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Flag Salute.

Roll Call: Humphrey, Johnson, Perloff, Traphagen, Mayor Kovach

Absent: Bruno

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."

Mayor Kovach welcomed the public to the hybrid meeting and explained how the meeting will be run by reading the following statement :

NJSA 10:4-8(b) authorizes municipalities to conduct public meetings through use of streaming services and other online meeting platforms. Recently adopted P.L. 2020, c.11 amends OPMA to clarify that in times of emergency public bodies may vote, accept public comment and cause a meeting to be open to the public via electronic means.

The Town of Clinton is a public meeting as well as using ZOOM Video Meetings. Please be aware that this meeting is being recorded for the public record.

Please use the chat feature in ZOOM to indicate that you wish to be recognized for a comment or a question. You must provide your name and address to be recognized. You can also type in your questions. Feel free going forward to email councilmeeting@clintonnj.gov with any questions or concerns between meetings.

Please feel free to reach out with a note at jkovach@clintonnj.gov anytime!

SWEARING IN OF COUNCILMAN JOHN KASHWICK

Mayor Kovach called John Kashwick to the front of the room to be sworn in by Senator Andrew Zwicker, husband Jonathan held the Bible. Councilman Kashwick is filling the unexpired term of Councilwoman Dineen, who filled the vacancy of Councilwoman Karsh. Mr. Kashwick's term will expire December 31, 2023. A round of applause filled the room of family and friends!

APPROVAL OF MINUTES

A motion was made by Mr. Humphrey seconded by Mr. Perloff to approve the minutes of the Council meeting November 9, 2022 as submitted.

Vote all ayes
1 Abstention (Kashwick)
Motion carried

APPROVAL OF MONTHLY REPORTS – NOVEMBER

A motion was made by Ms. Johnson, seconded by Mr. Perloff, to approve the monthly reports submitted for November.

Vote all ayes
1 Abstention (Kashwick)
Motion carried

PUBLIC COMMENTS

George Tiboni, 41 West Main Street, questioned hearsay of a re-development project at the Clinton House and an addition to the side of the building. Mayor Kovach explained that the owner has been given approvals and Land Use Board Administrator Allison Witt has the approvals and drawings available for review.

MAYOR'S COMMENTS

Mayor Kovach asked Councilman Michael Humphrey to stand to receive a proclamation for his years of service. This will be Councilman Humphrey's last meeting. Mayor Kovach read the proclamation which only touched on his many accomplishments during his term and for his hands on approach. Mr. Humphrey will be missed by many. Ms. Johnson took this opportunity to reminisce when she first met Mr. Humphrey, while she was campaigning and rang his doorbell. That was a meeting that will always be remembered and created a life long friendship. Mr. Humphrey was humbled by the proclamation and expressed his sincere thanks for being allowed to serve his community and to the Mayor and Council, proud to have been part of one of the hardest working Councils in New Jersey. Mr. Humphrey also gave an enormous shout-out to each and every member of the Town of Clinton Staff for their dedication and hard work.

Council will not be holding their regular meeting on December 28, 2022, a motion was made by Mr. Humphrey, seconded by Mr. Perloff, to authorize Kathy Olsen, CFO, to pay bills.

ROLL CALL: Ayes: Humphrey, Johnson, Kashwick, Perloff, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #152-22 – SUPPORT OF BURNING OF CHRISTMAS TREES – BONFIRE

A motion was made by Ms. Johnson, seconded by Mr. Perloff, to adopt Resolution #152-22 as submitted and encouraging all municipalities to support this resolution:

RESOLUTION # 152-22

RESOLUTION IN SUPPORT OF PROPOSED SENATE BILL NO. 861 ALLOWING MUNICIPALITIES TO CONDUCT ANNUAL EVENT FOR OPEN BURNING OF CHRISTMAS TREES

WHEREAS, for many years, the Town of Clinton (Town) held annual holiday gatherings where open burnings (bonfires) were conducted using discarded Christmas trees under the watchful eyes of the Clinton Fire Department; and

WHEREAS, Great music, food, and entertainment for children served as an excellent complement to the bonfire on a cold winter night; and

WHEREAS, this event was enjoyed by thousands of residents over the years and is wonderful community events for all that attend; and

WHEREAS, by holding this successful event, it also allowed the Town to utilize the trees as fuel for the bonfire rather than have taxpayers fund the cost to have them disposed of through traditional solid waste means and be brought to a landfill; and

