

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

Flag Salute.

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

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. Pendergast to approve the minutes of the regular council meeting May 12, 2015 as submitted.

Vote all ayes
Motion carried

APPROVAL OF EXECUTIVE SESSION MINUTES

A motion was made by Mr. Carberry seconded by Ms. Sosidka, to approve the Executive Session minutes of May 12, 2015 as submitted.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS – APRIL

A motion was made by Mr. Smith seconded by Mr. Pendergast to accept the monthly Waste Water Treatment Plant report for the month of April as submitted.

Vote all ayes
Motion carried

PUBLIC COMMENT

Mr. Carberry took the opportunity to congratulate Mr. Cushing on his being named Super Attorney!

2014 ANNUAL AUDIT

Copies of the 2014 annual Town audit prepared by Suplee, Clooney and Company, were distributed to the Mayor and Council for their review at the May 12, 2015 Council Meeting. A motion was made by Mr. Pendergast, seconded by Mr. Carberry, that Council has reviewed the 2014 audit and confirmed same by signing the Group Affidavit.

Vote all ayes
Motion carried

MAYOR’S COMMENTS

1. Mayor Kovach announced that she will be the guest speaker at the Women’s Business Forum Lunch ‘n Learn at the Clean Plate located in downtown Clinton on Wednesday, June 17, 2015 11:30 a.m. to 1:30 p.m.

RESOLUTION #83-15 – SUMMER RECREATION FEES and STAFFING

RESOLUTION # 83-15

RESOLUTION ESTABLISHING 2015 RECREATION PROGRAM FEES

WHEREAS, Ordinance #08-01 provides that fees for programs sponsored by the Board of Recreation Commission shall be set yearly by Resolution of the Mayor and Council; and

WHEREAS, the Board of Recreation Commissioners has submitted recommendations to the Mayor and Council as to the fees to be established for 2015; and

WHEREAS, the Mayor and Council have reviewed these recommendations and find the recommended fees to be appropriate

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton, County of Hunterdon, New Jersey, that the following Program Fees are effective for 2015:

Summer Recreation Program Registration Fees:

One Hundred Seventy Five (\$175.00) Dollars per student, One Hundred Fifty Five (\$155.00) Dollars for second child, One Hundred Thirty (\$130.00) Dollars for third child & fourth child for Town of Clinton-Glen Gardner Students

One Hundred Ninety Five (\$195.00) Dollars per student for Out-of-District Students, One Hundred Seventy Five (\$175.00) Dollars per child for Multi-Children Families

Weekly Registration – Ninety (\$90.00) Dollars per student, Eighty (\$80.00) Dollars per child for Multi-children Families for Town of Clinton-Glen Gardner Students.

Weekly Registration – One Hundred (\$100.00) Dollars per student, Ninety (\$90.00) Dollars per child for Multi-children Families for Non-Glen Gardner and Town of Clinton Residents

TRIP FEES

Thirty (\$30.00) Dollars per child for Branchburg Sports Complex – per trip

Twenty Five (\$25.00) Dollars per child for Jungle Gym n’ Bounce

Twenty Two (\$22.00) Dollars per child for West Hunterdon Lanes – per trip

Twenty (\$20.00) Dollars per child for Riegel Ridge Pool – per trip

LATE FEE

Fifteen (\$15.00) Dollars late Registration fee after the cut-off date for accepting Registrations

Tennis Program Registration Fees:

Fifty Five (\$55.00) Dollars for Clinton Public School Students and Town Residents

Eighty Five (\$85.00) Dollars for out of town residents

Basketball Program Registration Fees:

Ninety-Five (\$95.00) Dollars per student in grades 3 through 8

Seventy-Five (\$75.00) Dollars per student in grades K through 2

A motion was made by Mr. Pendergast, seconded by Mr. Carberry to adopt Resolution #83-15 setting the fees for the Summer Recreation Program. Ms. Dineen mentioned that 8th graders would no longer be allowed to participate. Only children that have completed Kindergarten through 7th grade would be permitted to participate. Program director, Tiffany Cinquemani made the recommendation to the Board of Recreation Committee stating discipline problems were occurring with 8th graders and felt it best not having students entering high school to continue with the grammar school children. Council briefly discussed the decision and felt it should come before council. However, the Board approved the recommendation of Ms. Cinquemani.

ROLL CALL: Ayes: Carberry, Dineen, Pendergast, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

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

It is the recommendation of the Board of Recreation Commissioners that the following staff be hired for the 2015 Summer Recreation Program to be held June 29th through July 24th at Clinton Public School from 9:00 am to 12 noon.

Director	Tiffany Cinquemani	\$5,100.00	
Arts & Crafts	Barbara Plundeke	\$2,585.00	
Adult Counselors	Debbie Herold	\$2,072.00	
	Heidi Singer	\$1,807.00	
	Patti Weiss	\$1,692.00	
Teen Counselors	Katie Flegg	\$8.38/hr	4 weeks
	Rae Burach	\$8.38/hr	4 weeks

ROLL CALL: Ayes: Carberry, Dineen, Pendergast, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #84-15 – CHAPTER 159

A motion was made by Mr. Carberry, seconded by Mr. Smith, to adopt Resolution #84-15 as submitted:

RESOLUTION # 84-15

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget and,

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and,

WHEREAS, the Town of Clinton has received \$5,664.17 from the State of New Jersey and wishes to amend its 2015 budget to include this amount as a revenue.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Clinton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for they year 2015 in the sum of \$5,664.17 which is now available as a revenue from:

