

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

Flag Salute.

Roll Call: Present – Carberry, Pendergast, Rylak, 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 Mr. Smith, to approve the council meeting minutes of April 22, 2014 as submitted.

Vote all ayes
Motion carried

A motion was made by Mr. Smith, seconded by Mr. Pendergast, to approve the executive session meeting minutes of April 22, 2014 as submitted.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS – APRIL

A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to accept the Monthly Reports for the month of April as submitted: Clerk’s Account, Cat and Dog Licensing Accounts, Construction Control/Inspection Report, Police Report, Road Foreman’s Report, Sewer Collector’s Report, Tax Collector’s Report, Treasurer’s Report, Water Collector’s Report, Wastewater Treatment Plants Superintendent’s Report, Zoning Office Report.

Vote all ayes
Motion carried

PUBLIC COMMENT – No Comments

MAYOR’S COMMENTS

1. Mayor Kovach reported the Red Mill Museum Gala was last Saturday, May 10, 2014, to raise money for the Red Mill. The occasion was very nice and everyone had a good time.

2. Mayor Kovach reminded council that their Financial Disclosure Statement forms are due by June 6, 2014. All forms are to be completed on line and everyone should have received their pin number to start their account. If forms are not filed there could be a fine up to \$500.

SMART GROWTH COMMITTEE – INTRODUCTIONS

Councilman Al Rylak, chairman for the Smart Growth Committee, acknowledge some members present at the council meeting. Those members were Walter Hetzel and Norma Kania. Mr. Rylak wanted to get clarification on the purpose of the Smart Growth Committee. There have been overlapping with other committees. When the Planning Board redid the Master Plan many issues the Smart Growth Committee was addressing were already taken into account. Mr. Rylak did not want to duplicate and spend time on issues already done. The main definition of the committee is for economic development. The Committee is to develop plans and programs to encourage appropriate businesses to locate in Clinton. Mr. Rylak asked the council if the Committee can conduct a survey about what is good or bad about Clinton. Also see what the residents would like to see in the Town and bring the results back to council. This will give the Smart Growth Committee further guidance about what should be considered for the Town.

CLINTON FIRE DEPARTMENT – Did not attend meeting.

RESOLUTION #76-14 – CHAPTER 159 – SUSTAINABLE JERSEY GRANT

A motion was made by Mr. Carberry, seconded by Mr. Rylak, to adopt Resolution #76-14 as submitted:

RESOLUTION #76-14

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget and,

WHEREAS, said Director may also approved the insertion of an item of appropriation for an equal amount, and,

WHEREAS, the Town of Clinton has received \$2,000.00 from the State of New Jersey and wishes to amend its 2014 budget to include this amount as a revenue.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Clinton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for they year 2014 in the sum of \$2,000.00 which is now available as a revenue from:

- Miscellaneous Revenues
 - Special Item of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:
 - Public and Private Revenues Off-Set with Appropriations:
 - State Grants:
 - Sustainable Jersey, and

BE IT FURTHER RESOLVED, that a like sum of \$2,000.00 is hereby appropriated under the caption of:

- General Appropriations
 - (a) Operations Excluded from the .5% Cap
 - Public and Private Programs Off-Set by Revenues:

State Grants:
Sustainable Jersey

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

Vote all ayes
Motion carried

RESOLUTION #77-14 – CHAPTER 159 – DRUNK DRIVING ENFORCEMENT FUND

A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to adopt Resolution #77-14 as submitted:

RESOLUTION #77-14

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget and,

WHEREAS, said Director may also approved the insertion of an item of appropriation for an equal amount, and,

WHEREAS, the Town of Clinton has received \$10,724.21 from the State of New Jersey and wishes to amend its 2014 budget to include this amount as a revenue.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Clinton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for they year 2014 in the sum of \$10,724.21 which is now available as a revenue from:

- Miscellaneous Revenues
 - Special Item of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:
 - Public and Private Revenues Off-Set with Appropriations:
 - State Grants:
 - Drunk Driving Enforcement Fund, and

BE IT FURTHER RESOLVED, that a like sum of \$10,724.21 is hereby appropriated under the caption of:

- General Appropriations
 - (b) Operations Excluded from the .5% Cap
 - Public and Private Programs Off-Set by Revenues:
 - State Grants:
 - Drunk Driving Enforcement Fund

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

Vote all ayes
Motion carried

RESOLUTION #78-14 – FIREWORKS FOR THE TOWN PICNIC, JUNE 7, 2014

A motion was made by Mr. Pendergast, seconded by Ms. Sosidka to adopt Resolution #78-14 as submitted:

