

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

Flag Salute.

Roll Call: Present – Carberry, Dineen, Pendergast, Rylak, 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 minutes of the Regular Council Meeting held June 14, 2016.

Vote all ayes
Abstentions (Dineen)
Motion carried

PUBLIC COMMENTS - NONE

MAYOR’S COMMENTS – NONE

WATER REFUND

Water Collector, Nancy Burgess, is requesting a water refund in the amount of \$600 be refunded to owner, Kathleen Kane. A motion was made by Mr. Carberry seconded by Mr. Smith, to issue the refund as requested.

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

Vote all ayes
Motion carried

RESOLUTION #86-16 – RE-APPOINTMENT OF TAX ASSESSOR

A motion was made by Mr. Carberry, seconded by Mr. Rylak to adopt Resolution #86-16 as submitted:

**RESOLUTION #86-16
RESOLUTION APPOINTING TAX ASSESSOR**

WHEREAS, Frances S. Kuczynski was appointed as Tax Assessor on June 12, 2012 via Resolution #114-12 in accordance with N.J.S.A. 40A:9-148; and

WHEREAS Frances S. Kuczynski’s current appointment end on June 30, 2016; and

WHEREAS it is the desire of the Mayor and Council of the Town of Clinton to reappoint Frances S. Kuczynski to the position of Tax Assessor; and

WHEREAS in accordance with N.J.S.A. 54:1-35.31, when reappointed to the position of Tax Assessor, Frances S. Kuczynski will receive tenure.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Clinton hereby reappoint Frances S. Kuczynski as Tax Assessor effective July 1, 2016 in accordance with the above-referenced statutes.

BE IT FURTHER RESOLVED, that a copy of this resolution be provided to Frances S. Kuczynski.

Vote all ayes
Motion carried

RESOLUTION #87-16 – CHAPTER 159 – CLEAN COMMUNITIES GRANT

A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to adopt Resolution #87-16 as submitted:

RESOLUTION # 87-16

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 \$6,475.90 from the State of New Jersey and wishes to amend its 2016 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 2016 in the sum of \$6,475.90 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 \$6,475.90 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, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #88-16 – WATER RESERVATION

A motion was made by Mr. Rylak, seconded by Mr. Carberry to adopt Resolution #88-16 as submitted:

RESOLUTION # 88-16

**RESOLUTION APPROVING WATER CAPACITY RESERVATION
APPLICATION # L16-01**

WHEREAS, on March 24, 2015, the Mayor and Council of the Town of Clinton adopted Ordinance 15-1, which amended Chapter 142 of the General Ordinances of the Town of Clinton by creating procedures for applying for and receiving approval for water reservations: and

WHEREAS, the Town has received Water Reservation Application # L16-01, dated January 21, 2016, submitted in the name of JMRV Developers LLC (“Applicant”); and

WHEREAS, on June 15, 2016, the Town’s Water Consulting Engineer, Suburban Consulting Engineers, informed the Town of Clinton Water Committee at their monthly meeting that they have reviewed and approved the afore-mentioned application and deemed it complete, and recommends approval.

NOW, THEREFORE BE IT RESOLVED, that in accordance with Chapter 142, Section 1, Sub-section J(3) of the Town’s Ordinances, the Mayor and Council hereby approved Water Reservation Application # L16-01.

BE IT FURTHER RESOLVED, that certified copies of this resolution be provided to the Applicant, Suburban Consulting Engineers, and the Town of Clinton Superintendent of Water.

Vote all ayes
Motion carried

RESOLUTION #89-16 – 2016 RECREATION PROGRAM FEES & STAFFING

A motion was made by Mr. Smith, seconded by Mr. Rylak, to adopt Resolution #89-16 as submitted:

**RESOLUTION # 89-16
RESOLUTION ESTABLISHING 2016 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 2016; 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 2016:

Summer Recreation Program Registration Fees:

Option #1 – Weekly Rate

Week 1: 6/27/16-7/1/16	\$80.00 per child
Week 2: 7/5/16 -7/8/16 (4 days)	\$70.00 per child
Week 3: 7/11/16 – 7/15/16	\$80.00 per child

Week 4: 7/18/16 – 7/22/16 \$80.00 per child

Option #2 – Three (3) Weeks of Choice Rate

1st Child Rate \$200.00 for 3 weeks of choice
2nd + subsequent per child rate \$175.00 for 3 weeks of choice

