

Mayor Kovach called the meeting to order at 7:30 p.m.

Flag Salute.

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

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 MINUTES

A motion was made by Mr. Carberry, seconded by Mrs. Sosidka to approve the minutes of August 27, 2013 as submitted.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS – AUGUST

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

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

Vote all ayes
Motion carried

PUBLIC COMMENT

Walter Hetzel, 36 West Main Street, thanked the Town of Clinton Police Department for the drill they ran on West Main Street, with a police decoy walking into the pedestrian crosswalk. 26 tickets were issued in the 2 hour period. All feedback has been positive. Mayor and Council agreed.

MAYOR’S COMMENTS

1. Mayor Kovach has been notified of her reappointment to the Public Works Advisory Board with a term to expire July 21, 2016.
2. Raritan Valley Rail Coalition sent membership renewal for 2013 and beyond. The fee is \$100.00 to help raise sufficient funding to launch a web site and social media fees to spread the word to the public and rail riders about the economic benefits one seat ride service would provide to Raritan Valley Line towns.
3. Comcast addressed Mayor and Council that they will continue to provide free high-speed internet service to local school and libraries. Additionally, Comcast launched Internet Essentials which provides families with children eligible to receive free lunches with low-cost internet service, affordable computers and digital literacy training.

4. Hunterdon County Freeholders began a new Economic Development Initiative program today attended by Mayor Kovach and Councilwoman Sosidka. The program is to strengthen Hunterdon County's economy.
5. The Town of Clinton Republican County Committee has submitted three names to fill the council vacancy of Megan Jones-Holt:
 - a. Albert Rylak
 - b. Rosemary Pendergast
 - c. Rosemarie Milligan

Council will address the three individuals at the next council meeting, September 24, 2013.

6. A 9/11 Tribute will be held on Wednesday, September 11, 2013 from 8:00 a.m. to 9:00 a.m. at the Patriot's Point in front of the Clinton House.

PROCLAMATION – PARTNERS IN CARING CAMPAIGN

Mayor Kovach read the proclamation being presented to Shop Rite of Hunterdon County on "Bag Hunger Day" September 18, 2013. Amazing is the generosity of the Joseph S. Colalillo Team, dedicated to helping the people of Hunterdon County.

PROCLAMATION – NATIONAL PUBLIC LANDS DAY

Mayor Kovach read the proclamation declaring Saturday, September 28, 2013 as the nation's largest, single-day volunteer effort for public lands as part of the 20th Anniversary of National Public Lands Day. A copy will be forwarded to the National Environmental Education Foundation.

PROCLAMATION – ZACHARY DAU, EAGLE SCOUT

Eagle Scout, Zachary Dau, will be celebrating his Court of Honor on Saturday, September 14, 2013. Mayor and Council congratulate Zachary and Councilman Robert Smith will present the proclamation to him. Zachary's project was to rehabilitate the one-room school house at the Red Mill Museum Village.

NEW JERSEY STATE LEAGUE OF MUNICIPALITIES

Mr. Pendergast requested that council discuss the league seminar, "Taking the Mystery Out of Applying for Grants". In the past, former councilwoman, Laurie Insel, actively sought grants for the Town. Mr. Pendergast wanted to know who is currently searching grants and if someone internal wanted additional responsibilities, to attend the session and seek out the money available? Mayor Kovach stated that she is always searching for grant possibilities. The professional grant writers at this session work on commission and will work with interested parties. Attendance at this seminar is encouraged.

RESOLUTION #132-13 – APPLICATION FOR GRANT – HALSTEAD STREET

A motion was made by Mr. Carberry, seconded by Mr. Smith, to adopt Resolution #132-13 as submitted:

RESOLUTION # 132-13

RESOLUTION: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Halstead Street Improvement Project

WHEREAS, Halstead Street is in need of Improvement.

WHEREAS, Robert J. Clerico, P.E., Town Engineer, has prepared a cost estimate for improvements to these roads.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Clinton formally approved the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2014-Clinton Town-#00319 to the New Jersey Department of Transportation on behalf of the Town of Clinton.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Town of Clinton and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approved the execution of the grant agreement.

