

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – August 20, 2013**

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 7:00 P.M.

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.”

Mayor McDonald led everyone in the flag salute.

Roll Call: Jewell, Torres, McDonald, Thompson, Higgins, Conry,
Gleba

Also Present: Kristine Blanchard, Borough Manager/Clerk, Judy Kopen,
Municipal Attorney

PROCLAMATION:

Mayor McDonald read the following into the record:

*PROCLAMATION
OF THE
BOROUGH OF WASHINGTON*

WHEREAS, Justin Jewell has been a member of the Washington Borough Council since 2011; and

WHEREAS, Justin Jewell has also served the Borough of Washington as a Chairman of the Streets Committee and a member of the Sewer Committee where he served with skill, dedication and commitment above and beyond the reasonable expectations of the community; and

WHEREAS, Justin Jewell will always be remembered by his colleagues for his willingness to help others, commitment to local government and dedication to Washington Borough; and

WHEREAS, the Mayor and Council, of the Borough of Washington, desire to express the appreciation of the entire community to Justin Jewell for his service to the Borough of Washington.

NOW, THEREFORE, BE IT PROCLAIMED by Scott McDonald, Mayor of the Borough of Washington, in the County of Warren, State of New Jersey, that the heartfelt appreciation of the Mayor and Council of the Borough of Washington and all its inhabitants are hereby expressed for the years of public service performed by Justin Jewell.

BE IT FURTHER PROCLAIMED that this Proclamation be duly embossed, signed by the Mayor, publicly presented to Justin Jewell on August 20, 2013, and forever recorded in the official records of the Borough of Washington, as an everlasting tribute to Justin Jewell by an appreciative and thankful community.

Presented on this 20th day of August, 2013.

COUNCIL APPEARANCE:

Kevin Magliar – Manager of Violations, Paramount Properties

Mr. Magliar stated that the principal owners of Paramount Properties are out of the country on vacation at this time and he is here to answer any questions that Council may have.

Monika Hamburger – Washington Borough BID, President

Ms. Hamburger stated that the BID is very proud of the downtown Washington area and has put a lot into the downtown redevelopment. Ms. Hamburger added that the BID has major concerns about the human health and safety factors in the downtown area with some of the buildings owned by Paramount. Ms. Hamburger asked if there was any legislation Council can pass that can keep the boarded up buildings on the main street to a minimum.

Mr. Magliar replied that Paramount is committed to the Borough of Washington and to their properties. Mr. Magliar also stated that Paramount addressed the safety issues regarding their vacant buildings on the east side of town and that Paramount has complied with all fire code issues such as markings of the buildings to alert fire fighters of safety concerns. Mr. Magliar stressed that the buildings Paramount owns on the west side of town are very successful. However, on the east side Paramount is having some issues with their vacant buildings. Mr. Magliar added that all of Paramount properties in Washington are insured. In regards to 16 East Washington Avenue, construction has begun today to repair the façade.

Councilman Higgins stated that Paramount appeared before Council approximately four to five years ago and presented to Council their grand plans they had for their buildings including new facades, windows and other renovations. Councilman Higgins added that here we are years later with no progress. Councilman Higgins stated that the Borough needs to see some tangible progress as soon as possible because now it is a safety issue. The Borough is trying to attract people and potential shoppers to come into the town and that it is difficult with Paramount's properties in such poor condition.

Councilman Torres noted that there are a lot of repairs that need to be done on the Paramount locations in the Borough not just 16 East Washington Avenue which had the façade falling down. Councilman Torres asked Mr. Magliar if Paramount Properties intend to make all three stories of 16 East Washington Avenue livable and rentable. Mr. Magliar stated that it is Paramount's plan to renovate all three stories and to have the outside construction portion completed before winter.

Councilwoman Gleba asked Mr. Magliar to go back to the principal owners of Paramount Properties and tell them that Council wants definite plans and a timeline on the interior of the building, not just the façade.

A motion was made by Torres to open the audience portion for discussion, seconded by Higgins.

Ayes: 7, Nays: 0
Motion Carried

Joe Shanahan – Washington Borough Building Owner

Mr. Shanahan stated that he is the owner of the building in between two Paramount properties. Mr. Shanahan added that he has owned this building for the past thirteen years and has put a lot of work into the building. Mr. Shanahan stated that he came before Council about six years ago and asked Council to board up the building next door since it was becoming a hazard to his property and nothing has been done since. Mr. Shanahan stated that he heard encouraging words from Mr. Magliar and asks Council to place pressure on Paramount Properties to make sure the reconstruction gets done.