WHEREAS, many years ago, the New Jersey Department of Environmental Protection, Division of Air Quality (NJDEP) advised municipalities that opening burning events where Christmas trees were utilized

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were now prohibited as they considered these trees “rubbish”, which was prohibited from being burned in this fashion; and

WHEREAS, since the inception of this enforcement action by NJDEP, the Town of Clinton was no longer able to burn Christmas trees at our annual holiday event and was forced to utilize other material that was not deemed “rubbish” by the NJDEP, as well as pay to have the discarded trees disposed of; and

WHEREAS, Senate Bill No. 861 is being considered by the New Jersey Legislature that permit NJDEP to establish rules, regulations, and standards for the open burning of Christmas trees by municipalities within the State, and would permit municipalities to conduct annual events for open burning of Christmas trees.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Town of Clinton support the bill being proposed in order to ensure that the Town, as well as all other municipalities in the State, are permitted to hold annual holiday bonfire fueled by discarded Christmas trees in a safe and enjoyable manner.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Murphy, Senate President, Assembly speaker, DEP Commissioner and Conference of Mayors.

Town of Clinton bonfire is scheduled for January 28, 2023.

Vote all ayes
Motion carried

RESOLUTION #153-22 – GRANT FOR PROPERTY ACQUISITION & CONSTRUCTION

Mayor Kovach asked Senator Zwicker to stay for the adoption on this \$3,000,000 grant which he supported the Town of Clinton to receive. Senator Zwicker said it was a combined effort of Mayor and Council and Police Chief Kubinak working together for the needs of the department. Senator Zwicker said it was his pleasure to be involved in the grant and looks forward to seeing the finished project.

A motion was made by Mr. Humphrey, seconded by Ms. Johnson, to adopt Resolution #153-22 as submitted:

RESOLUTION #153-22

Whereas, the Town of Clinton desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$3,000,000 to carry out a project for property acquisition and construction of a new Police / Office of Emergency Management facility.

Be it therefore RESOLVED,

- 1) that the Town of Clinton does hereby authorize the application for such a grant; and,
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the term of the agreement between Town of Clinton and the New Jersey Department of Community Affairs.

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Be it further RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith.

ROLL CALL: Humphrey, Johnson, Kashwick, Perloff, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #154-22 – GRANT FOR REFORESTATION AND TREE PLANTING

A motion was made by Mr. Kashwick, seconded by Mr. Traphagen, to adopt Resolution #154-22 as submitted:

**GRANT AGREEMENT
BETWEEN _____
TOWN OF CLINTON
AND**

THE STATE OF NEW JERSEY

**BY AND FOR
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION**

GRANT IDENTIFIER:

GOVERNING BODY RESOLUTION

154-22

The governing body of the Town of Clinton desires to further the public interest by obtaining a grant from the State of New Jersey in The amount of approximately \$25,000.00 to fund the following Project:

2022 NJUCF Stewardship Grant-Reforestation and Tree Planting

Therefore, the governing body resolves that Mayor Janice Kovach or the successor to the office of Mayor is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$0.00 and not more than \$25,000.00 and (c) to execute any amendments thereto which do not increase the Grantee's obligations.

The Mayor and Town Council authorizes and hereby agrees to match 20 % of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. Up to 100% of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).

The Grantee agrees to comply with all applicable Federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

Introduced and passed December 14, 2022.

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* The portion of this form between the asterisks should only be completed if matching funds are required under the terms of the agreement. Where in-kind services are allowed and are stipulated by the Grantee, an attachment must be provided and appended hereto, breaking out the in-kind services.

ROLL CALL: Ayes: Humphrey, Johnson, Kashwick, Perloff, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #155-22 – CHAPTER 159

A motion was made by Mr. Humphrey, seconded by Ms. Johnson, to adopt Resolution #155-22 as submitted:

RESOLUTION – #155-22

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget and,

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and,

WHEREAS, the Town of Clinton has received \$2,685.00.00 from the Statewide Insurance Fund in the State of New Jersey and wishes to amend its 2022 budget to include this amount as a revenue.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Clinton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2022 in the sum of \$2,685.00 which is now available as a revenue from:

Miscellaneous Revenues

Special Item of General Revenue Anticipated with Prior Written

Consent of the Director of Local Government Services:

