

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

Flag Salute.

Roll Call: Present – Carberry, Dineen, Pendergast, Rylak, 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 Ms. Dineen to approve the minutes of the Regular Council Meeting held January 26, 2016.

Vote all ayes
Motion carried

APPROVAL OF MINUTES

A motion was made by Mr. Carberry, seconded by Mr. Pendergast to approve the minutes of the Regular Council Meeting held February 9, 2016.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS – FEBRUARY

A motion was made by Mr. Pendergast seconded by Mr. Carberry to approve the monthly reports for the Waste Water Treatment Plant for February as submitted.

Vote all ayes
Motion carried

PRESENTATION OF PROCLAMATION TO THE LADY BULLDOGS

Council chambers was filled to a standing room only crowd for the presentation of the proclamation to Clinton Public School’s Lady Bulldogs for an undefeated season! Mayor Kovach presented each of the players and scorekeepers with a copy of the proclamation and posed with the team for pictures with Coach Joe Harris! An exciting evening and a round of applause resounded throughout the room!

PUBLIC COMMENT

Diane Crisman-Race, President of the Guild, attended this evening to update Council on a few items and the new slate of officers. Remaining as President, Diane Crisman-Race; Dana Lane, Vice President; Tim Betz from the Red Mill, Secretary; Marjorie Nathanson, Recording Secretary; Mary Lou Carhart, Treasurer and Board members are Carol Beder, Walter Hetzel, Nicole Piazza of Clean Plate, Alice DiGiambattista of Just Chill and Catalina from Christie’s Bakery.

A Taste of Clinton will be held April 29, 30, and May 1, 2016. Follow up to “Dinner on the Bridge” the Guild met with Kevin Joseph of The Oyster Hood to discuss his plans for holding the dinner on the Pony Truss. There were many questions and concerns but the Guild may continue discussion later in the year.

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MAYOR'S COMMENTS

Mayor Kovach announced the Big Brothers Big Sisters of Northern NJ are holding a Meet and Greet at Applebee's in Hackettstown on March 7, 2016 from 6:00 to 8:00 pm. If interested contact the clerk for more details.

BANNER REQUESTS

The Red Mill Museum Village is requesting banners to be displayed for many upcoming events:

British Car Day – June 5 – Banner May 30 through June 5

Agro Industry Day – June 26 – Banner June 20 through June 27

Kid's Day – July 10 – Banner June 26 through July 5

Revolutionary War Weekend – August 6 & 7 – Banner July 18 through August 7

Haunted Village – 3 weekends October 14 through 29 – Banner October 9 through 29

A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to approve the dates requested.

Vote all ayes
Motion carried

Church of All Creation is having their annual One Spirit Festival on September 24 and 25, 2016. They are requesting a banner be displayed September 19 through September 25. A motion was made by Mr. Pendergast, seconded by Mr. Smith, to approve the date requested.

Vote all ayes
Motion carried

Joan Schaming of Balic on Main Street, is requesting a banner be displayed for "Doing Clinton – A Tropical Adventure" event date July 9 and 10, 2016. The banner dates are July 5 through July 11. A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to approve the date requested.

Vote all ayes
Motion carried

SPECIAL EVENT APPLICATION – RUBBER DUCKY RACE

Council is in receipt of the Rubber Ducky Race event application to be held July 17, 2016. Chief Matheis has reviewed the application and approves the event as usual! A motion was made by Mr. Smith seconded by Ms. Dineen, to approve the request as submitted.

Vote all ayes
Motion carried

RESOLUTION #47-16 – REMOVE OVERPAYMENT OF TAXES

A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to adopt Resolution #47-16 as submitted:

RESOLUTION # 47-16

WHEREAS, the Tax Collector of the Town of Clinton has received an overpayment for the following block and lot due to a Tax Court Judgment,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Clinton that the Chief Financial Officer be authorized to refund the overpayment to the following account:

<u>BLOCK</u>	<u>LOT</u>	<u>OWNER</u>	<u>AMOUNT</u>
22	19	Bank of America	\$6,626.74

BE IT FURTHER RESOLVED that the Tax Collector remove the overpayment on the above block and lot for the 4th quarter of 2015.

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

Vote all ayes
Motion carried

RESOLUTION #48-16 – PURCHASE OF TRACTOR

A motion was made by Mr. Carberry seconded by Mr. Pendergast, to adopt the Resolution as submitted:

**RESOLUTION # 48-16
AUTHORIZING THE PURCHASE OF A TRACTOR**

WHEREAS, the Town Council of the Town of Clinton has a need to purchase a new Tractor for use in the Department of Public Works as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Purchasing Agent has certified that the costs of this contract will exceed \$17,500; and

WHEREAS, in accordance with N.J.S.A. 40A:11-36 (6), as part of this transaction, the Town desires to dispose of our 1992 Ford Tractor (VIN A4178 22) as a “trade-in” at a value less than the Town’s bid threshold; and

WHEREAS, Smith Tractor and Equipment, Inc. has submitted a proposal dated February 19, 2016 indicating they will provide the above-referenced product for a cost of \$39,900 with a trade-in allowance of \$2,500, for a total purchase cost of \$37,400; and

WHEREAS, the Chief Financial Officer has certified to the Town Clerk that funds are available in Capital Budget.

