

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

Roll Call: Present – Dineen, Humphrey, Johnson, Karsh, 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 COUNCIL MINUTES

A motion was made by Ms. Karsh seconded by Ms. Sosidka to approve the minutes of November 27, 2018 as submitted.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS – NOVEMBER

A motion was made by Mr. Smith seconded by Ms. Sosidka, to approve the monthly reports for the month of November as submitted:

Administrator’s Report, Clerk’s Account, Construction Control/ Inspection Report, Cat & Dog Licensing, Police 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 COMMENTS – COMMUNITY AGGREGATION OUTREACH

A presentation for residents regarding the Community Aggregation Program to provide electric generation rates lower than JCP&L was made at 2:00 p.m. this afternoon and 7:00 p.m. this evening. Residents received correspondence in the mail notifying them of these informational sessions. Residents questioned representative Lisa Hibbs about how the program would work and asked why they are automatically in the program with an opportunity to opt and not the other way around. Ms. Hibbs answered all the questions accurately. Following the outreach, the council meeting began with some residents remaining to ask questions of council as to why they were not aware of this program sooner. It was explained that the process started at the end of 2017 and council’s goal is to be involved with a program that will benefit residents. Statements to council were made by Tony Hatalla, 35 Spruce Run Road and Mike Fioto of 12 Cedar Court.

RISK MANAGEMENT CONSULTANT

Caroline Conboy, the Town’s Risk Management Consultant and Executive Vice President for Brown and Brown Metro LLC, came before council to give an overview of the Town’s insurance policy, Clinton’s Loss Data Analysis and Historical Grant Data with a list of what was purchased with the funds for safety equipment, training and employee safety.

MAYOR’S COMMENTS

1. Mayor Kovach reported that a meeting will be held tomorrow morning, December 12, at Hunterdon Central, topic is legalization of marijuana. Speakers are from the Hunterdon County Prosecutors office and local officials. Council elect, Lisa Intrabartola and Councilwoman Johnson will be attending.

2. The Clean Plate hosted a kindness benefit to honor the memory of Nicole Piazza's mother, Mary Baker on December 6, 2018. A portion of the proceeds benefitted Hunterdon Hospice.
3. The annual Christmas Parade was a huge success! Kudos to the Clinton Guild and the business community for all their efforts. The tree lighting and the menorah lighting were also well attended.
4. The Hunterdon County Chamber Breakfast this morning recognized Paul Muir, Executive Director of the Red Mill, and Anne Rossi of Addicted Jeans for their efforts and contribution to the community.
5. Santacon 8K will be held December 22, 2018 and is being sponsored by Eric Eisenhart and Paul Muir. Focus is raising money for the mill's wheel. If they meet their goal of \$4,500, Messrs. Muir and Eisenhart and Mayor Kovach promise to plunge into the Raritan!
6. Mayor Kovach asked Council with the new year approaching, would 7:00 p.m. be a possibility for council meetings to begin but the consensus was to keep the 7:30 p.m. start time as is.

RESOLUTION #147-18 – AMENDING PERSONNEL POLICY

A motion was made by Mr. Smith, seconded by Ms. Sosidka, to adopt Resolution #147-18 as submitted:

RESOLUTION #147 -18

RESOLUTION AMENDING THE TOWN OF CLINTON PERSONNEL POLICY RELATING TO EMPLOYEE PERFORMANCE EVALUATIONS

WHEREAS, on November 22, 2016, the Town's Personnel Committee presented a newly updated Personnel Policy to the Mayor and Council for their consideration and adoption; and

WHEREAS, the Mayor and Council agreed with the recommendations made by the Personnel Committee and formally adopted the policy with an effective start date of January 1, 2017; and

WHEREAS, from time to time changes need to be made to the Policy; and

WHEREAS, the Personnel Committee is recommending the Mayor and Council to make changes to the existing "Employee Performance Evaluation Procedure" located under "Section 1 – Policies Relating to Employee Rights and Obligations".

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council hereby approve the amended "Employee Performance Evaluation Procedure" in accordance with the changed listed in the attached document.

BE IT FURTHER RESOLVED, that all other language in the above-referenced section remains unchanged.

BE IT FURTHER RESOLVED, that a copy of this amendment is forwarded by the Administrator to all municipal employees and volunteers.

