Mr. Francy offered the following Resolution and moved its adoption:

R-12-176 RESOLUTION EXECUTIVE SESSION

BE IT RESOLVED that the following portion of this meeting dealing with the following generally described matters shall not be open to the public:

1.Litigation: Captains Cove Marina

2.Contract: PBA Contract, Borough Administrators Contract
3.Real Estate:
4. Personnel Matters: Seasonal Employment
5. Attorney-Client Privilege:

BE IT FURTHER RESOLVED that it is anticipated that the matters to be considered in private may be disclosed to the public at a later date when the need for privacy no longer exists; and

BE IT FURTHER RESOLVED that no portion of this meeting shall be electronically recorded unless otherwise stated; and

BE IT FURTHER RESOLVED that the private consideration is deemed required and is permitted because of the following noted exceptions set forth in the Act:

- 1. Rendered confidential by Federal law or that if disclosed would impair receipt of Federal funds.
- 2. Rendered confidential by State Statute or Court Rule.
- 3. Would constitute an unwarranted invasion of individual privacy.
- 4. Deals with collective bargaining, including negotiation positions.
- 5. Deals with purchase, lease or acquisition of real property with public funds.
- 6. Related to setting of bank rates or the investment of public funds and disclosure could adversely affect the public interest.
- 7. Related to tactics and techniques utilized in protecting the safety and property of the public disclosure may adversely affect the public interest.
- 8. Related to investigation of violations or possible violations of the law.
- 9. Related to pending or anticipated litigation or contract negotiations in which the public body is or may be a party.

10. Falls within the attorney-client privilege and confidentiality is required.

- 11. Deals with personnel matters of public employees and employee has not requested that the matter be made public.
- 12. Quasi-judicial deliberation after public hearing that may result in imposition of a civil penalty or suspension or loss of a license or permit.

BE IT FURTHER RESOLVED that action may be taken after the executive session.

Seconded by Mr. Redmond and approved on the following roll call vote:ROLL CALL:AYES:Mr. Redmond, Mr. O'Neil, Mr. FrancyNAYES:NoneABSENT:Ms. Kane, Mayor NolanABSTAIN:None

DATE: August 15, 2012

Carolyn Cummins, Borough Clerk