Vote all ayes
Motion carried

RESOLUTION #133-13 – APPLICATION FOR GRANT - HELEN AND HUNTS MILL ROADS

A motion was made by Mr. Smith, seconded by Mrs. Sosidka, to adopt #133-13 as submitted:

RESOLUTION # 133-13

RESOLUTION: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Helen and Hunts Mill Roads Improvement Project

WHEREAS, Helen Road and Hunts Mill Road are in need of Improvement

WHEREAS, Robert J. Clerico, P.E., Town Engineer, has prepared a cost estimate for improvements to these roads.

NOW, THEREFORE, BE IT RESOLVED that the Mayor & Council of the Town of Clinton formally approved the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2014-Clinton Town -#00320 to the New Jersey Department of Transportation on behalf of the Town of Clinton.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Town of Clinton and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approved the execution of the grant agreement.

Vote all ayes
Motion carried

ANIMAL CONTROL SERVICES

Police Chief Matheis addressed Council and the need to hire a new animal control officer. Issues with the current animal control services have initiated the search and Chief Matheis recommends the hiring of Kim Bennett. Ms. Bennett is currently the control officer for several municipalities and comes highly recommended. Ms. Bennett will be a contract worker with no liability issues for the Town and she is able to have a dog census performed as required by law. Her fee is outlined in the following resolution. A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to accept the Chief's recommendation to hire Kim Bennett.

**RESOLUTION #134-13
ANIMAL CONTROL OFFICER**

WHEREAS, it is required by municipalities that a licensed and insured Animal Control Officer service the Town; and

WHEREAS, Kim Bennett, ACO, ACI, provides professional, humane and cost effective animal control services and employs certified staff members; and

WHEREAS, Ms. Bennett has vehicles equipped with professional and emergency supplies and are capable of handling all animal problems and emergencies; and

WHEREAS, the Clinton Police Department will be in charge of receiving all calls of stray animals and complaints and will be in direct contact with Ms. Bennett; and

WHEREAS, Ms. Bennett will charge the Town a flat fee of \$200.00 per month with an additional \$150.00 charge assessed per call out; and

WHEREAS, Ms. Bennett is capable of employing a civilian to provide a dog census for \$1,000.00 per square mile, therefore the fee for the Town of Clinton will be \$1,300.00 to have a qualified civilian over the age of 18 years old, perform the census, and

WHEREAS the Town is also required to made an annual donation of \$500.00 to Common Sense for Animals (CSA),

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton, that Kim Bennett be retained as the Animal Control Officer for the Town of Clinton .

Vote all ayes
Motion carried

CORRESPONDENCE – NONE

REPORTS FROM COUNCIL & TOWN OFFICIALS

Richard Phelan, Business Administrator

1. Mr. Phelan reported that he is going to Trenton to meet with New Jersey Department of Transportation on Friday regarding the previously applied for Safe Route to School Grant. This process began in 2007, an award letter was received in 2008 and it is now in the review process. Mr. Phelan hopes to report positively next week.
2. Kathy Olsen, CFO, had surgery on Friday, September 6, 2013 on her broken ankle and is in a lot of pain but recovering.

Councilman Smith

1. Clinton First Aid & Rescue Squad reported 211 calls for the month of August. Response time is 4 minutes and 30 seconds in the Town of Clinton.
2. Water Committee meeting September 18, 2013 at 8:00 a.m. with a full agenda.
3. Roads Committee – in the absence of Councilman Dan Shea, Roads Chairman

Reviewed the Leigh Street ADA and basin project.

Finalizing the repainting of the crosswalks in the Town.

Roses in Your Hair, Lower Center Street, asked the Town to display a sign “Curb Your Dog”. That is private property and would be the owners responsibility.

Discussed the paver repair project and the funds available.

A request has come from a resident of Center Street as to the schedule of the street sweeping and if it can be a scheduled time so they may be prepared for it. Mr. Phelan to check with Apgar Street Sweeping to see if a schedule would affect the rates.

An inventory to be taken on complete streets and when were the streets last paved and scheduled to be done.

Mr. Carberry, also on the Roads Committee, asked if the presentations being made regarding Complete Streets, will be ever be done. Mr. Smith said the project was put on the back burner, Chairman Shea still wants it to be discussed. The cost is being addressed.

