

June 13, 2011

An Executive Session meeting of the Town Council of the Town of Newton was held on the above date at 6:30 p.m. Present were Mr. Elvidge, Mr. Ricciardo, Mrs. Diglio, Mrs. Le Frois, Mayor Becker, and Mr. Thomas S. Russo, Jr., Town Manager. Also present were Mark Hontz, Esq., Town Attorney and Mrs. Debra Millikin, Deputy Town Manager.

Mr. Russo read the following Resolution which authorized the Town Council to enter into Executive Session.

RESOLUTION #109-2011

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

- (1) Potential Litigation

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Newton, assembled in public session on June 13, 2011, that an Executive Session closed to the public shall be held on June 13, 2011, at 6:30 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 Le Frois, seconded by Mrs. Diglio and roll call resulted as follows:

Mr. Elvidge	Yes	Mr. Ricciardo	Yes
Mrs. Diglio	Yes	Mrs. Le Frois	Yes
Mayor Becker	Yes		

Mark Hontz, Esq., Town Attorney provided an overview and summary of the negotiations with Mr. Anthony Mautone, owner of 108-110 Spring Street, regarding his ongoing challenge to his water and sewer bills.

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After a brief discussion, the majority of the Town Council agreed to move forward with the negotiated agreement set forth by Mr. Hontz, Esq.

There being no further business to be conducted in Executive Session, upon motion of Mr. Ricciardo, seconded by Mr. Elvidge and unanimously carried, Council left Executive Session at 6:50 p.m.

Respectfully submitted,

Lorraine A. Read, RMC
Municipal Clerk