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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

Present in audience – Ben Barno, Citizenship Badge

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. Smith seconded by Mr. Carberry, to approve the minutes of the Council Meeting held May 23, 2017.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS – MAY

A motion was made by Mr. Carberry, seconded by Mr. Rylak to approve the monthly reports for the month of May as submitted:

Administrator’s Report, Clerk’s Account, Cat & Dog Licensing Accounts, Construction Control/ Inspection Report, Police Reports, Road Foreman’s Report, Sewer Collector’s Report, Tax Collector’s Report, Treasurer’s Report, Water Collector’s Report, Zoning Officer Report.

Vote all ayes
Motion carried

PUBLIC COMMENT

Mr. George Stafford, 16 Kitchel Avenue, Wharton, New Jersey, member of the N.J. Highlands Coalition, and an advocacy group called “Keep it Green”. Mr. Stafford attended this evening’s meeting to address council and request support in passing a resolution “for sustainable open space, farmland, historic preservation and stewardship funding for New Jersey” Mr. Stafford stated this would be an additional county tax and would go to the county. The main issue is groundwater recharge element that we need to be concerned with. Mr. Stafford asked for council’s consideration of this resolution and is willing to answer questions or meet with the Environmental Commission as well.

MAYOR’S COMMENTS

1. Tax Assessor, Fran Kuczynski, has notified Council that her application to continue with the annual reassessment for the 2018 tax year was approved on May 17, 2017 by Patricia Wright, Deputy Director from the Division of Taxation.
2. \$10,000 Sustainability grant has been awarded to the Town of Clinton through the efforts of Kathleen Madden, of the Clinton Conservancy Gardens and Deena Roberts of the Clinton Green Team. The project at the Water Street parking lot has already begun!
3. Mayor’s Day at the Beach, Saturday, June 17, 11 – 4 PM. Invitation extended by Mayor Matthew Doherty, Belmar, in conjunction with New Jersey Conference of Mayors.

- 4. United Way has distributed copies of their 2016 Community Impact Report and invitation to the annual meeting June 16, 2017.

WATER REFUND

Nancy Burgess, Water Collector, is requesting a refund be issued in the amount of \$24.88 to Anthony Barca. Motion made by Mr. Carberry, seconded by Mr. Pendergast, to issue the refund as requested.

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

Vote all ayes
Motion carried

RESOLUTION #82-17 – CHAPTER 159

A motion was made by Mr. Carberry, seconded by Ms. Dineen, to adopt Resolution #82-17 which approves the insertion of a \$5,000 Sustainable Jersey Grant.

RESOLUTION #82-17

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 approved the insertion of an item of appropriation for an equal amount, and,

WHEREAS, the Town of Clinton has received \$5,000.00 from the State of New Jersey and wishes to amend its 2017 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 2017 in the sum of \$5,000.00 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:
 - State Grants:
 - Sustainable Jersey, and

BE IT FURTHER RESOLVED, that a like sum of \$5,000.00 is hereby appropriated under the caption of:

- General Appropriations
 - (a) Operations Excluded from the .5% Cap
 - Public and Private Programs Off-Set by Revenues:
 - State Grants:
 - Sustainable Jersey

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

Vote all ayes
Motion carried

RESOLUTION #83-17 – LIQUOR LICENSE – HOLIDAY INN

A motion was made by Mr. Carberry, seconded by Ms. Dineen, to adopt Resolution #83-17 renewing the liquor license for the Clinton Holiday Inn.

RESOLUTION # 83-17

WHEREAS, the Town of Clinton Governing Body is in receipt of an Application for the renewal of **PLENARY RETAIL CONSUMPTION LICENSE (HOTEL/MOTEL EXCEPTION)**, #1005-36-004-009 for:

**A HUNTS MILL ASSOCIATES LLC
111 ROUTE 173
CLINTON, NEW JERSEY 08809**

WHEREAS, the submitted application form is complete in all respects, fees have been paid and clearance has been received from the New Jersey Department of the Treasury;

NOW THEREFORE, BE IT RESOLVED, that the Town of Clinton Governing Body does hereby approve, effective July 1, 2017, renewal of the above captioned license for the 2017-2018 year and that a copy of this Resolution be forwarded to the Division of Alcoholic Beverage Control.

