

December 12, 2016

An Executive Session meeting of the Town Council of the Town of Newton was held on the above date at 8:08 pm. Present were Deputy Mayor Levante, Mr. Elvidge, Mr. Flynn, Mrs. Le Frois and Mayor Diglio. Also present was Thomas S. Russo, Jr., Town Manager (for Conflict Counsel), Ursula Leo, Esq. and Jennifer Dodd, HR Director (for Town Manager's Performance Review).

Mayor Diglio 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, 2015."

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

RESOLUTION #247-2016

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) Personnel – Town Manager's Performance Review
- (2) Personnel - Conflict Counsel

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Newton, assembled in public session on December 12, 2016, that an Executive Session closed to the public shall be held on December 12, 2016, at 8:02 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.

PERSONNEL – CONFLICT COUNSEL

Mrs. Leo, Esq. and the Town Council discussed and reviewed the personnel issue regarding Conflict Counsel.

After a brief discussion, Council agreed to interview two different attorneys at the next Council Meeting, if possible.

PERSONNEL – TOWN MANAGER'S PERFORMANCE REVIEW

Mayor Diglio and Town Council discussed and reviewed the employee evaluation of Thomas S. Russo, Jr. serving as Town Manager.

December 12, 2016

After a lengthy discussion, Council unanimously agreed the overall performance evaluation of Mr. Russo was strong and will address same with Mr. Russo at the next Council meeting.

Upon motion of Mrs. Le Frois, seconded by Deputy Mayor Levante and carried, Council left Executive Session at 10:05 pm.

Respectfully submitted,

A handwritten signature in black ink that reads "Lorraine A. Read". The signature is written in a cursive style with a long, sweeping tail on the letter "d".

Lorraine A. Read, RMC
Municipal Clerk

CONFIDENTIAL