Maryann Mastrielli – Washington Borough Business Owner

Ms. Mastrielli stated that she lost everything to the fire in Washington Borough seven years ago. Ms. Mastrielli added that it took her this long to start another business. Ms. Mastrielli stated that she searched for a storefront and would have rented any one of the Paramount buildings had they been available for rent. Ms. Mastrielli wants to see Washington Avenue built up again and urged Council to stay on top of Paramount.

Kaitlyn Zander – Washington Borough Business Owner

Ms. Zander stated that she owns the business next door to 16 East Washington Avenue and she is losing her business because customers can't enter her store because it is raining bricks from next door. Ms. Zander stated that her business is suffering due to the lack of maintenance on the Paramount location next door. Councilman Higgins suggested Mr. Magliar and Paramount Properties should put a safety entrance over Ms. Zander's business to allow patrons the ability to enter her store without concerns for their safety.

Jenny Buecker – Washington Borough Business Owner

Ms. Buecker stated that she has never seen the Borough's storefronts in the disarray that it is in now. It deters people from coming into town when there is something that resembles Harlem. The outside structure of Paramount's buildings should look appealing to people who are driving or walking through town. Ms. Buecker added that it's affecting everyone else's business and Paramount does not care. Ms. Buecker stated that all the Paramount buildings have very serious issues that should have been fixed a long time ago and there's no excuse for the six year wait. Ms. Buecker concluded by saying that there is so much history in Washington and it can be beautiful again if Paramount fixes their properties.

Sandi Cerami – Washington Borough BID, Director

Ms. Cerami instructed Council that there is something called the Blockbuster Law. This law puts the town as a force and allows the town to write a letter giving Paramount 90 days to come up with a plan. This plan can include a timeline, architectural plan, etc. If Paramount fails to show up or take action, the Borough can take it over, fix it or sell it and force Paramount to pay for all of it. Ms. Cerami also urged Council to search for a Redevelopment Attorney when it comes time in January to appoint professionals.

Jim Sheldon – 2 East Washington Avenue

Mr. Sheldon stated that the Blockbuster Law allows the town to send the letter to the property owner. Mr. Sheldon added that the Borough can find a non-profit organization to do the repairs. The Borough can go back to the property owner once the repairs are done and tell them if they want their building back, they must pay the cost of the repairs. Mr. Sheldon stated that the property owner can either pay the money or walk away. At that time, the Borough can put that building up for sale to get the money back that was used for the repairs.

A motion was made by Higgins, seconded by Gleba to direct Attorney Kopen to research the Blockbuster Law.

Ayes: 7, Nays: 0
Motion Carried

Dan Rossi – Washington Borough Business Owner

Mr. Rossi stated that he owns a tool shop downtown called Get A Grip. Mr. Rossi asked Mayor McDonald why he's more concerned with not lynching the Paramount representative over letting the local business owner's voices be heard. Mayor McDonald replied that he would not want to lynch someone that the Borough is trying to foster a good relationship with. Mr. Rossi asked who can be held accountable for Paramount not complying. Mayor McDonald answered that Paramount should be held responsible for their non-compliance. Mr. Rossi stated this problem should have been a priority years ago. Mr. Rossi added that he feels Mayor McDonald should be complaining about the situation in the media to get more attention. Mayor McDonald suggested that Mr. Rossi contact our State Legislators and let them know how he feels and it may help speed the process along.

Councilman Jewell asked if proper signs warning pedestrians will be provided around the construction area. Councilman Higgins asked Manager Blanchard to have Paramount provide these signs.

A motion was made by Higgins, seconded by Jewell to have Manager Blanchard check into potential funding for the Blockbuster Law.

Ayes: 7, Nays: 0
Motion Carried

A motion was made by Higgins, seconded by Torres for a five minute break.