Vote all ayes
Motion carried

RESOLUTION #84-17 – LIQUOR LICENSE – QUICK CHECK

A motion was made by Ms. Dineen, seconded by Mr. Carberry, to adopt Resolution #84-17 renewing the liquor license for Quick Chek Food Stores / Shoprite Liquors.

RESOLUTION # 84- 17

WHEREAS, the Town of Clinton Governing Body is in receipt of an Application for the renewal of **PLENARY RETAIL DISTRIBUTION LICENSE #1005-44-001-004** for;

**QUICK CHEK FOOD STORES/SHOPRITE LIQUORS
41, 41 ½ & 43 OLD HIGHWAY ROUTE 22
CLINTON, NEW JERSEY 08809**

WHEREAS, the submitted application form is complete in all respects, fees have been paid and clearance has been received from the New Jersey Department of the Treasury;

NOW THEREFORE BE IT RESOLVED, that the Town of Clinton Governing Body does hereby approve, effective July 1, 2017, renewal of the above captioned license for the 2017-2018 year and that a copy of this Resolution be forwarded to the Division of Alcoholic Beverage Control.

Vote all ayes
Motion carried

RESOLUTION #85-17 – LIQUOR LICENSE – SIDIROUNDA, L.L.C.

A motion was made by Mr. Rylak, seconded by Mr. Carberry, to adopt Resolution #85-17 renewing the liquor license for Sidirounda, L.L.C. t/a Clinton House.

RESOLUTION #85-17

WHEREAS, the Town of Clinton Governing Body is in receipt of an application for the renewal of **PLENARY RETAIL CONSUMPTION LICENSE, #1005-33-003-007** for:

**SIDIROUNDA, L.L.C.
t/a THE CLINTON HOUSE
2 WEST MAIN STREET
CLINTON, NEW JERSEY 08809**

WHEREAS, the submitted application form is complete in all respects, fees have been paid and clearance has been received from the New Jersey Department of the Treasury;

NOW THEREFORE BE IT RESOLVED, that the Town of Clinton Governing Body does hereby approve, effective July 1, 2017 renewal of the above captioned license for the 2017-2018 year and that a copy of this Resolution be forwarded to the Division of Alcoholic Beverage Control.

Vote all ayes
Motion carried

RESOLUTION #86-17 – RETURN OF PERFORMANCE BOND

A motion was made by Mr. Smith, seconded by Mr. Carberry, to adopt Resolution #86-17 as submitted:

RESOLUTION #86-17

WHEREAS, in October of 2008 Hunterdon Capital deposited a Cash Performance Bond in the amount of \$33,040.80 and \$7,783.16 to establish an escrow account with the Town of Clinton,

WHEREAS, there are no outstanding bills from the Town's Professionals to be paid from this account, and the Town's Engineer has advised we can refund the Cash Performance Bond, and

WHEREAS, Hunterdon Capital has requested the return of the Cash Performance Bond as well as the balance of the escrow money in the amount of \$41,159.27,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton, to authorize the Chief Financial Officer to issue a check to Hunterdon Capital in the amount of \$41,159.27 to close the current escrow account.

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

Vote all ayes
Motion carried

RESOLUTION #87-17 – SALE OF SURPLUS PROPERTY VIA PUBLIC AUCTION

A motion was made by Mr. Carberry, seconded by Ms. Dineen, to adopt Resolution #87-17 as submitted:

RESOLUTION # 87-17

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RESOLUTION AUTHORIZING SALE OF SURPLUS PROPERTY VIA PUBLIC AUCTION

WHEREAS, N.J.S.A. 40A:11-36 permits a municipality sell personal property not needed for public use to via public auction; and

WHEREAS, the Town of Clinton has determined that the items listed in the attached exhibit represent the municipal property that they would like to attempt to sell via public auction; and

