

Mayor Kovach called the meeting to order at 7:30 p.m.

Flag Salute.

Roll Call: Present – Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

STATEMENT OF ADEQUATE NOTICE:

Mayor Kovach read the following statement: “Adequate notice of this meeting has been provided, indicating the time and place of the meeting and the proposed agenda, which notice was posted, made available to newspapers, and filed with the Clerk of the Town of Clinton in accordance with Section 3(d) of Chapter 231 of the Public Laws of 1975.”

APPROVAL OF MINUTES

A motion was made by Mr. Smith, seconded by Mr. Carberry, to approve the minutes of April 23, 2013 as submitted.

Vote all ayes
Motion carried

A motion was made by Mr. Carberry seconded by Mr. Pendergast to approve the Executive Session minutes of April 23, 2013 as submitted.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS – APRIL

A motion was made by Mr. Smith seconded by Mr. Carberry, to accept the monthly reports for the month of April as submitted.

Administrator’s Report, Buildings & Grounds Report, Clerk’s Account, Cat & Dog Licensing Accounts, Construction Control/Inspection Report, Police Report, Road Foreman’s Report, Sewer Collector’s Report, Tax Collector’s Report, Water Report, Wastewater Treatment Plants Superintendent’s Report, and Zoning Officer’s Report.

Vote all ayes
Motion carried

PUBLIC COMMENT – none

MAYOR’S COMMENTS

1. Men in Heels event to be held Saturday, May 18, 2013 at BaseCamp 31 at 10:00 a.m. Currently there are 12 teams signed up and Clinton’s very own “Mayor’s Five” with Steve Kovach heading the team! Event will benefit Safe in Hunterdon.
2. Financial Disclosure Statements are to be filed on line and must be completed by May 31st. If anyone is having difficulty filing, stop into the clerk’s office for assistance.
3. A letter of resignation from Vincent Cardarelli, Coordinator of Senior Services for the Town. A motion was made by Mr. Smith, seconded by Mr. Carberry, to accept Mr. Cardarelli’s resignation with regrets.
4. Thank you to the Clinton Fire Department for donating used turn out gear to a visitor from Amsterdam. A few months ago, when the gentleman was visiting, the Fire Department donated an old fire hat to him, subsequently he asked for gear to wear in parades in his

hometown. The gentleman is an avid collector! The gear is en route to Amsterdam!

5. Electronic Recycling – Mr. Phelan explained the current practice of the electronic and scrap metal recycling. The haulers have been subsidized by the Federal government but will no longer be, therefore, the Town would have to absorb the huge cost. County will continue to hold recycling events two times a year.

Mrs. Jones-Holt reported that the County is trying to expand their recycling and researching a company called Nu-Tech Recycling that would do it for free. Nu-Tech would provide a service called an event service, what the county currently does twice a year. Another type is a container, the placement of a container that gets picked up from time to time. Mr. Shea explained that OEM's was a company that makes tv's and was supposed to pay money back to afford for this, but since Hurricane Sandy, the State was not enforcing it and Don Jon was absorbing the cost. The company then pulled back from New Jersey but is currently doing it in Pennsylvania and New York. Mr. Phelan will talk to the County and the contact person provided by Mrs. Jones-Holt, look into the choices and make a recommendation at the next meeting.

PROCLAMATION – CLINTON SUNRISE ROTARY

Mayor Kovach read a proclamation to a few of the members of the Rotary, Andrew West, Frank Caroselli, Lynn Arnold, Barbara Harris, Megan Jones-Holt and Don Hoefig of Stonegate Tree Service who donated his service and equipment. The Rotarians were honored for their service to the community and the clean up of the riverbank along the South Branch on April 27, 2013.

PUBLIC HEARING OF ORDINANCE #13-08 – BOND ORDINANCE FOR THE HALSTEAD STREET WATER MAIN REHABILITATION PROJECT

A motion was made by Mr. Shea, seconded by Mr. Carberry, to open the public hearing of Ordinance #13-08:

ORDINANCE #13-08

BOND ORDINANCE PROVIDING FOR THE HALSTEAD STREET WATER MAIN REHABILITATION PROJECT FOR THE WATER UTILITY IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$2,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,000,000 BONDS OR NOTES OF THE TOWN FOR FINANCING THE COST THEREOF.

