

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – May 17, 2016**

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: Klimko, Heinrich, Conry, McDonald, Thompson, Noone

Absent: Higgins

Also Present: Ann Kilduff Acting Borough Clerk, Leslie Parikh,
Municipal Attorney, Dawson Bloom, Municipal Engineer

CORRESPONDENCE:

A motion was made by Heinrich, seconded by Conry to receive and file the correspondence.

Council Discussion:

Mayor McDonald stated that Council has two items of correspondence from the State of New Jersey denying the Borough funding for roads and a memo in regards to abandoned properties.

Ayes: 6, Nays: 0
Motion Carried

COUNCIL APPEARANCE:

Rafael Kasen – Housing and Community Development Network of New Jersey

Mr. Kasen introduced himself as a Community Building Specialist for an organization called The Housing and Community Development Network of New Jersey. The Housing

and Community Development Network of New Jersey is a statewide association of more than 250 affordable housing and community development corporations, individuals and other organizations that support the creation of affordable homes, economic opportunities and strong communities. Mr. Kasen stated that abandoned properties need to be addressed because they are a threat to public safety, a threat to public health, and are a burden on taxpayers. Mr. Kasen added that the ongoing foreclosure crisis and Superstorm Sandy have both exacerbated the crisis of abandonment here in New Jersey. The New Jersey residential foreclosure rate for 2015 was the highest in the nation. Mr. Kasen stated that the Abandoned Properties Rehabilitation Act (APRA) was signed into law in 2004 and establishes procedure for creating the abandoned property list and designating a public officer to administer the list. Spot blight eminent domain, or the power to use eminent domain to take individual abandoned properties, exists under the laws on many states. New Jersey local governments have such powers through the Urban Redevelopment Act. Spot blight eminent domain can only be used against properties that are on the municipality's abandoned property list. Mr. Kasen added that another tool is the vacant property receivership which empowers the municipality to rehabilitate and reuse vacant properties versus using demolition which is especially useful with historic properties or those that contribute to the character of a neighborhood. Another tool is the vacant property registration which enables a municipality to charge fees, including an escalating fee structure when the property is registered as vacant. Mr. Kasen also stated that the ordinance regarding maintaining vacant properties in foreclosure requires out-of-state creditors to designate in-state representatives and to maintain the exterior of vacant residential properties to avoid fines. Mayor McDonald stated that many times it is very difficult to determine who the in-state representative is and get contact information for them. Mr. Kasen replied that the most effective method he has seen is to send the notice to the CEO of the bank. Mayor McDonald replied that many times our Code Enforcement Officer does not even know who the foreclosing entity is. Mr. Kasen replied that there are methods to determine who the lienholder is but unfortunately it does take some time and research. Mr. Kasen discussed many different scenarios with Council as well as the audience. Mr. Kasen commented that one of the most comprehensive abandoned properties ordinances that he has seen was adopted by Bass River Township which is in the southern tip of Burlington County.

AUDIENCE:

Mayor McDonald opened up the audience portion for remarks, petitions, statements, and testimony from guests.

Ed Rossi – Washington Borough BID Member

Mr. Rossi stated that he had participated in a meeting at Finelli Engineering in regards to the restructuring of the mid-block crossing. Mr. Rossi added that he was unable to attend the open meeting held last week. Mr. Rossi proposed that there are other possible solutions which may be less costly than the ones being considered. Mr. Rossi suggested

re-excavating the road surface that currently exists, not removing the bump outs in order to keep the current width of the sidewalk in that area which is a benefit to the retail stores along that area. Mr. Rossi also suggested that the mid-block crossing warning signs could be elevated along with a button that would make the lights flash warning that pedestrians are crossing the road. Mr. Rossi hoped that Council considers a reasonable budget analysis of the project and does not abandon the current concept with the sidewalks bumped out. Mr. Bloom replied that the biggest issue with the bump outs is that they need to be removed during the construction process in order to have the width to allow for two lane traffic flow since there is not an effective detour option unless the D.O.T. would allow for a single lane of traffic during the construction process. Councilman Heinrich suggested the possibility of removing one side of the bump outs and then replacing after the construction process has been completed. Mr. Bloom added that under the direction of Council he can look into other options for the mid-block crossing. Mr. Rossi noted that at the end of the day he feels that the extra width of the sidewalks in the downtown area is vital to the local business owners and would like Council to look for a solution to keep the bump outs while keeping the project on budget.

John Montaverde – Washington Borough BID

Mr. Montaverde informed Council that this coming Saturday is the Sci-Fi Fantasy Day and welcomed everyone to attend the fun, family event. Mr. Montaverde also provided information on the Green Festival held on Saturday, June 4th from 9:00am to 1:00pm which is also a kickoff to the Farmer's Market. Mr. Montaverde thanked Councilwoman Noone for her work with the Green Team and the Green Festival.

Reverend Bauknight – Mt. Pisgah AME Church

Reverend Bauknight informed Council that she has not been able to get in contact with Mr. Stan Prater from JCP&L to set up a meeting with the residents of North Lincoln Avenue to discuss what is happening with the possibility of a gate. Mayor McDonald replied that Mr. Prater had been on vacation and that may be why she has not received a response yet. Reverend Bauknight also commented that yesterday Lenape Trail was closed due to a repair of a water problem that has been leaking for over a year and residents were told that if they needed to get through they can park their car and walk. Mr. Bloom replied that normally his office would have been notified by New Jersey American Water that repairs were being so he will look into it. Mr. Bloom added that in most cases NJAW is very accommodating and there may have been no other choice but to close the road. Lieutenant Teter replied that the Washington Township Police Department had two officers assigned to that detail and the work was right down the center of the street so the road was not passable. Reverend Bauknight also stated that the carbon monoxide detector in her home went off last night and the response from all involved was fast and efficient

Hearing no further comments from the audience a motion was made by Heinrich,

seconded by Noone to close the audience portion of the meeting.

Ayes: 6, Nays: 0
Motion Carried

REPORTS:

A motion was made by Conry, seconded by Heinrich to receive and file the following reports:

1. Municipal Court Report
2. Zoning / Code Enforcement
3. DPW Report
4. Washington Township Police Department

Council Discussion:

Councilman Thompson would like to see a report from the Recreation Department on a more regular basis as in the past. Councilman Thompson asked when the pool would be opening for the summer. Mayor McDonald replied that the pool will open on June 11th.

Ayes: 6, Nays: 0
Motion Carried

COUNCIL COMMITTEE REPORTS:

Streets & Sewer Committees –

Mr. Bloom stated that he can prepare some additional options for the Route 57 mid-block crossing and present those options to the Streets Committee. Mr. Bloom also stated that the Streets Committee discussed the Safe Routes to School grant at length. After receiving feedback from the Department of Transportation, Mr. Bloom recommended that the projects should have a value of anywhere from a quarter to half million dollars to be competitive with other projects within the state. One requirement of the grant is that any of the streets involved in the project have to be within two miles of a school which essentially makes the entire Borough of Washington eligible.

Mr. Bloom added that the sewer work on Gardener's Court is continuing but the existing sewer main sagged far more than anticipated which impacted a lot of the laterals. Mr. Bloom had previously stated that the project was not meant to replace laterals but because of the impact on the laterals they will be replacing a lot of the laterals to the homes as needed to make proper connection. Mr. Bloom stated that he has sent notification to the

residents informing them of the intent to replace the connection all the way to their homes as long as they sign off in agreement. Mr. Bloom also added that it his recommendation to the Streets Committee that Gardener's Court be paved once the project is completed.

A motion made by Noone, seconded by Klimko to authorize Municipal Engineer Bloom to start processing and develop a plan for the Safe Route to School Grant.

Ayes: 6, Nays: 0
Motion Carried

A motion made by Heinrich, seconded by Noone to direct Municipal Engineer to reevaluate other options for the mid-block crosswalk.

Ayes: 6, Nays: 0
Motion Carried

Mr. Bloom stated that he can prepare a few options and present them to Council for discussion at the next meeting.

NEW BUSINESS:

Resolution #80A-2016 Redemption of Tax Sale Certificate

RESOLUTION #80A-2016

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 16, 2015 to JU Solo 401K Trust, 42 Huntington Rd, Basking Ridge, NJ 07920, in the amount of \$701.40 for taxes or other municipal liens assessed for the year 2014 in the name of Portillo, Jancis Y./Knudsen, Anita J. as supposed owners, and in said assessment and sale were described as 33 Nunn Ave., Block 97.03 Lot 4, which sale was evidenced by Certificate #15-00045; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 4-27-16 and before the right to redeem was cut off, as provided by law,

Seterus, claiming to have an interest in said lands, did redeem said lands claimed by JU Solo 401K Trust by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,475.88 which is the amount necessary to redeem Tax Sale Certificate #15-00045.

NOW THEREFORE BE IT RESOLVED, on this 17th day of May, 2016 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to JU Solo 401K Trust, 42 Huntington Rd, Basking Ridge, NJ 07920 in the amount of **\$1,475.88** .

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 97.03 Lot 4 from the tax office records.

