

Flag Salute.

Roll Call: Bruno, Dineen, Humphrey, Johnson, Perloff, Traphagen, 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.”

Mayor Kovach welcomed the public to the hybrid meeting and explained how the meeting will be run by reading the following statement :

NJSA 10:4-8(b) authorizes municipalities to conduct public meetings through use of streaming services and other online meeting platforms. Recently adopted P.L. 2020, c.11 amends OPMA to clarify that in times of emergency public bodies may vote, accept public comment and cause a meeting to be open to the public via electronic means.

The Town of Clinton is a public meeting as well as using ZOOM Video Meetings. Please be aware that this meeting is being recorded for the public record.

Please use the chat feature in ZOOM to indicate that you wish to be recognized for a comment or a question. You must provide your name and address to be recognized. You can also type in your questions. Feel free going forward to email councilmeeting@clintonnj.gov with any questions or concerns between meetings.

Please feel free to reach out with a note at jkovach@clintonnj.gov anytime!

APPROVAL OF MINUTES

A motion was made by Mr. Humphrey, seconded by Mr. Traphagen, to approve the minutes of the Council meeting minutes August 24, 2022 as submitted.

Vote all ayes
1 Abstention (Bruno)
Motion carried

APPROVAL OF MONTHLY REPORTS – AUGUST

A motion was made by Ms. Dineen seconded by Ms. Johnson, to approve the monthly reports for the month of August as submitted.

Vote all ayes
Motion carried

PUBLIC COMMENTS - NONE

MAYOR’S COMMENTS

1. Patrolman Andrew Lerner has completed his probationary status. Police Chief Kubinak recommends he be permanently appointed as a full-time member of the Police Department.
2. Shade Tree requests the appointment of Denise Birmingham to the Committee. A motion was made by Mr. Humphrey, seconded by Mr. Perloff to appoint Ms. Birmingham.

Vote all ayes
Motion carried

- Clinton Public School Board of Education meeting Tuesday, September 20, 2022, 7:00 p.m.
Meeting has been publicly noticed permitting Council to attend and the Chief of Police to discuss school security.

PRESENTATION OF PROCLAMATION

Mayor Kovach presented a proclamation to Liam James Rogan, for his fantastic accomplishments as the recipient of the International Champion award! Congratulations!!

PRESENTATION OF EMPLOYEE ANNIVERSARY AWARDS

Mayor Kovach presented gift cards to several employees in attendance for their years of service. Detective Alberto Bonilla, Sgt. Anthony Robbins 5 years; Tax Assessor Fran Kuczynski, Rich Phelan 10 years; Karen Cruse Kathy Olsen Patrolman Pete Tilstra 15 years; Cecilia Covino 20 years; Suzanne Ocello 25 years and Bob Neizgoda 35 years. Mayor Kovach also presented Barbara Hartsell with a bouquet of flowers and a check and good wishes for her retirement. Barb is retiring as of November 1, 2022. Mayor Kovach also gave mention to other employees unable to attend this evening. Steve Higgins, Eli Peretti 5 years; Lisa Kubinak 10 years; Bob Hoffman 15 years; Jim Crilly, Tim McGuire and Allison Witt 20 years; Art Dysart 25 years and Joy Wilson 30 years. Congratulations to everyone!

WATER REFUNDS

Water Collector, Nancy Burgess, has requested refunds for two customers, Jill Ross in the amount of \$70.40 and the Mews at Annandale in the amount of \$128.88. A motion was made by Mr. Perloff, seconded by Ms. Dineen, to issue the refunds as requested.

ROLL CALL: Ayes: Bruno, Dineen, Humphrey, Johnson, Perloff, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

SPECIAL EVENT APPLICATIONS

Eric Eisenhart has submitted two applications, Main Street Half Marathon & Superhero Sprint for October 8 and 9th, and SantaCon 8K for December 17, 2022. Chief Kubinak has reviewed the applications and all is in order. A motion was made by Mr. Humphrey, seconded by Ms. Johnson, to approve the events as requested.

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #22-10 AMENDMENT TO TOWING & STORAGE FEES

A motion was made by Ms. Dineen, seconded by Mr. Perloff, to open the public hearing of Ordinance #22-10:

ORDINANCE # 22-10
ORDINANCE AMENDING FEE SCHEDULES FOR TOWING
AND STORAGE OF MOTOR VEHICLES

Vote all ayes
Motion carried

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

Vote all ayes
Motion carried

A motion was made by Ms. Dineen, seconded by Ms. Johnson, to adopt Ordinance #22-10 on final reading.