Vote all ayes
Motion carried

RESOLUTION # 78-14

WHEREAS, the Town of Clinton Board of Recreation Commission has requested permission from the Mayor and Council of the Town of Clinton to have a Fireworks Display at the Town Picnic to be held on June 7, 2014, rain date June 14, 2014, at Hunts Mill Park, and

WHEREAS, Garden State Fireworks, Inc., has provided a Certificate of Insurance in the amount of \$5,000,000 naming the Town of Clinton as an additional insured, and

WHEREAS, the Town of Clinton Board of Recreation Commission will request the Clinton Fire Department and Clinton First Aid & Rescue Squad to standby at the scene;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Clinton that the Board of Recreation Commission's request for a fireworks display at the Town Picnic on Saturday, June 7, 2014, at dark, at the Hunts Mill Park, be approved.

RESOLUTION #79-14 – TAX SALE CERTIFICATE #2013-2 REDEEMED - PATEL

A motion was made by Mr. Carberry, seconded by Mr. Smith to adopt Resolution #79-14 as submitted:

RESOLUTION #79-14

WHEREAS, the Tax Collector of the Town of Clinton has been paid \$617.03, the amount necessary to redeem Tax Sale Certificate #2013-2 on Block 5, Lot 20, assessed to Ravi D & Naina R Patel, and purchased by FWDSL & Associates LP.

NOW THEREFORE BE IT RESOLVED, on this 13th day of May 2014 by the Mayor and Council of the Town of Clinton, County of Hunterdon, that the Chief Financial Officer be authorized to issue a check in the amount of \$617.03 (certificate) & \$1,300.00 (premium) to FWDSL & Associates LP, 5 Cold Hill Road South #11, Mendham, NJ, 07945, upon receipt of the Original Tax Sale Certificate endorsed for cancellation, and

BE IT FURTHER RESOLVED that the Tax Collector be authorized to cancel Lien #2013-2 on Block 5, Lot 20, assessed to Ravi D & Naina R Patel, from the Town of Clinton Tax Records.

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

Vote all ayes
Motion carried

RESOLUTION #80-14 – TAX SALE CERTIFICATE #2013-5 REDEEMED - TORRES

A motion was made by Mr. Smith, seconded by Mr. Rylak to adopt Resolution #80-14 as submitted:

RESOLUTION #80-14

WHEREAS, the Tax Collector of the Town of Clinton has been paid \$1,284.69, the amount necessary to redeem Tax Sale Certificate #2013-5 on Block 5, Lot 17, assessed to Ruben Santiago Torres, and purchased by US Bank Cust/Pro Capital III, LLC.

NOW THEREFORE BE IT RESOLVED, on this 13th day of May 2014 by the Mayor and Council of the Town of Clinton, County of Hunterdon, that the Chief Financial Officer be authorized to issue a check in the amount of \$1,284.69 (certificate) & \$1,200.00 (premium) to US Bank Cust/Pro Capital III, LLC, 2 Liberty Place, 50th South 16th Street, Suite 1950, Philadelphia, PA, 19102, upon receipt of the Original Tax Sale Certificate endorsed for cancellation, and

BE IT FURTHER RESOLVED that the Tax Collector be authorized to cancel Lien #2013-5 on Block 5, Lot 17, assessed to Ruben Santiago Torres, from the Town of Clinton Tax Records.

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

Vote all ayes
Motion carried

RESOLUTION #81-14 – TAX REFUND – PRADYUT & HANSARIA

A motion was made by Mr. Smith, seconded by Mr. Carberry to adopt Resolution #81-14 as submitted:

RESOLUTION #81-14

WHEREAS, the Tax Collector of the Town of Clinton has received a double payment for the following block and lot due to refinance or closing,

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Clinton that the Chief Financial Officer be authorized to refund the overpayment to Corelogic Real Estate Tax Service c/o Refund Department, PO Box 961250, Fort Worth, TX, 76161, for the following account:

<u>BLOCK</u>	<u>LOT</u>	<u>OWNER</u>	<u>AMOUNT</u>
31	7 C0939	Pradyut & Alpana Hansaria	\$2,128.85

BE IT FURTHER RESOLVED that the Tax Collector remove the overpayment on the above block and lot for the 3rd quarter 2014.

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

Vote all ayes
Motion carried

RESOLUTION #82-14 – TAX ASSESSMENT CLERK

A motion was made by Mr. Carberry, seconded by Mr. Pendergast to adopt Resolution #82-14 as submitted:

RESOLUTION #82-14

RESOLUTION APPOINTING TAX ASSESSMENT CLERK

WHEREAS, the Town of Clinton wishes to appoint a Tax Assessment Clerk: and

WHEREAS, the Tax Assessor has recommended Louise Hertzog to fill this position:

NOW THEREFORE BE IT RESOLVED, that the mayor and Council of the Town of Clinton hereby appoints Louise Hertzog as a Tax Assessment Clerk at a prorated salary of \$5,000 for the year 2014, effective May 16, 2014.

