

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

Flag Salute.

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

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. Rylak to approve the minutes of the Regular Council Meeting held June 28, 2016.

Vote all ayes
1 Abstention (Sosidka)
Motion carried

APPROVAL OF EXECUTIVE SESSION MINUTES

A motion was made by Mr. Smith seconded by Mr. Pendergast to approve the Executive Session Meeting minutes of June 28, 2016.

Vote all ayes
1 Abstention (Sosidka)
Motion carried

APPROVAL OF MONTHLY REPORTS – JUNE

A motion was made by Mr. Carberry seconded by Mr. Smith, to approve the monthly reports for the month of June 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, Treasurer’s Report, Water Collector’s Report, Wastewater Treatment Plant Superintendent’s Report, Zoning Officer Report.

Vote all ayes
Motion carried

PUBLIC COMMENT

Mary Ann Salvatore, West Main Street, recently sent a letter to Mayor and Council requesting a dog park for the Town. The nearest one is on Route 12 in Flemington. Ms. Salvatore suggested Hunts Mill Park or the area next to the Community Center on Halstead Street. Ms. Salvatore also said she is willing to volunteer her time to spear head a campaign to raise funds and would do the research as to building the park and what efforts would be required to maintain it. Mr. Smith, Chairman of Buildings and Grounds Committee, said the Committee reviewed the request and turned it down on the basis of who would maintain the park and clean up after owners that do not clean up after their dogs. Hunts Mill is in a flood plain so putting up a fence would be a problem. Ms. Salvatore suggested an Eagle Scout take on the project but Mr. Smith said that type of project would not qualify. Mayor Kovach asked Ms. Salvatore to reach out to the County Park System and to Readington Township for information and for any ordinances that pertain to dog parks and the liability of having one. Ms. Sosidka said she considered having one at

one time and applauded Ms. Salvatore's efforts. Mr. Rylak asked how large do the parks need to be and was informed there are different sizes. Ms. Salvatore will return to the next meeting with her findings.

MAYOR'S COMMENTS – NONE

RESOLUTION #91-16 – BRUSH, GRASS & WEEDS VIOLATIONS

A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to adopt Resolution #91-16 as submitted:

RESOLUTION # 91-16

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

31 West Main Street	Block 25, Lot 15	\$100.00
19 West Main Street	Block 25, Lot 20	\$100.00
7 Hillside Drive	Block 8.04, Lot 6	\$100.00
8 Hillside Drive	Block 5, Lot 20	\$100.00

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.

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

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #16-06 – IMPROVEMENTS TO SEWER UTILITY

A motion was made by Mr. Pendergast, seconded by Ms. Sosidka to open the public hearing of Ordinance #16-06:

SEWER UTILITY

CAPITAL ORDINANCE # 16-06

CAPITAL ORDINANCE OF THE TOWN OF CLINTON SEWER UTILITY, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE MAKING OF IMPROVEMENTS IN, BY AND FOR THE TOWN OF CLINTON SEWER UTILITY AND APPROPRIATING THEREFOR THE SUM OF \$200,000.00 FROM THE SEWER CAPITAL RESERVES FOR SEWER UTILITY IMPROVEMENTS

Vote all ayes
Motion carried

There being no public comment, a motion 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 Mr. Rylak, to adopt Ordinance #16-06 on final reading.

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

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #16-07 – IMPROVEMENTS TO WATER UTILITY

A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to open the public hearing of Ordinance #16-07:

WATER UTILITY

CAPITAL ORDINANCE #16-07

CAPITAL ORDINANCE OF THE TOWN OF CLINTON WATER UTILITY, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE MAKING OF IMPROVEMENTS IN, BY AND FOR THE TOWN OF CLINTON WATER UTILITY AND APPROPRIATING THEREFOR THE SUM OF \$150,000.00 FROM THE CAPITAL WATER RESERVES FOR WATER UTILITY IMPROVEMENTS

Vote all ayes
Motion carried

There being no public comment, a motion was made by Mr. Pendergast, seconded by Mr. Carberry, to close the public portion of the meeting.

A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to adopt Ordinance #16-07 on final reading.

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

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #16-08 – BOND ORDINANCE FOR VARIOUS IMPROVEMENTS TO WATER UTILITY

A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to open the public hearing of Ordinance #16-08:

**ORDINANCE #16-08
BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE WATER UTILITY IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$200,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF.**

There being no public comment, 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 #16-08 on final reading.

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

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #16-09 – BOND ORDINANCE FOR VARIOUS IMPROVEMENTS

A motion was made by Mr. Carberry, seconded by Mr. Pendergast to open the public hearing of Ordinance #16-09:

**ORDINANCE # 16-09
BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$578,765 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$523,765 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF.**

Vote all ayes
Motion carried

There being no public comment, 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 #16-09 on final reading.

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

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #16-10 BOND ORDINANCE FOR WEST MAIN STREET PEDESTRIAN SAFETY PROJECT

A motion was made by Mr. Carberry, seconded by Mr. Rylak, to open the public hearing of Ordinance #16-10:

ORDINANCE #16-10

BOND ORDINANCE PROVIDING FOR THE WEST MAIN STREET PEDESTRIAN SAFETY PROJECT IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$350,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$350,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF.

Vote all ayes
Motion carried

There being no public comment, a motion was made by Mr. Carberry, seconded by Mr. Rylak, 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 #16-10 on final reading.

