

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

Flag Salute.

Roll Call: Present – Carberry, Pendergast, Rylak (left approximately 9:00 p.m. ill)
Shea, Sosidka, Mayor Kovach
Absent - Smith

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 Mr. Pendergast, to approve the minutes of February 11, 2014 as submitted.

Vote all ayes
Motion carried

APPROVAL OF EXECUTIVE SESSION MINUTES

A motion was made by Mr. Carberry seconded by Ms. Sosidka, to approve the Executive Session minutes of February 11, 2014 as submitted.

Vote all ayes
Motion carried

APPROVAL OF BUDGET MEETING MINUTES

A motion was made by Mr. Carberry, seconded by Mr. Shea, to approve the Budget Meeting minutes of February 18, 2014.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORT – JANUARY

A motion was made by Mr. Carberry seconded by Mr. Pendergast to accept the Treasurer’s monthly report for the month of January as submitted:

Vote all ayes
Motion carried

PUBLIC COMMENT

Whitney Wetherill, 36 West Main Street, read a letter to Council expressing her feelings of not receiving a reply to her recent emails and letters. Ms. Wetherill sent an email on February 20 at 7:01 p.m. On February 21, Ms. Wetherill hand delivered a letter to Carol Beder of Heart Strings apologizing for a misunderstanding that she had spoken on behalf of the Clinton Guild which she never intended to do and then came to the municipal building to hand deliver copies of the same letter for Mayor and Council, and the Buildings and Grounds Committee. On January 30, Ms. Wetherill sent an email to Mr. Rylak with a list of items that used to be addressed automatically,

and not that they do not get addressed now, but “that over and over we have to beg, get turned down, or get the mayor or someone else to step in, etc. etc.” This list was then itemized on a formal letter addressed to the Guild, and Ms. Wetherill was upset that she was not even copied on the letter. Ms. Wetherill sent the letter originally and felt the response should have been directed to her. All her bullet items were used and replied to with input from the Buildings and Grounds Committee. Mayor Kovach explained that the response went to the Guild because in the past they have raised similar questions. Mayor Kovach apologized for not responding to the letter received from Whitney directly, and the apology was accepted. Mr. Rylak did thank Ms. Wetherill immediately upon receipt of her January 30 list. Mr. Rylak is taking the list submitted to the Smart Growth committee for their meeting March 3 to see where the help of volunteers can be utilized. Mr. Pendergast stated that Council would never encourage or initiate confrontation with anyone and also apologized for the way the responses were made. Mr. Pendergast mentioned that the Buildings and Grounds have met and discussed the list requested by Ms. Wetherill in November and Art Dysart is working on a comprehensive list, however, it maybe not prepared as quickly as anticipated. Mr. Pendergast also mentioned that high school students are required to do community service and may be able to provide sometime to help out.

On another topic, at a recent meeting the subject was discussed about the property next to the library. Ms. Wetherill explained that Eastern Hill, developer of the land next to the library on Halstead Street, requested a property zone change. The zone change did not go through unless the person who received the partial approval (the application was bifurcated) begins the process or the project within a year. Mr. Carberry said “the change was granted subject to conditions”.

MAYOR’S COMMENTS

1. On March 19, 2014, join Mayor Kovach at Shop Rite for Partners in Caring Presentation, 12:30 p.m.

CLINTON FIRE DEPARTMENT

1. Fire Chief Walt Dorf and President, Scott Wintermute, attended this evening to make a subsequent presentation of their request for funding a new pumper truck. The gentlemen attended the October 22, 2013 meeting explaining their need to purchase a new truck and have done additional research into the purchase as requested by Council. Specs have been prepared on their needs and the final cost is \$686,000.00. Houston Galveston is a co-op they are considering for the purchase. Bloomsbury and High Bridge have gone through them and there was no need to go out for bid which was a savings in itself. The repairs have been done to their current vehicle as mentioned in October, \$14,000 worth of repairs were needed to keep it running safely. After the Union Hill fire, it was imperative that the work be done to be sure it would operate properly. Mr. Cushing will explore the process of going to an out of state co-op with the Department of Community Affairs and President Wintermute will reach out to the salesman he has been working with. Ms. Sosidka mentioned that Clinton Township was looking to purchase a vehicle for \$400,000 and asked if Clinton Town could make a purchase together, but the gentlemen explained they have different needs and it may be a demo unit they are looking at. The Town of Clinton needs a vehicle that goes into areas without hydrants. Engine 2 will be sold and the money will be put towards the new truck, possibly bringing in \$20,000 to \$30,000. Mr. Shea said that while the men are still in a negotiating phase, try other co-ops. Bloomsbury makes an annual installment of \$48,000 for 10 years on their purchase thru the co-op. Mr. Rylak said the men have done a good job on their research and have

