

3950

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

Flag Salute.

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

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 September 23, 2014 as submitted.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS – SEPTEMBER

A motion was made by Mr. Smith seconded by Ms. Sosidka to accept the monthly reports for the month September as submitted:

Administrator’s Report, Clerk’s Account, Cat & Dog Licensing Accounts, Construction Control/Inspection Report, Police Report, Road Foreman’s Report, Sewer Collector’s Report, Tax Collector’s Report, Water Collector’s Report, Zoning Officer’s Report.

Vote all ayes
Motion carried

PUBLIC COMMENT

Walt Dorf, Chief of the Clinton Fire Department, announced that the Fire Department along with the Clinton Police Department raised \$9,300.00 for St. Baldrick’s organization. The men shaved their heads and accepted donations towards finding a cure to childhood cancer. Great job!!

MAYOR’S COMMENTS

Mayor Kovach announced that Councilman Al Rylak published a book in dedication to his wife, Ginny. Mr. Rylak will hold a book signing on Sunday November 9, 2014 from 1 – 2:30 p.m. All proceeds of his book will go to pancreatic cancer.

CLINTON GUILD and STREET BANNER

The Clinton Guild is requesting a banner promoting the 2014 Holiday Events. The banner is to be displayed November 17 through January 4, 2015. A motion was made by Mr. Carberry, seconded by Mr. Rylak, to grant the request for the banner.

Vote all ayes
Motion carried

Diane Crisman-Race, President of the Clinton Guild and Liz Scannell, Treasurer, attended this evening’s meeting to ask council to reconsider erecting the community Christmas Tree on Dora’s property. Ms. Race said the manpower of the Town should take about 30 minutes to anchor and erect the tree and implores the assistance of DPW. Last year this request was forwarded to Buildings and Grounds and Mayor Kovach said it will be sent to the Committee once again. Mr.

3951

Rylak said he will donate \$100 to the Fire Department if they would assist the Guild. Chief Dorf said they pick up the tree and deliver it to the site and would be happy to erect it for them. Erecting the Menorah lies in the hands of Rabbi Kornfeld.

A special thank you to the Town for adding additional garbage cans on Main Street.

BEST PRACTICES WORKSHEET CY 2014/SFY 2015

All municipalities have been asked to submit their worksheets to Mayor and Council for review and discussion. Council has reviewed and a motion was made by Mr. Smith, seconded by Mr. Carberry, authorizing the CFO to send it in to the State.

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #14-16 – AMENDING CHAPTER 18 – POLICE DEPARTMENT

A motion was made by Mr. Carberry, seconded by Mr. Pendergast to open the public hearing of Ordinance #14-16 as submitted:

ORDINANCE # 14-16

ORDINANCE AMENDING CHAPTER 18 ENTITLED “POLICE DEPARTMENT” OF THE
GENERAL ORDINANCES OF THE TOWN OF CLINTON, COUNTY OF HUNTERDON,
AND THE STATE OF NEW JERSEY

Vote all ayes
Motion carried

Christian D’Annunzio, Hunterdon On-Line News, asked the purpose of amending this chapter. Mayor Kovach explained that we are updating the current ordinance and including the ability to hire special officers to assist the chief if necessary. Chief Matheis further explained that the Police Department could hire part time officers to help the department. There are no plans to hire but this is generally a housekeeping matter. Mr. Cushing asked to fill in the blank referring to “the number of special law enforcement officers designated as class one members shall not exceed __ persons.” Chief Matheis said to complete the blank with ten (10) as that is the number of officers when fully staffed.

A motion to close the public hearing was made by Mr. Smith, seconded by Mr. Carberry, to close the public portion of the meeting.

Vote all ayes
Motion carried

A motion was made by Mr. Pendergast, seconded by Ms. Sosidka, to adopt Ordinance #14-16 on second reading.