Vote all ayes
Motion carried

There being no public comment, a motion was made by Mr. Pendergast, seconded by Mr. Carberry, to close the public portion of the meeting.

Vote all ayes
Motion carried

A motion was made by Mr. Smith, seconded by Mr. Carberry to adopt Ordinance #13-08 on second reading.

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #13-09 – SALARY RANGE

A motion was made by Mr. Carberry, seconded by Mr. Shea, to open the public hearing of Ordinance #13-09:

ORDINANCE # 13-09

AN ORDINANCE FIXING THE POSITION TITLES AND SALARY RANGES OF CERTAIN OFFICERS AND EMPLOYEES IN THE TOWN OF CLINTON IN THE COUNTY OF HUNTERDON AND FOR THE WATER UTILITY AND THE SEWER UTILITY IN THE TOWN OF CLINTON IN THE COUNTY OF HUNTERDON

Vote all ayes
Motion carried

There being no public comment, a motion was made by Mr. Pendergast, seconded by Mr. Carberry, to close the public portion of the meeting.

Vote all ayes
Motion carried

A motion was made by Mr. Pendergast, seconded by Mr. Carberry to adopt Ordinance #13-09 on second reading.

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #13-10 – AMENDING FEE SCHEDULE

A motion was made by Mr. Carberry, seconded by Mrs. Sosidka, to open the public hearing on Ordinance #13-10:

ORDINANCE #13-10

AMENDING SUBSECTION K OF SECTION 73-3 ENTITLED “FEE SCHEDULE” OF THE CODE OF THE TOWN OF CLINTON

Vote all ayes
Motion carried

There being no public comment, a motion was made by Mr. Pendergast, seconded by Mr. Carberry, to close the public portion of the meeting.

Vote all ayes
Motion carried

A motion was made by Mr. Carberry, seconded by Mr. Pendergast to adopt Ordinance #13-10 on second reading.

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

2013 MUNICIPAL BUDGET

A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to adopt the 2013 Municipal Budget as presented.

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #86-13 – CANCELLATION OF LIEN

A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to adopt Resolution #86-13 as presented:

RESOLUTION #86-13

WHEREAS, the Tax Collector of the Town of Clinton has been paid \$35,405.72 the amount necessary to redeem Tax Sale Certificate #2011-4 on Block 6, Lot 23, assessed to Steven Ackaway, and purchased by Crestar Group of Companies.

NOW THEREFORE BE IT RESOLVED, on this 14th day of May 2013 by the Mayor and Council of the Town of Clinton, County of Hunterdon, that the Chief Financial Officer be authorized to issue a check in the amount of \$35,405.72 (certificate) & \$19,500.00 (premium) payable to Crestar Group of Companies, 1415 Route 70 East, Suite 500, Cherry Hill, NJ, 08034, upon receipt of the original Tax Sale Certificate endorsed for cancellation, and

BE IT FURTHER RESOLVED that the Tax Collector be authorized to cancel Lien #2011-4 on Block 6, Lot 23, assessed to Steven Ackaway, from the Town of Clinton Tax Records.

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #87-13 – CANCELLATION OF LIEN

A motion was made by Mr. Smith, seconded by Mrs. Sosidka, to adopt Resolution #87-13 as submitted:

RESOLUTION # 87-13

WHEREAS, the Tax Collector of the Town of Clinton has been paid \$3,272.37 the amount necessary to redeem Tax Sale Certificate #2012-2 on Block 6, Lot 23, assessed to Steven Ackaway, and purchased by Pro Capital I, LLC.

NOW THEREFORE BE IT RESOLVED, on this 14th day of May 2013 by the Mayor and Council of the Town of Clinton, County of Hunterdon, that the Chief Financial Officer be authorized to issue a check in the amount of \$3,272.37 (certificate) & \$200.00 (premium) payable to Pro Capital I, LLC, US Bank TLSSG, 50 South 16th Street, Suite 1950, Philadelphia, PA, 19102, upon receipt of the original Tax Sale Certificate endorsed for cancellation, and

BE IT FURTHER RESOLVED that the Tax Collector be authorized to cancel Lien #2012-2 on Block 6, Lot 23, assessed to Steven Ackaway, from the Town of Clinton Tax Records.