Public and Private Revenues Off-Set with Appropriations:

SIF Risk Control Grant, and

BE IT FURTHER RESOLVED, that a like sum of \$2,685.00 is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from the .5% Cap

Public and Private Programs Off-Set by Revenues:

SIF Risk Control Grant:

Other Expenses

ROLL CALL: AYES: Humphrey, Johnson, Kashwick, Perloff, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #156-22 – TRANSFER OF FUNDS

A motion was made by Mr. Perloff, seconded by Ms. Johnson, to adopt Resolution #156-22 as submitted:

RESOLUTION #156-22

WHEREAS, it has been determined that there will be excesses in certain appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriations for the year 2022 and it has also been determined that certain appropriations are deemed to be insufficient to fulfill the purposes of such appropriations; and

WHEREAS, N.J.S.A. 40A:4-58 provides for the transfer of the amount of such appropriations as may be deemed in excess to such appropriations as may be deemed to be insufficient; and

WHEREAS, the transfers about to be authorized do not affect any appropriations, to which or from which transfer are prohibited under the statutes;

NOW, THEREFORE, BE IT RESOLVED that the following transfers between 2022 appropriations be authorized pursuant to N.J.S.A. 40A:4-58:

	<u>From</u>	<u>To</u>
Sewer Utility – Salary & Wages	\$20,000.00	
Sewer Utility – Other Expenses		\$20,000.00
TOTALS	<u>\$ 20,000.00</u>	<u>\$20,000.00</u>

ROLL CALL: AYES: Humphrey, Johnson, Kashwick, Perloff, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #157-22 – AUTHORIZATION TO SIGN TREATMENT WORKS APPROVAL

The ongoing sewer litigation with High Bridge and Clinton Township Sewerage Authority has finally been settled and the funds that were being withheld from CTSA have been paid, a check for \$422,000 has been received! As part of the agreement, the Town of Clinton, as owner and operator of the Waste Water Treatment Facility, is required to consent to the filing of the TWA Permit application for the North Hunterdon High School Pump upgrades and apply to NJDEP. A motion was made by Ms. Johnson, seconded by Mr. Traphagen, authorizing Mr. Phelan to sign the forms to be filed in connection with this project.

RESOLUTION #157-22

RESOLUTION AUTHORIZING THE ADMINISTRATOR TO EXECUTE THE STATEMENTS OF CONSENT TO SUPPORT THE SUBMISSION OF THE TREATMENT WORKS APPROVAL APPLICATION TO THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION WITH REGARDS TO 1445 NJ-31, CLINTON, NJ 08801 (NORTH HUNTERDON HIGH SCHOOL PUMP STATION UPGRADES) – TOWNSHIP OF CLINTON BLOCK 1 LOT 79

WHEREAS, there is a need by the Clinton Township Sewerage Authority (CTSA) to apply for Treatment Works Approval from the State of New Jersey Department of Environmental Protection Division of Water Quality in connection with the North Hunterdon High School Pump Station Upgrades by the CTSA in the Township of Clinton (the “Project”); and

WHEREAS, the Town of Clinton, as owner/operator of the Waste Water Treatment Facility, is required to consent to the filing of the Treatment Works Approval Permit Application for the Project.

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Clinton that the Administrator is authorized to sign for the Governing Body at appropriate locations on the NJDEP WQM-003 Statements of Consent Form for the Treatment Works Approval Permit Application to be filed in connection with for the Project.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be sent to the Clinton Township Sewerage Authority.

Vote all ayes
Motion carried

RESOLUTION #158-22 – MUNICIPAL COURT SHARED SERVICE AGREEMENT

A motion was made by Mr. Humphrey, seconded by Mr. Perloff, to adopt Resolution #158-22 as submitted and agreeing to a 5 year agreement:

RESOLUTION # 158-22

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT FOR A
SHARED MUNICIPAL COURT BETWEEN THE TOWNSHIP OF CLINTON
AND THE TOWN OF CLINTON**

WHEREAS, an agreement providing for shared services among municipalities is permitted under the “Uniform Shared Services and Consolidation Act,” N.J.S.A. 40A:65-1 *et seq.*; and

WHEREAS, N.J.S.A. 2B:12-1c provides that two or more municipalities may agree to provide jointly for courtrooms, chambers, equipment, supplies and employees for their municipal courts and agree to appoint judges and administrators without establishing a joint municipal court; and