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

Vote all ayes
Motion carried

PUBLIC HEARING - ORDINANCE #14-17 – CREATING THE OFFICE OF PARKING ENFORCEMENT OFFICER

A motion was made by Mr. Smith, seconded by Mr. Rylak, to open the public hearing on Ordinance #14-17 as submitted:

**ORDINANCE #14-17
ORDINANCE CREATING THE OFFICE OF PARKING ENFORCEMENT OFFICER**

Vote all ayes
Motion carried

Ms. Sosidka commented that she is not in favor of hiring a parking enforcement officer and feels the Town does not need it.

A motion was made by Mr. Pendergast, seconded by Mr. Smith, to close the public portion of the meeting.

Vote all ayes
Motion carried

A motion was made by Mr. Smith, seconded by Mr. Carberry to adopt Ordinance #14-17 on second reading.

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

Vote all ayes
1 Nay (Sosidka)
Motion carried

PUBLIC HEARING – ORDINANCE #14-18 – BOND ORDINANCE – HALSTEAD STREET IMPROVEMENT PROJECT

A motion was made by Mr. Smith, seconded by Mr. Pendergast, to open the public hearing on Ordinance #14-18 as submitted:

**ORDINANCE #14-18
BOND ORDINANCE PROVIDING FOR THE HALSTEAD STREET ROAD IMPROVEMNET PROJECT IN AND BY THE TOWN OF CLINTON, COUNTY OF HUNTERDON, APPROPRIATING \$290,000 THEREFOR AND AUTHORIZING THE ISSUEANCE OF \$120,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF**

Vote all ayes
Motion carried

Christian D'Annunzio questioned what the bond ordinance was for. The Halstead Street Road Improvement project totaled \$290,000, a DOT grant for \$170,000 has been approved and the balance is \$120,000, the amount of this bond.

A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to close the public portion of this meeting.

Vote all ayes
Motion carried

A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to adopt Ordinance #14-18 on second reading.

3953

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

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #14-19 – CREATING NEW CHAPTER 86 - INTOXICATED DRIVERS-PROTECTIVE CUSTODY

A motion was made by Mr. Smith, seconded by Ms. Sosidka, to open the public hearing of Ordinance #14-19 as submitted:

ORDINANCE #14-19

AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE TOWN OF CLINTON TO ESTABLISH A NEW CHAPTER 86 ENTITLED “INTOXICATED DRIVERS—PROTECTIVE CUSTODY”

Vote all ayes
Motion carried

Chief Matheis stated that the Clinton Police Department is not equipped with adequate personnel or facilities to handle an intoxicated drivers for an extended period of time if a reliable person cannot be reached. Mr. Rylak questioned if 12 hours is long enough for an intoxicated person to be released but Chief Matheis assured him that the County will not release anyone if still under the influence.

A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to close the public portion of the meeting.

Vote all ayes
Motion carried

A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to adopt Ordinance #14-19 on second reading.

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

Vote all ayes
Motion carried

RESOLUTION #121-14 – PURCHASE OF A FIRE TRUCK

A motion was made by Mr. Pendergast, seconded by Mr. Rylak to adopt Resolution #121-14 as presented:

RESOLUTION 121-14

WHEREAS, the Town of Clinton wishes to purchase a Fire Truck from an authorized vender under the State Contract Purchasing Program;

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, Pierce Manufacturing, Inc. has been awarded the State Contract #A83757;
and

3954

WHEREAS, the purchasing agent recommends the utilization of this contract on the grounds that it represents the best price available; and

WHEREAS, the actual cost for the Fire Truck is expected not to exceed \$642,035.64; and

WHEREAS, the Chief Financial Officer has certified the availability of \$642,035.64 under Ordinance #14-15.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Clinton, that Pierce Manufacturing be awarded a contract for the purchase of a Fire Truck.