EMPLOYEE PERFORMANCE EVALUATION PROCEDURE

For Full-Time and Part-Time employees, periodic evaluations are critical to create a formal record of an employee's performance over time and establish a foundation for personnel actions such as promotion and termination. In addition to day-to-day feedback to the employee, at the discretion of the Personnel Committee, with the consent and approval of the Mayor and Council, a performance evaluation may be conducted for all employees annually. Should an evaluation occur, the completed appraisal becomes part of an employee's permanent record. This is a legal document that may be discoverable in lawsuits. Performance discussions must also provide employees with guidance regarding their ability to meet job standards. Extraordinary skills or abilities should be recognized in addition to areas for improvement. Supervisors or Department Heads should review future training needs and career planning. The reviewer should also encourage the employee to make suggestions about how the department can improve. The reviewer should ask employees for feedback regarding the employee's skills as they relate to communication, team building, delegation, and sensitivity to needs of subordinates. Open communication is the key to improvement.

1. **Setting the Stage:** The reviewer must create a productive climate for the discussion. In preparing the evaluation form, prior evaluations should be reviewed to identify trends. Employees must be notified in advance of the meeting and should be given a copy of the blank evaluation form. The meeting should be private without interruptions in a comfortable environment.
2. **Confirm Expectations:** The reviewer should start the discussion of each performance area by reviewing expectations. Ask the employee to confirm the employee's understanding of job requirements. Refer to the job description as appropriate.
3. **Rating:** Continue the discussion by giving the employee's rating in each performance area. The supervisor should be prepared to refer to documentation. Employees should be evaluated based on set standards, not as they compare to other employees. It is rare that any person's rating in all areas is either high or low. The evaluation should consider performance during the entire period, not just the recent past. Care should be taken to avoid allowing one aspect of a person's performance to overshadow all other performance factors be it positive or negative. Ideally, each performance area should be evaluated individually based on specific behaviors exhibited.
4. **Discussing Future Plans:** This is where the reviewer should turn to the discussion to the future performance and development of the employee. A Counseling Action Plan form must be completed if any item is rated "Needs Improvement" or "Does Not Meet Minimum Standards." Specific performance goals must be established for the next review period along with plans for achieving those goals.
5. **Anti-harassment Questionnaire** – The reviewer should review the "anti-harassment questionnaire" with the employee. The form shall be completed by both the reviewer and the employee.
6. **Closing the Discussion:** When all performance areas have been discussed, close the discussion by summarizing all of ratings in an overall rating for the review period.

It is crucial that all reviewers complete the evaluation forms with care and with complete candor. Although reviewers are encouraged to set forth areas of strength and utilize tact in presenting criticism, it is important that all performance issues of any significance be addressed thoroughly and in unambiguous terms in the evaluation form, and verbally with the employee.

- Outstanding means exceptional performance in all areas of responsibility. Planned objectives were achieved well above the established standards and accomplishments were made in unexpected areas.
- Exceeds Expectations means consistently exceeds established standards in most areas of responsibility. All requirements must be met and objectives achieved above the established standards.

- Meets Job Requirements means all job requirements were met and planned objectives accomplished within established standards. There were no critical areas where accomplishments were less than planned.
- Needs Improvement means performance in one or more critical areas does not meet expectations. Not all planned objectives were accomplished within the established standards and some responsibilities were not completely met.
- Does Not Meet Minimum Standards means performance is unacceptable and important objectives have not been accomplished. Needs immediate improvement.

After completing the evaluation, the reviewer will return the form(s) with the signed acknowledgement to the Public Works/Business Administrator. After review by the Public Works/Business Administrator, the form(s) are to be forwarded to the Town Clerk for inclusion in the employee's official personnel file. As a part of the evaluation, employees have the right to request a conference with the Public Works/Business Administrator.

Vote all ayes
Motion carried

RESOLUTION #157-18 – CANCELLATION OF LIEN

A motion was made by Ms. Karsh seconded by Ms. Johnson, to adopt Resolution #157-18 as submitted:

RESOLUTION # 157-18

WHEREAS, the Tax Collector of the Town of Clinton has been paid \$418.37, the amount necessary to redeem Tax Sale Certificate #2018-3 on Block 29, Lot 19.15, is assessed to Jessica A and Steven Jaynes, and purchased by Light Properties LLC.

NOW THEREFORE BE IT RESOLVED, on this 11th day of December 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 \$418.37 to Light Properties LLC, 17 W. Cliff Street, Somerville, NJ 08876 upon receipt of the Original Tax Sale Certificate endorsed for cancellation, and

BE IT FURTHER RESOLVED that the Tax Collector be authorized to cancel Lien #2018-3 on Block 29, Lot 19.15 assessed to Jessica A and Steven Jaynes, from the Town of Clinton Tax Records.