WHEREAS, N.J.S.A. 2B:12-1c further provides that where municipal courts share facilities, the identities of the individual courts shall continue to be expressed in the captions of orders and process; and

WHEREAS, the Township and Clinton (“Clinton Township”) and the Town of Clinton wish to share municipal court services, personnel and facilities as permitted by N.J.S.A. 2B:12-1c and to that end wish to authorize and enter into the shared court agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Clinton in Hunterdon County, New Jersey, as follows:

1. The preamble to this resolution is hereby incorporated as if fully restated.
2. The formation of a Shared Municipal Court between Clinton Township and the Town of Clinton is hereby authorized and approved on the terms and conditions set forth in that certain agreement entitled “Municipal Court Shared Services Agreement between the Township of Clinton and the Town of Clinton” and marked “(Clinton Shared Ct. Draft subject to Judiciary Approval)”. The final form of the agreement shall be subject to the review and approval of the Administrative Office of the Courts (“AOC”) and the Vicinage 13 Assignment Judge.

3. The Mayor and Clerk are hereby authorized and directed to execute the said agreement on Clinton Township's behalf, or such other substantially similar agreement as shall have been approved by the AOC Vicinage 13 Assignment Judge.

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4. The Mayor, Township Clerk, Township Administrator, Township Attorney, Municipal Court Administrator and other court personnel are hereby authorized and directed to undertake any and all acts and sign any and all documents as may be required to implement the terms hereof.
5. The shared court shall begin on January 1, 2023 or such later date as shall be approved and authorized by the AOC and the Vicinage 13 Assignment Judge.
6. The Township Clerk shall forthwith submit a certified copy of this resolution and a copy of the draft agreement approved herein to the Honorable Kevin Shanahan, A.J.S.C., Assignment Judge for Vicinage 13.
7. This resolution shall take effect immediately.

ROLL CALL: AYES: Humphrey, Johnson, Kashwick, Perloff, Traphagen, Mayor Kovach

Vote all ayes

Motion carried

CORRESPONDENCE

1. Saturday, April 15, 2023 Raritan Headwater Association (RHA) will be hosting it's 32nd Annual Stream Cleanup.
2. Morris-Union Jointure Commission Board of Education provides services to children with special needs through its Project Child Find efforts. Information available in the clerk's office.

REPORTS OF COUNCIL

Police Chief Kubinak

Body cameras finally up and running!

Business Administrator, R. Phelan

Mr. Phelan reported that every two years, the Town goes out for bid for the best costs from an energy supplier. The current is due to expire after January and following that date, Mr. Phelan will be going out to bid. This is only for municipal properties.

Councilman Perloff

Recreation is scheduled to have the Town Bonfire January 28, 2023 and hopefully the State will support the event to use Christmas trees instead of pallets. Last year the bonfire was held with the pallets and there were many nails left behind that had to be retrieved.

Farmers market will take a break in January but have been enjoying the weekly event with a little over 20 various vendors. There will be a table on Sunday from 10:00 a.m. to 1:00 p.m. selling the candle kits for "Light the Night" December 18, 2022.

Clinton Guild meeting tomorrow morning, December 15 is Candlelight Night on Main Street. Santa comes to Town December 18, 2022.

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Gearing up for Sweetheart Week in February. Mayor Kovach suggested something the Bordentown is doing, a Chocolate Walk! Different shops have different chocolates! Just something to consider! Councilman Perloff also mentioned that Economic Development Committee is considering engaging and merging ideas with the Guild events and Councilman Humphrey will report on that.

Councilman Humphrey

Economic Development met last night and chose the new logos, which have been distributed to Council. They are being used right now as part of EDC's *Fall in Love with Clinton* branding campaign. In addition to use in articles, press releases and social media posts, the Committee discussed playful uses for the logo, including fundraising t-shirts, press-on tattoos, and more! The Committee is asking the Council to consider adopting the logo for official use, especially for the website, social media services, and the newsletter but also for consideration for business cards, letterhead and the like. Councilman Humphrey asked for a vote for the use of these logos, and future iterations, for the website, media services and the newsletter and for use by any of the town's departments, boards, commissions and committees at their discretion. Motion made by Mr. Traphagen, seconded by Mr. Perloff, to accept the logo and the suggestions as presented.