Ayes: 7, Nays: 0
Motion Carried

AUDIENCE:

Walter Winchurch – 159 South Lincoln Avenue

Mr. Winchurch stated that he is ashamed at the poor condition of South Lincoln Avenue and is very interested in cleaning it up. The property at 219 Broad Street has been torn down and now Mr. Winchurch is engaged in cleaning up the area so there is more visibility on Cemetery Hill Road, Broad Street and South Lincoln Avenue. Mr. Winchurch would like to know what can be done to clean up and get rid of the garbage. There is a factory located on South Lincoln Avenue that has let the property go and there's no excuse for it. Mr. Winchurch also stated that the convenience store in that area also has overgrown grass, bushes and weeds. Mayor McDonald stated that Manager Blanchard will send the Code Enforcement Officer out to take a look at the properties and start by giving them a warning on the violations they may have. Councilwoman Gleba added that the convenience store on the corner of South Lincoln Avenue and Route 57 is

currently in the process of being sold and that the developer plans on putting a brand new building on that location.

Reverend Terrilisa Bauknight – 95 Lenape Trail

Reverend Bauknight stated that she is still frustrated in regards to the lack of police presence on North Lincoln Avenue. There is less trash, so that is definitely an improvement. However, many cars continue to speed excessively in that area and it is dangerous for the residents and all pedestrians in that area. Reverend Bauknight stated that this continues to be a big problem. Mayor McDonald replied that he will personally speak to the Washington Township Police Chief and see about getting officers to patrol that area on a regular basis to make their presence known.

Hearing no further comments from the audience a motion was made by Jewell, seconded by Conry, to close the audience portion of the meeting.

Ayes: 6, Nays: 0
Motion Carried

MINUTES:

Regular Meeting – July 16, 2013

Motion made by Higgins, seconded by Jewell to approve the minutes of July 16, 2013.

Council Discussion:

Councilwoman Conry stated that for the minutes of June 18, she was listed as absent when in fact she was there. That correction will be made.

Ayes: 6, Nays: 0
Abstain: 1 (Gleba)
Motion Carried

Executive Session – January 15, 2013; February 05, 2013; February 19, 2013; March 05, 2013; March 19, 2013; April 02, 2013; April 16, 2013, May 21, 2013, June 05, 2013, June 18, 2013 and July 02, 2013

Motion made by Jewell, seconded by Higgins to approve the minutes of January 15, 2013; February 05, 2013; February 19, 2013; March 05, 2013; March 19, 2013; April 02, 2013; April 16, 2013, May 21, 2013, June 05, 2013, June 18, 2013 and July 02, 2013.

Ayes: 7, Nays: 0
Motion Carried

REPORTS:

Mayor McDonald stated that the letter from Mr. Winchurch will be added at this time.

A motion was made by Torres, seconded by Higgins to receive and file the following reports:

1. Municipal Court Report - July
2. Code Enforcement - July
3. Speed Data Report – Belvidere Avenue
4. Warren County Board of Health
5. Letter from Mr. Winchurch

Ayes: 7, Nays: 0
Motion Carried

COUNCIL COMMITTEE REPORTS:

Sewer Committee:

Councilman Higgins stated that the Sewer Committee met on August 12th and in attendance along with the committee was the Sewer Engineer and Kevin Shoudt from Veolia Water. Councilman Higgins stated that the Wastewater Management Plan is sitting in Trenton right now. The Sewer Engineer is going to request a not to exceed \$10,000 to finish the Wastewater Management Plan. It needs to be completed and submitted to the Department of Environmental Protection in October. The D.E.P. will make their approval in January. Also, the Wastewater Management Plan will be amended to include the new Quick Check.

Also discussed at the Sewer Committee meeting, were the problems with clean water still getting into the sewer collection system. Councilman Higgins noted that the Borough needs a five to ten year plan and the Sewer Engineer wants to televise more areas. Park Avenue has a crumbling manhole cover that needs to be taken care of. The South Prospect and Gardeners Court area was televised and they found that there are crumbling pipes throughout town in different areas that need to be addressed. There is also a grease trap issue that seems to be coming from the area of the Calton Homes development which also needs to be addressed. Councilman Higgins stated that when Gardeners Court was televised, there was two to three inches of standing water in the pipe. The water was failing to flow through due to a pipe not being pitched properly. Councilman Higgins suggested hooking the pipe up to the old siphon to remove some of the back up. The Sewer Engineer will check with the D.E.P. to see if that can be done.

Councilman Higgins also reported that the Shabecong Creek issue has a lot to do with the sewer system. The Shabecong Creek erosion is affecting the sewers. Councilman

Higgins stated one solution is to place heavy duty rocks along the banks which will hold the flow of the water. The Sewer Engineer also suggested putting pylons in and creating a sea wall. No work can be done along the creek without a permit from the D.E.P. A plan needs to be designed and proceed from there.