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

Vote all ayes
Motion carried

RESOLUTION #83-14 – CHANGE ORDER #1 - MYRTLE AVE WATER MAIN REPLACEMENT

A motion was made by Mr. Smith, seconded by Ms. Sosidka to adopt Resolution #83-14 as submitted:

RESOLUTION #83-14

CHANGE ORDER NO. 1

WHEREAS, the need has arisen for a change order to the Myrtle Avenue and Brunswick Pike Water Main Replacement in Lebanon Borough, and;

WHEREAS, through no fault of the contractor, there were delays associated with the project that cost them additional funds to remobilize the site with equipment and personnel, and;

WHEREAS, the original contract price was \$797,968.88 and the proposed increase is \$9,396.81 bringing the total adjusted contract amount to \$807,365.69;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton that Change Order Number 1 for the Myrtle Avenue and Brunswick Pike Water Main Replacement be approved.

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

Vote all ayes
Motion carried

RESOLUTION #84-14 – AUTHORIZE TO SIGN TOWN PONDS DEVELOPER’S AGREEMENT

A motion was made by Mr. Carberry, seconded by Mr. Rylak to adopt Resolution #84-14 as submitted:

RESOLUTION # 84-14

**TOWN OF CLINTON
HUNTERDON COUNTY, NEW JERSEY**

RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A DEVELOPER’S AGREEMENT WITH COUNTRY VIEW BUILDERS, INC. / PARK VALLEY CLINTON, LLC,

WHEREAS, on October 1, 2013, the Planning Board of the Town of Clinton (now known as the “Land Use Board”) granted Amended Preliminary and Final Site Plan approval subject to certain conditions to the Developer to construct sixty (60) multifamily residential units in three (3) buildings plus one (1) building to be used exclusively for indoor storage space on property known as Block 1, Lots 60 and 60.02 on the Tax Map of the Town of Clinton, Hunterdon County, New Jersey and consisting of approximately 17.29 acres within the PRD-P zone district (hereinafter the “Property”); and

WHEREAS, the approval was memorialized by a Resolution of the Planning Board adopted October 1, 2013, and said approval was based on plans entitled Preliminary and Final Site Plan, prepared by Page Engineering Consultants, PC dated February 8, 2013, last revised February 28, 2014 with sheets 4 and 4A being last revised March 5, 2014, (hereinafter the “Plans”); and

WHEREAS, the Developer and Town desire to enter into an agreement setting forth the rights, duties and obligations of the parties in connection with the approval as reflected in the Resolution and approved Plans; and

WHEREAS, the Developer and the Town entered into a Memorandum of Agreement dated July 20, 2010 (“MOA”) regarding the development of the Property; and

WHEREAS, the Developer desires to proceed with the development of the Property and to install the improvements in accordance with the MOA, Resolution and approved Plans; and

WHEREAS, the Town Land Use Ordinance requires a performance guarantee which the Town Engineer has calculated to be \$1,312,182.00, 10% of which is to be a cash deposit and the balance of which is to be a surety bond or letter of credit, and a deposit toward engineering inspection fees of \$29,418.64 all as set forth in the Town Engineer’s Performance Guarantee Calculations dated April 18, 2014;

WHEREAS, the Mayor and Council have reviewed the proposed Developer's Agreement and find that it is in the best interests of the Town to enter into the Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton, County of Hunterdon, New Jersey, that the Mayor and Clerk are hereby authorized to execute the Developer's Agreement between the Town of Clinton and Country View Builders, Inc. / Park Valley Clinton, LLC, in substantially the form attached hereto, subject to the final review of the Town of Clinton's Water and Sewer Engineers.

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

Vote all ayes
Motion carried

PROCLAMATION – NATIONAL SCHOOL NURSE DAY, MAY 7, 2014

Mayor Kovach presented and read a proclamation to proclaim May 7, 2014 as "School Nurse Day".

CORRESPONDENCE

1. Mayor Kovach received a letter from the Hunterdon County Community Day organizers asking if the Town would like to participate and have a municipal table set up on Saturday, June 21, 2014. Mayor Kovach said she will not be able to do it that day. Members from the Town would man the table with information about the Town of Clinton. A drive in movie at the county fairgrounds would follow this event. If anyone is interested please contact her.
2. Mayor Kovach read a letter from the New Jersey Water Environment Association awarding Barbara Hartsell from the sewer treatment plant the NJWEA Robert Rowe Award for Laboratory Analyst Excellence Award. Ms. Harsell is invited to attend the NJWEA President's Award Luncheon as a guest of the association, where she will be recognized for her achievement on May 14, 2014 in Atlantic City. Mayor Kovach congratulated Barbara Hartsell for receiving this award.
3. Mayor Kovach informed council the Town has been selected to receive funding from the New Jersey Department of Transportation Fiscal Year 2014 Municipal Aid Program for Halstead Street Resurfacing in the amount of \$170,000.