ROLL CALL: Ayes: Dineen, Humphrey, Johnson, Karsh, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #158-18 – SUPPORT OF NJDOT RT. 173 PEDESTRIAN IMPROVEMENT PROJECT

A motion was made by Ms. Sosidka, seconded by Ms. Dineen, to adopt Resolution #158-18 as submitted:

RESOLUTION # 158-18

**RESOLUTION SUPPORTING THE NEW JERSEY DEPARTMENT OF TRANSPORTATION'S
ROUTE 173 PEDESTRIAN IMPROVEMENT PROJECT**

WHEREAS; walking plays an important role in improving our quality of life because it helps protect and improve the living environment and natural resources, such as cleaner air and less traffic noise, and

WHEREAS, walking is highly efficient in its use of suburban space and energy, it rarely causes injury and it gives streets vitality and personal security, and

WHEREAS, the Town of Clinton is a walkable community to which we have always encouraged residents and visitors to access our community by means other than vehicles; and

WHEREAS, recognizing the need for improvements, the Town of Clinton has designed requisite improvements on municipal property on Main Street adjacent to the Clinton House along the Rt. 173 corridor; and

WHEREAS, Route 173 which serves as a major roadway through Clinton is in need of improvements to make the roadway more pedestrian friendly; and

WHEREAS, over the past year, the Town has met with representatives of the New Jersey Department of Transportation (NJDOT) several times to discuss improvement options, to which the NJDOT has agreed to the necessity for improvements and prepared a preliminary project scope which include, but are not limited to the following:

- Installation of 2,700 feet of new sidewalk,
- Upgrading 1,500 feet of guard rail,
- Intersection improvements at Rt. 173 and Leigh Street,
- Intersection improvements and signal upgrades at Rt. 173 and Center Street (Clinton Township)
- Resurfacing 1 mile of roadway

WHEREAS, the Town has committed to work with the NJDOT however we can, in order to see this project come to fruition in order to make Clinton a more pedestrian friendly community, encourage NJDOT to not just look at the improvements they have proposed, but also to look at other alternatives that were suggested by the Town, which included their re-evaluation of the benefits of the installation of a “Roundabout” at the Rt. 173 & Center St. Intersection as part of this project.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Clinton fully support the NJDOT’s Rt. 173 Pedestrian Improvement Project and commit to working with them in order to achieve this goal.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the NJDOT.

Vote all ayes
Motion carried

RESOLUTION #159-18 – CANCELLATION OF LIEN

A motion was made by Ms. Sosidka, seconded by Mr. Smith, to adopt Resolution #159-18 as submitted:

RESOLUTION # 159-18

WHEREAS, the Tax Collector of the Town of Clinton has been paid \$737.44, the amount necessary to redeem Tax Sale Certificate #2018-4 on Block 14, Lot 4, assessed to Francis & Deborah Gallagher, and purchased by US Bankcust for Actlien Holding.

NOW THEREFORE BE IT RESOLVED, on this 11th day of December 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 \$737.44 to US Bankcust for Actlien Holding, 50 South 16th Street, Suite

2050, Philadelphia, PA 19102 upon receipt of the Original Tax Sale Certificate endorsed for cancellation, and

BE IT FURTHER RESOLVED that the Tax Collector be authorized to cancel Lien #2014 on Block 14, Lot 4, as assessed to Francis & Deborah Gallagher, from the Town of Clinton Tax Records.

ROLL CALL: Ayes: Dineen, Humphrey, Johnson, Karsh, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #160-18 – OPEN SPACE FUNDS

A motion was made by Ms. Dineen, seconded by Ms. Karsh, to adopt Resolution #160-18 as submitted:

RESOLUTION # 160-18

WHEREAS, fifteen percent of the Hunterdon County Open Space Trust Fund raised from the open space tax collected annually in each municipality is available for municipal open space purposes each year; and

WHEREAS, the Town of Clinton does not have plans to use its portion of the Open Space Trust Fund in 2019 for Open Space and Recreation, and

WHEREAS, the Town of Clinton wishes to reserve its FY 2018 share of the Fund for future open space use.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Clinton, County of Hunterdon and State of New Jersey that it hereby asks the Hunterdon County Board of Freeholders to reserve the Town's share in the amount of \$101,108.63 of the Hunterdon County Open Space Trust Fund collected in 2018 for use in future years.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the Hunterdon County Board of Freeholders and the County Open Space Coordinator.

