



TOWN OF CLINTON

INCORPORATED APRIL 5, 1865

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PLANNING BOARD

Minutes of the Town of Clinton Planning Board meeting held on December 4, 2012 at 7:30pm in the Municipal Building at 43 Leigh Street Clinton, New Jersey 08809

Chairman Gallagher called the meeting to order at 7:30pm and read the "Administrative Statement" and the "Statement of Adequate Notice":

"Meetings are held on the first Tuesday of each month. Applications must be filed at least 21 days prior to the meeting date. In order to ensure that all applications receive complete and thorough consideration of the board, all meetings will adjourn no later than 10:30pm with all items not concluded to be carried over to next month's agenda".

"Adequate notice of this meeting has been provided indicating the time and place of the meeting with the proposed agenda, which notice was posted, made available to the newspapers and filed with the clerk of the Town of Clinton in accordance with Section 3(d) of the Public Laws of 1975".

Roll Call:

Present: Gallagher, Feldmann, Hetzel, Insel, McGuire, Perez

Absent: Mayor Kovach, Maher, Rogan

Approval of Minutes:

A Motion was made by Mr. Hetzel, seconded by Mr. McGuire to approve the minutes for October 2, 2012 meeting:

All Ayes. Motion carried.

A Motion was made by Mr. Hetzel, seconded by Mr. Feldmann to approve the minutes for November 6, 2012 meeting:

All Ayes. Motion carried.

Memorialization of Resolution for Block 10 Lot 15- Minor Site Plan:

A Motion was made by Mr. McGuire, seconded by Mr. Perez to adopt the resolution for Block 10 lot 15:

Roll Call Vote: Feldmann, Hetzel, Insel, McGuire, Perez **All Ayes. Motion Carried.**

2013 Budget recommendations:

A Motion was made by Mr. Hetzel, seconded by Mr. McGuire to recommend the 2013 budget as follows:

Planner Fees- \$300.00; Misc. meeting & membership dues- \$500.00; Engineering fees-\$200.00; Legal fees -\$1,000.00; Legal Notice-\$100.00; Office supplies-\$100.00; Postage-\$150.00; Zoning Map Update-

\$100.00 ; 2013 total budget recommendation-\$2,450.00

All Ayes. Motion Carried.

Executive Session:

A Motion was made by Mrs. Insel, seconded by Mr. Hetzel, to enter into Executive Session at 7:45pm to discuss personal matters, no action to be taken:

All Ayes. Motion Carried.

RESOLUTION # 12-01

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 Planning Board 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 Planning Board will reconvene in public session at the conclusion of the executive session;

NOW, THEREFORE, BE IT RESOLVED by the Planning Board 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: _____

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);

 X 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 Board Professions 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 Planning Board 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 Planning Board, 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.

The board reconvened the regular meeting at 8:10pm.

Voucher Approval:

A Motion was made by Mr. Hetzel, seconded by Mrs. Insel, to approve the attached voucher list:

All Ayes. Motion carried.

Chairman Gallagher thanked Mrs. Insel for her invaluable service and dedication to the Planning Board, over her years of service Laurie has spearheaded a lot of positive change for the Town of Clinton and has been instrumental in getting the town moving in the right direction Chairman Gallagher added Laurie will be missed. Mrs. Insel stated it was an honor to serve and she is sad to leave.

Chairman Gallagher announced the 2013 Planning Board Reorganization meeting will be held on January 15, 2013.

There being no further business a Motion was made by Mr. Hetzel, seconded by Mrs. Insel to adjourn the meeting at 8:35pm.

All Ayes. Motion Carried

Respectfully submitted,

Allison Witt

Land Use Administrator