ROLL CALL: AYES: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #88-13 – OVERPAYMENT OF TAXES

A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to adopt Resolution #88-13 as submitted:

RESOLUTION #88-13

WHEREAS, the Tax Collector of the Town of Clinton has received overpayment for following block and lot due to closing.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Clinton that the Chief Financial Officer be authorized to refund the overpayment to Wells Fargo Real Estate Tax Services for the following account:

<u>BLOCK</u>	<u>LOT</u>	<u>OWNER</u>	<u>AMOUNT</u>
29	3.03 C0017	Michael & Cindy Hayes (Wells Fargo Real Estate Tax Services)	\$1,890.72

BE IT FURTHER RESOLVED that the Tax Collector remove the overpayment on the above block and lot for the 2nd quarter of 2013.

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #89-13 – OVERPAYMENT OF TAXES

A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to adopt Resolution #89-13 as submitted:

RESOLUTION # 89-13

WHEREAS, the Tax Collector of the Town of Clinton has received a double payment for the following block and lot due to refinance or closing,

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Clinton that the Chief Financial Officer be authorized to refund the overpayment to Corelogic Real Estate Tax Service c/o Refund Department, PO Box 961250, Fort Worth, TX, 76161, for the following account:

<u>BLOCK</u>	<u>LOT</u>	<u>OWNER</u>	<u>AMOUNT</u>
31	7 C0732	Daniell Pearson & S. Badiali	\$2117.68

BE IT FURTHER RESOLVED that the Tax Collector remove the overpayment on the above block and lot for the 2nd quarter 2013.

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #90-13 – CANCELLATION OF LIEN

A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to adopt Resolution # 90-13 as submitted:

RESOLUTION # 90-13

WHEREAS, the Tax Collector of the Town of Clinton has been paid \$39,222.88 the amount necessary to redeem Tax Sale Certificate #2012-9 on Block 1, Lot 60, assessed to Country View Builders c/o Walter Wilson, and purchased by U.S. Bank as Custodian for Empire V.

NOW THEREFORE BE IT RESOLVED, on this 14th day of May, 2013 by the Mayor and Council of the Town of Clinton, County of Hunterdon, that the Chief Financial Officer be authorized to issue a check in the amount of \$39,222.88 (certificate) & \$3,000.00 (premium) payable to U.S. Bank as Custodian for Empire V, 50 South 16th Street-Suite 1950, Philadelphia, PA, 19102, upon receipt of the original Tax Sale Certificate endorsed for cancellation, and

BE IT FURTHER RESOLVED that the Tax Collector be authorized to cancel Lien #2012-9 on Block 1, Lot 60, assessed to Country View Builders c/o Walter Wilson, from the Town of Clinton Tax Records.

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion Carried

RESOLUTION #91-13 – AUTHORIZATION TO USE ONLINE ENERGY AUCTION

A motion was made by Mr. Carberry, seconded by Ms. Jones-Holt to adopt Resolution #91-13 as submitted:

RESOLUTION # 91-13

RESOLUTION AUTHORIZING THE PURCHASE OF ENERGY GENERATION SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, the Mayor and Council have determined to move forward with the EMEX Reverse Auction in order procure electricity for the Town of Clinton; and

WHEREAS, the Local Unit Electronic Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the “Act”) authorizes the purchase of energy generation service for public use through the use of an online auction service; and

WHEREAS, the Town of Clinton will utilize the online auction services of EMEX, LLC, an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at www.energymarketexchange.com; and

WHEREAS, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction will be conducted by EMEX, LLC in accordance with the terms of the Act.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Clinton, that the use of the above-referenced online energy auction is hereby authorized.

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #92-13 – SUEZ ENERGY RESOURCES NA, INC.

A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to adopt Resolution #92-13 as submitted:

RESOLUTION #92-13
AGREEMENT BETWEEN TOWN OF CLINTON
AND SUEZ ENERGY RESOURCES NA, INC.