the experience to pursue the most efficient and capable equipment needed. Ms. Sosidka asked if towns that we assist contribute donations to the Clinton Fire Department? Union Township does donate because Clinton responds to Union Gap, all other towns have their own fire departments except for Alexandria and Bethlehem Township. Earlier this evening, Chief Dorf, President Wintermute, Councilman Pendergast and Mayor Kovach met with officials from Union Township to discuss responding to highway incidents and the State facilities.

In the absence of Mr. Smith this evening, Council will not vote on the request for funding the pumper. Mr. Carberry complimented the fire department on their members and the comradeship among the group.

Mayor Kovach suggested the Fire Department hold a fund raiser with a picture of Lula Bell on a jacket! Lula Bell is the antique fire truck housed at the station.

RESOLUTION #52-14 – IMPLEMENT A WATER USAGE TAX

Council discussed Resolution #52-14 which is intended to compensate land owners in the preservation area. Ms. Sosidka questioned the tax and was not in favor of additional taxes to be imposed on residents but it was explained that this tax would be imposed on counties outside the Highlands area such as Union or Bergen Counties that are not affected in the effects of the Highlands Water and Protection Act. Council suggested an additional paragraph be included specifying same. Mr. Cushing added language “that any such bill should provide that any funds raised be used exclusively to reimburse landowners whose land has been devalued by the Act”. A motion was made by Mr. Rylak, seconded by Mr. Carberry, to adopt Resolution #52-14 as amended.

**RESOLUTION # 52-14
OF THE TOWN OF CLINTON, HUNTERDON COUNTY
URGING THE LEGISLATURE TO IMPLEMENT A WATER USAGE TAX**

WHEREAS, The Highlands Water and Protection Act was passed by both houses of the New Jersey Legislature and signed into law on August 10, 2004 by Governor James McGreevy; and

WHEREAS, The Highlands Water and Protection Act designated areas to be in the “preservation” or “planning” areas; and

WHEREAS, the Act reads, “ The legislature finds and declares that the national Highlands Region is an area that extends from northwestern Connecticut across the lower Hudson River Valley and northern New Jersey into east Central Pennsylvania; that the national Highlands Region has been recognized as a landscape of special significance by the United States Forest Service; that the New Jersey portion of the national Highlands Region is nearly 800,000 acres, or about 1,250 miles, covering portions of 88 municipalities in seven counties; and

WHEREAS, The Act additionally reads, “The Legislature further finds and declares that the New Jersey Highlands is an essential source of drinking water, providing clean and plentiful drinking water for one-half of the State’s population, including communities beyond the New Jersey Highlands, from only 13 percent of the State’s land area”; and

WHEREAS, the Town of Clinton, County of Hunterdon is located in both the Preservation and Planning Areas; and

WHEREAS, the value and equity of the land has decreased dramatically for those property owners in the Town and Highlands Act region; and

WHEREAS, the Town also is restricted in bringing economic opportunity, jobs and growth forcing existing taxpayers to pay higher amounts due to lack growth and smart development; and **WHEREAS**, areas located outside of the “Highlands Area” are using highlands resources without paying or compensating those affected communities:

WHEREAS, that the Mayor and Council of the Town of Clinton, County of Hunterdon, strongly urge the New Jersey State Senate and General Assembly to craft a bill which would charge those who use Highlands Area water to compensate those communities impacted by the Act,

NOW THEREFORE BE IT RESOLVED, that any such bill should provide that any funds raised be used exclusively to reimburse landowners whose land has been devalued by the Act.

AND BE IT FURTHER RESOLVED; that the Mayor and Council of the Town of Clinton, County of Hunterdon will forward this resolution to every municipality located within the territory of the Highlands Water and Protection Act Region.