Codebook Committee:

Councilman Torres stated that the Codebook Committee met last Monday night along with the Code Enforcement Officer. Together they went over issues that came up with streets and roads. Also, the committee discussed the possibility of merging that ordinance in with vehicles and traffic. This will be discussed at a future meeting.

Councilman Torres completed work on the nuisance ordinance which was handed out to Council for review. Added to this is graffiti, vandalism, and long term vacant buildings in the business district. Councilman Torres also added the noise ordinance which includes jake breaking. There is also a section in the Codebook regarding vacant buildings and what Council can do as a municipality in regards to long term vacant buildings. Councilman Torres suggested that any building that remains vacant for over a year would have to register as a vacant building.

NEW BUSINESS:

Resolution #157-2013 – Redemption of Tax Certificate

RESOLUTION #157-2013

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 October 25, 2012 to US Bank Cust, ATR-NJ & CAPONE, 50 South 16th Street, Suite 1950, Philadelphia, PA 19102-2513, in the amount of \$702.17 for taxes or other municipal liens assessed for the year 2011 in the name of Manalo, Ramone & Pamela, as supposed owners, and in said assessment and sale were described as 10 Alvin Sloan Avenue, Block 2.10 Lot 1, which sale was evidenced by Certificate #12-00002; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 8-08-13 and before the right to redeem was cut off, as provided by law, Comerica Bank from Corelogic, claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust ATR-NJ & CAPONE by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$3,804.36, which is the amount necessary to redeem Tax Sale Certificate #12-00002.

NOW THEREFORE BE IT RESOLVED, on this 20th day of August, 2013 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 ATR-NJ & CAPONE, 50 South 16th Street, Suite 1950, Philadelphia, PA 19102-2513 in the amount of **\$3,804.36**.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 2.10 Lot 1 from the tax office records.

Resolution #158-2013 – Redemption of Tax Certificate

RESOLUTION #158-2013

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 October 25, 2012 to US Bank Cust, ATR-NJ & CAPONE, 50 South 16th Street, Suite 1950, Philadelphia, PA 19102-2513, in the amount of \$677.27 for taxes or other municipal liens assessed for the year 2011 in the name of Hackett, Robert G. & Theresa A. , as supposed owners, and in said assessment and sale were described as 149 South Lincoln Avenue, Block 97.03 Lot 12, which sale was evidenced by Certificate #12-00056; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 8-09-13 and before the right to redeem was cut off, as provided by law, Comerica Bank from Corelogic, claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust ATR-NJ & CAPONE by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,828.68, which is the amount necessary to redeem Tax Sale Certificate #12-00056.

NOW THEREFORE BE IT RESOLVED, on this 20th day of August, 2013 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 ATR-NJ & CAPONE, 50 South 16th Street, Suite 1950, Philadelphia, PA 19102-2513 in the amount of **\$1,828.68**.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 97.03 Lot 12 from the tax office records.

Resolution #157-2013 and Resolution #158-2013 were moved on a motion made by Higgins, seconded by Gleba and approved.

Roll Call: Jewell, Torres, McDonald, Thompson, Conry, Higgins,
Gleba
Ayes: 7, Nays: 0
Motion Carried

Application for 50/50 Raffle License – Business Improvement District

A motion made by Gleba, seconded by Conry and approved.

Ayes: 7, Nays: 0
Motion Carried

Application for ABC License - Washington Borough Fire Department

A motion made by Conry, seconded by Higgins and approved.

Ayes: 5, Nays: 0
Abstain: (2) Thompson, Jewell
Motion Carried

VOUCHERS:

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$275,193.32

Council Discussion:

Councilman Higgins questioned a charge on page two coming out of the sewer account. There is a charge for \$2,083.33 with a description of July 2013 Head Works Structure. Councilman Higgins stated that as of August 12th, the head works structure had not been delivered yet and was still being built. Manager Blanchard replied that she believes the agreement was to pay quarterly installments while the structure was being built. Manager Blanchard will confirm that arrangement.

Motion made by Jewell, seconded by Higgins and approved.

