

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY  
WASHINGTON BOROUGH COUNCIL MINUTES -November 20, 2018**

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.

Roll Call: Fulloon (*arrived at 7:10*), Klimko, Noone, Norris, Parichuk, Valle, Higgins.

Also, Present: Matthew Hall, Manager  
Laurie A. Barton Borough Clerk  
Leslie Parikh, Attorney

Mayor Higgins led everyone in the flag salute.

Mayor Higgins 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.”

**COUNCIL VACANCY-Interviews**

Mayor Higgins stated that Council will interview two of the three names that were received for the vacant council seat. Each were interviewed separately.

Mayor Higgins reiterated to both candidates the issues regarding employees and that personnel matters are handled by the manager and not council.

Mayor and Council asked questions pertaining to why they would like to be appointed and what history they have with the borough whether on council before or new to the position.

**Rob Torres (former Councilman)**

Mr. Torres stated he would like to look at unfinished issues he would like to finish.

**Dale Parichuk Jr.**

Mr. Parichuk stated his reasons for consideration to be on council and added he is concerned with the taxes and infrastructure within the borough.

**Motion**

Motion made by Klimko and seconded by Valle to open nominations, all were in favor.

Motion made by Fulloon and seconded by Norris to nominate Dale Parichuk Jr.

Hearing no other nominations, motion made by Norris and seconded by Klimko to close nominations, all were in favor.

Motion made by Fulloon and seconded by Norris to appoint Dale Parichuk Jr to the vacant council seat.

ROLL CALL: Fulloon, Klimko, Noone, Norris, Parichuk, Valle, Higgins.

Ayes: 4, Nays: 0, Present: 1, Abstain: 1  
Motion carried.

### **COUNCIL APPEARANCE**

Hearing no audience comment, motion made by Klimko and seconded by Valle to close the audience portion.

Ayes: 7 Nays: 0  
Motion Carried.

### **NEW BUSINESS**

### **ORDINANCES**

Motion made by Noone to approve on first reading Ordinance 2018-25 motion seconded by Noone Public Hearing scheduled for December 18, 2018.

ROLL CALL: Fulloon, Klimko, Noone, Norris, Parichuk, Valle, Higgins.

Ayes: 7, Nays: 0  
Motion carried.

### **ORDINANCE 2018-25**

#### **AN ORDINANCE AMENDING CHAPTER 35 LICENSING OF CATS AND DOGS**

**WHEREAS**, as part of a comprehensive review of Borough fees, the Mayor and Council received a recommendation to increase animal licensing fees; and

**WHEREAS**, the Mayor and Council have reviewed and approved the recommended changes;

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

Section 35-1.A. of Chapter 35 of the Code of the Borough of Washington is amended as follows:

Section 35-4 of Chapter 35 is amended as follows:

**§35-4. Licensing fees; proof of sterilization and rabies inoculation; exception; penalty for late payment.**

- A. The person applying for the license and registration tag shall pay a fee or fees which shall be in accordance with P.L. 1983, c. 181, also known as “A-1472,” signed into law by the Governor on May 10, 1983, and in compliance with P.L. 1983, c. 172, also known as “A-1917,” or any laws supplementary or amendatory thereto, as follows:
- (1) Dog, neutered: \$15.
  - (2) Dog, unneutered: \$20
  - (3) Cat, neutered: \$10.
  - (4) Cat, unneutered fee: \$15.
- B. Effective immediately upon adoption hereof, when applying for renewal of the dog or cat license or applying for the licensing of a new dog or cat, the owner thereof must provide proof of sterilization of the dog or cat, along with proof of valid rabies inoculation. Said proof of sterilization may be by affidavit, in lieu of certificate of a veterinarian as proof of sterilization, or by certificate of a licensed veterinarian; however, said proof of inoculation for rabies shall be provided by a certified veterinarian licensed to do business in the State of New Jersey.
- C. Dogs used as guides for blind persons and commonly known as “Seeing Eye” dogs shall be licensed and registered as other dogs hereinabove provided for, except that the owner or keeper of such dog shall not be required to pay any fee therefore.
- D. Licensing Term to begin each calendar year in the month of January and due by the last day of June
- E. License Renewal Term: January 1<sup>st</sup>-January 31<sup>st</sup> each calendar year. Any person who violates or who fails or refuses to comply with section of §35-4d of this chapter shall be liable to a late charge fee of \$5 per month per animal in addition to being required to obtain a registration tag and license for said dog or cat beginning on February 1<sup>st</sup> of each calendar year.

Section 12. All ordinances or parts of ordinances or resolutions that are in conflict with the provisions of this Ordinance are repealed to the extent necessary.

**Section 13.** If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.

**Section 14.** In accordance with Chapter 3, Article II, Section 15, Subsection E of the Code of the Borough of Washington, this Ordinance shall become effective 20 days after final passage unless the Council, by an affirmative vote of five (5) Council Members, shall adopt a resolution declaring the Ordinance to be an emergency upon which said Ordinance will take effect upon final passage.

**RESOLUTIONS**

Motion made by Valle and seconded by Nooneto approve Resolution 2018-145 and 2018-146

ROLL CALL: Fulloon, Klimko, Noone, Norris, Parichuk, Valle, Higgins.

Ayes: 7, Nays: 0  
Motion carried.

**RESOLUTION # 2018-145**

**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 19, 2018 to Light Properties, LLC, 17 W. Cliff St., Somerville, NJ 08876, in the amount of \$668.78 for taxes or other municipal liens assessed for the year 2017 in the name of Bottini, Gilbert & Alfred/Esteves, S. as supposed owners, and in said assessment and sale were described as 5 McKinley Ave., Block 47 Lot 1, which sale was evidenced by certificate #18-00013 and

**WHEREAS**, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 11-7-18 and before the right to redeem was cut off, as provided by law, Corelogic Tax Service claiming to have an interest in said lands, did redeem said lands claimed by Light Properties, LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$694.16 which is the amount necessary to redeem Tax Sale Certificate #18-00013.

**NOW THEREFORE BE IT RESOLVED**, on this 20th day of November 2018 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Light Properties, LLC, 17 W. Cliff St., Somerville, NJ 08876 in the amount of **\$694.16** (This consists of \$694.16 Certificate Amount redeemed).

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 47 Lot 1 from the tax office records.

**RESOLUTION #2018-146**

**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 19, 2018 to JU Solo 401K Trust, 42 Huntington Rd, Basking Ridge, NJ 07920, in the amount of \$616.75 for taxes or other municipal liens assessed for the year 2017 in the name of Jacobs, Mark supposed owner, and in said assessment and sale were described as 317 North Prospect St., Block 2.06 Lot 16, which sale was evidenced by Certificate #18-00002; and

**WHEREAS**, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 11-7-18 and before the right to redeem was cut off, as provided by law, Corelogic Tax Service, 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 \$646.95 which is the amount necessary to redeem Tax Sale Certificate #18-00002.

**NOW THEREFORE BE IT RESOLVED**, on this 20th day of November 2018 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 \$646.95** (This amount consists of \$646.95 Certificate Amount redeemed).

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 2.06 Lot 16 from the tax office records.

Motion made by Valle and seconded by Klimko to approve Resolution 2018-147.

ROLL CALL: Fulloon, Klimko, Noone, Norris, Parichuk, Valle, Higgins.

Ayes: 5, Nays: 0, Abstain: 2 (Fulloon and Parichuk)  
Motion carried.

**RESOLUTION 2018-147**  
**AUTHORIZING EXECUTION OF A SETTLEMENT AGREEMENT WITH THE FAIR**  
**SHARE HOUSING CENTER (“FSHC”) FOR THE BOROUGH’S 1999-2025**  
**AFFORDABLE HOUSING OBLIGATIONS**

**WHEREAS**, the Borough of Washington has filed a Declaratory Judgment Action in the Superior Court of New Jersey, Warren County, captioned IMO Borough of Washington, Docket No. WRN-L-230-15 (the “Declaratory Judgment Action”), in furtherance of the Supreme Court’s March 10, 2015, decision In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (the “Supreme Court Decision”), which was assigned to the Honorable Thomas C. Miller P.J. Cv.; and

**WHEREAS**, Fair Share Housing Center (“FSHC”) is a Supreme Court-designated interested party in the Litigation in accordance with the Supreme Court Decision; and

**WHEREAS**, FSHC and the Borough appeared before The Honorable Thomas C. Miller at two case management conferences on January 28, 2016 and April 15, 2016 and participated in various settlement conferences with Special Master the Honorable Peter A. Buchsbaum, J.S.C. (Ret.) (the “Special Master”); and

**WHEREAS**, through that process, the Borough and FSHC agreed to settle the Litigation pursuant to a Settlement Agreement in the form attached hereto as Exhibit A and to present such Settlement Agreement to the trial court with jurisdiction over this matter to review; and

**WHEREAS**, such settlement was reached because both parties recognize that the settlement of Mount Laurel litigation is favored because it avoids delays and the expense of trial and results more quickly in the construction of homes for lower-income households; and

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

1. The Borough Attorney is authorized and directed to execute the Settlement Agreement in substantially the same form as attached hereto.
2. The Borough Attorney and Borough Planner are hereby authorized to take all steps to effectuate the Settlement Agreement including appearing at a Fairness Hearing, publishing notice of such hearing, and drafting an Affordable Housing and Fair Share Plan
3. This Resolution shall take effect immediately.

Motion made by Valle and seconded by Klimko to approve Resolution 2018-150.

ROLL CALL: Fulloon, Klimko, Noone, Norris, Parichuk, Valle, Higgins.

Ayes: 7, Nays: 0,  
Motion carried.

**RESOLUTION #2018-150**  
**A RESOLUTION AUTHORIZING THE ADJUSTMENT OF**  
**A BOROUGH'S SEWER SERVICE CHARGE**  
**DUE TO DISCONNECTION FROM THE SEWER SYSTEM**

**WHEREAS**, according to the Treasurer's records, a borough property located at 59 North Jackson Avenue was disconnected from the Washington Borough Sewer system and;

**WHEREAS**, the quarterly sewer invoice was being billed without interruption for the 2018 billing cycle and;

**WHEREAS**, the Borough Treasurer's office has received a written notification from the Washington Borough Zoning Official, Matthew Lopez that the sewer line was capped off. It was confirmed that the property at 59 North Jackson Avenue was disconnected from the Washington Borough Sewer system. The property is currently under construction and will be reconnected to the main sewer line for future use.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Borough Treasurer is authorized to adjust the sewer account #1065-1 with a \$99.00 balance which reflects the amount due at the time the sewer connection was capped.

<u>BLOCK/LOT</u>	<u>PROPERTY OWNER/ PROPERTY LOCATION</u>	<u>REASON/ADJUSTMENT</u>
37/17	Jadwiga Zdanowicz 59 North Jackson Ave.	Reconstruction Effective: December 2018

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Borough Treasurer is authorized to adjust sewer balance on the above property location.

Motion made by Valle and seconded by Klimko to approve Resolution 2018-151.

ROLL CALL: Fulloon, Klimko, Noone, Norris, Parichuk, Valle, Higgins.

Ayes: 7, Nays: 0,  
Motion carried.

**RESOLUTION # 2018-151**  
**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 19, 2018 to Light Properties, LLC, 17 W. Cliff St., Somerville, NJ 08876, in the amount of 614.19 for taxes or other municipal liens assessed for the year 2017 in the name of Anderson, Michael S. & Samantha as supposed owners, and in said assessment and sale were described as 5 Sunrise Terrace, Block 43 Lot 4, which sale was evidenced by certificate #18-00011 and

**WHEREAS**, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 11-15-18 and before the right to redeem was cut off, as provided by law, Comerica Bank claiming to have an interest in said lands, did redeem said lands claimed by Light Properties, LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,150.76 which is the amount necessary to redeem Tax Sale Certificate #18-00011.

**NOW THEREFORE BE IT RESOLVED**, on this 20th day of November 2018 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Light Properties, LLC, 17 W. Cliff St., Somerville, NJ 08876 in the amount of **\$1,150.76** (This consists of \$1,150.76 Certificate Amount redeemed).

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 43 Lot 4 from the tax office records.

Motion made by Valle and seconded by Noone to approve Resolution 2018-152.

ROLL CALL: Fulloon, Klimko, Noone, Norris, Parichuk, Valle, Higgins.

Ayes: 7, Nays: 0,  
Motion carried

**RESOLUTION 2018-152**

**A RESOLUTION OF AWARD, RECONSTRUCTION OF NORTH PROSPECT STREET**

Be it resolved, that on November 20, 2018 the Borough Council of the Borough of Washington adopted this resolution to award unit bid prices for individual construction items to perform the necessary construction to complete the Reconstruction of North Prospect Street, a New Jersey Department of Transportation Local Aid funded project with a total project grant award in the amount of \$100,000.

Be it further resolved, that the Borough Council of the Borough of Washington does hereby award unit prices for individual construction items based unit prices as awarded under the individual contracts awarded by the Morris County Cooperative Pricing Council bidding process with a total cost of \$98,752.00. The award is made to the Morris County Cooperative Pricing Council vendor, Tilcon New York, which included the following items and unit prices:

ITEM NO.	DESCRIPTION UNIT	QUANTITY	UNIT	UNIT PRICE	TOTAL EXTENSION
1	2" Hot Mix Asphalt (HMA) 12.5M64	870	TN	\$62.12	\$54,044.40
2	4" Hot Mix Asphalt (HMA) 19M64	390	TN	\$59.09	\$23,045.10
3	Milling 2" Thick	5250	SY	\$2.65	\$13,912.50
4	Milling 6" Thick	1550	SY	\$5.00	\$ 7,750.00
TOTAL					\$98,752.00

Be it further resolved, that the Borough Council of the Borough of Washington does hereby award unit prices for individual construction items based unit prices as awarded under the individual contracts awarded by the Morris County Cooperative Pricing Council bidding process with a total cost of \$1,320.00. The award is made to the Morris County Cooperative Pricing Council vendor, Denville Line Painting, Inc, which included the following items and unit prices:

ITEM NO.	DESCRIPTION UNIT	QUANTITY	UNIT	UNIT PRICE	TOTAL EXTENSION
8	Traffic Marking, Thermoplastic method	200	SF	\$6.00	\$1,200.00
9	4" Yellow Traffic Stripes,	400	LF	\$0.30	\$120.00



EPOXY method

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TOTAL \$1,320.00

Be it further resolved, that the Borough Council of the Borough of Washington does hereby award unit prices for individual construction items based unit prices from bids received for the curb and sidewalk repairs with a total cost of \$25,630.00. The award is made Cedar Contracting Co., Inc., which included the following items and unit prices:

ITEM NO.	DESCRIPTION UNIT	QUANTITY	UNIT	UNIT PRICE	TOTAL EXTENSION
13	Detectable Warning Surfces	9	SY	\$270.00	\$2,430.00
14	Concrete Sidewalk 4" Thick	120	SY	\$110.00	\$13,200.00
15	9"x18" Cpmcrete Vertical Curb	250	LF	\$40.00	\$10,000.00
					TOTAL \$25,630.00

Motion made by Klimko and seconded by Noone to approve Resolution 2018-153.

ROLL CALL: Fulloon, Klimko, Noone, Norris, Parichuk, Valle, Higgins.

Ayes: 7, Nays: 0,  
Motion carried

**RESOLUTION 2018-153  
WASHINGTON BOROUGH  
GRANT APPLICATION NJDOT  
BROAD STREET**

**Approval to submit a Grant application and execute a grant agreement with the New Jersey Department of Transportation for the Resurfacing of Broad Street project.**

**WHEREAS**, Washington Borough, Warren County, New Jersey has given Finelli Consulting Engineers the approval to submit this grant on the behalf of the Borough of Washington,

**NOW, THEREFORE, BE IT RESOLVED** that Committee of the Borough of Washington formally approves the grant application for the above stated project,

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **MA-2019-Resurfacing of Broad Street-00533** to the New Jersey Department of Transportation on behalf of the Borough of Washington.

**BE IT FURTHER RESOLVED** that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Washington and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Motion made by Noone and seconded by Klimko to approve Resolution 2018-154.

ROLL CALL: Fulloon, Klimko, Noone, Norris, Parichuk, Valle, Higgins.

Ayes: 7, Nays: 0,  
Motion carried

**RESOLUTION 2018-154  
WASHINGTON BOROUGH  
GRANT APPLICATION-DOT  
SOUTH LINCOLN AVENUE**

**Approval to submit a Grant application and execute a grant agreement with the New Jersey Department of Transportation for the South Lincoln Avenue, Section 1 Resurfacing project.**

**WHEREAS**, Washington Borough, Warren County, New Jersey has given Finelli Consulting Engineers the approval to submit this grant on the behalf of the Borough of Washington,

**NOW, THEREFORE, BE IT RESOLVED** that Committee of the Borough of Washington formally approves the grant application for the above stated project,

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **MA-2019-South Lincoln Avenue Sec. 1 Resurfac-00652** to the New Jersey Department of Transportation on behalf of the Borough of Washington.

**BE IT FURTHER RESOLVED** that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Washington and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**VOUCHERS AND CLAIMS**

Motion made by Valle seconded by Klimko to pay the vouchers and claims in the amount of \$127,440.11 from the current fund and \$ 9,685.15 from sewer.

ROLL CALL: Fulloon, Klimko, Noone, Norris, Parichuk, Valle, Higgins.

Ayes: 7, Nays: 0,  
Motion carried

## **COUNCIL REMARKS**

Councilman Fulloon, apologized for his lateness and welcomed Dale Parichuk.

Councilwoman Valle inquired about a stop sign on a telephone pole at the municipal lot and inquired about the sign at McDonald Street being covered up.

Councilman Norris welcomed Mr. Parichuk to council and wished everyone a Happy Thanksgiving. Councilman Norris brought up the issue of cars parking between buildings at a nail salon on Route 57 and asked if something can be done about it citing safety concerns. Councilman Norris also spoke of the child that was hit by a County bus and added he didn't think any child coming from that side of Route 31 should be walking to school.

Lengthy discussions ensued regarding parking and safety of school children.

Councilwoman Klimko wished everyone a safe Thanksgiving. Councilwoman Klimko discussed issues of the sidewalks and a recent issue with a resident's daughter who is blind, citing safety matters in the crosswalks that are not clear to step off for the blind.

Councilman Parichuk thanked everyone for the opportunity to be on council and looks forward to what the future brings.

Mayor Higgins welcomed Mr. Parichuk and stated that there are people here that can assist him if he has any questions.

Mayor Higgins wished everyone a Happy Thanksgiving. Mayor Higgins briefly spoke of the out of town ambulances seen recently throughout the borough that are answering calls and asked if the Chief from the EMS can come to a meeting to speak about this.

## **EXECUTIVE SESSION**

A motion was made by Noone seconded by Valle to approve a Resolution Authorizing Executive Session for the purpose of discussing a potential litigation matter, contract negotiations, and a personnel matter at 8:31 p.m. with a five-minute break.

Ayes: 7 Nays: 0  
Motion Carried.

## **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: \_\_\_\_\_ 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 Norris seconded by Klimko to come out of Executive Session at 9:52 pm.

Ayes: 7; Nays: 0  
Motion Carried.

Manager Hall proposed to Mayor and Council to set the meetings for January with the following schedule:

Re-organization meeting for January 8, 2019 at 6:00 PM

Regular meeting January 22<sup>nd</sup> at 7:00 P.M. All were in favor of the schedule.

### **ADJOURNMENT**

Hearing no further business, a motion was made by Klimko seconded by Norris to adjourn the meeting at 10:01 pm.

Ayes: 7; Nays: 0  
Motion Carried.

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Mayor David Higgins

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Laurie A. Barton, Borough Clerk