

MINUTES
EXECUTIVE SESSION
MUNICIPAL COUNCIL - CITY OF RAHWAY, NEW JERSEY
DECEMBER 4, 2012

Council President Steinman called the meeting to order at 7:24 p.m. and asked for a Roll Call.

PRESENT: Councilmembers Baker, Brown, Cox, Mione, Saliga, Scaturro, Steinman, Wenson
Maier

ABSENT: Councilmember Rachlin

Also present were City Clerk Jeffrey Jotz, Mayor Rick Proctor and CFO Frank Ruggiero.

Jon Inglesino and Denis Driscoll from Inglesino, Pearlman, Wyciskala & Taylor, LLC, explained a proposed settlement with Peter Pelissier.

Mr. Ingelsino produced two documents: one memo dated May 8, 2012 to Mayor Proctor and one dated Dec. 3, 2012 to Mayor Proctor and the City Council. Such documents, he stated, were subject to attorney-client privilege and not a public record as defined by the State Open Public Records Act (OPRA).

Mr. Ingelsino explained that he was retained by the City as Special Council at the direction of the Mayor to investigate a dispute over sick and vacation time and work performed as Director of the Rahway Redevelopment Agency by Mr. Pelissier. Under direction of the Mayor, Mr. Ingelsino conducted an investigation of vacation days taken by Mr. Pelissier beginning in 2011 and work conducted by Mr. Pelissier as Director of the Redevelopment Agency.

Mr. Ingelsino's legal opinion was to present Mr. Pelissier with a Settlement and Release Agreement as a cost-effective alternative to two lawsuits that Mr. Pelissier's attorney has indicated she would file if an agreement was not agreed upon by all parties.

Furthermore, Mr. Ingelsino informed that Council that whatever legal fees Mayor Proctor's attorney is pursuing are completely unrelated to this individual matter involving Mr. Pelissier.

Following the departure of Mr. Ingelsino and Mr. Driscoll, City Attorney Louis Rainone discussed the Council's options with regard to the settlement.

Motion was made by Councilmember Steinman seconded by Councilmember Brown to adjourn from Executive Session at 8:54 p.m.

YES: Councilmembers Baker, Brown, Cox, Mione, Saliga, Scaturro, Steinman, Wenson Maier

ABSENT: Councilmember Rachlin

Council President Steinman declared the motion carried.