NOW THEREFORE, BE IT RESOLVED that the Town Council of the Town of Clinton to enter into a contract with Smith Tractor and Equipment, Inc as described herein; and,

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Smith Tractor and Equipment, Inc.

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

Vote all ayes
Motion carried

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CORRESPONDENCE – NONE

REPORTS FROM COUNCIL

Councilwoman Dineen

1. Newsletter/Website Committee met to discuss revamping the website.
2. Shade Tree – Members took an on line webinar that gave each member continuing education units necessary to keep up with certification.
3. Clinton Guild - attended the meeting where they talked about the proposed dinner on the bridge. Members discussed it and it would not happen this year but the discussions ended on a positive note. A meeting with merchants will be held Wednesday, February 24 at 8:00 a.m. with Mayor Kovach and Councilwoman Dineen.

Councilwoman Sosidka

1. Board of Recreation – Girl Scout Troop 80828 is working towards a Silver Award: Teen Club. Scouts Jessica Roberts, Katie McComb and Sarah Upwood developed an idea for certain age groups after looking at the Smart Growth Committee survey and noticing there are not many activities for teens to do during their free time. The scouts produced a well thought out plan and presented it to the Board of Recreation. Scheduled for May 13 will be the first movie night at the Community Center. Other activities such a game nights, parent vs kids Sports Day, service hour opportunities field trips (carpooling would be necessary) and fundraisers for the Town are being planned. Another idea mentioned was better communication and the girls would be interested in helping with the website calendar and to simplify the process. All in the early planning stages, the girls appear to have great ideas! More information to follow.

The Bonfire was another success this year thanks again to Sean Rogan!

The Recreation Commission is in need of two members. Spread the word and have anyone interested fill out a Citizen Involvement form.

Summer Recreation is scheduled for June 27 through July 22.

The Board is also thinking of forming a Bocce league at the Community Center.

The Senior Luncheon is scheduled for Sunday, May 1st at the fire house.

Ms. Dineen asked if any more discussions about forming a walking club took place and that Dan Mahoney showed an interest in forming it. Mr. Mahoney was not at this meeting but he did express

an interest in organizing something for afternoons. Ms. Sosidka requested that the idea be more widely advertised and will get something into the next Newsletter.

2. Historic Commission is looking forward to working with the Land Use Board.

Councilman Pendergast

1. Sewer committee welcomed the new Sewer Engineer, Rob Martucci, P.E. of the Firm Van Cleef Engineering. A tour of the Treatment Plant is being scheduled with Paul Klitsch and Bob Niezgoda.
2. Clinton Fire Department is in the process of planning the parade route for May 20, 2017 and Chief Matheis joined the parade committee at their last meeting to assist with the planning. It is going to be BIG with a picnic to follow at Hunts Mill Park!

Councilman Carberry

1. Insurance meeting will be held March 3, 2016 at 9:00 a.m.

Councilman Rylak

1. Smart Growth meeting will be Monday, March 7, 2016. Mr. Rylak said conservancy shirts have been ordered and hopefully the committee will get active in the spring!

Mayor Kovach

A reminder of the budget meeting Tuesday, February 16, 2016 at 6:00 p.m. If anyone has budget questions, please reach out to Kathy Olsen or Rich Phelan prior to the meeting.

STANDBY AND OVERTIME

A motion was made by Mr. Smith seconded by Mr. Rylak to approve the standby and overtime submitted for the period of January 29 through February 11, 2016 attached to these minutes.

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

Vote all ayes
Motion carried

PAYMENT OF BILLS

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

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

Vote all ayes
Motion carried

RESOLUTION #49-16 – EXECUTIVE SESSION

A motion was made by Mr. Smith, seconded by Mr. Carberry, to adopt Resolution #49-16 to enter into executive session to discuss matters of affordable housing litigation and on-going dispute/litigation at 8:04 p.m.

RESOLUTION # 49-16

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
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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 purchase, 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

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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.

ADJOURNMENT: Upon returning from Executive Session and there being no further business, a motion was made by Mr. Carberry seconded by Ms. Dineen to adjourn the meeting at 8:33 p.m.

Cecilia Covino, RMC/CMC
Town Clerk

Mayor Janice Kovach