ROLL CALL: Ayes: Dineen, Humphrey, Johnson, Karsh, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #161-18 – TRANSFER OF FUNDS

A motion was made by Ms. Dineen, seconded by Ms. Sosidka, to adopt Resolution #161-18 as submitted:

RESOLUTION #161-18

WHEREAS, it has been determined that there will be excesses in certain appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriations for the year 2018, and it has also been determined that certain appropriations are deemed to be insufficient to fulfill the purposes of such appropriations; and

WHEREAS, N.J.S.A. 40A:4-58 provides for the transfer of the amount of such appropriations as may be deemed in excess to such appropriations as may be deemed to be insufficient; and

WHEREAS, the transfers about to be authorized do not affect any appropriations, to which or from which transfer are prohibited under the statutes;

NOW, THEREFORE, BE IT RESOLVED that the following transfers between 2018 appropriations be authorized pursuant to N.J.S.A. 40A:4-58:

	<u>From</u>	<u>To</u>
Electricity – Other Expenses	\$ 5,000.00	
Street Lighting – Other Expenses	4,500.00	
Vehicle Maintenance – Other Expenses		5,000.00
Telephone – Other Expenses		1,000.00
Social Security – Other Expenses		3,500.00
	_____	_____
TOTALS	\$ 9,500.00	\$ 9,500.00

ROLL CALL: Ayes: Dineen, Humphrey, Johnson, Karsh, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #162-18 – BYOB – YULETIDE BONFIRE

A motion was made by Ms. Sosidka, seconded by Ms. Dineen, to adopt Resolution #162-18 as submitted:

RESOLUTION # 162-18

WHEREAS, the Code of the Town of Clinton, Chapter 32, Section 7, prohibits consumption of alcoholic beverages in, on, or upon any public street, or land owned or occupied by any federal, state, county or municipal government, or as further explained in the Section 32-7 A through D; and

WHEREAS, alcoholic beverages may be consumed at occasions or events held by bona fide nonprofit organizations or other groups if specifically permitted by resolution of the Mayor and Council; and

THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton, that BYO (Bring Your Own) consumption of alcoholic beverages shall be permitted at the Hunts Mill Park during the Town of Clinton Yuletide Bonfire Winter Festival to be held on January 19, 2019 (rain date January 26) beginning at 6:00 PM.

Vote all ayes
Motion carried

RESOLUTION #163-18 – DISCHARGE OF MORTGAGE

A motion was made by Mr. Smith seconded by Ms. Johnson, to adopt Resolution #163-18 as submitted:

RESOLUTION # 163-18
A RESOLUTION CONCERNING DISCHARGE OF
AFFORDABLE HOUSING MORTGAGE

WHEREAS former Town of Clinton resident Jennifer Dermody purchased a home at 8 Woodcrest Lane, Clinton, New Jersey, on January 31, 2008; and

WHEREAS this home was designated as an Affordable Housing unit in the Town of Clinton; and

WHEREAS pursuant to the State of New Jersey Department of Community Affairs, Division of Housing regulations, Jennifer Dermody executed a mortgage to the Town of Clinton Affordable Housing Authority which was recorded in Hunterdon County, New Jersey, on March 6, 2014 in Deed Book 2203 on page 391 (the "COAH Mortgage"); and

WHEREAS, on October 31, 2018, Jennifer Dermody sold the home to Marybeth Chernesky, who has executed a mortgage to the Affordable Housing Authority;

NOW THEREFORE BE IT RESOLVED that the Mayor has the authority to execute a Discharge of the Mortgage given by Jennifer Dermody to the Town of Clinton Affordable Housing Authority.

ROLL CALL: Ayes: Dineen, Humphrey, Johnson, Karsh, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

CORRESPONDENCE – NONE

REPORTS FROM COUNCIL

Kathy Olsen, CFO

Ms. Olsen explained with the new finance program beginning the week of December 17, 2018, there will not be a complete bill list until January 22, 2019, the second meeting of the month. However, necessary bills will be paid on time.

Councilman Smith

1. Roads Committee – The West Main Street Pedestrian Improvement Project is on target. Committee is discussing the option of speed bumps or speed humps in the Hunts Mill Park area. Replacements are needed but costly, therefore the committee continues to discuss options. Capital improvement budget addresses road improvements for Helen Road, Hunts Mill, Riverside, Union and Hancock as well as for Georges Place.

Councilwoman Dineen

1. Land Use Board met December 4, 2018 to discuss the review of the Master Plan. Changes are being made as many ordinances are out of date. To keep with statutory obligation, the re-examination public hearing of the Master Plan will be held 7:00 p.m. on December 18, 2018 at such time it will be adopted.
2. Buildings and Grounds met December 3, the upgrading of the HVAC took place in two phases; upstairs has been completed, downstairs will take place next.