Vote all ayes
Motion carried

RESOLUTION #53-14 – MUNICIPAL ALLIANCE

A motion was made by Mr. Pendergast, seconded by Ms. Sosidka to adopt Resolution #53-14 as submitted:

Governor's Council on Alcoholism and Drug Abuse
Fiscal Grant Cycle July 2014-June 2019
FORM 1B

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Town Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Town Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Hunterdon, State of New Jersey hereby recognizes the following:

1. The Town Council does hereby authorize submission of a strategic plan for the Municipal Alliance grant for fiscal year 2014 in the amount of:

DEDR	27, 511
Cash Match	6,878
In-Kind	20,633.25

2. The Town Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Vote all ayes
1 nay (Carberry)
Motion carried

RESOLUTION #54-14 – SUPPORT OF ASSEMBLY BILL A4464

Council discussed Resolution #54-14 which supports a bill which would require a law enforcement officer to record on the summons the specific nature of the distracted driver involved in an accident. Council discussed the resolution and the bill and decided not to support this bill as a unit. Resolution withdrawn.

PUBLIC HEARING ORDINANCE #14-03 – APPEALING GRANT OF “D” VARIANCE TO GOVERNING BODY

A motion was made by Mr. Pendergast, seconded by Mr. Carberry to open the public hearing of Ordinance #14-03:

ORDINANCE #14-03

ORDINANCE ELIMINATING OPTION OF APPEALING GRANT OF “D” VARIANCE TO THE GOVERNING BODY AND AMENDING CHAPTER 88 ENTITLED “LAND USE” OF THE GENERAL ORDINANCES OF THE TOWN OF CLINTON, COUNTY OF HUNTERDON AND THE STATE OF 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 Mr. Carberry to adopt Ordinance #14-03 on second reading.

ROLL CALL: Ayes: Carberry, Pendergast, Rylak, Shea, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RE-INTRODUCTION OF ORDINANCE #14-04 – CHAPTER 12 – HISTORIC PRESERVATION COMMITTEE

Mayor Kovach explained that some minor changes had to be made to the amendment introduced February 25, 2014. Council has received the amended Ordinance and a motion was made by Mr. Pendergast, seconded by Mr. Carberry to re-introduce Ordinance #14-04 as amended and submitted:

ORDINANCE # 14-04

ORDINANCE AMENDING CHAPTER 12 ENTITLED “HISTORIC PRESERVATION COMMITTEE” OF THE GENERAL ORDINANCES OF THE TOWN OF CLINTON, COUNTY OF HUNTERDON, AND THE STATE OF NEW JERSEY

WHEREAS, pursuant to N.J.S.A. 40:55D-107, the Town of Clinton established a Historic Preservation Commission by Ordinance No. 90-14; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Clinton, the County of Hunterdon, that Chapter 12 entitled “Historic Preservation Commission” of the Code of the Town of Clinton (“Code”) is hereby amended or added as follows: (1) amending the code to be consistent with Article 14 A of the Municipal Land Use Law (N.J.S.A. 40:55D-107 et seq.); (2) amending and supplementing related provisions of the Code to effectuate said changes to the Historic Preservation Commission; (3) those portions of the Code set forth below are hereby amended as follows; and (4) portions of the Code not set forth below shall remain unchanged:

SECTION 1. Section 12-2 of the Code of the Town of Clinton entitled “Appointment of members; terms” is hereby amended to read as follows:

The Commission shall be comprised of seven regular members and two alternate members, who shall be appointed by the Mayor to serve without compensation. The term of appointment shall be three years. The terms of the initial appointments shall not exceed three years and shall be staggered; thereafter the regular members shall be appointed for three-year terms. Commission members on the Planning Board or on the Zoning Board shall hold office on the Commission for the term of membership on the respective board, but in no event shall such term exceed three years. A vacancy in the term of any regular or alternate member occurring otherwise than by expiration of a term shall be filled for the unexpired term only.

SECTION 2. Section 12-3 of the Code of the Town of Clinton entitled “Responsibilities” is not changed or amended hereby.