REPORTS FROM COUNCIL & TOWN OFFICIALS

Chief Brett Matheis

1. Chief Matheis reported there is a position open for a crossing guard due to one crossing guard leaving this coming fall. The notice for employment went out on the Police web-site. After the selection that person will complete twenty (20) hours of training.

Rich Phelan, Business Administration

1. Mr. Phelan stated the brush pickup will begin tomorrow, May 14, 2014.
2. Tub grinder will be here by the end of the week weather permitting. The first week of June the mulch will be available to the public.

Kathy Olsen, Chief Financial Officer

1. Mr. Olsen reported she will be at the Tax Collector's Conference from Tuesday May 20, 2014 thru Thursday May 22, 2014 next week.

Councilman Smith

1. Mr. Smith reported the Water Department will be fixing a service leak tomorrow, May 14, 2014, to a property on Marudy Drive. Marudy Drive will be closed from 08:30am till the job is complete.

2. The Buildings and Grounds committee reviewed the estimates received for the resurfacing of the gym floor at the Community Center and will begin this fall. It will take approximately two weeks to do. The stairs and railings at the municipal building will begin to be replaced soon.

3. Buildings and Grounds had a request with from the Green Team to find a good location in the Town for a Monarch Butterfly Waystation. Several spots have been discussed.

4. The Rescue Squad had 223 calls last month. The calls are up 35% over a year ago. Also the water rescues have increased this year hopefully it is not a sign for the summer.

5. The Rescue Squad will be having its Family Squad Picnic this Sunday, May 18, 2014 from 4pm to 8pm. All council are invited to attend with their families.

Councilwoman Sosidka

1. Mrs. Sosidka reported the committee for the Town Picnic met last night. Everything is moving along nicely with the new coordinators. They are reaching out to more of the businesses to try to have them participate.

2. Mrs. Sosidka reported that there will be a 19th Century Baseball Game at Gephardt Field the day following the Town Picnic which will be June 8, 2014. There will be two games played. One game will follow the 1864 rules of baseball and the second game using the 1873 rules. It should be a fun and exciting day. Spread the word.

3. The Senior Luncheon held on last Sunday May 4, 2014 went very well. Many seniors came out for a nice lunch and Mrs. Sosidka would like to thank all the volunteers who helped to make it a nice day.

4. The Historic Commission Walking Tour took place this past weekend in celebration of the 300th year celebration. Peter Osboure gave a wonderful presentation of the Riverside cemetery and cemetery by the Presbyterian Church. Christie Wood did a tour at the Red Mill Museum. It was very well attended.

5. Mrs. Sosidka said she is still waiting for the social policy for the Town's facebook page before she begins advertising.

6. The 150th Anniversary committee for the Town of Clinton met and is reaching out to others such as Black Potatoe for music. The final logo for the event is chosen which was designed by Kelsy Bowers.

Councilman Pendergast

1. Mr. Pendergast reported the first grill night for the Clinton Fire Department will be this Friday, May 16, 2014 starting at 5:30pm. Come out and enjoy hamburgers, hotdogs, and clams.

2. Mr. Pendergast reported Allison Roberts is the new attorney for the Clinton Fire Department after receiving Al Rylak's resignation.

Councilman Carberry

1. Mr. Carberry reported the Environmental Commission's Green Team is working on finding a location in Town for the Monarch Butterfly Weight. The team is close to choosing the perfect location.

Councilman Rylak

1. Mr. Rylak was questioning the pay increases over time for the police department. Mr. Rylak asked Mrs. Olsen, Chief Financial Officer to give him the history of the pay raises and if anyone else would like to look at them they are welcome to.

APPROVAL OF STANDBY AND OVERTIME

A motion was made by Mr. Carberry, seconded by Mr. Rylak, to approve the standby and overtime pay attached to these minutes for April 11, 2014 through May 8, 2014.

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

Vote all ayes
Motion carried

PAYMENT OF BILLS

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

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

Vote all ayes
Motion carried

ADJOURNMENT: There being no further business, a motion was made by Mr. Carberry, seconded by Mr. Rylak to adjourn the meeting at 8:16 A.M.

Vote all ayes
Motion carried

Nancy A. Burgess, Deputy Clerk

Mayor Janice Kovach