ROLL CALL: AYES: Bruno, Dineen, Humphrey, Johnson, Perloff, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #130-22 – SUPPORT OF SENATE BILL NO. 713

A motion was made by Mr. Perloff, seconded by Mr. Bruno, to adopt Resolution #130-22 as submitted and to forward a copy to the League of Municipalities for their consideration.

**Resolution 130-22
Supporting Passage of Senate Bill No. 713
to Commemorate the Events of September 11, 2001**

WHEREAS, The New Jersey State Senate recently passed Senate Bill No. 713, which would require school districts to include information on events of September 11, 2001, as part of New Jersey Student Learning Standards in Social Studies and requiring public schools to hold annual events commemorating September 11, 2001;

WHEREAS, Commemorating September 11th annually allows families and friends to honor and remember the legacy of their loved ones whose lives were lost to the deadly terrorist attacks that day; and

WHEREAS, Including curriculum on September 11th as part of the regular public-school instruction will provide students with information on the historical context of the attack, a timeline of the day as events unfolded, the heroic actions of first responders that day and the immediate days that followed, the global response to the events of 9-1-1, and strategies for teaching tolerance, acceptance and embracing of people of different religions and cultures;

WHEREAS, This legislation is needed so ensure that future generations do not only forget about the tragedy of September 11, 2001 but also to know that the United States and many nations rose up against this terrible act of international terrorism and reaffirmed a global commitment to freedom;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Clinton extends its support of Senate Bill No. 713 as we approach the 21st anniversary of September 11th; and

BE IT FURTHER RESOLVED, that the Town of Clinton calls upon the New Jersey Legislature to pass this legislation and for Governor Murphy to sign this bill into law so that future generations never forget the events of September 11, 2001.

Vote all ayes
Motion carried

RESOLUTION #131-22 – REDEVELOPMENT COMMITTEE

A motion was made by Mr. Humphrey, seconded by Ms. Dineen, to adopt Resolution #131-22 as submitted:

RESOLUTION #131-22

ESTABLISHING A RIVERSIDE REDEVELOPMENT COMMITTEE

WHEREAS, the Mayor and Council of the Town of Clinton (the “Council”) adopted Resolution #125-16 in December of 2016 designating property designated as Block 24, Lots 2 and 10 and Block 25, Lots 18, 19 and 20 on the Town of Clinton Tax Maps (the “Riverside Redevelopment Area”) as an “Area in Need of Redevelopment” pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-3 et seq. (the “LRHL”); and

WHEREAS, pursuant to Ordinance 2020-17 adopted on August 12, 2020 the Council approved a redevelopment plan for the Riverside Redevelopment Area; and

WHEREAS, the Riverside Redevelopment Area remains undeveloped; and

WHEREAS, the Mayor has decided to form an Ad Hoc committee to review potential revised redevelopment plans for the site;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Clinton as follows:

1. The Riverside Redevelopment Committee is hereby created with the following members:
 - a. Mayor Janice Kovach
 - b. Council Member Nicholas Bruno
 - c. Land Use Chairman Craig Sailer
2. The duties of the Riverside Redevelopment Committee shall be:
 - a. Review revised redevelopment plans for the Redevelopment Area
 - b. Consult with the Town Planner and Town Attorney regarding such revised redevelopment plans
 - c. Make recommendations to the Town Council regarding revised redevelopment plans for the Redevelopment Area
 - d. Communicate with the owner of the Redevelopment Area
3. The Riverside Redevelopment Committee shall provide a monthly written report to the Council
4. The Riverside Redevelopment Committee may be dissolved at any time upon the recommendation of the Mayor and shall be dissolved at the time of adoption by Council of a revised redevelopment plan for the Riverside Redevelopment Area.
5. This Resolution shall take effect immediately.

