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Councilman Smith called the meeting to order at 7:30 p.m.

Flag Salute.

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

STATEMENT OF ADEQUATE NOTICE:

Councilman Smith read the following statement: “Adequate notice of this meeting has been provided, indicating the time and place of the meeting and the proposed agenda, which notice was posted, made available to newspapers, and filed with the Clerk of the Town of Clinton in accordance with Section 3(d) of Chapter 231 of the Public Laws of 1975.”

APPROVAL OF MINUTES

A motion was made by Mr. Carberry seconded by Mr. Rylak, to approve the minutes of the Council Meeting held June 27, 2017.

Vote all ayes
Motion carried

APPROVAL OF EXECUTIVE SESSION MINUTES

A motion was made by Mr. Carberry seconded by Mr. Rylak to approve the executive session minutes of June 27, 2017 as submitted.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS – JUNE

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

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

Vote all ayes
Motion carried

PUBLIC COMMENT

MAYOR’S COMMENTS

WATER REFUND

Nancy Burgess, Water Collector, is requesting a refund be issued in the amount of \$39.13 to Linda Furnari. Motion made by Mr. Carberry, seconded by Mr. Pendergast, to issue the refund as requested.

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

Vote all ayes
Motion carried

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

A motion was made by Mr. Pendergast seconded by Mr. Carberry, to open the public hearing of Ordinance #17-05:

**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**

Vote all ayes
Motion carried

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

Vote all ayes
Motion carried

A motion was made by Mr. Pendergast, seconded by Ms. Dineen, to adopt Ordinance #17-05 on final hearing.

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

Vote all ayes
Motion carried

CORRESPONDENCE

1. Pat and Donna Tromans, 18 West Main Street, has converted the two family dwelling to a single family and is requesting to be billed accordingly. Mr. Smith is requesting verification from the housing official and zoning officer that it is now a one family and that requirements have been met.

REPORTS FROM COUNCIL

Kathy Olsen, CFO

Notification has been received from the Hunterdon County Tax Administrator to hold off on tax certification until the State of New Jersey decides who is getting extra aid for the school. There will be no donations to the fire department and rescue squad until funds come in.

Councilwoman Dineen

1. Clinton Guild – attended their meeting and trash cans continue to be addressed but no decisions have been made.

Councilman Pendergast

1. Buildings and Grounds discussed the overgrown trees at the base of the flag poles in the front of the Municipal Building. Our beautiful building is being blocked from view because of these trees and the flags periodically get tangled in the branches. The committee is recommending the three trees come down by the town employees of the DPW. Mr. Phelan is also looking into having the brush cleared from along the Beaver Brook. Council accepts the recommendation of the Committee.

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Councilman Smith

1. Roads Committee – design work continues on the sidewalk intersection by the Clinton House. The project is going to be interfaced with the Water Department to relocate lines at a later date but the engineer thinks there may be a clog in the stormwater drain. It was discussed having the Clinton Fire Department come on a training night to use the pumper to flush the water line and see where it comes out into the river.

The parking lot paving has been completed except for a few punch list items.

2. Water Committee – in the process of reviewing unbilled fire accounts.
Well 16 – reviewing the hardness and strontium levels, looking into remediation and cost.
3. Buildings and Grounds – New Jersey Fire Services and DEP Division of Air Quality regarding cease and desist of the annual Yuletide bonfire.

Municipal barn has been losing shingles and is now leaking. The committee is looking into making repairs and a future roof replacement.

Richard P. Cushing, Esq.

Attorney Cushing shared a little humor having Councilman Smith sitting next to him running this evening's meeting. When Mr. Cushing became the Town attorney more than 30 years ago, Mr. Smith sat next to him as mayor of the Town of Clinton, and was often referred to as the "Benevolent Dictator"! Everyone laughed!

Councilman Rylak

1. Once again, Mr. Rylak wished to thank David Den Hollander owner of Country Shed in Franklin Township, for planting the colorful annuals at the three Welcome to Clinton signs. The fire department has assisted in keeping the plants watered and they are looking great!

STANDBY AND OVERTIME

A motion was made by Mr. Carberry seconded by Mr. Rylak to approve the standby and overtime submitted for the period of June 16 through June 29, 2017 attached to these minutes.

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

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

Vote all ayes
Motion carried

RESOLUTION #94-17 – EXECUTIVE SESSION – LITIGATION

A motion was made by Mr. Pendergast, seconded by Mr. Rylak, to enter into Executive Session at 7:44 p.m. to discuss a matter of litigation.

RESOLUTION #94-17

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:

4645 _____ 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

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 8:18 p.m.

Cecilia Covino, RMC/CMC, Municipal Clerk

Councilman Robert B. Smith