WHEREAS, the N.J.S.A. 40A:11-12 allows municipalities to purchase any goods or services under any contract or contracts for such goods or services entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, GovDeals has been awarded Contract T-2581 from the State by the Division of Purchase and Property in the Department of the Treasury for the provision of internet-based auctioneering services in order to dispose of public property; and

WHEREAS, the Town of Clinton desires to utilize the services provided by GovDeals, in accordance with the terms and conditions of their State Contract for purposes of expanding the visibility of their auction.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton, Hunterdon County, New Jersey, that it hereby authorizes the following:

1. Public auction of the items listed in the attached exhibit in accordance with the Local Public Contracts Law.
2. Use of State Contract T-2581 for the provision of internet-based auctioneering services.

Town of Clinton – Surplus Item List

- 2007 Ford F-350
VIN – 1FDWF315X7EA01783
147,079 Miles
- 2004 Ford F350 Super Duty
VIN – 1FDSF31L84EC37020
36,882 Miles
- 2003 Ford F-250
VIN – 1FTNF21L03ED84250
89,789 Miles
- Toro Groundsmaster, 72” Recycler Mower
Model # 30789
S/N 230000156
533 hours
- 2008 Toro Z-Master, 72” Zero-Turn Mower
S/N 270000469

- 1193 Hours
- 2000 Brush Hog
Model SQ 72
S/N 12-09379
- Worthington Air Compressor
Model # CV
S/N CV 1986
- Billy Goat Vacuum (10HP)
 - Model # VQ1002SP
 - S/N 061903005
- Portamatic Lift Jack
 - Model # BF100
 - S/N 43414
- Lot of 10 Tree Grates/Frames
- 4" Trash Pump
 - S/N HP2210053
- John Deere 1.3 Cubic Yard Front Bucket
 - Model 310 S.J.
 - S/N 1864492
- Land Pride 3-Point Hitch Spreader
 - Model # FS-1000
- Lawn Utility Cart
- Lot of 2 Chainsaws
 - Homelite
 - Model 330 with 20" bar
 - Automatic Oiler
 - Homelite Super XL with 20" bar
 - S/N 3G2630173
 - Manual Oiler
- Lot of used emergency equipment from Police Car
 - Whelen Inner Edge Light Bar
 - 8 LED lights
 - Fits 2006 – 2010 Dodge Charger
 - Whelen Model DMP2S
 - 2" x 4" Red Lenses

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- Whelen LED Single Dash Light
 - 1" x 3"
- Whelen LED Dual Evenger Dash Lights
- Whelen LED lights
 - Unknown color
 - 2" x 3"
- Able 2 Products
 - 4' Round red lights
- Whelen Siren
 - 6" x 6"
- Safety Cage/Divider
 - Fits Ford Crown Victoria
 - Unknown if complete. Possibly missing installation parts.
- Havis Shields laptop vehicle mounting bracket
- 2 - Center Console with Federal Signal Siren Box and Light Switch Box
 - Fits Ford Crown Victoria
 - Unknown if operation or complete
- Center Console with Tripp Rite 140W power-verter & Streamlight flashlight charger
 - Unknown if operational or complete
- Front Bumper Push Barfor Ford Crown Victoria
 - Unknown if missing parts
- Watchguard Mobil Data Recorder
 - Unknown if operational or complete
- Center Hub Caps for Ford Crown Victoria
 - 6" Round
- Used Wheel/Tires from a Ford Crown Victoria
 - Goodyear Eagle RS-A, 225/60 R16
 - Goodyear Eagle Ultra Grip, 225/60 R16
 - Goodyear Eagle GA, 225/60 R16
 - Goodyear Eagle M&S, 225/70 R15
- Men's Mountain Bikes
 - Jeep Comanche XHT, 21 Speed, 26" Wheel
 - GT, 21 Speed, 21" wheel
- Lot of 29 old cell phones, with misc. clips.
 - No SIM cards
 - Unknown if working

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

Vote all ayes
Motion carried

RESOLUTION #88-17 - CHANGE ORDER

A motion was made by Mr. Carberry, seconded by Mr. Rylak to adopt Resolution #88-17 as submitted:

**RESOLUTION # 88-17
CHANGE ORDER NO. 1**

WHEREAS, the need has arisen for a change order to the Well #7 Improvements and Well #14 Decommissioning projects and,

WHEREAS, according to the Water Engineer, there were several items that needed to be addressed in relation to building and electrical upgrades and,

WHEREAS, there was an increase of \$29,106.15 that has already been approved by the NJEIFP,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton that Change Order Number one for the Well #7 improvements and Well #14 decommissioning be approved.