Vote all ayes
1 Abstention (Perloff)
Motion carried

RESOLUTION #132-22 – PLAYGROUND COMMITTEE

A motion was made by Mr. Humphrey, seconded by Mr. Perloff, to adopt Resolution #132-22 as submitted:

**RESOLUTION # 132-22
RESOLUTION CREATING PLAYGROUND COMMITTEE
AND APPOINTING MEMBERS**

WHEREAS, the Town of Clinton has begun planning for the replacement of the playground at Halstead Street Park; and

WHEREAS, the Mayor and Council wish to establish a Committee to interview potential vendors and create a design for the installation of a playground at Halstead Street Park; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton, Hunterdon County, New Jersey, as follows:

1. A Playground Committee (the “Committee”) is hereby established as a temporary ad-hoc committee, consisting of seven members, three of which shall be members of the Town Council (the “Council”) and four of which shall be residents of the Town of Clinton.
2. The following individuals are appointed to the Playground Committee:
 - a. Megan Johnson, Councilmember
 - b. Nick Bruno, Councilmember
 - c. Kyle Perloff, Councilmember
 - d. John Bohnel, member of the public
 - e. Molly Padmos, member of the public
 - f. Phil Franzone, member of the public
 - g. Empty seat, which may be filled by the Mayor upon advice and consent of Council.
3. The Committee shall be empowered to:
 - a. Appoint its own Chairperson
 - b. All decisions of the Playground Committee must be made by a super-majority (i.e. five members for a seven person Committee and 4 members for a six person Committee)
 - c. Research potential vendors to design and install a playground from the State of New Jersey Cooperative Purchasing Program.
 - d. Receive and interview references (i.e. other municipalities) from potential vendors
 - e. Determine, as a committee, which of the sixteen (16) vendors as found on the njstart.gov website with a description of “T0103 - Park and Playground Equipment”, shall be interviewed for the playground design.
 - f. Any interviews of potential vendors or references (whether conducted in person or virtually) will be conducted upon written notice to the full Playground Committee and Town Council and in the presence of at least one of the Council members and 2 of the citizen members that are part of the Playground Committee.
 - g. Request and receive a preliminary design from potential vendors satisfying specific criteria (community build, inclusive, budget, etc) as defined by the committee. All such designs shall be provided to Council in the required monthly reports provided to the Town Council. Any requests for designs or recommendations from vendors must be in writing.
 - h. Recommend to Council a vendor to design and install the playground from the list of vendors in the State of New Jersey Cooperative Purchasing Program
 - i. Research and recommend to the Council grant opportunities to fund the installation of a

- playground
- j. After a vendor is selected by Council, meet with and coordinate with said vendor on a design (and engineering, if necessary) of the playground
 - k. Recommend to Council a playground design.
 - l. Recommend to Council a budget for the material and equipment for, and installation of a playground.
4. All recommendations from the Playground Committee as to the hiring of a vendor and playground design, must be approved by a majority of the three Council members that sit on the Playground Committee.
 5. The hiring of a vendor to design, provide material and equipment for, and install (through direct installation, DPW build, community build, or some other defined process) the playground must be approved by the Mayor and Council.
 6. The final design of the playground must be approved by the Mayor and Council.
 7. All verbal and written communications between the Playground Committee and vendors and vendor references will be conducted by one of the Council members that are part of the Playground Committee or with the consent of one such Council member. None of the citizen members of the Playground Committee shall contact potential or hired vendors or their references in connection with the design, construction, and installation of the playground (whether verbally or in writing) without the consent of one of the Council members that is a member of the Playground Committee. All verbal communications (whether in person, virtually, or via telephone) must be conducted in the presence of one of the Council members that is part of the Playground Committee and will be documented by a memo or an email. All members of the Playground Committee shall be notified in writing at least seven days in advance of an in-person meeting with a potential or hired vendor or one of their references and be given the opportunity to attend such meeting.
 8. All written communications of the Playground Committee shall be subject to the Open Public Records Act (“OPRA”). Therefore, it is imperative that a Council member be copied on all written communications with potential or hired vendors and their referenced. If any member of the Playground Committee has communicated in writing with a vendor or a reference for a vendor without copying a Council member on the correspondence, copies of all such correspondence must be immediately provided to the Town. Members of the Playground Committee shall cooperate with a request from the Town Administrator or Town Attorney for emails and other documents in response to OPRA requests. A Committee member’s failure to provide any documents responsive to an OPRA request shall be grounds for immediate removal from the Committee.
 9. If a Playground Committee member uses their personal cell phone for communications related to the Playground Committee (whether by telephone call or text message), such member is advised that their personal cell phone records may be subject to disclosure pursuant to an OPRA request. Therefore, it is recommended that contact with potential vendors and their references via personal cell phones be limited.
 10. Any member of the Committee that does not follow the agreed-upon process for communications with potential vendors and references will be removed immediately from the Committee.
 11. The Playground Committee shall issue a monthly written report to Council presented by the Chairman or other Council member designated by the Chairman.
 12. Citizen members of the Playground Committee shall be required to adhere to applicable sections of the Town of Clinton Personnel Policy, as may be amended from time to time. Within ten (10) days of appointment hereunder, citizen members shall be required to review and acknowledge, with their signature, receipt of such the Town of Clinton Personnel Policy and Town of Clinton Social Media Policies.
 13. The Playground Committee may be dissolved at any time by a majority vote of the Council. Any member of the Playground Committee may be removed for any reason and replaced by a vote of the majority of the Town Council.