Miscellaneous Revenues

Special Item of General Revenue Anticipated with Prior Written
Consent of the Director of Local Government Services:

Public and Private Revenues Off-Set with Appropriations:
Clean Communities Program, and

BE IT FURTHER RESOLVED, that a like sum of \$5,664.17 is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from the .5% Cap
Public and Private Programs Off-Set by Revenues:
Clean Communities Program:
Other Expenses

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

Vote all ayes
Motion carried

RESOLUTION #85-15 – TAX REDEMPTION

A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to adopt Resolution #85-15 as submitted:

RESOLUTION # 85-15

WHEREAS, the Tax Collector of the Town of Clinton has been previously paid \$1,300.24, the amount necessary to redeem Tax Sale Certificate #2014-1 on Block 1, Lot 19, assessed to Moises Sarmiento, and purchased by Pro Capital 5, LLC, that was returned to the lienholder on April 28th, 2015, and

WHEREAS, the lienholder also paid the Town of Clinton a premium in the amount of \$500.00 that was not returned at that time,

NOW THEREFORE BE IT RESOLVED, on this 26th day of May 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 \$500.00 to Pro Capital 5, LLC, US Bank Cust for PC5, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102 for the tax premium.

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

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #15-11 – VARIOUS CAPITAL IMPROVEMENTS

A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to introduce Ordinance #15-11 on first reading as submitted:

BOND ORDINANCE #15-11

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$266,600 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$253,270 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Town of Clinton, in the County of Hunterdon, New Jersey (the "Town") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$266,600, and further including the aggregate sum of \$13,330 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$253,270 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) <u>Police Department:</u> Acquisition of various equipment, consisting of traffic display signs, new radios and wearable video cameras, including all related costs and expenditures incidental thereto.	\$22,400	\$21,280	10 years
Acquisition of computer equipment, including all related costs and expenditures incidental thereto.	<u>\$6,250</u>	<u>\$5,937</u>	5 years
TOTAL:	<u>\$28,650</u>	<u>\$27,217</u>	
b) <u>Streets and Roads:</u> Acquisition of various equipment, including a backpack leaf blower and a snow blower, including all related costs and expenditures incidental thereto.	\$1,550	\$1,473	15 years
Acquisition of an emergency services vehicle, including all related costs and expenditures incidental thereto.	\$226,000	\$214,700	5 years
Acquisition of a dump truck, including all related costs and expenditures incidental thereto.	\$10,400*	\$9,880**	5 years
TOTAL:	<u>\$237,950</u>	<u>\$226,053</u>	
GRAND TOTAL:	<u>\$266,600</u>	<u>\$253,270</u>	

*Supplements the \$75,000 appropriated in Section 3(c) of Bond Ordinance #14-08, finally adopted June 24, 2014 ("Section 3(c) of Bond Ordinance #14-08") and the \$75,000 appropriated in Capital Ordinance #14-11, finally adopted June 24, 2014.

**Supplements the \$71,250 authorized in Section 3(c) of Bond Ordinance #14-08.

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Town may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 5.47 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$253,270, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$2,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Vote all ayes
Motion carried

A notice of this ordinance will be published in the Friday, May 28, 2015 edition of the Courier News. A second reading and public hearing will be held June 9, 2015.

WATER REFUNDS

Water collector, Nancy Burgess, is requesting a water refund to Yayi & Ye Wei in the amount of \$127.97. A motion was made by Mr. Pendergast, seconded by Ms. Dineen, to grant the request.

ROLL CALL: Ayes: Carberry, Dineen, Pendergast, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

Water collector requesting a second refund to Pamela Nicolai in the amount of \$56.19. Motion made by Mr. Pendergast, seconded by Mr. Carberry, to grant the request.

ROLL CALL: Ayes: Carberry, Dineen, Pendergast, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

CORRESPONDENCE – NONE

REPORTS FROM COUNCIL & TOWN OFFICIALS

Councilman Smith

Water Committee is preparing a water system assets management plan which will identify needs to establish a 10 year plan.

Councilwoman Sosidka

150th Celebration will take place Saturday, May 30th. The “Face of Clinton” mosaic is expected to be hung Friday. John Bohnel and Craig Reuter are planning on hanging the mesh creation on the Hunterdon Art Center. They need to be added to the Town of Clinton insurance policy as volunteers of the Town in order to be covered. Mr. Phelan will take care of having them listed. A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to name John Bohnel and Craig Reuter as volunteers of the 150th Committee in order to hang the “Face of Clinton” .

Vote all ayes
Motion carried

Councilman Pendergast

Sewer committee meeting to be held Friday, May 28, 2015.

STANDBY AND OVERTIME

A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to approve the standby and overtime submitted for May 8 through May 21, 2015 attached to these minutes.

ROLL CALL: Ayes: Carberry, Dineen, Pendergast, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

PAYMENT OF BILLS

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

ROLL CALL: Ayes: Carberry, Dineen, Pendergast, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION # 86-15 – EXECUTIVE SESSION

A motion was made by Mr. Carberry seconded by Ms. Sosidka, to enter into Executive Session at 7:52 p.m. to discuss Contract Negotiations and Litigation.

RESOLUTION #86-15

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

ADJOURNMENT: Upon returning from Executive Session and there being no further business, a motion was made by Ms. Sosidka seconded by Mr. Pendergast to adjourn the meeting at 9:28 p.m.

Cecilia Covino, RMC/CMC
Town Clerk

Mayor Janice Kovach