

Mayor Richard F. Miller called the meeting to order at 7:30 p.m.

Flag Salute.

Roll Call: Present – Insel, Pendergast, Smith, Valenta, Mayor Miller  
Absent - Duffy, Shea

**STATEMENT OF ADEQUATE NOTICE:**

Mayor Miller read the following statement: “Adequate notice of this meeting has been provided, indicating the time and place of the meeting and the proposed agenda, which notice was posted, made available to newspapers, and filed with the Clerk of the Town of Clinton in accordance with Section 3(d) of Chapter 231 of the Public Laws of 1975.”

**APPROVAL OF MINUTES**

A motion was made by Mr. Smith seconded by Mr. Pendergast, to approve minutes of June 14, 2011 as submitted.

Vote all ayes  
Motion carried

**FARMER’S MARKET**

Harvey Finkel, Hunterdon First and organizer of the weekly Farmer’s Market, returned to Council to present them with copies of the applications being distributed to potential farmers. Mr. Finkel also gave copies of the insurance forms received from the vendors that will be given to the Town’s insurance company to make sure all coverage items are sufficient. Mayor Miller thanked Harvey, and stated that this new feature in Town will be an exciting venture.

**MAYOR’S COMMENTS**

It has been an exciting two weeks and Mayor Miller wished to express his thanks to many people who have welcomed him into his new appointment as Mayor of the Town of Clinton! Mayor Miller began by thanking the Members of Council, the staff, PW/Business Administrator, James T. Naples, Finance Officer, Kathy Olsen and Cecilia Covino the Town Clerk.

Chief Matheis gave a tour of the Police Department and updated Mayor Miller on Town happenings.

Paul Klitsch, Wastewater Treatment Plant Superintendent, gave Mayor Miller a tour and an impressive history of the plant. Built in the 1960’s, it is very clear that the powers that be took pride in long term planning. Mayor Miller stated that his hopes are to continue with carrying on the tradition of elected officials of the past.

Attended the Clinton Guild meeting with Council liaison, Laurie Insel, who is the perfect choice for working with the guild, said Mayor Miller. It was nice to meet so many merchants and business owners. Mayor Miller also took the opportunity to stop in to all the lending institutions in Town and thanked them for locating in our Town. On June 21<sup>st</sup>, attended a nice event with the Chamber of Commerce.

**ALTERNATE SUMMER SCHEDULE FOR COUNCIL MEETINGS**

Councilman Smith suggested that an alternate summer schedule for council meetings be made. Council will hold the first scheduled meeting of the months of July and August, July 12 and August 9. On August 23, the 4<sup>th</sup> Tuesday in August, there will be a Open Public Meeting for information regarding the construction of Lower Center Street, Main and East Main Street, to discuss the water main replacements and road renovations. A motion was made by Mr. Smith, seconded by Mrs. Valenta, to accept the summer schedule as proposed.

Vote all ayes  
Motion carried

**WATER REFUND**

The Water Collector is requesting a refund of \$39.26 be forwarded to Klaus Valsted Account # 003623. A motion was made by Mr. Pendergast, seconded by Mrs. Insel to refund the amount requested.

ROLL CALL: Ayes: Insel, Pendergast, Shea, Smith, Valenta, Mayor Miller

Vote all ayes  
Motion carried

**SUMMER RECREATION STAFFING**

The Board of Recreation Commissioners is recommending the following staff be hired for the 2011 Summer Recreation Program to be held June 27 through July 22, 2011.

Director	Tiffany Cinquemani	\$4,400.00
Arts & Crafts	Barbara Plundeke	\$2,230.00
Adult Counselors	Debbie Herold	\$1,825.00
	Elizabeth Seiffert	\$1,615.00
	Heidi Singer	\$1,560.00
	Mark Deneka	\$1,460.00
Adult Substitutes	Patti Weiss	\$75.00/day
Teen Counselors	Mark Creasy	\$7.25 / hr. 4 weeks
	Katie Duffy	\$7.00 / hr. 4 weeks

The ACE Tennis Program will run from July 18-22<sup>nd</sup> and the Tennis Clinic will run from July 25 through August 18<sup>th</sup>.

Tennis Instructors:	Ellery Spencer	\$15.00 / hr. 5 weeks
	Lauren Dianora	\$15.00 / hr. 5 weeks

A motion was made by Mr. Pendergast, seconded by Mr. Smith, to approve the staffing list as submitted.

