

September 22, 2014

An Executive Session meeting of the Town Council of the Town of Newton was held on the above date at 8:42 p.m. Present were Mrs. Diglio, Mrs. Becker, Deputy Mayor Flynn, Mr. Levante, Mayor Elvidge and Town Manager, Thomas S. Russo, Jr. Jennifer Credidio, Esq. and Debra Millikin were also present.

Mayor Elvidge 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."

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

RESOLUTION #176-2014

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 items authorized by N.J.S.A. 10:4-12b and designated below:

- (1) Contract Negotiations
- (2) Potential Litigation

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Newton, assembled in public session on September 22, 2014, that an Executive Session closed to the public shall be held on September 22, 2014, at 8:42 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. Becker, seconded by Deputy Mayor Flynn and roll call resulted as follows:

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

DISCUSSION

1.) Potential Litigation

Jennifer Credidio, Esq. updated the Council on the lack of forward progress

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regarding the Newton Armory. She advised of the meeting held in February 2014 with several representatives from the State and the Town of Newton. Ms. Credidio spoke with a representative from the State on Friday and he did not return her call Monday as promised. Ms. Credidio reviewed three potential actions by the Town. After a lengthy discussion, the Governing Body directed Ms. Credidio to move forward as discussed.

2.) Contract Negotiations

Debra Millikin, Deputy Town Manager, outlined three parcels of land owned by the Town. The three properties are 27 Orchard Street, 7 Stuart Street, (old Fire Patrol Bldg.) and 215 Woodside Avenue. With the interest of selling the properties, Mrs. Millikin contacted an auction marketing service on behalf of the Town. She indicated that 215 Woodside Avenue would not be sold at this time. Mrs. Millikin outlined the proposal submitted by Max Spann Real Estate & Auction Company.

After a brief discussion, the Council unanimously agreed to go forward with authorizing a service agreement with Max Spann Auction Company as well as authorizing the public sale of real property owned by the Town of Newton.

Upon motion of Deputy Mayor Flynn, seconded Mr. Levante and carried, Council left executive session at 9:44 p.m.

Respectfully submitted,



Lorraine A. Read, RMC
Municipal Clerk