14. This Resolution shall take effect immediately.

Vote all ayes
1 Abstention (Johnson)
Motion carried

RESOLUTION #133-22 – VETERAN’S TAX EXEMPTION

A motion was made by Mr. Perloff seconded by Mr. Bruno, to adopt Resolution #133-22 as submitted:

RESOLUTION # 133-22

WHEREAS, Christopher A Harrison, owner of property located at 34 Goosetown Drive, Block 29.01 Lot 1, in the Town of Clinton was declared 100% disabled by the Veteran’s Administration on February 10, 2022 and

WHEREAS, Christopher A Harrison made application to the Town of Clinton on September 8, 2022 for tax exempt status, and

WHEREAS, the Town of Clinton Tax Assessor changed the necessary status on this property as of January 1, 2023 Mr. Christopher A Harrison property will be listed as tax exempt, and

NOW THEREFORE RESOLVED by the Mayor and Council of the Town of Clinton that the Tax Collector remove the amount due for 4th quarter 2022, 1st & 2nd quarter 2023 in the total amount of \$11,126.70.

ROLL CALL: Ayes: Bruno, Dineen, Humphrey, Johnson, Perloff, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #134-22 – RECREATION FEES

A motion was made by Mr. Perloff, seconded by Mr. Humphrey, to adopt Resolution #134-22 as submitted:

RESOLUTION #134-22

WHEREAS, §4-20.I.2 of the Code of the Town of Clinton (the Code) provides that the user charge for participation in the rental of the Recreation Facility/Property shall be established by yearly resolution of the Mayor and Council; and

WHEREAS, setting the fees is the responsibility of the Recreation Committee; and

WHEREAS, the Town’s current practice is to accept and review the fees as recommended by the Recreation Committee; and

WHEREAS, the Mayor and Council have received a schedule for the Recreation Facility/Property rentals as follows:

Field Rental. To be defined herein as user Rental agreement being accepted for the reason pertaining to reserving a field for an organized event, game, league or season.

- One-time rental:
 - Thirty five dollars and 00/100 (\$35.00 USD) per field up to four (4) hours per rental.
- Season rental:

- Thirty dollars and 00/100 (\$30.00 USD) per field per occurrence for season rental greater than seven (7) games.

Community Center Service Rentals. To be defined herein as User Rental agreement being accepted for the reason of performing a service or selling goods with an associated price, charge or fee.

- Hourly rental:
 - Thirty five dollars and 00/100 (\$35.00 USD) per hour up to four (4) hours per rental.
- Daily rental:
 - Twenty five dollars and 00/100 (\$25.00 USD) per hour for extended rental greater than four (4) hours per occurrence
- Recurring rental:
 - Thirty dollars and 00/100 (\$30.00 USD) per hour for recurring rental greater than seven (7) occurrences per year.

Community Center One Off Event Rentals. To be defined herein as any approved rental request not identified as a Service Related Rental

- Town of Clinton Resident Rental:
 - Fifty dollars and 00/100 (\$50.00 USD) up to four (4) hours per rental.
- Non Town of Clinton Resident Rental:
 - Seventy five dollars and 00/100 (\$75.00 USD) up to four (4) hours per rental.