Vote all ayes
Motion carried

The Committee is exploring ideas to collect and spread the *Fall in Love with Clinton* stories, such as a photo opportunity during Sweetheart Week, and asked all Council members and people in attendance to share a story of when you fell in love with Clinton and send it to LoveClinton@clintonnj.gov

Councilman Humphrey is passing the baton on to Councilmen Perloff and Traphagen to share opportunities for County Grants for 2023.

Environmental Commission is collecting broken holiday lights as part of a recycling program spearheaded by resident and former Commission member, Deana Roberts. Deana has always been a driver of great recycling ideas and is a great asset to the Town.

In conjunction with Raritan Headwaters, the annual Clinton Cleanup Day will be Saturday, April 15, 2023 from 9:00 a.m. to Noon.

Clinton Fire Department met December 5, 2022 and reported 327 calls through December 10, 48 more calls than were run last year. Total man hours for calls, drill, fundraisers and meetings is 3,715. Responders for 2022 through October 31 were: Jeff Hedden 172; Tim Langston 142; Jason Mayer 109; Jeffrey Hedden 109; Jack Daniels 92 (Firefighter of the Year); David Durand 88. 5 years of service to Travis Hendon and 10 Years to Gabe Cruz, Jack Vajda and Bailey Pyle; 15 years to Bob McLaughlin; 20 years Tim Vansalous; 30 years Craig Stephens and Jeff Hedden; Jr. award to Alec Milne and Timothy D. Hagan award Steve Seguine.

Santa will be coming through Town December 19 and 22nd.

Personal Message: Councilman Humphrey expressed his sincere gratitude to the Town of Clinton staff and was "proud to be a part of the hardest Councils in New Jersey". Mr. Humphrey addressed the Mayor and Council and said "the next few years will be a test of tough-love leadership by this Council." "With costs

of services, equipment and materials sky-rocketing past our state-mandated 2% spending limits, tough decisions will have to be made". Mr. Humphrey also recapped the burden of new laws being placed on municipalities such as finances, stormwater management, to lead paint inspections, to new Tier A Permit requirements and a thousand other cuts inflicted by the State as well as the Federal government. "Remember that the right decisions will not always be the popular decisions.

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In closing, Mr. Humphrey wished to thank his family for their tremendous patience and understanding for allowing him to serve this community, and thank you Clinton, the first place he has ever called HOME and its is because of the awesome people in this community. A round of applause by everyone present.

Councilman Kashwick

Shade Tree -- thank you for approving the resolution for the grant this evening and to move forward.

Councilman Traphagen

Menorah Lighting will be held on the Art Museum patio December 19 at 6:30 p.m.

Historic Commission is researching the repainting and restoring of the Welcome to Clinton signs, work of Karen Romagna.

South Branch Rescue Squad -- 315 calls for November, 4,155 year to date for the broad area served. Response time for Town of Clinton is 4.43 seconds.

Councilwoman Johnson

School Board -- Clinton Public is wrapping up for the holidays, enjoy the concerts and activities, school board meeting next week.

Summer Rec packets are being prepared and will be available in January. The committee is busy planning trips and there will be a slight increase in the fee due to staffing. There may also be a cap on the number of campers because it was so popular last year and there will be preference to Clinton/Glen Gardner children.

STANDBY AND OVERTIME

A motion was made by Mr. Perloff seconded by Ms. Johnson to approve the standby and overtime attached to these minutes for the period of November 11 through 24th and November 25 through December 8, 2022.

ROLL CALL: Ayes: Humphrey, Johnson, Kashwick, Perloff, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

PAYMENT OF BILLS

A motion was made by Mr. Humphrey seconded by Mr. Traphagen to approve the voucher list attached to these minutes.

ROLL CALL: Ayes: Humphrey, Johnson, Kashwick, Perloff, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #159-22 – EXECUTIVE SESSION

A motion was made by Mr. Perloff, seconded by Ms. Johnson, to enter into Executive Session to discuss a matter of contract negotiations and personnel at 8:08 p.m. Councilwoman elect Padmos was invited into executive session.

RESOLUTION # 159-22

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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

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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: Land Acquisition 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

ADJOURNMENT

Upon returning from Executive Session at 9:31 p.m. and there being no further business, a motion was made by Mr. Traphagen seconded by Mr. Perloff to adjourn the meeting at 9:32 p.m.

Cecilia Covino, RMC/CMC
Municipal Clerk

Janice Kovach, Mayor