SECTION 4. Section 12-4 of the Code of the Town of Clinton entitled “Members” is hereby added, consistent with N.J.S.A. 40:55D-107, and will read as follows:

- A. The membership of the Commission shall include at least one regular member of each of the following classes:
 - (1) Class A: a person who is knowledgeable in building design and construction or architectural history and who may reside outside the municipality; and
 - (2) Class B: a person who is knowledgeable or with a demonstrated interest in local history and who may reside outside the municipality.
- B. Of the regular members a total of at least one less than a majority shall be of Classes A and B.
- C. The remaining regular members and alternate members shall be designated as Class C members who shall hold no other municipal office, position or employment except for membership on the Planning Board or Board of Adjustment, as provided in N.J.S.A. 40:55D-107. The alternate members shall be identified as Alternate 1 and Alternate 2, at the time of appointment.

SECTION 5. Section 12-5 of the Code of the Town of Clinton entitled “Chairperson and Secretary” is hereby added and will read as follows:

At the beginning of each year, the Historic Preservation Commissioners shall designate members of the Commission to serve as Chairperson and Vice Chairperson for the

Commission and shall select a Secretary, who may or may not be a member of the Commission or a municipal employee.

The Chairperson shall preside at meetings and shall decide all points of order and procedure. The Vice Chairperson shall act as Chairperson in the latter's absence. All powers of the Chairperson shall equally apply to the Vice Chairperson when the Vice Chairperson is acting as Chairperson in the latter's absence.

SECTION 6. Section 12-6 of the Code of the Town of Clinton entitled "Finances" is hereby added and will read as follows:

A. The Mayor and Council shall make provision in its budget and appropriate funds for the Historic Preservation Commission, which shall be raised by taxation in the same manner as other taxes.

B. The Chief Financial Officer shall oversee all expenditures and purchases of the Historic Preservation Commission. The Chief Financial Officer shall keep track of all expenditures and revenues for the Historic Preservation Commission during the course of the budget year so that its expenditures are consistent with budgeted amounts and all revenues are accounted for.

C. Expenditures of the Historic Preservation Commission are limited by its annual appropriation as approved by the Mayor and Council, and such funds it has from fees collected.

D. All monies received by the Historic Preservation Commission shall be paid over to the Town Chief Financial Officer to be deposited and appropriated in accordance with all local government finance laws.

SECTION 7. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 8. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 11. This Ordinance shall take effect upon final passage and publication according to law.

A copy of this ordinance will be published in the March 5, 2014 edition of the Hunterdon Review and a public hearing will be held March 25, 2014.

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #14-05 – AMENDING CHAPTER 77 – FIRE CODE ENFORCEMENT

A motion was made by Mr. Shea, seconded by Mr. Rylak, to adopt Ordinance # 14-05 as submitted:

ORDINANCE # 14-05

ORDINANCE AMENDING CHAPTER 77 ENTITLED "FIRE CODE ENFORCEMENT" OF THE GENERAL ORDINANCES OF THE TOWN OF CLINTON, COUNTY OF HUNTERDON, AND THE STATE OF NEW JERSEY

WHEREAS, the Fire Subcode and Code Enforcement Official of the Town of Clinton has recommended to the Mayor and Council that Chapter 77 of the Code of the Town of Clinton be amended.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Clinton, the County of Hunterdon, that Chapter 77 entitled "Fire Code Enforcement" of the Code of the Town of Clinton ("Code") is hereby amended as follows: (1) to amend the Code consistent with the State audit; (2) to correct references to the New Jersey Uniform Fire Code (N.J.A.C. 5:70-1 et seq.); (3) to clarify use groups and definitions; (4) to add a definition for "Certificate of Inspection;" (5) to amend the registration fee table; (6) to amend Chapter 77 to be consistent with technical amendments made to the New Jersey Uniform Fire Code at N.J.A.C. 5:70-3; (7) those portions of the Code set forth below are hereby amended as follows; and (8) portions of the Code not set forth below shall remain unchanged:

SECTION 1. Section 77-1 of the Code of the Town of Clinton entitled "Local Enforcement" is hereby amended and supplemented as follows (Additions indicated in boldface and italics *thus*; deletions indicated with strike-through ~~thus~~):

Pursuant to Section 11 of the Uniform Fire Safety Act (P.L. 1983 c.383), *Editor's Note: See (57) N.J.S.A. 52:27D-192 et seq.* the New Jersey Uniform Fire Code (N.J.A.C. 5:70-1 et seq.) shall be locally enforced in the Town of Clinton.