Roll Call: Jewell, Torres, McDonald, Conry, Thompson, Higgins,
Gleba
Ayes: 7, Nays: 0
Abstain: (2) Jewell – Fire & EMS
Thompson – Fire & EMS

MEETING RE-CAP:

Manager Blanchard stated that she will find out funding option including non- profits, etc. for the Blockbuster Law as requested by Council. Manager Blanchard will also speak with the Code Enforcement Officer regarding the problems on South Lincoln Avenue. Manager Blanchard will contact the Assistant Chief and Mayor McDonald will contact the Chief of the Washington Township Police about patrolling South Lincoln Avenue. Manager Blanchard will contact JCP&L about putting up a new sign at the entrance to the Canal to deter people from entering. The Nuisance Ordinance will be on the agenda for the next Council meeting for discussion. Manager Blanchard will confirm the payments for the Head Works Project and work with Finelli Engineering on a plan for communications.

COUNCIL REMARKS:

Councilman Torres stated that he was glad to see a big crowd at tonight's meeting and thanked the people for coming out. Councilman Torres stated that the public always has the opportunity to be heard at a Council meeting. Councilman Torres also thanked Councilman Jewell for his service to Council and Washington Borough.

Councilwoman Gleba congratulated Councilman Jewell on his recent marriage and wished him luck in his new home. Councilwoman Gleba stated that at the last Council Meeting she motioned to add the option for an annual bulk pick up. Councilwoman Gleba would like to propose another option which is to have a permit fee with a dollar amount that needs to be determined. Only the residents that need the bulk pickup will have to pay the permit fee. Councilwoman Gleba added that it's just another option in case the annual bulk pick up does not work out. It will also bring revenue to Washington Borough. Councilwoman Gleba also added that it is that time of year to start thinking about the Professional Evaluations and the Borough Manager's Evaluation as well. Councilwoman Gleba stated that she feels it is important for Council to discuss the Professional's weaknesses and strengths before Council goes into the interview process. Councilwoman Gleba also stated that the First Annual Senior's Night Out is this Friday at the Borough Park Pavilion from 5:00pm until 8:00pm. In conclusion, Councilwoman Gleba said that she would like to add an executive session to the next Council Meeting agenda to discuss the new employee policy.

Mayor McDonald stated that he had a call from the Franklin Township Mayor stating that the paving equipment shared service is coming to an end. The Franklin Township Mayor wants to sit down with the three communities involved and figure out where to go with the agreement. Mayor McDonald stated that if the Borough was to continue in the shared service there may need to be some new equipment purchased. If the agreement is dissolved, the communities involved would need to discuss what to do with the equipment left over. The Mayor of Franklin is going to coordinate a meeting in the near future. Mayor McDonald also thanked Councilman Jewell for his service.

Councilman Higgins thanked Councilman Jewell for his attention to everything he has done for Council and for Washington Borough. Councilman Higgins asked what will be done about the safety of pedestrians and those attending the Festival in the Borough near the vicinity of 16 East Washington Avenue. Manager Blanchard stated that she has requested that scaffolding be put in place to protect the pedestrians.

Councilman Thompson asked for an update on the estimate for the Christmas tree lights. Manager Blanchard replied that she just got the name of the vendor, and will be calling for an estimate. Councilman Thompson also asked about the condition of the property located at 16 West Warren Street. Manager Blanchard replied that the home is in foreclosure and she's not sure how much DPW is going to be able to clean up. The Code Enforcement Officer called the bank and is giving them a week to respond. Councilman Thompson also thanked Councilman Jewell for his work done on Council.

Councilman Jewell stated that it was an honor to serve the taxpayers and to work alongside Council as well as Manager Blanchard. Keep up the good work, be fiscally responsible and it looks like things are starting to turn around for the Borough. Councilman Jewell added that it seems like a lot of positive things are in the future for Washington Borough, good luck!

Attorney Kopen stated that an executive session was needed at this time to discuss attorney advisement, sale of property, litigation and contract negotiation.

EXECUTIVE SESSION:

Resolution #172-2013 Executive Session Authorization

A motion was made by Thompson, seconded by Torres, to go into Executive Session after a five minute recess.

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION # 172-2013
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;

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: _____ litigation and contracts _____. 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: _____ 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 Higgins, seconded by Jewell, to go out of Executive Session.

Ayes: 7, Nays: 0
Motion Carried

Hearing no further business, a motion made by Higgins, seconded by Torres to adjourn the meeting at 10:15p.m.

Ayes: 7, Nays: 0
Motion Carried

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk