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Mayor Kovach called the meeting to order at 7:30 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 Ms. Sosidka seconded by Ms. Karsh to approve the Council minutes of June 12, 2018 as submitted.

Vote all ayes  
1 Abstention (Kovach)  
Motion carried

**APPROVAL OF MONTHLY REPORTS – JUNE**

A motion was made by Mr. Smith seconded by Ms. Sosidka to approve the Wastewater Treatment Plant and Treasurer’s Report for the month of June as submitted.

Vote all ayes  
Motion carried

**PUBLIC COMMENTS - NONE**

**MAYOR’S COMMENT**

1. A letter of resignation received from Councilman Albert D. Rylak, effective immediately. A motion was made by Mr. Smith, seconded by Ms. Dineen, to accept Mr. Rylak’s resignation with regrets. Ms. Sosidka wished to publicly thank Mr. Rylak for his service to the Town of Clinton for the past four and a half years of dedication.
2. Mayor Kovach asked for a moment of silence for the passing of three Clintonians in as many weeks. Gene De Cleene, David Kurtiak and Cliff Platt.
3. A membership application for the Clinton Fire Department received for Jonathan A. Schutts, 6565 Pittstown Road, Frenchtown, NJ 08825. A motion was made by Mr. Smith, seconded by Ms. Karsh, to approve the request for membership.
4. The United Way sent a thank you note to the Town for allowing the use of the council room for free tax preparation again this year. They have included a Community Engagement plaque for display and a Community Impact Report for 2017.

Vote all ayes  
Motion carried

5. Thank you received from Camryn Legra, recipient of the Good Kid Award 2018 at Voorhees High School.
6. Thank you received from Connor Strohm, recipient of the Good Kid Award 2018 at North Hunterdon High School.
7. Hunterdon County Freeholders have notified municipalities of their support of proposed Senate Bill S-233, to improve school bus safety having all new school buses equipped with three-point, lap-shoulder seat belts.
8. A copy of a letter received from Governor Murphy addressed to Legislators regarding the Fiscal Year 2019 state budget.
9. Proclamation designating June, 2018 as Gay Pride Month.
10. Proclamation congratulating the North Hunterdon Varsity Softball Team as the 2018 NJSIAA Group 4 State Champions!

**BANNER REQUEST**

A banner request has been received from the Hunterdon Art Museum to display a banner promoting the Lace, not Lace Exhibition September 22, 2018. A motion was made by Ms. Dineen, seconded by Ms. Sosidka, to approve the request.

Vote all ayes  
Motion carried

**RESOLUTION #90- RESOLUTION #95 – DEDICATION BY RIDER**

A motion was made by Ms. Dineen, seconded by Mr. Smith, to adopt Resolutions #90 through #95-18 as follows:

**RESOLUTION #90-18 – COAH TRUST FUND**

**RESOLUTION # 90-18**

**A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION  
BY RIDER FOR TOWN OF CLINTON COAH TRUST FUND  
REQUIRED BY N.J.S.A. 40A:4-39**

**WHEREAS**, permission is required of the Director of Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

**WHEREAS**, N.J.S.A. 40A:5-29 provides for receipt of deposits by the municipality to provide for the operating costs to administer this act; and,

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from deposits for the COAH Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Town of Clinton, County of Hunterdon, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Town of Clinton's COAH Trust Fund as provided by N.J.S.A. 40A:5-29.
2. The Clerk of the Town of Clinton, County of Hunterdon is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**RESOLUTION #91-18 – LOSAP TRUST FUND**

**RESOLUTION # 91-18**

**A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION  
BY RIDER FOR TOWN OF CLINTON LOSAP TRUST FUND  
REQUIRED BY N.J.S.A. 40A:4-39**

**WHEREAS**, permission is required of the Director of Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

**WHEREAS**, N.J.S.A. 40A:5-29 provides for receipt of deposits by the municipality to provide for the operating costs to administer this act; and,

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from deposits for the LOSAP Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Town of Clinton, County of Hunterdon, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Town of Clinton's LOSAP Trust Fund as provided by N.J.S.A. 40A:5-29.
2. The Clerk of the Town of Clinton, County of Hunterdon is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**RESOLUTION #92-18 – TAX SALE PREMIUM TRUST FUND**

**RESOLUTION # 92-18**

**A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION  
BY RIDER FOR TOWN OF CLINTON TAX SALE PREMIUM TRUST FUND  
REQUIRED BY N.J.S.A. 40A:4-39**

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**WHEREAS**, permission is required of the Director of Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

**WHEREAS**, N.J.S.A. 40A:5-29 provides for receipt of deposits by the municipality to provide for the operating costs to administer this act; and,

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from deposits for the Tax Sale Premium Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Town of Clinton, County of Hunterdon, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Town of Clinton's Tax Sale Premium Trust Fund as provided by N.J.S.A. 40A:5-29.
2. The Clerk of the Town of Clinton, County of Hunterdon is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**RESOLUTION #93-18 – ECONOMIC DEVELOPMENT COMMISSION**

**RESOLUTION # 93-18**

**A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION  
BY RIDER FOR TOWN OF CLINTON ECONOMIC DEVELOPMENT COMMISSION  
REQUIRED BY N.J.S.A. 40A:4-39**

**WHEREAS**, permission is required of the Director of Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

**WHEREAS**, N.J.S.A. 40A:5-29 provides for receipt of donations by the municipality to provide for the operating costs to administer this act; and,

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from donations for the Economic Development Commission are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Town of Clinton, County of Hunterdon, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Town of Clinton's Economic Development Commission as provided by N.J.S.A. 40A:5-29.

2. The Clerk of the Town of Clinton, County of Hunterdon is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**RESOLUTION #94-18 – POLICE OFF DUTY TRUST FUND**

**RESOLUTION # 94-18**

**A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION  
BY RIDER FOR TOWN OF CLINTON POLICE OFF DUTY TRUST FUND  
REQUIRED BY N.J.S.A. 40A:4-39**

**WHEREAS**, permission is required of the Director of Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

**WHEREAS**, N.J.S.A. 40A:5-29 provides for receipt of deposits by the municipality to provide for the operating costs to administer this act; and,

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from deposits for the Police Off Duty Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Town of Clinton, County of Hunterdon, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Town of Clinton's Police Off Duty Trust Fund as provided by N.J.S.A. 40A:5-29.
2. The Clerk of the Town of Clinton, County of Hunterdon is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**RESOLUTION #95-18 – UTILITY TRUST FUND FOR WATER RENT DEPOSITS**

**RESOLUTION # 95-18**

**A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION  
BY RIDER FOR TOWN OF CLINTON UTILITY TRUST FUND FOR WATER RENT  
DEPOSITS  
REQUIRED BY N.J.S.A. 40A:4-39**

**WHEREAS**, permission is required of the Director of Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

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**WHEREAS**, N.J.S.A. 40A:5-29 provides for receipt of deposits by the municipality to provide for the operating costs to administer this act; and,

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from deposits for the Utility Trust Fund for Water Rent Deposits are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Town of Clinton, County of Hunterdon, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Town of Clinton's Utility Trust Fund for Water Rent Deposits as provided by N.J.S.A. 40A:5-29.
2. The Clerk of the Town of Clinton, County of Hunterdon is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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

Vote all aye  
Motion carried

**RESOLUTION #96-18 – RESOLUTION #100-18**

A motion was made by Mr. Smith, seconded by Ms. Karsh, to adopt Resolutions #96-18 through #100-18 as submitted:

**RESOLUTION #96-18 – CHAPTER 159**

**RESOLUTION # 96-18**

**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 \$1,000.00 from the Association of New Jersey Environmental Commissions and wishes to amend its 2018 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 the year 2018 in the sum of \$1,000.00 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:  
Association of NJ Environmental  
Commissions, and

**BE IT FURTHER RESOLVED**, that a like sum of \$1,000.00 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:  
Association of NJ Environmental Commissions

**RESOLUTION #97-18 – LEASE/PURCHASE POLICE VEHICLE**

**RESOLUTION # 97-18**

WHEREAS, the Town of Clinton wishes to lease/purchase a Police Vehicle from an authorized vender under the State of New Jersey Purchasing Program;

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, Hertrich Fleet has been awarded the New Jersey State Contract #A88729 (T2776);  
and

WHEREAS, the purchasing agent recommends the utilization of this contract on the grounds that it represents the best price available; and

WHEREAS, the actual cost for the Police Vehicle is expected not to exceed \$37,155.93; and

WHEREAS, the Chief Financial Officer has certified the availability of \$13,620.48 under the 2018 Current Budget, Police Department, Other Expenses, and the balance pending funding in subsequent budgets.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Clinton, that Hertrich Fleet be awarded a contract for the lease/purchase of a Police Vehicle.