SECTION 2. Section 77-3, Subsection C of the Code of the Town of Clinton entitled "Duties" is hereby amended and supplemented as follows (Additions indicated in boldface and italics *thus*; deletions indicated with strike-through ~~thus~~):

- C. The local enforcing agency shall carry out inspections for compliance with the Uniform Fire Code on all non-life hazard use buildings, structures or premises at least once every (~~12~~) **24** months.

SECTION 3. Section 77-4, Subsection B of the Code of the Town of Clinton entitled "Organization" is hereby amended and supplemented as follows (Additions indicated in boldface and italics *thus*; deletions indicated with strike-through ~~thus~~):

- B. The head of the Town of Clinton Department of Fire Prevention shall be certified by the State of New Jersey, *Department of Community Affairs, Division of Fire Safety* as a Fire Official.

SECTION 4. Section 77-5, Subsections A through C of the Code of the Town of Clinton entitled "Appointments, Qualifications, Term of Office, Removal" is hereby amended and supplemented as follows (Additions indicated in boldface and italics *thus*; deletions indicated with strike-through ~~thus~~):

- A. Appointment and Qualifications of the Fire Official

There is hereby created the position of Fire Official. The Fire Official shall be certified by the State of New Jersey, *Department of Community Affairs, Division of Fire Safety* and appointed by the Mayor and Council. Prior to the appointment of the Fire Official the name of the candidate shall be submitted to

the Clinton Fire Department for comment. The failure to submit the name shall not prevent the appointment of the Fire Official.

B. Appointment and Qualifications of Fire Inspectors and Other Employees

The Mayor and Council upon recommendation of the Fire Official may appoint inspectors and other employees that may be needed to assist in the daily operation of the local enforcing agency. All fire inspectors shall be certified by the State of New Jersey, *Department of Community Affairs, Division of Fire Safety*.

C. Appointment of Legal ~~Council~~ *Counsel*

The municipal attorney shall provide legal services to assist the Town of Clinton Department of Fire Prevention in enforcing the Uniform Fire Code.

SECTION 5. Section 77-7 Subsection A of the Code of the Town of Clinton entitled “Non-Life Hazard Uses” is hereby amended and supplemented to add the following definition:

CERTIFICATE OF INSPECTION - A certificate issued by the Fire Official in a format authorized by the State of New Jersey Division of Fire Safety whereby indicating that the listed structure, use or business has no existing Uniform Fire Code violations and no outstanding fees or penalties at the time of issuance. (See N.J.A.C. 5:71-3.7(b)11)

SECTION 6. Section 77-7, Subsection B of the Code of the Township of Clinton entitled “Non-Life Hazard Uses” is hereby amended and supplemented as follows (Additions indicated in boldface and italics *thus*; deletions indicated with strike-through ~~thus~~):

B. Registration: use of structure. ~~In addition to the registration required by the Uniform Fire Code,~~ *Other than those uses where registration is required by the Uniform Fire Code,* the following non-life-hazard uses shall complete a local registration with the local enforcing agency. These uses shall be inspected at least once every ~~(12)~~ *24* months. *The inspections shall be completed such that all registered non-life-hazard uses are inspected within a 24 month period. Each registered non-life-hazard use shall* and pay an annual registration fee as follows:

Use Group A	Under 1,000 square feet	\$35.00
(Other than those required to be 1,001 to 5,000 square feet		\$60.00
registered by the Uniform Fire Code 5,001 or more square feet		\$85.00
and shall include A 1 A, A 1 B, A 2, A 3, A 4, A 5)		
Use Group B	Under 2,500 square feet	\$35.00
	2,501 to 5,000 square feet	\$60.00
	5,001 to 10,000 square feet	\$85.00
	10,001 to 15,000 square feet	\$115.00
	15,001 or more square feet	\$150.00
Use Group E	Under 2,000 square feet	\$50.00
(Public or Privately Owned	2,001 to 5,000 square feet	\$85.00
with an occupancy less than 50)	5,001 or more square feet	\$125.00
Use Group F 1	Under 1,500 square feet	\$35.00