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

Vote all ayes
Motion carried

RESOLUTION #122-14 – PURCHASE OPTIONS FOR THE FIRE TRUCK

A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to adopt Resolution #122-14 allowing for the purchase of options for the new fire truck:

RESOLUTION #122-14

WHEREAS, the Town of Clinton wishes to purchase Unpublished Options for the Fire Truck along with Installation, Freight and Delivery, from Pierce Manufacturing;

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, the purchasing agent recommends the purchase of these items on the grounds that it represents the best price available; and

WHEREAS, the actual cost for the Unpublished Options for the Fire Truck, Installation, Freight and Delivery is expected not to exceed \$26,102.62; and

WHEREAS, a companion resolution #121-14 will award the published State Contract items; and

WHEREAS, the Chief Financial Officer has certified the availability of \$7,964.36 under Ordinance #14-15 and \$18,138.56 from the Clinton Fire Department Escrow Fund,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Clinton, that Pierce Manufacturing be awarded a contract for the purchase of Unpublished Options for the Fire Truck, Installation, Freight and Delivery.

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

Vote all ayes
Motion carried

RESOLUTION #123-14 – GRANT SUBMISSION FOR HELEN ROAD AND HUNTS MILL

A motion was made by Mr. Smith, seconded by Mr. Carberry, authorizing the submission of a grant application and to execute a grant agreement with the New Jersey Department of Transportation for the Helen and Hunts Mill Roads Improvement Project as submitted:

RESOLUTION # 123-14

RESOLUTION: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Helen and Hunts Mill Roads Improvement Project

WHEREAS, Helen Road and Hunts Mill Road are in need of Improvement

WHEREAS, Robert J. Clerico, P.E., Town Engineer, has prepared a cost estimate for improvements to these roads.

NOW, THEREFORE, BE IT RESOLVED that the Mayor & Council of the Town of Clinton formally approved the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2015-Helen & Hunts Mill Roads-00109 to the New Jersey Department of Transportation on behalf of the Town of Clinton.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Town of Clinton and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approved the execution of the grant agreement.

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

Vote all ayes
Motion carried

RESOLUTION #124-14 – OBJECTION TO PENNEAST PIPELINE

Council briefly discussed the proposed construction of a new pipeline for the transfer and delivery of natural gas general by deep well “fracking” in areas of Marcellus Shale in Pennsylvania called PennEast Pipeline Company, LLC. Mr. Cushing explained that this will not directly affect all Hunterdon municipalities, but will have an impact to Delaware, Holland, Kingwood, West Amwell and Alexandria Townships as well as Hopewell in Mercer County. Mr. Cushing further explained that there is no harm in adopting this resolution and showing good will to our neighbors in their support. A motion was made by Mr. Rylak, seconded by Mr. Carberry, to adopt Resolution #124-14 as submitted:

RESOLUTION #124-14

WHEREAS, PennEast Pipeline Company, LLC, a joint project of AGL Resources, NJR Pipeline Company, a subsidiary of New Jersey Resources, South Jersey Industries, and UGI Energy Services, a subsidiary of UGI Corporation, proposed the construction of a new pipeline for the transfer and deliver of natural gas generated by deep well “fracking” in areas of Marcellus Shale in Pennsylvania; and

WHEREAS, the proposed pipeline is approximately one hundred (100) miles long of thirty inch (30”) buried pipe crossing parts of Luzerne, Carbon, Northampton and Bucks Counties in Pennsylvania and Hunterdon and Mercer Counties in New Jersey; and

WHEREAS, as currently proposed, the pipeline cuts through Delaware Township, Hunterdon County, causing or contributing to the following:

1. The proposed route of the buried pipeline route crosses many C-1 streams, tributaries, and headwater areas; and
2. The proposed route impacts pristine woods and forests causing damage to wildlife and plant life; and
3. Said removal of trees and vegetation along creeks, streams and waterways will result in the loss of sediment filtration, thereby causing sediment buildup in these waterways that sources of drinking water for millions of New Jersey residents; and
4. The proposed route crosses properties that were purchased with New Jersey Department of Environmental Protection Green Acres Funds, New Jersey Department of Agriculture Funds, Delaware Township and other Hunterdon County Municipal Open Space Funds, Federal Farm and Ranch Protection Program Funds, New Jersey Water Supply Authority Funds, as well as other properties that are subject to conservation easements and/or deed restricted against development; and
5. The proposed route crosses or affects properties that were purchased by non-profit land conservation and protection organizations including the New Jersey Conservation Foundation, the D&R Greenway, and the Hunterdon Land Trust; and
6. The taxpayers of the State of New Jersey, Hunterdon County, Delaware Township as well as foundations and individual donors and farmers and landowners have invested \$7,375,601 to permanently preserve these properties in perpetuity; and

7. The proposed route crosses the Rosemont Ridge Agricultural District that received New Jersey and Federal Historic Designation in 2010, said district covering 2,360 acres, 169 buildings, and historic viewsheds as well as historic agricultural land use patterns and landscapes; and
8. The proposed route will impact Township owned open space, privately held open space, and scenic vistas; and
9. The proposed route and the construction of pump stations along the way will impact ground water that Delaware Township residents depend on for domestic consumption, wetlands, springs, vernal ponds, and C-1 designated streams, all of which are highly valued by residents and visitors, are necessary for Delaware Township's way of life, and are irreplaceable; and
10. The proposed route of the pipeline may invade habitats of species protected by the Endangered Species Act, such as eagles, the wood turtle, the long tailed salamander, and various plants and other animals protected by federal and state law; and
11. WHEREAS, the proposed pipeline causes damage to the municipalities of Delaware, Holland, Kingwood, West Amwell and Alexandria residents as well as Hopewell in Mercer County, by lowering property values, raising health concerns, raising safety concerns, impacting farms and residences, and generally degrading their quality of life and the historic, environmental and cultural resources they have dedicated themselves to protecting.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Clinton, Hunterdon County, New Jersey as follows:

1. The Town of Clinton Council does hereby object to the design and construction of a 30 inch pipeline passing through and under the aforementioned municipalities. The construction and operation of the pipeline will significantly damage C-1 protected streams, wildlife habitat, existing farm operations, and the quality of life in their quality of life.
2. The Clinton Town Council calls for a moratorium on any and all planning for the PennEast Pipeline and requests that any such project, if approved, be removed from the pristine reaches of Hunterdon and Mercer Counties in New Jersey and Luzerne, Carbon, Northampton and Bucks Counties in Pennsylvania

3958

3. The Clinton Town Council seeks the cooperation of other similarly located and affected municipalities, asking that all nearby affected municipalities adopt a similar resolution.
4. The Clinton Town Council adopts, and calls upon similarly situated municipalities to adopt a resolution authorizing each municipality to join together to enter their appearance in any proceeding before the Federal Energy Regulatory Commission the Delaware River Basin Commission, the New Jersey Public Utility Commission, and any other regulatory authority, so that by the strength of numbers they may successfully oppose the PennEast Pipeline project and have the ability to cause the relocation or termination of the project so as to prevent environmental degradation and to project the environment envisioned by the State of New Jersey.
5. Clinton Town Council recognizes that the pipeline could be beneficial to society through potentially lower natural gas prices in the national economy, though these mentioned municipalities will benefit from any of the natural gas being transported through this pipeline. These municipalities determines that the damage outweighs any benefit these municipalities will gain.