**RESOLUTION #98-18 – CHAPTER 159**

**RESOLUTION # 98-18**

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

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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 \$5,264.22 from the State of New Jersey and wishes to amend its 2018 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 2018 in the sum of \$5,264.22 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 \$5,264.22 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

**RESOLUTION #99-18 – CANCELLED TRUST SURPLUS ACCOUNTS**

**RESOLUTION # 99-18**

WHEREAS, there exists on the books within the Town’s Trust Account old balances; and

WHEREAS, the old balances are no longer needed for their original purposes;

NOW, THEREFORE, BE IT RESOLVED, that the following trust account balances in the amount of \$2,528.76, plus any accrued interest, are hereby cancelled to Trust Surplus:

<u>Trust Sub-Account</u>	<u>Amount</u>
Caras Seafood	\$ 550.50
Doras Restaurant	675.00
Eckerd	503.22
Cyrus R. Fox	22.22
J. Harrison Memorial Fund	207.83



NNA & Sons	14.50
Fire Hydrants	.22
Special	2.34
Salvatore Memorial	108.01
Miscellaneous	7.06
Bob's Retirement Dinner	.31
Tom's Retirement Dinner	.70
Clinton Honda	1.09
Clinton Twsp. Middle School	11.02
Coach House	.09
Harth Construction	16.57
John Garcia Construction	20.00
The Mews	1.92
Platinum Building	23.40
Transco	1.02
Urban and Company	1.68
Clinton Main Street LLC	50.50
Clinton Management Group	6.25
Country View Builders	11.33
Mico Petroleum	20.00
Timothy McGuire	.73
Tomaro, Vincent & Sharon	271.25

**RESOLUTION #100-18 – DISCHARGE OF MORTGAGE**

**RESOLUTION #100-18**

**A RESOLUTION CONCERNING DISCHARGE OF  
AFFORDABLE HOUSING MORTGAGE**

**WHEREAS** former Town of Clinton resident Meghan Elayne Joyce purchased a home at 16 Woodcrest Lane, Clinton, New Jersey, on March 31, 2010; 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, Meghan Elayne Joyce executed a mortgage to the Town of Clinton Affordable Housing Authority which was recorded in Hunterdon County, New Jersey, on April 7, 2010 in Mortgage Book 3435 on page 509 (the "COAH Mortgage"); and

**WHEREAS**, on May 29, 2018, Meghan Elayne Joyce sold the home to Samantha Della Bovie, 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 Meghan Elayne Joyce to the Town of Clinton Affordable Housing Authority.

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

Vote all ayes  
Motion carried

**RESOLUTION #101-18 – PERMANENT APPOINTMENT OF TIMOTHY SRNKA**

A motion was made by Mr. Smith, seconded by Ms. Dineen, to adopt Resolution #101-18 as submitted:

**RESOLUTION # 101-18**

**WHEREAS**, on March 27, 2018 Timothy Srnka was appointed as a probationary laborer within the Water and Road Department, to which his first day of employment was on April 2, 2018; and

**WHEREAS**, he has successfully completed his ninety (90) day probationary period; and

**WHEREAS**, the Public Works Business Administrator recommends that Timothy Srnka receive permanent appointment effective July 2, 2018.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Town of Clinton hereby permanently appoint Timothy Srnka as a laborer within the Sewer Department.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to Timothy Srnka, as well as placed in his personnel file.

