

Mayor Kovach called the meeting to order at 7:30 p.m.

Flag Salute.

Roll Call: Present – Carberry, Pendergast, Rylak, Shea, Smith, Mayor Kovach  
Absent - Sosidka

**STATEMENT OF ADEQUATE NOTICE:**

Mayor Kovach 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. Carberry seconded by Mr. Smith to approve the minutes of July 8, 2014 as submitted.

Vote all ayes  
1 Abstention (Shea)  
Motion carried

**APPROVAL OF MONTHLY REPORTS – JUNE**

A motion was made by Mr. Carberry seconded by Mr. Shea to accept the monthly reports for the month June as submitted: Wastewater Treatment Plant, Treasurer’s Report

Vote all ayes  
Motion carried

**PUBLIC COMMENT – None**

**MAYOR’S COMMENTS – None**

**PRESENTATION - HUNTERDON COUNTY PROSECUTOR, ATHONY KEARNS**

Hunterdon County Prosecutor, Tony Kearns, presented an in depth documentary and real life situations of drugs in Hunterdon County. The shocking truth is how explosive the epidemic has become and it is imperative that education become prevalent in our communities.

**RESOLUTION #105-14 – MUNICIPAL LIENS**

A motion was made by Mr. Smith, seconded by Mr. Carberry, to adopt Resolution #105-14 listing properties that have been maintained and liens assessed to their properties.

**RESOLUTION # 105-14**

**WHEREAS** Section 45 BRUSH, GRASS, AND WEEDS, of the Town of Clinton Code Book requires that certain aspects of a homeowners property be maintained as to not create a concern to the public, welfare and safety or constitute a fire hazard; and,

**WHEREAS** the code states that all grass and weeds must be maintained so as not be greater than 3 inches in height; and,

**WHEREAS** the Code Enforcement Official is authorized to enforce Section 45 by notifying residents of a violation and allowing ten (10) days to abate a violation; and,

**WHEREAS** of the owner of said property does not abate the problem within ten (10) days after receipt of the notice, a provision in the Section allows for the Public Works/ Business Administrator to reinspect the lands in question and report to Council at its next regular meeting the condition complained of, and

**WHEREAS** the Public Works/ Business Administrator shall cause the condition complained of to be abated and certify to the Mayor and Council, the cost charged which shall become a lien upon the lands and be added to become a part of taxes next to be assessed and levied upon the lands and shall bear interest at the same rate as taxes and be collected and enforced by the same officer and in the same manner as taxes.

**NOW, THEREFORE, BE IT RESOLVED**, that steps to abate conditions as stated in Section 45 to the following properties have been remedied by the Town of Clinton Public Works Department and the liens on the respective fees be assessed to the said properties are as follows:

<u><b>TOTAL AMOUNT</b></u>		
19 West Main Street	Block 25, Lot 20	\$119.00
31 West Main Street	Block 25, Lot 15	\$119.00
42 West Main Street	Block 6, Lot 12	\$138.00

**BE IT FURTHER RESOLVED** that the Mayor and Council have reviewed documentation and approve the liens to be assessed as presented. Certified copies of this resolution shall be presented to the Town of Clinton Tax Assessor and Tax Collector.

ROLL CALL: Ayes: Carberry, Pendergast, Rylak, Shea, Smith, Mayor Kovach

Vote all ayes  
Motion carried

**RESOLUTION #106-14 – GRACE PERIOD FOR THIRD QUARTER TAXES**

A motion was made by Mr. Carberry, seconded by Mr. Rylak, to adopt Resolution #106-14 as submitted:

**RESOLUTION # 106-14**

**WHEREAS**, the 2014 tax rate for the Town of Clinton was certified by the Hunterdon County Tax Board on July 10, 2014, thereby creating a delay in the issuance of the Final 2014/Preliminary 2015 tax bills, and

**WHEREAS**, the third quarter tax amount is due on August 1, 2014, with a ten day grace period,

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Town of Clinton, County of Hunterdon, that the grace period for the payment of third quarter 2014 taxes be extended until August 19, 2014; and

**BE IT FURTHER RESOLVED** that any third quarter 2014 tax payments received after August 19, 2014 shall be charged interest from the original due date of August 1, 2014.

3885  
Vote all ayes  
Motion carried

**RESOLUTION #107-14 – CANCELLATION OF LIEN**

A motion was made by Mr. Pendergast, seconded by Mr. Rylak, to adopt Resolution #107-14 as submitted:

**RESOLUTION # 107-14**

**WHEREAS**, the Tax Collector of the Town of Clinton has been paid \$13,232.81 the amount necessary to redeem Tax Sale Certificate #2013-8 on Block 22, Lot 17, assessed to Won K & Chung K Yun, and purchased by Stuart Lasher.

**NOW THEREFORE BE IT RESOLVED**, on this 22rd day of July, 2014 by the Mayor and Council of the Town of Clinton, County of Hunterdon, that the Chief Financial Officer be authorized to issue a check in the amount of \$13,232.81 (certificate) & \$200.00 (premium) payable to Stuart Lasher, P.O. Box 83, Milltown, NJ, 08850, upon receipt of the original Tax Sale Certificate endorsed for cancellation, and

**BE IT FURTHER RESOLVED** that the Tax Collector be authorized to cancel Lien #2013-8 on Block 22, Lot 17, assessed to Won K & Chung K Yun, from the Town of Clinton Tax Records.

ROLL CALL: Ayes: Carberry, Pendergast, Rylak, Shea, Smith, Mayor Kovach

Vote all ayes  
Motion carried

**BANNER REQUEST – BUSINESS & HOME EXPO**

A banner request has been submitted by the Hunterdon County Chamber of Commerce, to display a banner promoting the Business and Home Expo to be held October 14, 2014. The banner dates will be September 1 through the 8<sup>th</sup>. A motion was made by Mr. Carberry, seconded by Mr. Rylak, to approve the request as submitted.