	1,501 to 3,000 square feet	\$55.00
	3,001 to 5,000 square feet	\$85.00
	5,001 to 7,500 square feet	\$115.00
	7,501 to 10,000 square feet	\$145.00
	10,001 to 11,999 square feet	\$175.00
Use Group F 2	Under 1,500 square feet	\$35.00
	1,501 to 3,000 square feet	\$55.00
	3,001 to 5,000 square feet	\$75.00
	5,001 to 7,500 square feet	\$100.00
	7,501 to 10,000 square feet	\$135.00
	10,001 or more square feet	\$150.00
Use Group M	Under 1,500 square feet	\$50.00
	1,501 to 2,500 square feet	\$75.00
	2,501 to 5,000 square feet	\$110.00
	5,001 to 7,500 square feet	\$140.00
	7,501 to 11,999 square feet	\$160.00
Use Group R	3 to 5 dwelling units	\$40.00
	(Other than those required to be 6 to 20 dwelling units	\$65.00
	registered by the Uniform Fire 21 to 40 dwelling units	\$90.00
	Code and shall include R 1, R 2, 41 or more dwelling units	\$125.00
	R 3)	
Use Group S 1	Under 1,500 square feet	\$45.00
	1,501 to 3,000 square feet	\$65.00
	3,001 to 5,000 square feet	\$95.00
	5,001 to 7,500 square feet	\$125.00
	7,501 to 10,000 square feet	\$155.00
	10,001 to 11,999 square feet	\$185.00
Use Group S 2	Under 1,500 square feet	\$35.00
	1,501 to 3,000 square feet	\$55.00
	3,001 to 5,000 square feet	\$75.00
	5,001 to 7,500 square feet	\$100.00
	7,501 to 10,000 square feet	\$135.00
	10,001 or more square feet	\$150.00

<i>Use Group Designation</i>	<i>Number of Dwelling Units</i>	<i>Area (in square feet)</i>	<i>Fee (dollars)</i>
A	-----	Under 1,000	35.00
	-----	1,001 to 5,000	60.00
	-----	5,001 to 10,000	85.00
	-----	Greater than 10,000	155.00
B	-----	Under 2,500	35.00
	-----	2,501 to 5,000	60.00
	-----	5,001 to 10,000	85.00
	-----	10,001 to 15,000	115.00
	-----	Greater than 15,000	150.00
E	-----	Under 2,000	50.00

	-----	<i>2,001 to 5,000</i>	<i>85.00</i>
	-----	<i>5,001 to 10,000</i>	<i>125.00</i>
	-----	<i>Greater than 10,000</i>	<i>150.00</i>
<i>F</i>	-----	<i>Under 1,500</i>	<i>35.00</i>
	-----	<i>1,501 to 3,000</i>	<i>55.00</i>
	-----	<i>3,001 to 5,000</i>	<i>85.00</i>
	-----	<i>5,001 to 7,500</i>	<i>115.00</i>
	-----	<i>7,501 to 10,000</i>	<i>145.00</i>
	-----	<i>10,001 to 11,999</i>	<i>175.00</i>
<i>H</i>	-----	<i>Under 1,000</i>	<i>55.00</i>
	-----	<i>1,001 to 2,500</i>	<i>95.00</i>
	-----	<i>2,501 to 5,000</i>	<i>155.00</i>
	-----	<i>Greater than 5,001</i>	<i>215.00</i>
<i>I</i>	-----	<i>Under 1,500</i>	<i>35.00</i>
	-----	<i>1,501 to 3,000</i>	<i>55.00</i>
	-----	<i>3,001 to 5,000</i>	<i>85.00</i>
	-----	<i>Greater than 5,001</i>	<i>115.00</i>
<i>M</i>	-----	<i>Under 1,500</i>	<i>50.00</i>
	-----	<i>1,501 to 2,500</i>	<i>75.00</i>
	-----	<i>2,501 to 5,000</i>	<i>110.00</i>
	-----	<i>5,001 to 7,500</i>	<i>140.00</i>
	-----	<i>7,501 to 10,000</i>	<i>160.00</i>
	-----	<i>10,001 to 11,999</i>	<i>180.00</i>
<i>R</i>	<i>3 to 5</i>	-----	<i>40.00</i>
	<i>6 to 20</i>	-----	<i>65.00</i>
	<i>21 to 40</i>	-----	<i>90.00</i>
	<i>41 to 60</i>	-----	<i>125.00</i>
	<i>Greater than 60</i>	-----	<i>160.00</i>
<i>S</i>	-----	<i>Under 1,500</i>	<i>45.00</i>
	-----	<i>1,501 to 3,000</i>	<i>65.00</i>
	-----	<i>3,001 to 5,000</i>	<i>95.00</i>
	-----	<i>5,001 to 7,500</i>	<i>125.00</i>
	-----	<i>7,501 to 10,000</i>	<i>155.00</i>
	-----	<i>10,001 to 11,999</i>	<i>185.00</i>