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

Vote all ayes
Motion carried

RESOLUTION #89-17 – CHAPTER 159

A motion was made by Mr. Carberry, seconded by Ms. Dineen, to adopt Resolution #89-17 which approves the insertion of \$5,501.68, received from the Clean Communities program.

RESOLUTION # 89-17

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 \$5,501.68 from the State of New Jersey and wishes to amend its 2017 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 2017 in the sum of \$5,501.68 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

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BE IT FURTHER RESOLVED, that a like sum of \$5,501.68 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

PROCLAMATION - RELAY FOR LIFE

Mayor Kovach presented the Relay for Life Proclamation for the event that will be held at Hunterdon County Fairgrounds on June 16 and 17, 2017. Due to the Flag Day Parade in Clinton, followed by the flag retirement ceremony at the Red Mill, Mayor Kovach will be unable to attend. A copy of the signed proclamation will be forwarded to Judy Tutela with the American Cancer Society.

FIRE PERMIT WAIVER REQUEST

A request to waive the fire safety permit for Boy Scout Troop 121 for the Flag Retirement Ceremony to be held at the Red Mill on June 16, 2017 in the amount of \$42.00. A motion was made by Mr. Smith, seconded by Mr. Carberry to grant the request.

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

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #17-05 – MARRIAGE AND CIVIL UNION CEREMONIES

A motion was made by Mr. Carberry, seconded by Mr. Rylak, to introduce Ordinance #17-05 on first reading as submitted:

**TOWN OF CLINTON
ORDINANCE # 17-05**

**AN ORDINANCE ADDING CHAPTER _____ ENTITLED
“MARRIAGE AND CIVIL UNION CEREMONIES” OF THE CODE OF THE
TOWN OF CLINTON, COUNTY OF HUNTERDON, NEW JERSEY**

WHEREAS, N.J.S.A. 37:1-13 et seq. permits Mayors, and where authorized, Deputy Mayors to perform such ceremonies to solemnize marriages and civil unions; and

WHEREAS, in accordance with N.J.S.A. 40:48-1 fees collected in association with the service or performance of a marriage or civil union ceremony shall be established and collected pursuant to an ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Clinton, the County of Hunterdon, that Chapter ____ entitled “Marriage and Civil Union Ceremonies” of the Code of the Town of Clinton (“Code”) is hereby amended as follows:

SECTION 1. Chapter _____ the Code entitled “Marriage and Civil Union Ceremonies” is added as follows:

§__-1 Purpose

The purpose of this section is to establish policies and procedures for the collection of fees associated with the performance of marriage or civil union ceremonies by the Mayor or Deputy Mayor.

§__-2 Collection of Fees

Persons seeking to be married or joined in civil union by the Mayor of the Town of Clinton shall remit the applicable fee delineated below to be paid to the Town of Clinton

- (1) Residents of the Town of Clinton: \$150
- (2) Nonresidents of the Town of Clinton: \$200
- (3) Active and retired military: \$50

§__-3 Compensation and Reimbursement of Expenses incurred through the performance of marriage and civil union ceremonies

Receipt of Fees. The fee shall be paid by check, payable to the Town of Clinton. Fees collected shall be deposited into the Town’s current fund.

SECTION 2. Section 73-3(A) of the Code shall be amended to add the following language:

Marriage Ceremony Performed by Mayor

Residents of the Town of Clinton: \$150
Nonresidents of the Town of Clinton: \$200
Active and retired military: \$50

SECTION 3. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. This ordinance shall become effective following its final passage and publication as required by law.