**RESOLUTION #102-18 – PERMANENT APPOINTMENT OF TYLER STANBRO**

A motion was made by Mr. Smith, seconded by Ms. Dineen, to adopt Resolution #102-18 as submitted

**RESOLUTION # 102-18**

**WHEREAS**, on March 27, 2018 Tyler Stanbro was appointed as a probationary laborer within the Water and Road Department, to which his first day of employment was on April 2, 2018; and

**WHEREAS**, he has successfully completed his ninety (90) day probationary period; and

**WHEREAS**, the Public Works Business Administrator recommends that Tyler Stanbro receive permanent appointment effective July 2, 2018.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Town of Clinton hereby permanently appoint Tyler Stanbro as a laborer within the Sewer Department.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to Tyler Stanbro, as well as placed in his personnel file.

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

Vote all ayes  
Motion carried

**RESOLUTION #103-18 – WATER CAPACITY RESERVATION**

A motion was made by Mr. Smith, seconded by Ms. Karsh, to adopt Resolution #103-18 as submitted:

**RESOLUTION # 103-18**

**RESOLUTION APPROVING WATER CAPACITY RESERVATION  
APPLICATION # L18-05**

**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 # L18-05, dated May 8, 2018, submitted in the name of Chabad House (Township of Clinton Block 90, Lot 2.15, Tax Map Page 17, located at Payne Road and Route 31; and

**WHEREAS**, on June 19, 2018, the Town's Water Consulting Engineer, Suburban Consulting Engineers, informed the Town of Clinton Water Committee of their recommendation of approval of the afore-mentioned application which proposes development of a synagogue, office space, religious education space and pre-k childcare; and

**WHEREAS**, on July 20, 2018, the Town's Water Committee held their monthly meeting in which they have reviewed and approved said application and deemed it complete, to which they have granted final 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 # L18-05 in the amount of 2,750 GPD.

**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 #104-18 – CHANGE ORDER NO. 3**

A motion was made by Ms. Dineen, seconded by Mr. Smith, to adopt Resolution #104-18 as submitted:

**RESOLUTION # 104-18**

**CHANGE ORDER NO. 3**

**WHEREAS**, the need has arisen for a change order to the Well #4 Improvements and,

**WHEREAS**, according to the Water Engineer, there was a need to make contract modifications, and,

**WHEREAS**, the Water Engineer has recommended changes to the VFD Replacement, Chlorine Analyzer, SCADA Programming Changes, Additional Select Fill, Dense Graded Aggregate, Rock Excavation, Exploratory Test Pits and Utility Relocation Allowance, and

**WHEREAS**, change order number three (3) total proposed increase is \$9,881.93,

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**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Town of Clinton that Change Order Number three (3) in the amount of \$9,881.93, for the Well #4 improvements be approved.

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

Vote all ayes  
Motion carried

**RESOLUTION #105-18 – CANCELLATION OF LIEN**

A motion was made by Ms. Karsh, seconded by Ms. Dineen, to adopt Resolution #105-18 as submitted:

**RESOLUTION # 105-18**

**WHEREAS**, the Tax Collector of the Town of Clinton has been paid \$18,355.04, the amount necessary to redeem Tax Sale Certificate #2016-6 on Block 11, Lot 18, assessed to Green Valley Realty Inc. T/A Copper, and purchased by FWDSL & Associates LP.

**NOW THEREFORE BE IT RESOLVED**, on this 26<sup>th</sup> day of June 2018 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 \$18,355.04 to FWDSL & Associates LP, 17 West 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 #2016-6 on Block 11, Lot 18, assessed to Green Valley Realty Inc. T/A Copper, from the Town of Clinton Tax Records.

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

Vote all ayes  
Motion carried

**RESOLUTION #106-18 – CANCELLATION OF LIEN**

A motion was made by Mr. Smith, seconded by Ms. Dineen, to adopt Resolution #106-18 as submitted:

**RESOLUTION # 106-18**

**WHEREAS**, the Tax Collector of the Town of Clinton has been paid \$84,464.11, the amount necessary to redeem Tax Sale Certificate #2016-5 on Block 11 Lot 11, assessed to Joseph & Linda Lo Bue, and purchased by Light Properties LLC.