ROLL CALL: Ayes: Insel, Pendergast, Smith, Valenta, Mayor Miller

Vote all ayes  
Motion carried

**SUBSTITUTE CROSSING GUARD**

Dianna Kubik is no longer able to work as a crossing guard and has resigned her position with the Town of Clinton. Police Chief Matheis recommended to Council that he be authorized to make an offer of employment to Laura Ochs for the position of Substitute Crossing Guard to replace Dianna Kubik at the established rate of pay for that position. A motion was made by Mr. Smith, seconded by Mr. Pendergast, to grant Chief Matheis's request as submitted.

ROLL CALL: Ayes: Insel, Pendergast, Smith, Valenta, Mayor Miller

Vote all ayes  
Motion carried

**RESOLUTION #119-11 - AUTHORIZATION FOR MAYOR TO SIGN AMENDED  
GRANT AGREEMENT WITH HIGHLANDS**

PW/Business Administrator, James T. Naples, met with Council liaison, Laurie Insel, and discussed the Grant Agreement with the State of New Jersey Highlands Water Protection and Planning Council. The first phase, the Petition for Plan conformance was adopted January 20, 2010 and was paid for with a grant for \$100,000. 11 additional tasks are required to be completed by the Planner. An additional \$143,000 is available to the Town of Clinton from the State Highlands Council. The amended grant agreement is required to be completed and returned, therefore, Resolution #119-11 is authorization for the Mayor to sign the agreement.

**RESOLUTION # 119-11**

**WHEREAS** according to the Highlands Act and the Plan Conformance Guidelines, the Town of Clinton's compliance with an approved Final Consistency Review and Recommendations Report, the Highlands Implementation Plan and Schedule, the Highlands Plan Conformance Guidelines and the Highlands Act shall maintain the Town of Clinton's status as conforming to the Regional master Plan and all statutory benefits associated with Plan Conformance, and;

**WHEREAS** the Town of Clinton is hereby entitled to the statutory benefits associated with Plan Conformance as detailed in the Highlands Act, the Regional Master Plan and the Plan Conformance Guidelines, so long as the Town of Clinton remains in conformance with the Regional Master Plan and to the extent such funds are made available by the State; and

**WHEREAS** the funds available by the State to the Town of Clinton may be in the amount of \$143,000,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor of the Town of Clinton be authorized to execute the New Jersey Highlands Water Protection and Planning Council approval of the Petition for Plan Conformance for the Town of Clinton.

A motion was made by Mr. Smith, seconded by Mrs. Valenta, to adopt Resolution #119-11 as submitted.

Vote all ayes  
Motion carried

**CORRESPONDENCE**

1. Banner request has been submitted by the Chamber of Commerce to display a banner from September 26 through October 10, 2011. The event to be held is the Chamber of Commerce Business and Home Expo on October 11, 2011 in Flemington. A motion was made by Mrs. Insel seconded by Mr. Pendergast, to grant the request as submitted.

Vote all ayes  
Motion carried

## **REPORTS FROM COUNCIL & TOWN OFFICIALS**

### **Councilman Smith**

1. The WWTP Lab supervisor, Barbara Hartsell, passed the 2011 Water Pollution Proficiency Test for the State. Mr. Smith wished to thank her for her diligence.
2. As required by the State of New Jersey, the annual Water Quality Report was prepared and sent to all water customers.
3. Clinton First Aid & Rescue Squad will be sending out their 2011 Fund Drive letter.
4. Reporting for Roads Chairman, Mr. Shea:  
Mr. Naples explained the Leigh Street water main replacement project scheduled to begin July 5, 2011. It will be completed in four phases, notices will be sent to all residents affected by road closures. There will be no interruption in services while the 4,000 feet of line is replaced.
5. Hunterdon County Health Department visited 31 West Main Street and has prepared a report.

### **Councilwoman Insel**

1. Attended the Clinton Guild meeting and discussed the timing of the downtown project. Merchants were happy to hear the project has been put off for a couple months. Merchants that had pavers installed were very grateful to learn that they would be receiving a refund of the \$75.00 Road Opening permit that was paid at the time of the job. The Road Committee agreed to the refunds at a recent Road Committee meeting.
2. Smart Growth Committee met June 16, 2011 continuing discussions for an Economic Development Committee.

### **Councilman Pendergast**

1. Sewer – Last meeting June 18 and the next meeting July 29, 2011.  
  
Kudos to Jerry Vogel, WWTP employee, is to be commended for fast thinking when passing a West Main Street fire. He grabbed a fire extinguisher from his truck and put the fire out before the Fire Department arrived on the scene!
2. Attended a SWAC meeting which went well, held a 20 minute discussion on an application.  
  
Hazardous Waste Clean Up to be held at the Hunterdon County Complex on Route 12 July 29, 2011 from 9 a.m. to 12 noon.