Vote all ayes
Motion carried

A copy of this ordinance will be published in the June 21, 2017 edition of the Hunterdon Review. A public hearing will be held July 11, 2017.

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CORRESPONDENCE

1. A letter received from Donald R. Gordon of neighboring Pittstown, New Jersey. This letter is a follow up to a letter received September, 2016 expressing displeasure with a message displayed on the electronic billboard on Halstead Street. The message has been changed and Mr. Gordon wished to say that it is considerably more welcoming and in keeping with a "Welcome to Clinton" atmosphere. Very nice.

REPORTS FROM COUNCIL

Councilman Smith

1. First Aid & Rescue Squad reported 258 calls for May, 26 calls down from 2016 for the month of May.
2. Roads Committee – notification has been received from NJDOT that the grant application submitted for Union Road (\$135,000) Helen and Hunts Mills Road (\$145,000) has been denied.
Municipal parking lot milling to begin this weekend, June 17 and 18.
3. Buildings and Grounds Committee met with representatives of the Clinton Guild and discussed placement and number of garbage cans needed on Main Street. Metal signs are being purchased for the municipal building doorways to display hours, special notices and announcements in a neater fashion.
In the process of getting bids for the barn roof which is leaking, but temporary repairs will take place this year. The original roof is 28 years old and the second roof was nailed to the first roof. Plans to replace roof in 2018.
Hunterdon County Roads Department was contacted to see if they could assist in rehangng and/or fixing the street banners with their bucket truck. However, the County wants \$800 for 7 hours of work providing the help of two men. The Committee is considering cutting the banners down. Mr. Pendergast talked to Freeholder, Rob Walton, and waiting for a response.

Councilwoman Dineen

1. Clinton Guild – attended the meeting held June 8, 2017. Friday night music on Main was discussed, on nights that it rains that it possibly move the music to Saturday afternoons if the musicians are available.
Guild also discussed tying in or being a sponsor of the Main Street Marathon scheduled for October 8, 2017. The race starts on Main Street, Clinton, and runs to Main Street, Flemington.
2. Shade Tree – inventory is being discussed and plans to prune, plant and fertilize are being evaluated.

Councilman Pendergast

1. Town Picnic was held June 10 and once again, another success thanks to the coordination of Kim Rogan and her team! Mr. Carberry echoed Mr. Pendergast's sentiments about the picnic! Well run and great having new people getting involved!!
Speaking of recreation, Fran Kuczynski, Tax Assessor, is a participant of a volleyball tournament in Birmingham, Alabama and as a spectator of many other sporting events taking place there.

Hunterdon County Fire Chief's Association has been circulating a resolution of support to municipalities to consider the creation of a county daytime fire department to support volunteer fire companies. Mr. Pendergast reported on the meetings he attended and the necessity of forming the daytime fire department. A few years back volunteer firefighters were allowed to leave their job to respond to fire calls during the day but with jobs not being as local as they were, it is making daytime staffing insufficient to meet the needs of some fire departments. The idea of the county is to create a paid staff to assist volunteers, having crews based in three regions throughout the county to assist those in need. Mr. Pendergast attempted to answer the questions posed by other members of Council as to who would be in charge at a fire and Mr. Pendergast said whoever shows up first but the local firefighters would prevail. Mr. Rylak said he would like to hear from Chief Dorf and other members of our fire department. Mr. Carberry said Clinton is privileged to have such a fine department. Everyone agreed there are a lot of questions that need to be answered. Mr. Pendergast will pass council's concerns along and ask the fire department for members to attend a council meeting to help answer questions.

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 May 19 through June 1, 2017 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. Rylak, 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 #90-17 – EXECUTIVE SESSION – LITIGATION

A motion was made by Ms. Dineen, seconded by Mr. Pendergast, to enter into Executive Session at 8:27 p.m. to discuss a matter of litigation.

RESOLUTION #90-17

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

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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 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);

_____Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any

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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. Dineen to adjourn the meeting at 8:50 p.m.

Cecilia Covino, RMC/CMC, Municipal Clerk

Mayor Janice Kovach