Option #3 – All Four (4) Weeks Rate

1st Child Rate \$225.00 per child
2nd + subsequent per child rate \$200.00 per child

Daycare – 8:00 am drop-off

1st Child Rate \$ 5.00 per child per day

Trip Fees

Five (\$5.00) Dollars per child for One Mile Color Run
Eight (\$8.00) Dollars per child for Jimmy’s Custard Stand and Mini-Golf Center – per trip
Nine (\$9.00) Dollars per child for Riegel Ridge Pool – per trip
Nine (\$9.00) Dollars per child for West Hunterdon Lanes – per trip
Fifteen (\$15.00) Dollars per child for AeroChampion Kids – per trip

Late Fee

Twenty (\$20.00) Dollars late Registration fee after the cut-off date for accepting Registrations

Tennis Program Registration Fees:

Sixty (\$60.00) Dollars for Clinton Public School Students and Town Residents
Ninety (\$90.00) 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

It is the recommendation of the Board of Recreation Commissioners that the following staff be hired for the 2016 Summer Recreation Program to be held June 27th through July 22nd at Clinton Public School from 9:00 am to 12 noon.

Director	Tiffany Cinquemani	\$5,202.00
Arts & Crafts	Barbara Plundeke	\$2,637.00
Adult Counselors	Debbie Herold	\$2,156.00
Adult Substitutes	Heidi Singer	\$ 97.00 per day
	Patti Weiss	\$ 91.00 per day
Teen Counselors	Rae Burach	\$8.55/hr. 4 weeks
	Shea Cinquemani	\$8.38/hr. 4 weeks

The Tennis Program will run from Monday July 25th through August 18th (Monday through Thursday) at the Clinton Community Center.

Instructors	Jessica Graham	\$16.00/hr. 64 hours
	Gavin Harwell	\$15.00/hr. 32 hours
	Jack Amabile	\$15.00/hr. 32 hours

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

Vote all ayes
Motion carried

CORRESPONDENCE - NONE

REPORTS FROM COUNCIL

Councilman Smith

1. Water Department – Board of Public Utilities sent a 13 page document about cyber security which the committee has reviewed and will address.
2. Well #17 – the Town has received approval from the State for their portion of the funding subject to the rest of the project being approved by the State.

Councilwoman Dineen

1. Newsletter / Website Committee – scheduling a meeting with the committee and the new website provider. A proposal has been received from a newsletter editor which is being reviewed.

Councilman Pendergast

1. Sewer Committee – the sludge press at the treatment plant needs significant improvements. The engineer to check things out to get the project going.
2. Relining project – committee is negotiating the price with the contractor.
3. The minnows are helping with the fly problem at the treatment plant.
4. Clinton Fire Department has received 3 new membership applications. A full member, Christopher S. Querry, Union Road. A motion was made by Mr. Pendergast seconded by Mr. Smith to accept Mr. Querry as a full member.

Vote all ayes
Motion carried

Junior membership applications for Brian Plushanski, Charles Stewart Drive and Wesley Huckin, Union Road. Motion made by Mr. Pendergast, seconded by Mr. Smith to accept the young men.

Vote all ayes
Motion carried

Councilman Rylak

1. Clinton Conservancy now accepting donations! Kathy Madden is the Treasurer and three new members have joined!

STANDBY AND OVERTIME

A motion was made by Mr. Carberry seconded by Mr. Pendergast to approve the standby and overtime submitted for the period of June 3, 2016 through June 16, 2016 attached to these minutes.

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

Vote all ayes
Motion carried

PAYMENT OF BILLS

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

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

Vote all ayes
Motion carried

RESOLUTION # 90-16 – PERSONNEL

A motion was made by Mr. Pendergast, seconded by Mr. Smith to enter into Executive Session to discuss personnel and attorney advice at 7:39 p.m.

RESOLUTION #90-16

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 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);

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: Following Council's return to the Regular Council Meeting and there being no further business, a motion was made by Ms. Dineen seconded by Mr. Pendergast to adjourn the meeting at 8:43 p.m.

Cecilia Covino, RMC/CMC, Municipal Clerk

Mayor Janice Kovach