### **Councilwoman Valenta**

1. Environmental Commission would like Mr. Pendergast to attend a Commission meeting to address Solid Waste.
2. Historic Commission's last meeting was cancelled.

### **James T. Naples, PW/Business Administrator**

1. Reporting for Councilman Duffy, Building and Grounds Chairman:
  - Municipal Building steps and railings being repaired and replaced.

- Community Center will have new roof installed within the next few weeks.
- New net at the Tennis Courts
- Energy Efficiency replacement of the HVAC system and the new lights within the next couple weeks.  
Energy grant \$140,000 worth of upgrades, Town to pay \$25,000.

2. Mr. Naples proudly announced he received his second certification in recent months, he is now a certified recycling coordinator.

**Kathy Olsen, CFO**

Clinton Fire Department submitted their annual audit and it is available in the Finance Office for review.

**APPROVAL OF STANDBY AND OVERTIME**

A motion was made by Mr. Pendergast, seconded by Mr. Smith to approve the standby and overtime pay attached to these minutes for May 27 through June 23, 2011.

ROLL CALL: Ayes: Insel, Pendergast, Smith, Valenta, Mayor Miller

Vote all ayes  
Motion carried

**PAYMENT OF BILLS**

A motion was made by Mrs. Valenta seconded by Mrs. Insel to approve the voucher list attached to these minutes.

ROLL CALL: Ayes: Insel, Pendergast, Smith, Valenta, Mayor Miller

Vote all ayes  
Motion carried

**RESOLUTION #- 120-11 – EXECUTIVE SESSION – Potential Litigation – Contract Negotiations**

A motion was made by Mr. Smith, seconded by Mr. Pendergast to enter into Executive Session at 8:04 p.m. to discuss a matter of Potential Litigation and Contract Negotiations.

**RESOLUTION AUTHORIZING EXECUTIVE SESSION**

**WHEREAS**, the Open Public Meetings Act; *N.J.S.A. 10:4-6 et seq.*, declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

**WHEREAS**, the Open Public Meetings Act also recognizes exceptions to the right of the public to attend portions of such meetings; and

**WHEREAS**, the Mayor and Council find it necessary to conduct an executive session closed to the public as permitted by the *N.J.S.A. 40:4-12*; and

**WHEREAS**, the Mayor and Council will reconvene in public session at the conclusion of the executive session;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Clinton, County of Hunterdon, State of New Jersey that they will conduct an executive session to discuss the following topic(s) as permitted by *N.J.S.A. 40:4-12*:

A matter which Federal Law, State Statute or Rule of Court requires be kept confidential or excluded from discussion in public (Provision relied upon: \_\_\_\_\_);

\_\_\_\_\_ A matter where the release of information would impair a right to receive funds from the federal government;

\_\_\_\_\_ A matter whose disclosure would constitute an unwarranted invasion of individual privacy;

\_\_\_\_\_ A collective bargaining agreement, or the terms and conditions thereof (Specify contract: \_\_\_\_\_)

\_\_\_\_\_ A matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed;

\_\_\_\_\_ Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

\_\_\_\_\_ Investigations of violations or possible violations of the law;

Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (the general nature of the litigation or contract negotiations is: \_\_\_\_\_)

\_\_\_\_\_ OR \_\_\_\_\_ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.)

\_\_\_\_\_ Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer; (The general nature of the matter is: \_\_\_\_\_)

OR \_\_\_\_\_ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists);

\_\_\_\_\_Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective or current public officer or employee of the public body, where all individual employees or appointees whose rights could be adversely affected have not requested in writing that the matter(s) be discussed at a public meeting; (The employee(s) and/or general nature of discussion is \_\_\_\_\_

OR \_\_\_\_\_ the public disclosure of such information at this time would violate the employee(s) privacy rights; therefore this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists.;

\_\_\_\_\_Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit;

**BE IT FURTHER RESOLVED** that the Mayor and Council hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Town Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Town or any other entity with respect to said discussion. That time is currently estimated to be: \_\_\_\_\_ (estimated length of time) OR upon the occurrence of \_\_\_\_\_

BE IT FURTHER RESOLVED that the Mayor and Council, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

Vote all ayes  
Motion carried

A motion was made by Mr. Smith seconded by Mr. Pendergast to return to the Regular Council meeting at 8:32 p.m.

Vote all ayes  
Motion carried

**ADJOURNMENT:** There being no further business, a motion was made by Mr. Smith seconded by Mrs. Valenta to adjourn the meeting at 8:35 P.M.

Vote all ayes  
Motion carried

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Cecilia Covino, RMC/CMC  
Town Clerk

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Richard F. Miller, Mayor