WHEREAS, the Town of Clinton Mayor and Council have utilized the online auction services of EMEX, LLC, an approved vendor authorized to solicit the purchase of energy generation services for public use; and

WHEREAS, the online auction has produced Suez Energy Resources, NA, Inc. was the successful bidder in the online auction and will provide savings to the Town of Clinton, and

WHEREAS, the Public Works/Business Administrator has recommended to the Mayor and Council to enter into an agreement with Suez Energy Resources NA, Inc.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Clinton are authorized to enter into an agreement with Suez Energy Resources NA, Inc for a period of 24 months, beginning June 1, 2013 and end date of May 31, 2015,

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

BANNER REQUEST – CLINTON CAR SHOW

A motion was made by Mr. Carberry, seconded by Mr. Smith, to approve the banner request for the Clinton Car Show to be held at the Unity Bank on June 23, 2013 and to display the banner from June 10 through June 17, 2013.

Vote all ayes
Motion carried

MUNICIPAL AFFORDABLE HOUSING TRUST FUND

Notification received from the State of New Jersey, Council on Affordable Housing, that a municipality that fails to spend or commit to spend development fees or payment –in-lien monies in its affordable housing trust fund within four years of the date of collection must transfer such funds at the end of the four-year period to the New Jersey Affordable Housing Trust Fund.

Mayor Kovach stated that she received an email today stating that the courts issued an injunction which put a hold on this request and the State cannot take the monies from municipalities at this time. That is good news!

CORRESPONDENCE

1. Representatives from Trans Bridge Lines, along with Mayor Kevin Cimei from Clinton Township and Tara Shepherd from HART, recently met with Mayor Kovach. In a follow up letter from Trans Bridge, they are expanding the area for parking at the Hunterdon Hills Playhouse and the Phillipsburg Mall. They continue to make contacts and are open to suggestions.
2. A letter received from the 2014 NY/NJ Super Bowl Host Company and New Jersey Sports & Exposition Authority working towards promoting Super Bowl related events being held in municipalities.
3. Red Mill Museum Village thanked the Town for the letter regarding the cannon demonstration during the recent Civil War Days program. In the future they will advise the participating groups about residents' concerns.

REPORTS FROM COUNCIL & TOWN OFFICIALS

Chief Matheis

Chief Matheis was notified today by JCP&L that the company will be working on a leaning pole on Lower Center Street on Monday morning for about one hour.

Richard Phelan, PW/Business Administrator

1. Brush collections have begun.
2. The Daisy Scouts planted some marigolds in front of the Municipal Building and will be returning another day during the week of May 20 to plant a few more! Nice job girls!

Kathy Olsen, CFO

1. A Bond Sale will be prepared for the May 28, 2013 meeting.

Councilman Smith

1. Rescue Squad has five new members. Calls are up 152 over last year. Run for Life to be held June 15, 2013.
2. Buildings and Grounds – 47 Leigh had the new carpeting installed the results are fantastic! So quiet, the echo is gone!

Committee toured the parking lot to determine where the pole barn will be erected.

The signage in the municipal building will be replaced with new lettering.

Proposals for repairs to the front of 43 Leigh Street and the cupola.

3. Water Committee- meeting May 15, 2013 at 8 a.m.

Met with A&P to discuss pressure problems they are having. It appears it is their problem. A new line for flushing the system in being planned for the future which may help.

Well 16 received the State's ok to hold a public hearing, however, the Highlands are still holding back. A lengthy discussion to accept an amended agreement between the Town and the Highlands took place. If agreed to, the Highlands would contact the Department of Environmental Protection so that the public notice can be posted.

A motion was made by Mr. Smith, seconded by Mr. Pendergast, to accept the draft agreement amended by the Highlands Council.

RESOLUTION #93-13

WHEREAS, the Highlands Council has presented to the Town of Clinton a draft letter dated May 14, 2013 which amends a prior agreement between the parties dated March 22, 2011; and

WHEREAS, the Town has been promised by the Highlands Council that if the Town of Clinton agrees to the form of the letter as presented and dated May 14, 2013, then the Highlands will give its approval to the Department of Environmental Protection for the increased annual water allocation of 813 million gallons to the Town the amount of which has been previously agreed to by the parties; and

WHEREAS, the Town is willing to execute the letter dated May 14, 2013 in its present form providing that the Highlands immediately communicates to the Department of Environmental Protection the approval of the increased water allocation to the Town of Clinton,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Clinton, finds the form of the letter of Mayor 14, 2013 acceptable to the Town of Clinton providing that the Highlands Council conveys the said approval to the Department of Environmental Protection by 5:00 P.M. May 16, 2013.