If a structure falls into more than one of the above group descriptions, then the primary use of the structure shall determine the main use of the structure, as determined by the Fire Official.

SECTION 7. Section 77-8, Subsection G of the Code of the Township of Clinton entitled “Fees, Permits, Variances, Certificates, and Reports” is hereby amended and supplemented as follows (Additions indicated in boldface and italics *thus*; deletions Indicated with strike-through ~~thus~~):

G. To the extent permitted by law, the maximum *registration* fee charged to any *non-life-hazard use* not-for-profit corporation which has received tax exempt status pursuant to Sections 501(c) (3) and (4) of the Internal Revenue Code (~~for any inspection made pursuant to this chapter~~) shall be thirty five dollars (\$35.00). *A copy of the tax exemption status shall be submitted to the Town upon request. Failure to submit the tax exemption status shall subject the structure, use or business to the full fee established within section 77-7B.*

SECTION 8. Section 77-8 the Code of the Township of Clinton entitled “Fees, Permits, Variances, Certificates, and Reports” is hereby amended to add Subsection H as follows:

H. Each life hazard use and non-life-hazard use shall post the Certificate of Inspection issued by the Fire Official in a conspicuous location within the structure, use or business. It shall be a violation of this chapter for failure to post the Certificate of Inspection.

SECTION 9. Section 77-9 of the Code of the Township of Clinton entitled “Technical Requirements” is hereby amended and supplemented as follows (Additions indicated in boldface and italics *thus*; deletions indicated with strike-through ~~thus~~):

The technical standards set forth in N.J.A.C. 5:70-3.2(a), are hereby amended as follows:

- A. ~~The technical standards set forth in N.J.A.C. 5:70-3.1(a), section F 518.3 are hereby amended to require that each fire department connection to a sprinkler or standpipe system for a structure shall have a sign posted indicating the location of the fire department connection. This sign shall be of a white reflective background with red letters. Each letter shall have a 1 inch wide stroke and be at least 6 inches in height. The letters shall read “FDC”. The location of the sign shall be as required by the local enforcing agency.~~ *Section 503.4 shall be amended as follows: Add: No motorized or non-motorized vehicle shall be placed within a posted or designated fire lane or fire zone.*
- B. *Section 508.5.4 shall be amended to add: No obstructions such as but not limited to trash, rubbish, refuse, motorized or non-motorized vehicles, vegetation or debris shall be placed or stored within ten (10) feet of any fire hydrant.*
- C. *Section 508.5.5 shall be amended as follows: delete "3" and replace with "10".*
- D. *Section 912.2.2 shall be amended as follows: Add "all fire department connections or" after "existing buildings," in the 1st sentence; add "Additionally, there shall be a white reflective background and all lettering shall be red in color with a minimum of a 1 inch wide stroke." after "indicate the location." in the 2nd sentence; add "and shall be maintained visible and legible at all times." after "fire code official" in the last sentence.*
- E. *Section 912.4 shall be amended as follows: Add "Additionally, all fire department connections shall have a sign mounted above or immediately next to the fire department connection. Such signs shall have the letters "FDC" at least 6 inches*

(152 mm) high with each letter having a minimum of a 1 inch (25 mm) stroke. The letters shall be red in color on a white reflective background. All such signs shall be subject to the approval of the fire code official and shall be maintained visible and legible at all times."

SECTION 10. Section 77-10 of the Code of the Township of Clinton entitled "Board of Appeals" is hereby amended and supplemented as follows (Additions indicated in boldface and italics *thus*; deletions indicated with strike-through ~~thus~~):

Any person aggrieved by any action of the Town of Clinton Department of Fire Prevention shall have the right to appeal to the **Hunterdon** County Construction Board of Appeals in accordance with the procedures set forth in the Uniform Fire Safety Act.