**NOW THEREFORE BE IT RESOLVED**, on this 26<sup>th</sup> day of June 2018 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 \$84,464.11 (certificate) & \$59,000.00 (premium) to Light Properties LLC, 17 West 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 #2016-5 on Block 11, Lot 11, assessed to Joseph and Linda Lo Bue from the Town of Clinton Tax Records.

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

Vote all ayes  
Motion carried

**PUBLIC HEARING OF ORDINANCE #18-04 – \$40,000. CAPITAL IMPROVEMENT FUND**

A motion was made by Mr. Smith, seconded by Ms. Dineen, to open the public portion of Capital Ordinance #18-04:

**CAPITAL ORDINANCE # 18-04  
CAPITAL ORDINANCE OF THE TOWN OF CLINTON, IN THE COUNTY OF  
HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE MAKING OF  
IMPROVEMENTS IN, BY AND FOR THE TOWN OF CLINTON AND  
APPROPRIATING THEREFOR THE SUM OF \$40,000.00 FROM THE CAPITAL  
IMPROVEMENT FUND**

Vote all ayes  
Motion carried

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

Vote all ayes  
Motion carried

A motion was made by Ms. Karsh, seconded by Ms. Sosidka, to adopt Ordinance #18-04 on final reading.

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

Vote all ayes  
Motion carried

**PUBLIC HEARING OF ORDINANCE #18-05 - \$135,000 WATER SURPLUS FOR IMPROVEMENTS**

A motion was made by Mr. Smith, seconded by Ms. Sosidka, to open the public hearing of Ordinance #18-05:

**CAPITAL ORDINANCE NO. 18-05  
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 \$135,000.00 FROM THE CAPITAL WATER  
SURPLUS FOR WATER UTILITY IMPROVEMENTS**

Vote all ayes  
Motion carried

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

Vote all ayes  
Motion carried

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A motion was made by Ms. Karsh, seconded by Ms. Dineen, to adopt Ordinance #18-05 on final reading.

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

Vote all ayes  
Motion carried

**PUBLIC HEARING OF ORDINANCE #18-06 - \$125,000 SEWER UTILITY IMPROVEMENTS**

A motion was made by Mr. Smith, seconded by Ms. Sosidka, to open the public hearing of Ordinance #18-06:

**CAPITAL ORDINANCE NO.18-06  
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 \$125,000.00 FROM THE  
SEWER CAPITAL SURPLUS FOR SEWER UTILITY IMPROVEMENTS**

Vote all ayes  
Motion carried

There being no public comment, a motion was made by Ms. Dineen, seconded by Ms. Karsh, to close the public portion of the meeting.

Vote all ayes  
Motion carried

A motion was made by Ms. Dineen, seconded by Ms. Sosidka, to adopt Ordinance #18-06 on final reading.

Vote all ayes  
Motion carried

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

Vote all ayes  
Motion carried

**INTRODUCTION OF ORDINANCE #18-07 – VALVE & METER REPLACEMENT PROJECT**

A motion was made by Mr. Smith, seconded by Ms. Sosidka, to adopt Ordinance #18-07 on first reading as submitted:

ORDINANCE # 18-07  
BOND ORDINANCE PROVIDING FOR THE VALVE AND METER  
REPLACEMENT PROJECT IN COMPLIANCE WITH THE WATER  
QUALITY ACCOUNTABILITY ACT IN AND BY THE TOWN OF  
CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY,  
APPROPRIATING \$3,200,000 THEREFOR AND AUTHORIZING  
THE ISSUANCE OF \$3,200,000 BONDS OR NOTES OF THE TOWN  
TO FINANCE THE COST THEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CLINTON, IN THE  
COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof  
affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Town of Clinton, in the County of Hunterdon, New Jersey (the "Town"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$3,200,000. Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the costs of the improvement since the project described in Section 3(a) hereof is being funded through the New Jersey Infrastructure Bank and because the purpose authorized herein is deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Town, as more fully described in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$3,200,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the Valve and Meter Replacement Project in compliance with the Water Quality Accountability Act, including various improvements related to the findings of the Town's Asset Management Plan, including all work and materials necessary therefor and incidental thereto and further including all related costs incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

- (a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

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(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$3,200,000, but that the net debt of the Town determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$675,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the Town solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Town pursuant to N.J.S.A. 40A:2-44(c).

