

June 24, 2013

An Executive Session meeting of the Town Council of the Town of Newton was held on the above date at 7:12 p.m. Present were Mrs. Becker, Mr. Elvidge, Deputy Mayor Ricciardo, Mr. Flynn, Mayor Diglio and Thomas S. Russo, Jr., Town Manager, Also present were Ursula H. Leo, Esq. and Tracy Villaverde, Human Resource Coordinator.

Mayor Diglio 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 June 21, 2013."

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

**RESOLUTION #113-2013**

**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) Potential Litigation
- (2) Personnel

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Council of the Town of Newton, assembled in public session on June 24, 2013, that an Executive Session closed to the public shall be held on June 24, 2013, at 7:12 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 Deputy Mayor Ricciardo, seconded by Mrs. Becker and roll call resulted as follows:

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

**POTENTIAL LITIGATION**

Ursula Leo, Esq. updated Council on pending litigation surrounding the Newton EarthCam Wireless Camera System for the Newton Police Department.

June 24, 2013

Chief Richards outlined the ongoing issues related to the cameras.

After a lengthy discussion, Council unanimously agreed to the proposed negotiations as set forth by the Town Attorney and Chief Richards.

**PERSONNEL**

At this time, Mr. Russo recused himself in order for the Town Council to discuss personnel items related to Mr. Russo's contract.

Tracy Villaverde, Human Resource Coordinator, updated Council on the counter proposal submitted by Mr. Russo surrounding additional compensation now through 2017. A discussion ensued and Council renegotiated terms of the proposal.

After a lengthy discussion, the consensus of the Town Council was the newly proposed terms as recommended by the HR Coordinator and Town Attorney.

Mr. Russo returned at 8:02 p.m.

Mayor Diglio updated Mr. Russo on the negotiated contract.

Mr. Russo thanked the Town Council for his new proposed contract, which will be adopted via resolution at the next public meeting on July 1, 2013.

There being no further business to be conducted in Executive Session, upon motion of Deputy Mayor Ricciardo, seconded by Mrs. Becker and unanimously carried, Council left Executive Session at 8:10 p.m.

Respectfully submitted,



Lorraine A. Read, RMC  
Municipal Clerk