ROLL CALL: Ayes: Jones-Holt, Pendergast, Smith, Sosidka, Mayor Kovach
Nays: Carberry, Shea

5 Ayes
2 Nays
Motion carried

4. Mr. Smith informed council that Water Department Foreman, Dave Burdge, had oral surgery and will be out recovering for several weeks.

Councilman Shea

1. SWAC – discussed the electronic recycling options with the County.
2. Roads Committee –project will be completed throughout the summer months. New ramps on corners and storm basins, all the way down Leigh Street to Regional Road, the Town border.

Councilwoman Sosidka

1. Clinton Public School – Board of Education meeting – Dr. Richard Katz has tendered his resignation at the end of the school year and a meeting to go through the process will be held to discuss an Interim Superintendent/Principal.
2. The annual Senior Luncheon was held at the Rescue Squad on May 5, 2013. Everyone had a great time!

3. Clinton Town Picnic will be held June 8, 2013 and volunteers are still needed to give out popcorn and cotton candy.

Councilman Pendergast

1. Sewer Committee – Jerry Vogel passed his C-1 exam. Mr. Pendergast made a motion to give Mr. Vogel the 25 cent per hour increase, seconded by Mr. Smith.

ROLL CALL: AYES: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

2. Clinton Fire Department – next Grill Night, May 17, beginning at 5:30 p.m. A coin toss will be held June 15. Later this month, the Clinton Fire Department is sending a contingent to Harrisburg for a fire show and June 1st they will be participating in the Oldwick Parade.

Councilman Carberry

1. Environmental Commission has been very active with the joining of new members there is a lot of enthusiasm. They have been working towards a Sustainable Jersey Program to receive certification as a Sustainable Community. They will be organizing a Green Team.

Councilwoman Jones-Holt

1. As liaison to the Planning Board, Ms. Jones-Holt informed Council that an issue came up with regards to the description in the Land Use Section 88-4 of a story with a basement when describing housing. The Planning Board is recommending council amend the ordinance and add the words “above ground”. Mr. Cushing explained procedure would be for the Planning Board secretary, Allison Witt, prepare a memo to council with the recommendations.

APPROVAL OF STANDBY AND OVERTIME

A motion was made by Mr. Pendergast seconded by Mr. Carberry, to approve the standby and overtime pay for the period April 12 through May 9, 2013 attached to these minutes.

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

PAYMENT OF BILLS

A motion was made by Mr. Pendergast, seconded by Mr. Carberry to approve the voucher list attached to these minutes.

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #94-13 – EXECUTIVE SESSION

A motion was made by Mr. Pendergast, seconded by Mr. Carberry to enter into Executive Session to discuss a matter of Contract Negotiations and Potential Litigation at 9:08 p.m.

RESOLUTION # 94-13

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 Town of Clinton, County of Hunterdon, 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;

_____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:

_____OR _____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 _____)

OR _____ 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 Town Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Town or any other entity with respect to said discussion. That time is currently estimated to be: _____ (estimated length of time) OR upon the occurrence of _____

BE IT FURTHER RESOLVED that the Mayor and Council, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

Vote all ayes
Motion carried

VOLUNTEER APPRECIATION DINNER – DISCUSSION

Mr. Pendergast asked Council to consider the employee and volunteer appreciation dinner. Council discussed location and dates. Clerk will look into the Red Mill Museum Village again and will follow up. Mr. Pendergast asked that next year the dinner be scheduled for earlier in the year, possibly February or March.

ADJOURNMENT: There being no further business, a motion was made by Mr. Carberry seconded by Mr. Pendergast, to adjourn the meeting at 9:49 p.m.

Cecilia Covino, RMC/CMC
Town Clerk

Mayor Janice Kovach