finelli Consulting Engineers vouchers

Ayes: 5 Nays: 0

Abstain: 2 (Jewell – EMS, Fire, Gleba – Finelli)

RECAP

Manager Phelan will look into having the snow fence placed at Steinhardt Field, he will make the changes to the 2011 budget and inform the Washington Township about the non approval of the SUV. He will also provide the sewer connection fee worksheet to Councilwoman Gleba.

COUNCIL REMARKS

Councilman Boyle asked if the affidavit information in lieu of having to make a court appearance is in effect. Manager Phelan stated that the judge has always done this but people must notify him and he must give approval. Manager Phelan will look into how to get the information out to residents with the judge. Councilman Boyle asked about the pedestrian sign in the downtown area. Manager Phelan stated he was just notified this was stolen. Manager Phelan also stated the Borough Engineer is working on a permanent fix to the problem with the crosswalk and noted that he is working on the Gardner's Court problem.

Councilman Torres inquired about the damaged tree at Rt. 57 and Broad Street. Manager Phelan stated the tree is being replaced. Councilman Torres asked Manager Phelan to explain the budget to give a summary of the budget to Council as he explained it to him previously.

Manager Phelan stated property taxes are based off the amount to be raised by taxation. For example; a municipality can have a 40 million municipal budget, but if the amount to be raised by taxation is only 1 million, that's the number that will affect your taxes.

Councilwoman Gleba asked for the information from the CFO and Manager regarding the forecasting of sewer rates for the next meeting. This was part of a two part proposal from last year. It was stated at the time that the Manager and CFO would be able to provide this information.

At this time, motion made by Jewell, seconded by Torres to enter Executive Session for contract negotiation/shared service agreements after a five minute recess.

Ayes: 5, Nays:
Motion Carried

Council entered Executive Session at 8:50 p.m.

EXECUTIVE SESSION

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;

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;

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: Shared Service Library/Forensic Audit Proposals _____ 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 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. ;

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.

A motion was made by Boyle, seconded by Torres, to exit Executive Session at 9:30 p.m.

Ayes: 5, Nays: 0
Motion carried.

Hearing no further business, a motion was made by Boyle, seconded by Valentine, to adjourn the meeting at 9:30 pm.

Ayes: 5, Nays, 0
Motion Carried.

Mayor Scott McDonald

Kristine Blanchard, Borough Clerk