Vote all ayes
1 Nay (Rylak)
Motion carried

RESOLUTION # 125-14 – DISCHARGE OF MORTGAGE – VERGARA TO REYES

A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to adopt Resolution #125-14 as submitted:

**RESOLUTION #125-14
A RESOLUTION CONCERNING DISCHARGE OF
AFFORDABLE HOUSING MORTGAGE**

WHEREAS former Town of Clinton residents Daniel Vergara and Maricar Vergara, purchased a home at 21 Rolling Hill Road, Clinton, New Jersey, on January 31, 2008; and

WHEREAS this home was designated as an Affordable Housing unit in the Town of Clinton; and

WHEREAS pursuant to the State of New Jersey Department of Community Affairs, Division of Housing regulations, Daniel Vergara and Maricar Vergara executed a mortgage to the Town of Clinton Affordable Housing Authority on January 31, 2008, which was recorded in Hunterdon County, New Jersey, on February 5, 2008 in Mortgage Book 3225 on page 897; and

3959

WHEREAS Daniel Vergara and Maricar Vergara, husband and wife, have now sold the home to Maria Reyes, unmarried, who has executed a mortgage on September 22, 2014 to the said Affordable Housing Authority;

NOW THEREFORE BE IT RESOLVED that the Mayor has the authority to execute a Discharge of the Mortgage given by Daniel Vergara and Maricar Vergara to the Town of Clinton Affordable Housing Authority.

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

Vote all ayes
Motion carried

**RESOLUTION #126-14 - NJEIT – LENANON BOROUGH WATER MAIN
REHABILITATION PROJECT**

A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to adopt Resolution #126-14 as submitted:

(part I)

22-6601729
ID #

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES
LOCAL FINANCE BOARD
APPLICATION CERTIFICATION

APPLICANT'S
NAME: TOWN OF CLINTON

I, JANICE KOVACH, MAYOR OF THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY DO HEREBY DECLARE:

That the documents submitted herewith and the statements contained herein are true to the best of my knowledge and belief; and

That this application was considered and its submission to the Local Finance Board approved by the governing body of the Town on October 14, 2014; and

That the governing body of the Town has notified each participating local unit of its submission of this application to the Local Finance Board and has made available to each, a true copy of this application.

RESOLUTION #126-14
**RESOLUTION OF THE TOWN OF CLINTON MAKING
APPLICATION TO THE LOCAL FINANCE BOARD
PURSUANT TO N.J.S.A. 40A:2-26(e) AND N.J.S.A. 58:11B-
9(a)**

WHEREAS, the Town of Clinton (the “Town”) desires to make application to the Local Finance Board for:

(a) the approval of the proposed financing through the 2014 New Jersey Environmental Infrastructure Trust Financing Program for the Lebanon Borough Water Main Rehabilitation Project for the Water Utility (the “Project”).

(b) the approval of a non-conforming maturity schedule for the Project.

WHEREAS, Town believes that:

(a) it is in the public interest to accomplish such purpose;

(b) said purposes or improvements are for the health, welfare, convenience or betterment of the inhabitants of the local unit or units;

(c) the amounts to be expended for said purposes or improvements are not unreasonable or exorbitant;

(d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and will not create an undue financial burden to be placed upon the local unit or units;

NOW THEREFORE, BE IT RESOLVED BY TOWN COUNCIL AS FOLLOWS:

Section 1. The application to the Local Finance Board is hereby approved, and the Town’s Bond Counsel, along with other representatives of the Town, are hereby authorized to prepare such application and to represent the Town in matters pertaining thereto.

Section 2. The Clerk of the Town is hereby directed to prepare and file a copy of the bond ordinance with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its approval as provided by the applicable New Jersey Statute.

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

Vote all ayes
Motion carried

CORRESPONDENCE

1. A letter of gratitude sent to Chief Matheis from Caroline T. Rodgers, commending Officer Ollerenshaw for his assistance and his kindness expressed during a recent incident.
2. New Jersey Business & Industry Association (NJBIA) Awards for Excellence dinner October 15, 2014 at the Pines Manor, Edison.
3. State of New Jersey Highlands Council notified the Town of Clinton of the Highlands Council Municipal Exemption Determination Certification Program. Copies will be made for Council members and Land Use Board members.

