

July 11, 2011

An Executive Session meeting of the Town Council of the Town of Newton was held on the above date at 7:23 p.m. Present were Mrs. Becker, Mr. Elvidge, Mr. Ricciardo, Deputy Mayor Diglio, Mayor Le Frois, and Mr. Thomas S. Russo, Jr., Town Manager. Also present were Sanford Hollander, Esq., Town Attorney, David Simmons, Town Engineer and Mrs. Debra Millikin, Deputy Town Manager.

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

RESOLUTION #154-2011

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 July 11, 2011, that an Executive Session closed to the public shall be held on July 11, 2011, at 7:23 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 Mr. Ricciardo, seconded by Deputy Mayor Diglio and roll call resulted as follows:

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

Sanford Hollander, Esq., Town Attorney provided an overview of the amended and restated waterline easement.

July 11, 2011

Mr. David Simmons, Town Engineer, outlined the waterline relocation agreement.

After a lengthy discussion, the consensus of the Town Council was to move forward with the negotiated agreements with a few additional changes.

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 8:11 p.m.

Respectfully submitted,

Lorraine A. Read, RMC
Municipal Clerk