Section 7. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Vote all ayes  
Motion carried



A summary of this Bond Ordinance will be published in the June 29, 2018 edition of the Courier News. A public hearing will be held July 10, 2018.

### **CORRESPONDENCE**

1. A Citizen Involvement application received from Ross Traphagen, 76 Center Street, interested in becoming a volunteer in the Town. Mr. Traphagen expressed an interest in the Board of Recreation, Historical Commission, Website/Newsletter or Smart Growth, now the Economic Development Committee. Mr. Traphagen's first choice was to be a member of the Economic Development Committee but at this time there are no openings but having an opening on the Historical Commission, a motion was made by Mr. Smith seconded by Ms. Karsh to appoint Ross to the Historical Commission.

Vote all ayes  
Motion carried

### **REPORTS FROM COUNCIL**

#### **Kathy Olsen, CFO**

Ms. Olsen requested an additional bill be added to the list this evening for the Summer Recreation Program for a trip scheduled to be taken and the check must be brought with the Director. The check is for \$300 and made payable to TMI of Allentown. A motion was made by Mr. Smith, seconded by Ms. Dineen to approve the request.

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

Vote all ayes  
Motion carried

Ms. Olsen also reported that an associate from the Hunterdon Medical Center and Wellness Center paid A visit as an outreach for employees to offer physicals, diabetes management for possibly September / October.

#### **Councilman Smith**

1. Water Committee has been reviewing Will Serve applications.
2. Council and Land Use Board members that review development projects are required to participate in a "Stormwater Management & Regulation" training by June 30, 2018. Mr. Smith suggested that Mr. Phelan have interested members attend an afternoon session in the council room and watch it on the overhead projector. The session may take 30 to 40 minutes.

#### **Councilwoman Sosidka**

1. Environmental Commission is meeting Thursday, June 28 at 7:00 p.m. on the patio of the Hunterdon Art Museum to discuss the project being planned at De Mott Pond using the grant received from ANJEC. The Commission is inviting members of the Clinton Conservancy to discuss the plan to plant birds and butterfly gardens and remove non-invasive plants and to discuss other projects being planned for Clinton. The public is invited to attend and encouraged to work with the Commission.
2. Historic Commission is working on guidelines and definitions to assist residents that are interested in keeping an historic look and feel from an architectural stand point when making renovations on their homes. The Commission plans to work with an architect who has experience and can assist in making guidelines for planning. If a budget is required, the committee will approach council for guidance.

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3. Board of Recreation - Summer rec program began this week, and the Tennis program will begin early August. If there are questions, reach out to Jack Amabile, Tennis coordinator.

### **Councilwoman Karsh**

1. Ms. Karsh asked in what format will the Historic Commission present their findings? Ms. Sosidka and Ms. Karsh agreed that their committees will work well together.
2. Economic Development Committee held their kick off at the Art Museum and it was well attended. Next meeting is Thursday, July 5.
3. Clinton Guild – has posted an updated calendar of events on the website, visit clinton nj.org Many fun events are being planned. On October 6 at 3:00 p.m., there will be a Super Hero Sprint down Main Street to encourage folks coming to town to pick up their ½ Marathon packets, bring their families!

### **STANDBY AND OVERTIME**

A motion was made by Mr. Smith seconded by Ms. Sosidka, to approve the standby and overtime submitted for the period of June 1 through June 14, 2018 attached to these minutes.

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

Vote all ayes  
Motion carried

### **PAYMENT OF BILLS**

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

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

Vote all ayes  
Motion carried

### **RESOLUTION # 107-18 – EXECUTIVE SESSION**

A motion was made by Ms. Dineen seconded by Ms. Karsh, to enter into Executive Session to discuss a matter of affordable housing litigation at 8:08 p.m.

### **RESOLUTION # 107-18**

### **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

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**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 purchase, 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

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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 \_\_\_\_\_

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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 \_\_\_\_\_

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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 Ms. Karsh seconded by Ms. Dineen to adjourn the meeting at 9:12 p.m.

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Cecilia Covino, RMC/CMC, Municipal Clerk

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Mayor Janice Kovach