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

Vote all ayes
Motion carried

CORRESPONDENCE

1. Clinton Public School sent a thank you letter for awarding the Good Kid Award to an eighth grade student. The recipient this year is Olivia Ramirez of Hunts Mill Road! Congratulations Olivia!
2. State of New Jersey, Department of Transportation, is notifying Local Aid Recipients that the replenishment of the Transportation Trust Fund Account has been delayed. Mr. Smith said the Roads Committee will address this in their next meeting.

REPORTS FROM COUNCIL

Police Chief Matheis

Fireball Run, The Adventure Travel Series, plan to visit Clinton tomorrow, July 13, 2016, around 11 a.m. to review logistics for their upcoming filming in Town, scheduled for September.

The Police Department is gearing up for a busy weekend in Town! Sprintin' Clinton, Rubber Ducky Race, Black Potatoe Festival and the Jewish Music Festival!

Richard Phelan, Business Administrator

The Music Hall is expected to be demolished beginning on Monday, July 18, 2016, as long as all permits have been filed. The demolition company plans to work from the rear of the building to the front, creating less impact on West Main Street and working from behind a fence. If the Police or Mr. Phelan feel it necessary, they will have the demolition company hire a police officer for traffic control. They demo company will have flagmen available. The cleanup should take a couple days.

Kathy Olsen, CFO

Tax bills have arrived and will be mailed by Friday, July 15, 2016.

Councilman Smith

1. Mr. Smith's first concern this evening is the new popular, but dangerous, pokeman game being played by kids on their iphones while biking, walking, or skateboarding. The only way you can see them at night is by the light on their phones. Players are engrossed in the game not paying attention to traffic or other obstacles, weaving in and out of traffic. Be aware of such activity.
2. Roads Committee – The Pedestrian Safe Grant application has been put on hold awaiting more clarification, the State of New Jersey has changed the grounds rules as to the funding. It appears only a small amount of money goes for signs and the bulk for police over time for the surveying.

With reference to the State of New Jersey, Department of Transportation notifying Local Aid Recipients that the replenishment of the Transportation Trust Fund Account has been delayed, even though Ordinance #16-10 was passed earlier this evening for funding the project in front of the Clinton House, the Town will not be doing anything as far as working on or starting design work until the Town is assured that funds will become available.

A joint meeting is being requested by the Town to Hunterdon County and State officials regarding the bridge on the corner of Leigh Street and Route 173/Old Route 22.

3. Buildings and Grounds – On Friday, July 22 at the close of business, the electrical contractor will be on site to begin moving the electrical panel from the basement to the first floor. The work will be completed by Sunday night in time for business as usual on Monday, July 25, 2016.

Tree pruning took place at the Community Center, the arborist will be returning to finish up some minor work, great job!

The electric panel on the pole at the Hunterdon Art Museum will be repaired when the Bond Ordinance takes effect.

Working on parking signage at the Clinton Fire Department to reflect the recent changes in parking limitations.

The concrete steps that lead from the alley way between the drug store and Palumo Clothiers to the

Lower Center Street parking lot are in dangerous disrepair. This is not a main walkway now that Allie's Way has been improved. The steps will be closed off and people will be directed to Alley's

Way.

Richard P. Cushing, Esq.

Mr. Cushing updated Council on a recent ruling regarding the Council on Affordable Housing litigation. The Appellate Division knocked out the “GAP” (2009 to today) period calculations and the court advised that Towns do not have to account for those affordable housing numbers anymore. This is good news for Jersey!

Councilman Pendergast

1. Clinton Fire Department – Mr. Pendergast presented an application and for a full fire fighter, Bradley D. Corgan of Annandale. Motion made by Mr. Pendergast, seconded by Ms. Sosidka to accept Bradley as received.

Vote all ayes
Motion carried

The tower ladder did not pass inspection recently but it has been fixed and worked perfectly at a recent fire in Glen Gardner.

Recently the fire department sent a request to Union Township to help fund or purchase a utility vehicle, they received a letter that the request has been denied, and there will be no help at all.

Upcoming events: August 19 is the next Grill Night; August 20 will be the annual Clam Bake and September 24 is the Craft Beer Festival!

Fire Department / Clinton First Aid Rescue Squad parade planning committee and obligations of the Mayor’s and Commissioners Smith and Pendergast trophies. The Mayor’s trophy is 55 inches high and the commissioners trophy is 36 inches high.

Mr. Carberry offered a cute story about his 3 year old grandson that was visiting. He took him to the fire department and a couple young guys at the station took the youngster on a complete tour of the facility which thrilled the little guy! Mr. Pendergast relayed Mr. Carberry’s story and they were happy to hear the compliments!

Mr. Rylak told another little story of recently in Harvey Cedars, where a youngster was wearing his bike helmet and received a certificate for free ice cream for wearing it! Chief Matheis said our officers used to give out certificates as well.

STANDBY AND OVERTIME

A motion was made by Mr. Carberry seconded by Mr. Rylak to approve the standby and overtime submitted for the period of June 17 through June 30, 2016 attached to these minutes.

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

Vote all ayes

Motion carried

RESOLUTION #92-16 - EXECUTIVE SESSION – PERSONNEL

A motion was made by Mr. Pendergast, seconded by Mr. Smith to enter into Executive Session to discuss personnel and attorney advice at 8:05 p.m.

RESOLUTION #92-16

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: Council returned to the regular meeting at 8:34 p.m. There being no further business, a motion was made by Mr. Carberry, seconded by Mr. Rylak to adjourn the meeting at 8:35 p.m.

Cecilia Covino, RMC/CMC
Town Clerk

Mayor Janice Kovach