Resolution #81-2016 Redemption of Tax Sale Certificate

RESOLUTION #81-2016

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 16, 2015 to US Bank Cust for Actlien Holding Inc., 50 South 16th St., Suite 2050, Philadelphia, PA, 19102 in the amount of \$1,431.99 for taxes or other municipal liens assessed for the year 2014 in the name of Milardo, Jeffrey A. supposed owner, and in said assessment and sale were described as 52 State St., Block 13 Lot 7, which sale was evidenced by certificate #15-00004; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 4-29-16 and before the right to redeem was cut off, as provided by law, EastWest Bank on behalf of Lereta Tax Service claiming to have an interest in said lands, did redeem said lands claimed by Actlien Holding Inc. by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$2,171.40 which is the amount necessary to redeem Tax Sale Certificate #15-00004.

NOW THEREFORE BE IT RESOLVED, on this 17th day of May, 2016 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 for Actlien Holding Inc., 50 South 16th St., Suite 2050, Philadelphia, PA 19102 in the amount of **\$4,571.40** (This consists of \$2,171.40 Certificate Amount redeemed + \$2,400.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 13 Lot 7 from the tax office records.

Resolution #82-2016 Redemption of Tax Sale Certificate

RESOLUTION #82-2016

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 16, 2015 to US Bank Cust for Actlien Holding Inc., 50 South 16th St., Suite 2050, Philadelphia, PA, 19102 in the amount of \$525.12 for taxes or other municipal liens assessed for the year 2014 in the name of Liesniesky, Joan D. supposed owner, and in said assessment and sale were described as 33 Hahn St., Block 28.01 Lot 1, which sale was evidenced by certificate #15-00014; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 4-29-16 and before the right to redeem was cut off, as provided by law, EastWest Bank on behalf of Lereta Tax Service claiming to have an interest in said lands, did redeem said lands claimed by Actlien Holding Inc. by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,222.05 which is the amount necessary to redeem Tax Sale Certificate #15-00014.

NOW THEREFORE BE IT RESOLVED, on this 17th day of May, 2016 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 for Actlien Holding Inc., 50 South 16th St., Suite 2050, Philadelphia, PA 19102 in the amount of **\$2,422.05** (This consists of \$1,222.05 Certificate Amount redeemed + \$1,200.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 28.01 Lot 1 from the tax office records.

Resolution #83-2016 Redemption of Tax Sale Certificate

RESOLUTION #83-2016

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 16, 2015 to US Bank Cust for BV001 Trust, 50 South 16th St. Suite 2050, Philadelphia, PA 19102-2513, in the amount of \$1,399.94 for taxes or other municipal liens assessed for the year 2014 in the name of Chobot, Michael as supposed owner, and in said assessment and sale were described as 82-84 East Church Street, Block 27.02 Lot 10, which sale was evidenced by Certificate #15-00012; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 4-29-16 and before the right to redeem was cut off, as provided by law, EastWest Bank on behalf of Lereta Tax Service claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust for BV001 Trust, by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$2,799.65 which is the amount necessary to redeem Tax Sale Certificate #15-00012.

NOW THEREFORE BE IT RESOLVED, on this 17th day of May, 2016 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 for BV001 Trust, 50 South 16th St. Suite 2050, Philadelphia, PA 19102-2513, in the amount of **\$5,899.65** (This amount consists of \$2,799.65 Certificate Amount redeemed + \$3,100.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 27.02 Lot 10 from the tax office records.

Resolution #84-2016 Redemption of Tax Sale Certificate

RESOLUTION #84-2016

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 16, 2015 to FWDSL & Associates LP, 17 W. Cliff St., Somerville, NJ 08876, in the amount of \$688.21 for taxes or other municipal liens assessed for the year 2014 in the name of Bino, Donald Jr. as supposed owner, and in said assessment and sale were described as 82 Flower Ave., Block 44 Lot 12, which sale was evidenced by certificate #15-00019; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 4-29-16 and before the right to redeem was cut off, as provided by law, EastWest Bank on behalf of Lereta Tax Service claiming to have an interest in said lands, did redeem said lands claimed by FWDSL & Associates LP by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,388.31 which is the amount necessary to redeem Tax Sale Certificate #15-00019.

NOW THEREFORE BE IT RESOLVED, on this 17th day of May, 2016 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to FWDSL & Associates LP, 17 W. Cliff St., Somerville, NJ 08876 in the amount of **\$2,988.31** (This consists of \$1,388.31 Certificate Amount redeemed + \$1,600.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 44 Lot 12 from the tax office records.

