

January 28, 2015

An Executive Session meeting of the Town Council of the Town of Newton was held on the above date at 8:28 p.m. Present were Mrs. Diglio, Mrs. Becker, Deputy Mayor Flynn, Mr. Levante, Mayor Elvidge and Town Manager, Thomas S. Russo, Jr. Also present were Jennifer Credidio, Esq., Ursula Leo, Esq., and Deputy Town Manager Debra Millikin.

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 on December 31, 2014."

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

RESOLUTION #19-2015

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) Contract Negotiations

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Newton, assembled in public session on January 28, 2015, that an Executive Session closed to the public shall be held on January 28, 2015, at 7:44 PM in the Town of Newton Municipal Building, 39 Trinity Street, Newton, NJ, for the discussion of matters relating to the specific item 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 Flynn, seconded by Mrs. Becker and roll call resulted as follows:

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

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POTENTIAL LITIGATION

Jennifer Credidio, Esq. updated Council regarding the Newton Armory property, a (MOU) Memorandum of Understanding has not been drafted as she is still waiting of the State.

After a brief discussion, Council directed Mrs. Credidio to move forward with the media plan and authorized Mr. Russo to budget \$20,000 to \$30,000 on a crisis management firm for this matter.

CONTRACT NEGOTIATIONS

Mrs. Leo updated the Town Council on the State's Route 206 improvement project. The State has offered to install the sidewalks but they will not maintain them. Mr. Russo was looking for direction from the Council on how they would like to proceed. After a brief discussion, the consensus of the Council was to give a nod to the State to install the sidewalks, coordinate the maintenance of sidewalks with the property owners, and the Town will assume responsibility for the maintenance of the State's portion of the sidewalks. Mrs. Leo advised an agreement will have to be executed.

Upon motion of Mrs. Becker, seconded by Mrs. Diglio and carried, Council left executive session at 8:26 p.m.

Respectfully submitted,



Teresa A. Oswin, RMC
Deputy Municipal Clerk

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