Community Center Additional Fees. The following fees apply upon request

- **Unreturned or Lost Key Fee.** Twenty dollars and 00/100 (\$20.00 USD) per key if the facility key is not returned.
- **Equipment Storage.** Fifty dollars and 00/100 (\$50.00 USD) for one key copy to Town's padlock.
- **Food Provision.** One hundred dollars and 00/100 (\$100.00 USD) if food to be included during the event.
- **General Recreation Event Admission, Concession or Participation Fee.** Zero dollars and 00/100 (\$0.00 USD) up to fifty dollars and 00/100 (\$50.00 USD) for any additional admission, concession or participation fee.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that the proposed fees are hereby accepted.

ROLL CALL: Ayes: Bruno, Dineen, Humphrey, Johnson, Perloff, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

CORRESPONDENCE

A thank you received from Clinton Public School to the Mayor and Council for the annual "Good Kid Award" for an outstanding eighth grader.

REPORTS FROM COUNCIL

Councilman Perloff

Recreation – The town picnic was awesome! Great turnout and a wonderful job of Laura Burr, Kristina Tuxhorn and thank you to all the volunteers, DPW, Chief Kubinak and his staff as well as the Clinton Fire Department and the South Branch Emergency Services for their participation for the picnic and their participation with all events.

Next event is the movie September 23 at Clinton Public School and The Carpool movie at Hunts Mill Park is October 1, 2022.

The Hunterdon Black Hawks have returned and will be playing at Gebhardt Field this Saturday, September 17 for their first game from 8:00 a.m. to 11:30 p.m. and will continue through the fall.

The Farmer's Market continues to be hopeful in running the Farmer's Market year round in the Community Center beginning in October. The next meeting is tomorrow evening, September 15, and will report back at the next council meeting.

Clinton Guild continues working on updating their website and Mr. Traphagen is helping. The meet and greet that was to take place has been rescheduled for next Wednesday, September 21, but may have to be rescheduled again due to Open House at the Clinton Public School.

Councilman Humphrey

Clinton Fire Department did not meet on Monday due to the Labor Day holiday but met briefly on Wednesday.

Economic Development Committee met last night and confirmed acceptance of the art work of Christian Cook for the new logo design and will present to Council. Christian prepares art work for the county and Flemington. If approved, will be used in Spring postings and a promotion of "Why you love Clinton" and extend articles into other states of Connecticut, Pennsylvania, New York and more!

Thanks again to Councilman Perloff on his work with the Farmer's Market, if it works out it, we will be the only two municipalities in the County and it would attract visitors to Town.

Newsletter – apologize for the delay, working with limited articles and a new program has been challenging.

Attorney St. Angelo

A group of municipalities have filed an appeal with the court to require the Governor has to reestablish the Affordable Housing and take the actions away from the court. Clinton Town is in compliance with its affordable housing at this time, therefore, Attorney St. Angelo does not feel it is necessary to join the group but can be a topic in the future if the Town sees a need to. At this time, only 12 towns are part of the group.

Councilwoman Dineen

Roads – discretionary aid application has been submitted for sidewalks on New Street and Old 22, same for Haver Farm. Once approved, get bids and work on scheduling trench restoration on Harrison Street. Continue working on line striping, some fixes need to be completed and handicap ramps. Flashing pedestrian lights to be installed, poles are in on Lower Center and Leigh Street, once set lights will be installed. Working with Department of Transportation for permits for the location in front of Clinton House, state highway. Upon approval, a flashing light will also be installed in that location.

Building and Grounds – a part time employee, Matt Garfein, has been working at the municipal building sprucing things up! The swan benches on the main entrance are beautiful! Lots of sanding and painting on the municipal building and looks great!

Tennis courts – poles are in, milling has been done. Top coat done and once oil is settled and cured a flood test will be completed for pooling and pitch then next step the painting. Possibly another month to open to the public.

Councilman Traphagen

Rescue Squad – reported 337 calls for August.

Historic Façade Program applications are still available for the rolling process of acquiring funds to help with historic renovations.

A permanent generator is being installed at the North Branch of the Hunterdon County library on Halstead Street, which is great news to become a cooling station, charging station or a heat shelter. The Board of Elections has also arranged to make the library an alternate polling location in case of power outages on election day and the location is perfect as it is not in a flood zone.

Platinum Club met and continue to schedule events such as walking activities and meeting for coffee!

