

October 28, 2013

An Executive Session meeting of the Town Council of the Town of Newton was held on the above date at 8:36 p.m. Present were Mrs. Becker, Deputy Mayor Elvidge, Mayor Ricciardo, Mrs. Diglio and Thomas S. Russo, Jr., Town Manager. Mr. Flynn recused himself from the meeting.

Mayor Ricciardo made the following declaration that "in accordance with the Open Public Meetings Act, notice of this Special meeting was given to the two newspapers of record and posted on the official bulletin board on October 22, 2013."

The following Resolution was read which authorized the Town Council to enter into Executive Session.

**RESOLUTION #191-2013**

**A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12**

**WHEREAS**, the Town Council of the Town of Newton is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specific purposes when authorized by Resolution; and

**WHEREAS**, it is necessary for the Town Council of the Town of Newton to discuss in a session not open to the public certain matters relating to the item authorized by N.J.S.A. 10:4-12b and designated below:

- (1) Contract Negotiations

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Council of the Town of Newton, assembled in public session on October 28, 2013, that an Executive Session closed to the public shall be held on October 28, 2013 at 8:36 PM in the Town of Newton Municipal Building, 39 Trinity Street, Newton, NJ, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Town Council that the public interest will no longer be served by such confidentiality.

The aforementioned **RESOLUTION** was offered by Mrs. Diglio, seconded by Mr. Flynn and roll call resulted as follows:

Mrs. Diglio	Yes	Mrs. Becker	Yes
Deputy Mayor Elvidge	Yes	Mr. Flynn	Recused
Mayor Ricciardo	Yes		

**CONTRACT NEGOTIATIONS**

Ed Buzak, Esq. provided an update on the potential development project. Mr. Buzak, Esq. and Paul \_\_\_\_ outlined the draft developer's agreement between the Town and Martorana Enterprises LLC in detail.

October 28, 2013

After a lengthy discussion, Council unanimously agreed to the developer's agreement with some minor amendments to same. Mr. Buzak will incorporate the amendments as discussed.

There being no further executive session business, upon motion of Mr. Elvidge, seconded by Mrs. Becker and carried that the executive session adjourned at 9:19 p.m.

Respectfully submitted,



Lorraine A. Read, RMC  
Municipal Clerk

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