A draft of a new Facility Use form has been prepared, however, future discussions continue to take place.

Councilwoman Sosidka

1. Board of Recreation – the Annual Bonfire will take place January 19, 2019 with a rain date of January 26. Volunteers are needed.

“Paddington Bear II” will be held at the Clinton Fire Department on December 15, 2018 at 6:30 p.m.

2. Environmental Commission is in need of volunteers, as is the Clinton Conservancy.
3. Historic Commission will hold their next meeting December 19, 2018.
4. The Menorah lighting was held December 5 and was well attended on the Art Museum patio. The Art Museum opened their doors to the public, a nice time was had by all.

Ms. Sosidka took this opportunity to address Council and staff for a bittersweet farewell after serving 6 years on Council. Ms. Sosidka read a lovely, heartfelt statement that addressed many feelings and thanks. Ms. Sosidka will be missed.

Councilman Humphrey

1. Clinton Fire Department held their regular meeting and Mr. Humphrey was welcomed as fire commissioner. Officers remain Walter Dorf, Chief, Jeff Hedden, Deputy Chief. 289 Calls to date for 2018. Santa will be making deliveries on December 15 and visiting neighborhoods December 16 and 17.

Two applications for memberships were received, active member James Trainor and junior member, Mario Gallo. A motion was made by Mr. Smith, seconded by Ms. Johnson, to accept memberships as submitted.

Vote all ayes
Motion carried

Councilwoman Karsh

1. Clinton Guild will be hosting Candlelight Night on Thursday, December 13. As mentioned earlier, the Christmas Parade on December 7 was a huge success once again. The Guild’s decorations brought nice reviews from many.
2. Ms. Karsh and Ms. Dineen attended the Hunterdon County Chamber of Commerce breakfast this morning honoring Hunterdon County Business owners as mentioned earlier. Fun fact, Annie Rossi was a fencing champion at U Penn! Congratulations to Paul and Annie!
3. Met students from Raritan Valley Community College interested in municipal government and may be interested in volunteering some hours to get involved.
4. The Hunterdon County Economic Development Committee has their website up and running and has a property locator feature. Ms. Karsh encourages folks to look into it, very exciting!

Councilwoman Johnson

1. Attending the marijuana seminar tomorrow morning and will report back.

STANDBY AND OVERTIME

A motion was made by Mr. Smith seconded by Ms. Johnson to approve the standby and overtime submitted for the period of November 16 through November 29, 2018 attached to these minutes.

ROLL CALL: Ayes: Dineen, Humphrey, Johnson, Karsh, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

PAYMENT OF BILLS

A motion was made by Ms. Dineen seconded by Ms. Karsh to approve the bill list attached to these minutes as submitted.

ROLL CALL: Ayes: Dineen, Humphrey, Johnson, Karsh, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #164-18 – EXECUTIVE SESSION

A motion was made by Ms. Karsh seconded by Ms. Dineen, to enter into Executive Session to discuss a matter of litigation or contract negotiations at 8:44 p.m.

RESOLUTION # 164-18

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);

___ 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

Upon returning from Executive Session at 9:48 p.m.

Mayor Kovach stated that no employee reviews will take place in 2019 in conjunction with Resolution #147-18 as submitted earlier. A motion was made by Ms. Johnson, seconded by Mr. Karsh, to comply with Resolution #147-18.

Vote all ayes
Motion carried

CLINTON TOWNSHIP SEWERAGE AUTHORITY / HIGH BRIDGE LITIGATION

Mr. Cushing explained that prior to going into Executive Session, there appeared to be some confusion about whether the Council would return to Public Session after the Executive Session but after discussions, determined to come out of executive and discuss in public the procedural steps authorizing the Mayor and Mr. Smith and the Sewer Committee to review the final language of the proposed settlement agreement with Clinton Township Sewerage Authority and High Bridge so as to allow the formal agreement to be submitted to High Bridge and CTSA prior to Thursday night when High Bridge has its meeting. If a formal agreement is agreed upon, Council would meet next week to finalize a vote with respect to the final settlement agreement between attorneys. CTSA has agreed to have 2 representatives finalize the language of the settlement agreement without have another meeting of CTSA. The mediator suggested that the Town have 2 council members be authorized to approve the final form of the settlement agreement with a provision that the full Council vote on it at a special meeting next week. Copies will be distributed by Mr. Cushing.

ADJOURNMENT: There being no further business a motion was made by Ms. Johnson seconded by Ms. Dineen to adjourn the meeting at 9:52 p.m.

Cecilia Covino, RMC/CMC, Municipal Clerk

Mayor Janice Kovach