

Mayor Kovach called the meeting to order at 7:00 p.m.

Flag Salute.

Roll Call: Present – Dineen, 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 Mr. Smith seconded by Ms. Dineen to approve the Council minutes of June 26, 2018 as submitted.

Vote all ayes
Motion carried

APPROVAL OF EXECUTIVE MINUTES

A motion was made by Ms. Karsh seconded by Ms. Sosidka, to approve the executive session minutes of June 26, 2018 as submitted.

Vote all ayes
Motion carried

PUBLIC COMMENTS – NONE

MAYOR’S COMMENTS

Mayor Kovach stated that tennis staffing has been presented as follows:

It is the recommendation of the Board of Recreation Commissioners that the following staff be hired for the 2018 Summer Tennis Program to be held July 25th through August 16th at Clinton Community Center from 8:30 am to 12 noon.

John Amabile – Leader	\$ 20.00/hr
Karen Veninger	\$ 15.00/hr

A motion was made by Ms. Sosidka, seconded by Mr. Smith, to accept as presented.

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

Vote all ayes
Motion carried

RESOLUTION #112-18

A motion was made by Ms. Sosidka, seconded by Ms. Karsh to adopt Resolution #112-18 as submitted:

**RESOLUTION # 112--18
CERTIFICATION OF ANNUAL AUDIT**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2017 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.S.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations” and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27 BB-54 to wit:

R.S.52:27 BB-52 – “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the (Director of Local Government Services), under provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Town of Clinton, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Vote all ayes
Motion carried

COUNCIL VACANCY

Following the resignation of Councilman Albert Rylak, June 25, 2018, the Republican County Committee has submitted the following names for consideration to fill the vacancy:

Marty Pendergast, 20 Spruce Run Road
Michele Snyder, 40 Halstead Street
Deena Roberts, 20 Pond Ridge Drive

Council welcomed the candidates, Pendergast and Snyder, Ms. Roberts was not available to attend, and gave them an opportunity to introduce themselves and express their interest in council.

Ms. Snyder said she has been a resident of Hunterdon County for 27 years and Clinton for five years and would like to get involved in the community. In addition to a council seat, Ms. Snyder said she would like to get involved with the Newsletter Committee. Ms. Snyder said she really misses receiving the hard copies of the newsletter. Ms. Karsh asked what are Ms. Snyder's other goals what she would like to see in town. Ms. Snyder said she would like to become more active in the Town.

Mr. Pendergast gave his background as a councilmember for nine years, chair of the Sewer Committee, member of the several committees and commissions and feels there is more work to be done on his behalf. Ms. Karsh asked what his goals would be to see happen, to which he replied sewer litigation come to a close and get involved with the Land Use and upcoming Master Plan reviews and updates.

A motion was made by Mr. Smith, seconded by Ms. Dineen, to enter into executive session at 7:08 p.m. to discuss a matter of personnel. Council will return to the regular meeting to take action.

RESOLUTION #112-A--18 – EXECUTIVE SESSION

A motion was made by Mr. Smith seconded by Ms. Dineen, to enter into Executive Session at 7:08 p.m. to discuss a matter of personnel.

RESOLUTION # 112-A-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 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 to the council meeting at 7:18 p.m., Mr. Smith made a motion to appoint Mr. Pendergast to fill the council vacancy, seconded by Ms. Sosidka.

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

Vote all ayes
Motion carried

Mayor Kovach asked for a motion to appoint Ms. Snyder to the Newsletter committee. Motion made by Ms. Dineen, seconded by Ms. Sosidka.

Vote all ayes
Motion carried

SWEARING IN OF COUNCILMAN PENDERGAST

Mr. Cushing administered the Oath of Office to Mr. Pendergast while his wife, Rosemary, held the Bible. A round of applause and Mr. Pendergast was welcomed back to the dais where he recently sat!

STANDBY AND OVERTIME

Motion made by Ms. Sosidka seconded by Ms. Dineen, to approve the standby and overtime submitted for the period of June 29 through July 12, 2018 attached to these minutes.

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

Vote all ayes
1 Abstention (Pendergast)
Motion carried

ADJOURNMENT: There being no further business, a motion was made by Mr. Smith seconded by Ms. Dineen to adjourn the meeting at 7:31 p.m.

Cecilia Covino, RMC/CMC, Municipal Clerk

Mayor Janice Kovach

SPECIAL COUNCIL MEETING
JULY 16, 2018