

March 3, 2008

The regular work session meeting of the Town Council of the Town of Newton was held on the above date at 7:00 p.m. Present were Mr. Elvidge, Mr. Diglio, Mr. Ricciardo, Mr. Storm, Mayor Unhoch and Town Manager, Eileen Kithcart.

Mayor Unhoch the following declaration that “in accordance with the Open Public Meetings Act, notice of this work session meeting was given to the two newspapers of record and posted on the official bulletin board on December 29, 2006”.

### **COAH – JESSICA CALDWELL**

Mrs. Jessica C. Caldwell, P.P., A.I.C.P., Newton Planner, addressed Council and reviewed her memo, dated February 29, 2008, of comments on the proposed COAH regulations. Ms. Caldwell outlined a summary of the State’s proposed changes and some comments, concerns and questions that have been brought to light regarding them.

After a lengthy discussion, the Town Council added additional comments for the report. Mrs. Caldwell will incorporate these comments and resubmit the report to the governing body prior to March 10, 2008.

### **ANNUAL REPORT**

Ms. Kithcart submitted a draft copy of the “newly designed” annual report to the Town Council. After a brief discussion, the majority of the Council agreed to the “new” format of the annual report for this year and will be mailed to the residents of the Town shortly. It was requested that the annual report be numbered.

### **2008 CAPITAL BUDGET**

Ms. Kithcart and the Town Council reviewed the amended Capital Request list.

After a lengthy discussion, Council made additional amendments to

March 3, 2008

the Capital Request list. Council requested additional information on the slope mower for the Department of Public Works.

### **EXECUTIVE SESSION**

Upon motion of Mr. Storm, seconded by Mr. Diglio and carried, the Town Council went into executive session at 9:15 p.m.

**WHEREAS**, the Town Council of the Town of Newton (hereinafter referred to as the “Town Council”), convened a meeting in full compliance with the New Jersey Open Public Meetings Act, set forth in N.J.S.A. 10:4-12, and

**WHEREAS**, N.J.S.A. 10:4-12 allows a public body to enter executive session during a public meeting to discuss certain matters, and

**WHEREAS**, it has become clear to the Town Council that there is a need to enter executive session to discuss one or more of the exceptions to the New Jersey Open Public Meetings Act, as set forth in N.J.S.A. 10:4-12, and

**WHEREAS**, this work session meeting of the Town Council will not reconvene;

**NOW THEREFORE BE IT RESOLVED** by the Town Council of the Town of Newton that it will enter executive session to discuss issues related to litigation;

**BE IT FURTHER RESOLVED** that the discussion conducted in executive session by the Newton Town Council shall be disclosed to the public as follows:

### **LITIGATION**

Ms. Kithcart updated Council on pending litigation issues.

Upon motion of Mr. Storm, seconded Mr. Ricciardo and carried, the Town Council left executive session at 10:15 p.m.

Mayor Unhoch declared the meeting opened to the public.

There being no one from the public to be heard, upon motion of Mr. Ricciardo, seconded by Mr. Diglio and carried, the meeting was adjourned at 10:15 p.m.

March 3, 2008

Respectfully submitted,

Lorraine A. Read, RMC  
Municipal Clerk