

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

Flag Salute.

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

**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 November 12, 2014 as submitted.

Vote all ayes  
Motion carried

**APPROVAL OF EXECUTIVE SESSION MINUTES**

A motion was made by Mr. Smith, seconded by Mr. Carberry, to approve the Executive Session minutes of November 12, 2014 as submitted.

Vote all ayes  
Motion carried

**PUBLIC COMMENT - None**

**MAYOR’S COMMENTS**

Council reports on the League will be at the next meeting due to Mr. Pendergast’s absence this evening.

**RESOLUTION #137-14 – BANKING OPEN SPACE FUNDS**

A motion was made by Mr. Carberry, seconded by Mr. Rylak, to adopt Resolution #137-14 as submitted:

**RESOLUTION # 137-14**

**WHEREAS**, fifteen percent of the Hunterdon County Open Space Trust Fund raised from the open space tax collected annually in each municipality is available for municipal open space purposes each year; and

**WHEREAS**, the Town of Clinton does not have plans to use its portion of the Open Space Trust Fund in 2015 for Open Space and Recreation, and

**WHEREAS**, the Town of Clinton wishes to reserve its FY 2014 share of the Fund for future open space use.

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Council of the Town of Clinton, County of Hunterdon and State of New Jersey that it hereby asks the Hunterdon County Board of

Freeholders to reserve the Town’s share in the amount of \$54,867.19 of the Hunterdon County Open Space Trust Fund collected in 2014 for use in future years.

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be forwarded to the Hunterdon County Board of Freeholders and the County Open Space Coordinator.

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

Vote all ayes  
Motion carried

**RESOLUTION #138-14 – MUNICIPAL LIENS ASSESSED**

A motion was made by Mr. Carberry, seconded by Mr. Rylak, to adopt Resolution #138-14 as presented:

**RESOLUTION # 138-14**

**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:

<b><u>TOTAL AMOUNT</u></b>		
31 West Main Street	Block 25, Lot 15	\$168.00
42 West Main Street	Block 6, Lot 12	\$134.00

**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.

Vote all ayes  
Motion carried

**RESOLUTION #139-14 - MUNICIPAL LIENS ASSESSED**

A motion was made by Mr. Carberry, seconded by Mr. Rylak, to adopt Resolution #139-14 as presented:

**RESOLUTION # 139-14**

**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:

**TOTAL AMOUNT**

19 West Main Street	Block 25, Lot 20	\$119.00
7 Hillside Drive	Block 8.04, Lot 6	\$134.00

**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.

Vote all ayes  
Motion carried

**CORRESPONDENCE – None**

**REPORTS FROM COUNCIL & TOWN OFFICIALS**

**Councilman Smith**

1. Buildings and Grounds\_- the railings have been installed on the municipal building steps!

**Councilman Shea**

1. Shade Tree – the committee met and reviewed the inventory they completed, the different types of trees, their circumference and other data.

**Councilwoman Sosidka**

1. Board of Recreation – the fitness trail is in the process of being installed, two out of the six stations are in place. When the project is completed, an early Spring event will be had to “christen” the trail.
2. The Board met at the Community Center for their last meeting and to see the newly finished floors, they look fabulous! The Board met with the woman who runs the Jazzercise class and listened to her ideas to run a Jazzer-thon to raise money to do some renovations to the building. A punch list of issues was completed, such as paint, new mats, some rugs.
3. 150<sup>th</sup> Committee has completed work for the calendar which is going to press and should be ready for sale in mid-December. The calendar will have Town events filled in. The Town of Clinton won a day to have the New Jersey Hall of Fame Mobile Museum visit! They are scheduled to be here May 30, 2015 for the 150<sup>th</sup> Block Party Celebration!

**Councilman Carberry**

1. Board of Recreation – Clinton Township does not have a recreation facility and was inquiring about using the Town of Clinton’s when available. This would bring in rental fees.

**Councilman Rylak**

1. 726 responses to the Smart Growth survey have been received to date. Thank you to the Clinton Fire Department for posting it on their billboard.

**STANDBY AND OVERTIME**

A motion was made by Mr. Carberry seconded by Mr. Rylak to approve the standby and overtime submitted for November 7 through November 20, 2014 attached to these minutes.

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

Vote all ayes  
Motion carried

**PAYMENT OF BILLS**

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

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

Vote all ayes  
Motion carried

**RESOLUTION 140-14 – EXECUTIVE SESSION**

A motion was made by Ms. Sosidka, seconded by Mr. Carberry to enter into Executive Session to discuss matters of potential litigation, existing litigation and personnel at 7:47 p.m.

Vote all ayes  
Motion carried

**RESOLUTION # 140-14**

**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);

X 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 Ms. Sosidka to adjourn the meeting at 8:35 p.m.

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

\_\_\_\_\_  
Mayor Janice Kovach