REPORTS FROM COUNCIL & TOWN OFFICIALS

Councilman Shea

1. Shade Tree Commission will be doing an inventory of trees. The trees circumference must be measured and the types of trees determined.

Councilwoman Sosidka

1. 150th Committee has been meeting regularly and the sponsorship letters are ready for mailing listing the various levels of sponsorships. A Town calendar is being planned as well as bright new banners to be displayed on Old Route 22. Kelsey Bowers designed the logo and Meredith Hyland, Fourchette on Main Street, is designing the 150th website and preparing press releases. Faces of Clinton banner on the Hunterdon Art Museum are also being planned. Christie Wood has submitted a sketch of a mural that will be painted on the side of a building on Main Street and beautifying the gateways is on the to-do list! Shade Tree Commission is also considering planting flowering shrubs at the gateways, maybe azalea bushes. While discussing maintaining the plantings, Mr. Rylak explained the Smart Growth Conservancy Group would be a way of maintaining the plantings if such a group is formed. There has been talk with the Town Picnic Committee of possibly combining the two events, the Town Picnic with the 150th Celebration Party and combining resources to shut Main Street and have a huge party! The topic of BYOB on public property was discussed with the Town Attorney, and the Mayor and Council can adopt a resolution permitting it if they so choose. Fireworks was another topic, Jack Daniels, Fire Official, will look into that.
Mr. Pendergast suggested possibly having the picnic on the property of the Red Mill while concurring celebration events are happening on Main Street. The issue of parking also needs to be addressed.
All planning is in the early stages and will continue in the upcoming months.

Mayor Kovach has appointed Maria Valenta and Robert Russell to the Board of Recreation Commission. A motion was made by Mr. Carberry seconded by Mr. Pendergast to approve the appointments as submitted.

Vote all ayes
Motion carried

Councilman Rylak

1. Smart Growth Committee officially went public with the Smart Growth Survey on October 2, 2014, to date 159 responses have been received. Student from Rutgers will help Mr. Rylak and the Committee to read the data received. A Conservancy group of volunteers is seriously being considered to take care of plantings in and about the Town. A Brew Pub is a common response to the surveys. The next meeting of the Smart Growth will be Monday November 3, 2014 at 7:00 p.m.

Mr. Rylak wished to acknowledge at this time a well known person in the Town of Clinton, George Hecht, who in recent years bought the Old Grandin Library on Lower Center Street. Mr. Hecht was away on a vacation and was hiking, it is believed he may have fallen off a cliff, his body has not yet been discovered. Mr. Rylak attended the Shiva in his honor and heard stories of many happy and interesting times.

STANDBY AND OVERTIME

A motion was made by Mr. Smith seconded by Mr. Pendergast to approve the standby and overtime submitted for September 12 through September 25, 2014 attached to these minutes.

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

Vote all ayes
Motion carried

A motion was made by Mr. Smith seconded by Mr. Pendergast to approve the standby and overtime submitted for September 26 through October 9, 2014 attached to these minutes.

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

Vote all ayes
Motion carried

PAYMENT OF BILLS

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

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

Vote all ayes
Motion carried

RESOLUTION 127-14 – EXECUTIVE SESSION - CONTRACT NEGOTIATIONS

A motion was made by Mr. Pendergast, seconded by Mr. Rylak, to enter into Executive Session to discuss a matter of contract negotiations at 8:28 p.m.

Vote all ayes
Motion carried

RESOLUTION # 127-14

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;

_____X_____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

Chief Financial Officer, Kathy Olsen, and Town Clerk, Cecilia Covino, were asked to leave the Executive Session. Attorney Cushing took the minutes of Executive Session in the absence of the clerk.

ADJOURNMENT: Upon returning from Executive Session and there being no further business, a motion was made by Mr. Rylak seconded by Mr. Smith to adjourn the meeting at 9:00 p.m.

Cecilia Covino, RMC/CMC
Town Clerk

Mayor Janice Kovach