SECTION 11. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 12. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 13. This Ordinance shall take effect upon final passage and publication according to law.

A notice of this ordinance will be published in the March 5, 2014 edition of the Hunterdon Review and a second reading and public hearing will be held March 25, 2014.

Vote all ayes
Motion carried

BANNER REQUEST – HUNTERDON ART MUSEUM

The Hunterdon Art Museum is requesting two banners, Art on Tap and Community Celebration Day. Mr. Pendergast expressed concerns with the wordage for the banner for Art on Tap promoting beer on the banner. It was decided to table this request and review the request from last year's event.

A motion was made by Mr. Pendergast, seconded by Mr. Rylak to approve the request for the Community Celebration Day for April 28 through May 5, 2014.

Vote all ayes
Motion carried

CORRESPONDENCE

1. Franklin Township Open Space Advisory Committee is requesting a letter of support of their efforts in seeking a cooperative grant from the county to preserve the Alfieri property on Sidney Road. A motion was made by Mr. Carberry seconded by Ms. Sosidka to send a letter of support.

Vote all ayes
Motion carried

2. Union Township, Mayor Michele McBride, sent a letter of sincere thanks to the Town of Clinton for assistance during the Union Hills fire in late November. The Town of Clinton assisted in receiving donation to help the affected residents.

REPORTS FROM COUNCIL & TOWN OFFICIALS

Kathy Olsen, CFO

Ms. Olsen announced that the Auditors have begun their annual audit.

Clerk Covino

Clerk Covino has contacted different venues for the Employee/volunteer appreciation dinner, the Clinton Holiday Inn has given a great price for Friday, April 4, 2014. A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to book the event at the Clinton Holiday Inn.

Councilwoman Sosidka

1. Board of Recreation – Seeking feedback on the condition of the Community Center floor, windows, screens, walls and mats. Art Dysart to survey the building and prepare a brief report. The wood floor at the Community Center is in need of varnishing, the floor was replaced a few years ago but never with a high quality varnish to withstand the traffic the center accommodates.

Sunday, May 4, is scheduled for the Senior luncheon at the Clinton Fire Department.

Summer Rec information will be available in May.

2. Historic Preservation Commission members will be attending the Council Meeting on April 8 to meet Council and discuss their projects they have planned. This is in response to Mr. Smith's suggestion that all committees come before Council at some point to introduce themselves and so Council knows the volunteers we have giving their time for the Town.
3. The first Executive Committee meeting for the 150th Celebration will meet on Tuesday, March 4, 2014 at 6:00 p.m.

Councilman Pendergast

1. Sewer Committee – a problem with the high sludge press is being assessed at the Treatment Plant.
2. Clinton Fire Department – accepted the membership application of a new member, Timothy Woody. A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to accept the membership.

Vote all ayes
Motion carried

Councilman Carberry

1. Environmental Commission – scheduling the River Clean Up for Saturday, April 16, 2014 at 9:00 a.m.

2. Board of Recreation is having a new lock installed at the Community Center and there will be a new system in place with giving out the keys to cut down on the number of keys available. These new keys will not be able to be copied.
3. Tara Shepherd, Executive Director of HART, addressed a letter to Mayor and Council commending the road department and public works for the outstanding job during this difficult winter.

STANDBY AND OVERTIME

A motion was made by Mr. Carberry, seconded by Mr. Pendergast to approve the standby and overtime submitted for January 31 through February 13, 2014 attached to these minutes.

ROLL CALL: Ayes: Carberry, Pendergast, Rylak, Shea, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

PAYMENT OF BILLS

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

ROLL CALL: Ayes: Carberry, Pendergast, Rylak, Shea, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #55-14 – CONTRACT NEGOTIATIONS/ POTENTIAL LITIGATION

A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to enter into Executive Session to discuss a matter of potential litigation at 8:48 p.m.

Vote all ayes
Motion carried

RESOLUTION # 55-14

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.

Vote all ayes
Motion carried

ADJOURNMENT: Upon returning from Executive Session and there being no further business, a motion was made by Mr. Shea seconded by Mr. Carberry to adjourn the meeting at 9:43 p.m.

Cecilia Covino, RMC/CMC
Town Clerk

Mayor Janice Kovach