Councilwoman Sosidka

1. Board of Health, the Rabies Clinic is scheduled for Saturday, January 18, 2014 from 8:00 a.m. to 11:00 a.m.

2. The Web Site/Newletter Committee met and a new member, Judith Meskill, joined the committee. Ms. Meskill has a wealth of experience forming websites and communication. Ms. Meksill is reviewing the current contract and options with City Connections, the Town's current website provider. The Committee wishes to renew with some free upgrades promised by the provider. The current cost is \$1,909.00, \$300 less than 2012. The contract is due October 15, 2013, an extension granted by Morris Enyeart of City Connections. The group may be changing their name to a Communications Committee.
3. Board of Recreation Commission will meet on September 12, 2013. The group did discuss the Sunrise Rotary Fitness Trail project and sent a letter from the Commission to the Rotary expressing support for the trail and supports the Rotary in applying for a grant because the project is costing much more than expected.
4. Mayor Kovach stated the Clinton Public School has a new interim school superintendent, Judith Burd. Ms. Burd will be reaching out to Ms. Sosidka to incorporate school news in the newsletter/website. Ms. Sosidka said quarterly information does come to the committee.

Councilman Pendergast

1. Sewer Committee to meet September 27, 2013.
2. Clinton Fire Department reported 460 ½ hours of activity for August. The last Grill Night will be held September 20, 2013. Mr. Pendergast informed the Fire Department that their budget request needs to be prepared and submitted to council for the next council meeting, September 24, 2013. Mr. Pendergast will advise clerk once he receives confirmation from the Fire Department.

An out of town fireman, Connor Runser, was involved in a shooting accident at the armory but is glad to report he is recovering. A very scary few days.

3. Golf tournament being held at Heron Glen on Thursday, October 10, 2013. Tee time is 10 am. Entry fee is \$400.00 inclusive of breakfast, lunch, carts, etc.

Councilman Carberry

1. The Environmental Commission met and 98% of their meeting is the creation of a Green Team. Three new volunteers joined in last night to work on the Green Team. The Green Team is conceptually an adjunct committee to work with the Environmental Commission, local people getting involved with earth day and other projects and increasing awareness and participation in the environment. Points in certain areas can be earned towards applying for grants.
2. Mr. Carberry requested an Insurance committee meeting again soon to discuss some properties that we are paying insurance on that are not flammable.

Mayor Kovach

1. The employee/volunteer BBQ is being held at the Clinton Fire Department on September 22, 2013 from 1 – 4pm.
2. There will be a dedication to former Mayor Allie McGaheran of the Old School House located on the Red Mill Museum grounds on Sunday, September 22, 2013 at 2:30 p.m.

STANDBY AND OVERTIME – not available for this meeting

PAYMENT OF BILLS

A motion was made by Mr. Carberry, seconded by Mr. Smith to approve the voucher list attached to these minutes.

ROLL CALL: Ayes: Carberry, Pendergast, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #135-13 – CONTRACT NEGOTIATIONS

A motion was made by Mr. Pendergast, seconded by Mrs. Sosidka, to enter into Executive Session to discuss a matter of contract negotiations at 8:10 p.m.

Vote all ayes
Motion carried

RESOLUTION # 135-13

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: 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.

Upon returning to the regular council meeting at 8:29 p.m., a motion was made by Mr. Pendergast, seconded by Mr. Carberry, authorizing Mr. Phelan to discuss with the Town Engineer, Mr. Clerico, the cost estimate, including a cost of living increase, an amount it would be to replace the concrete curb damage and concrete pour issues that were completed on the Art Museum property without an on-site inspection by the engineer's office, as it was directed to the contractor prior to completing the improvements. The amount would be held for a period to span five years. Furthermore, the attorney is authorized to prepare an escrow agreement with the figures to be provided.

Vote all ayes
Motion carried

ADJOURNMENT: There being no further business, a motion was made by Mr. Carberry seconded by Mrs. Sosidka, to adjourn the meeting at 8:31p.m.

Cecilia Covino, RMC/CMC
Town Clerk

Mayor Janice Kovach

Regular Council Meeting
September 10, 2013