Councilwoman Johnson

No Report

Councilman Bruno

Board of Health – Rabies Clinic will be held October 22, 2022 this year at the municipal barn from 8:00 a.m. to 11:00 a.m. Same drive thru process

Shade Tree – all ash and other dead hazardous trees have been removed, approximately 65 in all. Very good job by Rich’s Tree Service.

Playground Committee – will proceed with setting a date to meet and elect a chair.

STANDBY AND OVERTIME

A motion was made by Mr. Humphrey seconded by Mr. Perloff to approve the standby and overtime attached to these minutes for the period of August 19 through September 1, 2022.

ROLL CALL: Ayes: Bruno, Dineen, Humphrey, Johnson, Perloff, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

PAYMENT OF BILLS

A motion was made by Ms. Dineen seconded by Mr. Traphagen, to approve the voucher list attached to these minutes.

ROLL CALL: Ayes: Bruno, Dineen, Humphrey, Johnson, Perloff, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

PUBLIC COMMENT

A motion was made by Mr. Bruno, seconded by Mr. Humphrey, to open a public hearing regarding the newly formed playground committee for comments. Lisa Intrabartola, 19 Georges Place, questioned the Resolution #132-22 that was presented this evening is different from the one that was posted on the website earlier and asked about Section 3 a “appointment of a chairperson”? Mayor Kovach explained that Council made a decision to make any person on the committee the chair. Mayor Kovach explained

that the Committee will not be entering into contracts, Council and Mr. Phelan will work with contractors. Ms. Intrabartola asked what is the roll of the chair? The roll is to set agendas, meeting dates and coordinate with the other members. Ms. "I" asked for clarification on #10, "removal of a member for not following the agreed-upon process" Mayor Kovach explained that anyone acting in an egregious manner where police or a legal issue becomes an issue they will be terminated immediately.

Phil Franzone, 47 Center Street, had a question regarding Resolution #131-22 – Riverside Redevelopment Committee. The committee is being formed to revisit the redevelopment plan on the site of the old Agway Property, on West Main Street. Attorney St. Angelo explained that Council declared the area in need of redevelopment and adopted a plan a few years ago. Recently, the developer approached the town asking to tweak the current plan and the committee is being formed to communicate with the developer and to discuss changes and the new flood rules and their impact on the site. The committee will meet with the developer and the Town Planner and report back to the Council once a month. Changes to the plan will be presented and discussed with council, public hearings will be held and notices will be published 10 days prior to hearings.

Walter Wilson, Annandale resident and one of the owners of the redevelopment property said they have had some engineering work done and would appreciate meeting with the committee as soon as possible.

Molly Padmos, 16 Water Street, in response to Ms. Dineen's council report regarding the pedestrian signs, mentioned as trip to Canada where they had PVC pipes at crosswalks with flags, when folks crossed they took the flags across and replaced them on the other side. Inexpensive suggestion to making pedestrians more noticeable while crossing. Ms. Dineen said they looked into that and flags would go missing and then town would be responsible for not having them available.

Councilwoman Dineen had a powerful comment regarding the "newly formed, 32 minute old" playground committee. There are a lot of personalities, egos, and agendas coming from different places. Ms. Dineen asked that everyone lay down any preconceived notions and biases and focus on what is good for the town and work together to make things happen. Mayor Kovach thanked Ms. Dineen for her comment.

George Tiboni, 41 West Main Street, asked to what point and what degree can residents see the existing plan and to what degree do they have input on the plan. Attorney St. Angelo said the current plan is on the website and not sure an escrow account has been established. There will be at the very least two opportunities when a new plan is submitted and an ordinance would have to be introduced followed by a public hearing. Following the ordinance, the Land Use Board would have site plan hearings. Mayor Kovach will forward the redevelopment plan to Mr. Tiboni.

RESOLUTION #135-22 – ATTORNEY ADVICE/POSSIBLE PROPERTY ACQUISITION

A motion was made by Mr. Humphrey seconded by Mr. Bruno to enter into executive session at 8:16 p.m. to gather attorney advice and discuss possible property acquisition.

RESOLUTION # 135-22

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: 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 Ms. Dineen seconded by Ms. Johnson to adjourn the meeting at 8:49 p.m.

Cecilia Covino, RMC/CMC
Municipal Clerk

Janice Kovach, Mayor