Vote all ayes  
Motion carried

**COUNCIL ON AFFORDABLE HOUSING**

A request from the Hunterdon County Planning Board has been made regarding submitting comments of the new COAH's Proposed Rules. A recalculation is being made for low and moderate income unit allocations at the State level. Attorney Cushing recommended the Mayor and Council, possibly the Town Planner, to send resolutions to state representatives protesting their proposals and to counteract the builders and developer's intentions as well. Mr. Hetzel attended the meeting at the County where this was discussed and said comments are due by August 1, 2014. Mr. Cushing recommended that Administrator Phelan research through the League of Municipalities additional information and to gather four or five bullets for the resolution.

**CLOTHING BINS**

Mayor Kovach asked that attention be given to the clothing bins in Town that are overflowing onto the ground with clothing. Chief Matheis said he arranged to meet with property owners on Wednesday, July 23, 2014 to discuss having additional pickups so that items are not scattered on the ground.

### **CORRESPONDENCE**

1. 6<sup>TH</sup> Annual Sustainable Jersey Luncheon will be held Tuesday, November 18, 2014 at the League of Municipalities Convention. A complimentary ticket has been sent to the Town, the Town of Clinton will be recognized for obtaining Sustainable Jersey Certification.
2. A thank you received from the Clinton Public School for the Town of Clinton Award. This year's recipient was Ryan Ragozine! Congratulations!
3. Raritan Headwaters Association sent a thank you to the Town for supporting the 24<sup>th</sup> Annual Stream Clean Up of Raritan River that was held Saturday, April 26, 2014. Donation of \$500 and the hard work of volunteers enabled the successful removal of 11 tons of trash and recyclables.

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

#### **Councilman Smith**

1. Water Committee – Proceeding with the hydrant mapping proposal. The Town Engineer, Robert Clerico, P.E. is working on it and should be completed by the end of the summer. Fire Chief Walt Dorf recently inquired about having GPS on hydrants and this proposal will have total details and GPS engineering data of the hydrants.
2. Road repairs estimates for work on Union Road and West Main Street have come in. Union Road – \$23,000 and West Main Street - \$12,700. Hopefully work will take place on Union Road early Fall 2014.
3. There have been delays on the Halstead Street Water Main Replacement due to the State DOT inspectors. Work was held up due to fish spawning and recently the State wanted work to take place at night which would add additional costs for police and the contractor.
4. Mr. Smith copied and distributed a copy of a newspaper article regarding lawn maintenance on vacant and abandoned properties. Earlier this evening, Council adopted Resolution 105-14 which placed municipal liens and assessed fees against three properties that have been notified to maintain their lawns. Mr. Smith asked Mr. Cushing to review the article and the Town's current ordinance to see if the fines can be increased to encourage property owners to maintain their own properties. The Town has to consider not just the manpower to cut the tall grass, the equipment wear and tear also.

#### **Councilman Shea**

1. Roads Committee – the final stage of the Leigh Street Handicap Accessible Ramp project is taking place. The old striping has been peeled off and the new markings are being done to have them properly aligned with the intersections.

#### **Clerk Covino**

Announced that Angela Hawes gave birth to a healthy baby boy on July 14, 2014, Benjamin William, and everyone is doing well. Angela also received her Certified Municipal Registrar certification through on-line classes which worked out very well and no cost to the Town. Congratulations to Angela and all accounts!

**Councilman Pendergast**

1. Clinton Fire Department send their thanks to Council for supporting the need to replace the pumper.
2. Sewer Treatment Plant – UV treatment project is underway to replace one of two banks, of the UV lights, the first is near perfect. The second bank may have to be modified to accept another product and the only one supplier lost their bid and another product may need to be used.

The press machine and filter building is nearly 20 years old and will need replacement, possibly in 2015. Electrical upgrades will be required.

**Councilman Rylak**

1. Smart Growth Committee – Mr. Rylak and Ms. Sosidka prepared a first draft of a questionnaire which will be sent out as a public survey. Questions such as “what is important to you in Clinton” will be on the questionnaire.

**STANDBY AND OVERTIME**

A motion was made by Mr. Pendergast, seconded by Mr. Carberry to approve the standby and overtime submitted for July 4 through July 17, 2014 attached to these minutes.

ROLL CALL: Ayes: Carberry, Pendergast, Rylak, Shea, Smith, Mayor Kovach

Vote all ayes  
Motion carried

**PAYMENT OF BILLS**

A motion was made by Mr. Carberry, seconded by Mr. Smith to approve the voucher list attached to these minutes.

ROLL CALL: Ayes: Carberry, Pendergast, Rylak, Shea, Smith, Mayor Kovach

Vote all ayes  
Motion carried

ROLL CALL: Ayes: Carberry, Pendergast, Rylak, Shea, Smith, Mayor Kovach

**RESOLUTION #108-14 – POTENTIAL LITIGATION – CONTRACT NEGOTIATIONS**

A motion was made by Mr. Pendergast, seconded by Mr. Rylak, to enter into Executive Session to discuss a matter of potential litigation and contract negotiations at 9:18 p.m.

Vote all ayes  
Motion carried

**RESOLUTION # 108-14**

**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: Land Acquisition 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

**ADJOURNMENT:** Upon returning from Executive Session and there being no further business, a motion was made by Mr. Carberry seconded by Mr. Smith to adjourn the meeting at 9:30 p.m.

\_\_\_\_\_  
Cecilia Covino, RMC/CMC  
Town Clerk

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Mayor Janice Kovach