Resolution #85-2016 Redemption of Tax Sale Certificate

RESOLUTION #85-2016

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 16, 2015 to US Bank Cust for Actlien Holding Inc., 50 South 16th St., Suite 2050, Philadelphia, PA, 19102 in the amount of \$688.92 for taxes or other municipal liens assessed for the year 2014 in the name of Arendasky, Charles G. Estate of supposed owner, and in said assessment and sale were described as 90-90.5 East Church Street, Block 27.02 Lot 11, which sale was evidenced by certificate #15-00013; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 5-4-16 and before the right to redeem was cut off, as provided by law, EastWest Bank on behalf of Lereta Tax Service claiming to have an interest in said lands, did redeem said lands claimed by Actlien Holding Inc. by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$2,037.01 which is the amount necessary to redeem Tax Sale Certificate #15-00013.

NOW THEREFORE BE IT RESOLVED, on this 17th day of May, 2016 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 for Actlien Holding Inc., 50 South 16th St., Suite 2050, Philadelphia, PA 19102 in the amount of **\$3,337.01** (This consists of \$2,037.01 Certificate Amount redeemed + \$1,300.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 27.02 Lot 11 from the tax office records.

Resolution #86-2016 Redemption of Tax Sale Certificate

RESOLUTION #86-2016

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 16, 2015 to US Bank Cust for Actlien Holding Inc., 50 South 16th St., Suite 2050, Philadelphia, PA, 19102 in the amount of \$6,238.01 for taxes or other municipal liens assessed for the year 2014 in the name of Manfredi, Mark & Shawna supposed owners, and in said assessment and sale were described as 163-165 West Washington Avenue, Block 100 Lot 29, which sale was evidenced by certificate #15-00048; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 5-4-16 and before the right to redeem was cut off, as provided by law, EastWest Bank on behalf of Lereta Tax Service claiming to have an interest in said lands, did redeem said lands claimed by Actlien Holding Inc. by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$7,906.98 which is the amount necessary to redeem Tax Sale Certificate #15-00048.

NOW THEREFORE BE IT RESOLVED, on this 17th day of May, 2016 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 for Actlien Holding Inc., 50 South 16th St., Suite 2050, Philadelphia, PA 19102 in the amount of **\$10,006.98** (This consists of \$7,906.98 Certificate Amount redeemed + \$2,100.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 100 Lot 29 from the tax office records.

Resolutions #80-2016, #81-2016, #82-2016, #83-2016, #84-2016, #85-2016 and #86-2016 were moved on a motion made by Noone, seconded by Conry and approved.

Roll Call: Klimko, Conry, Heinrich, Thompson, McDonald,
Noone
Ayes: 6, Nays: 0
Motion Carried

VOUCHERS:

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$1,041,507.54.

Motion made by Conry, seconded by Heinrich to approve the vouchers.

Council Discussion:

Councilman Thompson asked in regard to the charges for weed and feed treatments along the railroad embankment. Mayor McDonald replied that recreation has been spraying the embankment along the parking lot of Borough Park for a few years now.

Roll Call: Heinrich, Klimko, Conry, Thompson, McDonald,
Noone

Ayes: 6, Nays: 0

Abstain: (1) Thompson (Fire & EMS only)

Motion Carried

COUNCIL REMARKS:

Councilwoman Klimko stated that the Senior Advisory Committee hosted the Blazing Trail picnic which was held in the park. Councilwoman Klimko thanked the Washington Township Police Department for their assistance with traffic control.

Councilman Thompson wished everyone a safe Memorial Day and for everyone to remember their veterans.

Councilman Heinrich thanked Councilwoman Klimko for her work with the picnic as well as Jeanine Gleba. Councilman Heinrich added that the next scheduled trip for the Senior Advisory Committee is to Longwood Gardens in December with the possibility of another trip before December.

Councilwoman Noone stated that she was happy to have the presentation from Rafael Kasen on the abandoned properties and really hoped the Borough can move forward with some methodology for trying to get the abandoned and vacant properties utilized.

Councilwoman Conry thanked the Streets Committee for getting the potholes filled in near the intersection of Park Avenue and Route 31.

Mayor McDonald stated that he has also been looking into the Abandoned Properties Rehabilitation Act which is another source of information in addition to the presentation

from Rafael Kasen. Mayor McDonald added that there is a Technology Summit in Trenton which should be very informative in regards to cloud based technology

EXECUTIVE SESSION:

At this time, Mayor McDonald stated that an Executive Session is needed. A motion was made by Conry, seconded by Thompson to enter into Executive Session after a ten minute recess.

Ayes: 6 Nays: 0
Motion Carried

RESOLUTION # 110-2016

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: ___/Personnel___ 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 Noone, seconded by Thompson, to go out of Executive Session.

Ayes: 6, Nays: 0
Motion Carried

ADJOURNMENT:

Hearing no further business, a motion was made by Conry, seconded by Thompson to adjourn the meeting at 9:35 p.m.

Ayes: 6, Nays: 0
Motion Carried

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk