

BOROUGH OF HIGH BRIDGE

MAYOR AND BOROUGH COUNCIL

Meeting Date: September 12, 2013

CALL TO ORDER: The meeting of the Mayor and Council of the Borough of High Bridge came to order with Mayor Desire presiding, at 7:30 PM on the above date. "Pursuant to the Open Public Meetings Act, notice of 2013 meeting dates was published in the Hunterdon County Democrat on January 10, 2013 and posted on the bulletin board in Borough Hall. The meeting was held in the Fire House, 7 Maryland Ave., High Bridge, NJ. Action may be taken."

Mayor Desire led those present in the salute to the Flag.

MEMBERS PRESENT:

- Mayor Desire
- Councilman Flynn
- Councilwoman Hughes
- Councilwoman Miller
- Councilman Rapp
- Councilwoman Scarcia
- Councilman Stemple

Attorney Barry Goodman, Municipal Clerk Diane Seals and eighteen members of the general public and news media were also present.

VISITORS:

a. John Farrell, Chairman of the Environmental Commission, came before Council to recommend Todd Honeycutt to replace himself on the Commission as he is moving.

Mayor Desire read and presented Mr. Farrell Resolution #168-2013 recognizing him for his volunteer work for three years as Chairman of the "Environmental Commission" and "Green Team." We all wish him and his family well. Councilwoman Hughes motioned to adopt **RESOLUTION #168-2013**, a copy of which is attached hereto and made a part hereof these minutes.

Councilman Rapp seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

b. Darlene Green, Borough Planner, came before Council to discuss the changes made to the "High Bridge Highland's Land Use Ordinance" and asked for the amounts that Council felt would be best for applications for Compliance Determination Fees and Escrows. Application fee will be \$950.00 and Escrows \$2,000.00. Ms. Green sent the Ordinance to Attorney Goodman's Office and Mr. Firkser reviewed it. Ms. Green will make the changes and send them out to Council.

MOTION TO DISPENSE WITH THE READING OF MINUTES OF PRIOR MEETINGS:

Councilman Rapp motioned to dispense with the reading of the Regular Meeting Minutes of August 15, 2013. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

APPROVAL OR CORRECTION OF PRIOR MEETING MINUTES:

Councilman Rapp motioned to approve the Regular Meeting Minutes of August 15, 2013. Councilwoman Hughes seconded. Roll Call Vote: Flynn, abstain; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 5 ayes and 1 abstention.

PUBLIC COMMENTS: It is the policy of the Borough Council that all public comments on an issue shall be limited to five (5) minutes per person and no person may make more than one (1) comment per subject. Comments may be made on any subject pertaining to Borough issues. Comments pertaining to Public Hearings should be saved for that portion of the agenda. No debating between residents. Comments should be addressed to Mayor and Council.

Sharon Apperson expressed her gratitude for the work being done on the leash law.

Barbara Desendorf said there needs to be a leash law, not just under control.

Pat Rinderle stated that there needs to be a definition of "control".

Dr. Brenden Coughlin asked who owned the Golf Clubhouse, he believes the vendor owns it. Councilman Stemple will look into the ownership. Dr. Coughlin went on to say that the State Statutes demand a generator, clean product, only testing for lead, when is the Borough going to put in a generator at the Solitude water tank, and now Solitude Homeowners Association wants proof from property owners that they have Fire Insurance. Councilman Flynn stated that it is the Borough's responsibility to get the water to the tank.

Sally Ward spoke that she took a journey on 9/11 to be were she was on that day, and passed the Chester Fire Dept. Ms. Ward went on to say that she lost a lot of people she knew that day. She wanted to thank the Mayor for his nerves of steel and a heart of great compassion.

Ron Huttemann said he had read the July Golf Financials and the course is about \$70,000 below budget and lawnmower equipment is not listed on expenses.

COUNCIL COMMITTEE AND SPECIAL ASSIGNMENT: Monthly reports September 26, 2013

Councilman Flynn: **PLANNING & ENGINEERING**

Councilwoman Hughes: **PUBLIC HEALTH, ENVIRONMENTAL, SOLID WASTE/RECYCLING, OPEN SPACE**
ENVIRONMENTAL:
PUBLIC HEALTH:
SOLID WASTE/RECYCLING:

Councilwoman Scarcia: **EDUCATION & MUNICIPAL COURT**
EDUCATION:
MUNICIPAL COURT:
RECREATION: Liaison

Councilwoman Miller: **INFORMATION, ECONOMIC DEVELOPMENT, CULTURE & HERITAGE & EVENTS**
NEWSLETTER/INFORMATION:

1. Patricia Birchenough, webmaster, was asked to join a "municipal website maintenance group" and she would receive support, retention practices, documents and reproductions at a cost of \$150.00. Attorney Goodman spoke that there are always courses to take and the reality is that you need to allocate resources and time making the best judgment. These types of discretionary decisions are not typically subject to lawsuits.

CULTURAL & HERITAGE:

1. Michael Margulies will be speaking about "Understanding and Following the Standards & Guidelines for Historic Preservation" at the Reformed Church on Tuesday, September 24th at 7PM, 23 Church St.

Events Committee:

ECONOMIC DEVELOPMENT:

Councilman Rapp: **DEPARTMENT OF PUBLIC WORKS & RECREATION**
PUBLIC WORKS:
RECREATION:
SWAC:

Councilman Stemple: **FINANCE & GOLF**
FINANCE:
POLICE DEPARTMENT:
FIRE DEPARTMENT:
EMERGENCY SQUAD:
OFFICE OF EMERGENCY MANAGEMENT:

Mayor, Mark Desire: **EXECUTIVE SERVICES & EMERGENCY SERVICES**

1. Went to the August 28th County OEM meeting. For recovery, FEMA wants data to be on computer. They asked that the Borough pass a Resolution, Memorandum of Understanding, that the Borough will use the software. We will work with NJ Office of Emergency Management, need to pick three individuals that can log in and use it. Recommendation were, Clerk, Records Keeper, someone in finance, and a member of Council to oversee the reports. At next Council meeting, we have to decide who will be the three. The Emergency Services also need a Memorandum of Understanding. The NJ State Police will train in house.
2. Goals, what needs to be done for the rest of the year at next meeting.
3. There are two extra elections, this year. The Clerk has requested payment for the additional hours. The State will reimburse the Borough. The Clerk is also filling in as the Planning Board Secretary. Resolution next meeting.
4. High Bridge was selected to be recognized by the "Association of State Dam Safety Officials" at their Annual Conference. This is a national recognition. Mayor attended the meeting in Rhode Island on September 11th. There are forty high hazard dams in NJ and High Bridge was awarded best project, a project protecting citizens which took a long time to complete. The DEP will be coming to next meeting for a presentation.

PUBLIC HEARINGS: 2ND Reading.

ORDINANCE #2013-17

ORDINANCE APPROPRIATING \$50,000.00 FROM THE CAPITAL IMPROVEMENT FUND(amend to Capital Fund Balance) FOR THE PURCHASE AND INSTALLATION OF A 60KW DIESEL GENERATOR (changed to 60-150KW Emergency Generator) FOR WELL #8 IN THE BOROUGH OF HIGH BRIDGE, IN THE COUNTY OF HUNTERDON, NEW JERSEY.

Mayor Desire asked for a motion to amend Ordinance #2013-17. Councilman Stemple motioned to amend. Councilman Flynn seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes. Mayor Desire asked for a motion to open the Public Hearing on Ordinance #2013-17 as amended.

Councilman Rapp motioned to open. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

Questions and Comments:

Councilman Stemple explained that the generator may be natural gas not diesel.

Ron Huttemann asked if this was to power the well pump. Councilman Flynn stated that the generator is to provide backup power for Well #8 on Grey Rock Rd.

Sally Ward asked if we still need the diesel tanks. The diesel tanks are at the DPW facility for trucks and equipment.

Brent Dugan asked about how close to the well head would the diesel storage tank be, may be a concern to the Highlands but if natural gas, there wouldn't be a concern.
Brenden Coughlin asked if the wells already have pumps. What is the purpose of having a generator. Councilman Flynn spoke to say that this is backup power in case of power failure such as experienced during Super Storm Sandy.
Mayor Desire asked for a motion to close the Public Hearing on Ordinance #2013-17.
Councilman Rapp motioned to close. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
Mayor Desire asked for a motion to adopt Ordinance #2013-17 and stated that Ordinance #2013-17 shall be published by title only in the Hunterdon County Democrat according to law.
Councilman Rapp motioned to adopt. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

ORDINANCE #2013-18
ORDINANCE APPROPRIATING \$111,000.00 FROM THE CAPITAL IMPROVEMENT FUND
FOR THE PURCHASE AND INSTALLATION OF TWO 2500 GALLON ABOVE GROUND
FUEL TANKS IN THE BOROUGH OF HIGH BRIDGE, IN THE COUNTY OF HUNTERDON,
NEW JERSEY.

Mayor Desire asked for a motion to open the Public Hearing Ordinance #2013-18.
Councilman Rapp motioned to open. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
Questions and Comments:
Councilman Flynn explained that this ordinance was to replace the two underground tanks at the DPW and remove old tanks next year.
Councilwoman Miller asked if it covered just purchasing or installation also. Councilman Flynn answered that it was for purchase and installation, not including the removal and disposal of tanks.
Ron Huttemann asked if there would be a retaining wall around the tanks as they will be close to the brook. Mayor Desire stated that the installation will follow all DEP regulations.
Dr. Brenden Coughlin asked if the tanks would be metered, who and what vehicles and why aren't we taking advantage of shared services with other towns and gas stations. Councilman Flynn answered that we get gas cheaper and where would the Borough have gotten gas for vehicles, including emergency vehicles, during the super storm.
Sally Ward expressed her happiness about the generator. During the aftermath of Super Storm Sandy, she was glad that there was a warming station, powered by a generator. She had mentioned that Solitude Village had low water pressure. That's when the Borough borrowed a generator to place at the water tank in the village.
Mayor Desire asked for a motion to close the Public Hearing on Ordinance #2013-18.
Councilman Rapp motioned to close. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
Mayor Desire asked for a motion to adopt Ordinance #2013-18 and stated that Ordinance #2013-18 shall be published by title only in the Hunterdon County Democrat along with the Public Hearing date of September 12, 2013.
Councilman Rapp motioned to adopt. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

ORDINANCE #2013-19

ORDINANCE PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT OF \$300,000.00 BY THE
BOROUGH OF HIGH BRIDGE, IN THE COUNTY OF HUNTERDON, IN THE STATE OF NEW JERSEY, TO FUND
PREPARATION AND EXECUTION OF A COMPLETE REVALUATION PROGRAM

Mayor Desire asked for a motion to open the Public Hearing on Ordinance #2013-19.
Councilman Rapp motioned to open. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
Questions and Comments:
Councilman Stemple explained that "Emergency" means that the cost may be amortized over five years. Councilwoman Miller asked what this would cost each household. Councilman Stemple said approximately \$200.00.
Dr. Brenden Coughlin said this is now an emergency and the revaluation was in the budget. Councilman Flynn explained that the future list of project contained the revaluation, he mistakenly said there would be a revaluation and corrected the statement at the next meeting. Dr. Coughlin went on further to say why not pay several assessors to do the revaluation.
Councilman Stemple said that the revaluation will be done by the middle of December.
Ron Huttemann said that he was in the business and when he did his appeal, the average sale prices were 80% of the assessed value.
Sally Ward spoke to say she worked in statistics and the revaluation should be done with consistency, as with one mind.
Mayor Desire asked for a motion to close the Public Hearing on Ordinance #2013-19.
Councilman Rapp motioned to close. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
Mayor Desire asked for a motion to adopt Ordinance #2013-19 and stated that Ordinance #2013-19 shall be published by title only in the Hunterdon County Democrat.
Councilman Rapp motioned to adopt. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

CONSENT AGENDA: All matters listed under the Consent Agenda are considered to be routine by the Borough Council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

None at this time.

WRITTEN COMMUNICATIONS:

1. Notice of Public Hearing from JCP&L regarding Proposed Increases in Societal Benefits Charge.
2. Notice of Public Hearing from NJTransit regarding Casino Revenue grant funded program, the Senior and Disabled Resident Transportation Assistance Program.
3. Notice from Comcast regarding Channel Changes.
4. Notice of Public Hearing from JCP&L regarding Basic Generation Service Charges.
5. Notice from JCP&L announcing the Partnership with IBEW Local 102 to Enhance Response to Storms and Other Major Events, first Utility in NJ to Use Local Electrical Union.
6. Utility report for month of August, 2013.
7. Notice from Comcast regarding Price Change.
8. Notice from Hunterdon County Solid Waste and Recycling Services regarding "Household Hazardous Waste Cleanup Day" to be held on November 9, 2013 at the County Complex Route 12, Flemington from 9 AM to 1PM.
9. Certification of Funds for Hatch Mott MacDonald.
10. Certification of Funds for Quest Environmental.
11. Certification for Special Emergency Appropriation from CFO.
12. Ordinance #2013-10 from Lebanon Twp., titled "An Ordinance to Revise, Amend and Supplement the Code of the Township of Lebanon Chapter 400, Titled "Zoning", Specifically Section 400-11 Titled "Conditional Uses".
13. Resolution 2013.110 from Township of Bethlehem "In Opposition to Jersey Central Power & Light Company Petition for a Rate Increase".

UNFINISHED BUSINESS:

1. Leash Law discussion: Mayor Desire read what other municipalities have for regulation regarding leashes. Councilwoman Hughes and her committee have been working on the Ordinance. Councilwoman Hughes spoke with the County Rangers that suggest calling the number listed on the County signs if there is a problem, Rangers will try to respond, and speak with the violators to remind them of the leash requirement on County property. Once the Ordinance has been adopted, to get the word out, signs should be posted, and give notice out with each dog license issued. Now, the Borough gives notice that it is the law to pick up after your pet, as per Stormwater regulations.

NEW ORDINANCES: Introduction 1st reading.

ORDINANCE #2013-20

BOROUGH OF HIGH BRIDGE HIGHLANDS PLANNING AREA LAND USE ORDINANCE, FOR SUBMISSION TO THE NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL TOWARD ACHIEVING PLAN CONFORMANCE WITH THE HIGHLANDS REGIONAL MASTER PLAN BY THE BOROUGH OF HIGH BRIDGE, IN THE COUNTY OF HUNTERDON AND STATE OF NEW JERSEY

Mayor Desire asked for a motion to introduce Ordinance #2013-20. Councilman Rapp motioned to introduce. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

Mayor Desire stated that Ordinance #2013-20 shall be published in its entirety in the Easton Express Times along with the Public Hearing date of September 26, 2013.

NEW BUSINESS:

1. **RESOLUTION #169-2013:** Councilman Rapp motioned to adopt a resolution Approving Conference/Seminar for Michael Hann on October 16 & 17, 2013 in Atlantic City at a cost of \$405.00, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
2. **RESOLUTION #170-2013:** Mayor Desire asked for a vote on this resolution after Executive Session. Councilman Rapp motioned to vote, after Executive Session, on a resolution appointing Tara Riordan Deputy Clerk at an annual salary of \$23,000, effective TBD, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
3. **RESOLUTION #171-2013:** Councilman Rapp motioned to adopt a resolution Approving Capital Budget Amendment, a copy of which is attached hereto and made a part hereof these minutes. Councilman Stemple seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
4. **RESOLUTION #172-2013:** Councilman Rapp motioned to adopt a resolution Approving Emergency Resolution for Revaluation, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Miller seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

5. **RESOLUTION #173-2013:** Councilman Rapp motioned to adopt a resolution approving the Re-Advertising for Professional Revaluation Bid, a copy of which is attached hereto and made a part hereof these minutes. Councilman Stemple seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
6. **RESOLUTION #174-2013:** Councilman Rapp motioned to adopt a resolution Amending Professional Services Contract for Quest Environmental, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
7. **RESOLUTION #175-2013:** Councilman Rapp motioned to adopt a resolution Approving Chapter 159, Refurbishing the Gazebo at the Commons, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Scarcia seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
8. **RESOLUTION #176-2013:** Councilman Stemple motioned to adopt a resolution Approving Refund of Outside Duty Reserve, a copy of which is attached hereto and made a part hereof these minutes. Councilman Rapp seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
9. **RESOLUTION #177-2013:** Councilman Rapp motioned to adopt a resolution Approving Refund of Tax Overpayment, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Scarcia seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
10. **RESOLUTION #178-2013:** Councilman Rapp motioned to adopt a resolution approving Refund of Raffle License to the High Bridge Fire Department, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Scarcia seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
11. **RESOLUTION #179-2013:** Councilman Rapp motioned to adopt a resolution Approving Amending the Professional Service Contract with Hatch Mott MacDonald, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Scarcia seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
12. **RESOLUTION #180-2013:** Councilman Rapp motioned to adopt a resolution Approving Extension for Award of Cregar Road Phase III, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Miller seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
13. **RESOLUTION #181-2013:** Councilman Rapp motioned to adopt a resolution Approving QPA Class for Jennifer Harrington at a cost of \$579.00, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Scarcia seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
14. **RESOLUTION #182-2013:** Councilman Rapp motioned to adopt a resolution Approving Submittal of a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Cregar Road Section V, a copy of which is attached hereto and made a part hereof these minutes. Councilman Stemple seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
15. **RESOLUTION #183-2013:** Councilwoman Hughes motioned to adopt a resolution Approving the Mayor's Appointment of Todd Honeycutt to the Environmental Commission, filling an unexpired term until December 31, 2013, a copy of which is attached hereto and made a part hereof these minutes. Councilman Rapp seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

PUBLIC COMMENTS: It is the policy of the Borough Council that all public comments on an issue shall be limited to one minute (1) per person and no person may make more than one (1) comment per subject at this second Public Comment section. Comments may be made on any subject pertaining to Borough issues. No debating between residents. Comments should be addressed to Mayor and Council.

None at this time.

LEGAL ISSUES: Attorney Goodman stated that there were no legal issues at this time.

BILL LIST:

Councilman Rapp motioned to approve and direct payment of all vouchers as they appear on the Bill List in the total amount of **\$224,827.12**, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Miller seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye and abstain of Check # 1265; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes and 1 abstention.

At this time, Councilman Rapp motioned to amend the agenda to include Executive Session to seek legal advice on the legal process of hiring employees. Councilman Stemple seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

EXECUTIVE SESSION: RESOLUTION #184-2013: Councilman Rapp motioned to adopt a resolution that allows for Executive Session to seek legal advise on the legal process of hiring employees, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

Councilman Rapp motioned to return to Open Session. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

Councilman Rapp made a motion to amend **RESOLUTION #170-2013** to include hiring will be contingent on passing a background check. Councilwoman Miller seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

RESOLUTION #170-2013: Councilman Rapp motioned to adopt a resolution as amended to appointing Tara Riordan as Deputy Clerk at an annual salary of \$23,000.00, effective TBD, contingent on passing a background check, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

Mayor Desire asked if there was any further business. There was none at this time. Mayor Desire asked for a motion to adjourn. Councilwoman Miller motioned and Councilman Rapp seconded. Vote: 6 ayes. Motion Carried.

ADJOURNMENT: 10:08 PM

Respectfully submitted,

Diane L. Seals, Municipal Clerk, RMC