

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

Flag Salute.

Roll Call: Present – Carberry, Dineen, Pendergast, Rylak, Smith, Sosidka, 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.”

**APPROVAL OF MINUTES**

A motion was made by Mr. Carberry, seconded by Mr. Rylak, to approve the minutes of the regular council meeting September 8, 2015 as submitted.

Vote all ayes  
Motion carried

**APPROVAL OF EXECUTIVE SESSION MINUTES**

A motion was made by Mr. Smith seconded by Ms. Dineen, to approve the Executive Session minutes of September 8, 2015 as submitted.

Vote all ayes  
Motion carried

**PUBLIC COMMENT**

Diane Crisman-Race, President of the Clinton Guild, reported that Friday, September 25, will be the last music event of the 2015 season. Pumpkin Fest is Friday, October 23 from 5:00 to 9:00 p.m. The Guild is requesting 10 parking spaces be blocked off on Main Street from the pharmacy to Leigh Street and seven spaces on East Main Street on the opposite side from the corner to Dicken’s Lane. A special event application will be submitted for the event. Dicken’s Days will be held November 27 and 28. Saturday will also be called “Shop Small Saturday” so come out and support your local shops. The Guild is also involved in the Hunterdon County Business Expo on Thursday, November 5, 2015 and will have a table if the Town would like to give them material to display.

**MAYOR’S COMMENTS**

Mayor Kovach stated three letters of resignation have been submitted. Matt Perez, Land Use Board member has moved out of Town. A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to accept Mr. Perez’s resignation with regrets.

Vote all ayes  
Motion carried

Mayor Kovach subsequently appointed Alternate #1, Jorge Blanco, to Mr. Perez’s full member seat. An alternate position is now available for anyone interested. A citizen involvement form should be completed.

Dorothea Baka, Historic Commission member, has submitted her resignation. Ms. Sosidka made a motion, seconded by Mr. Carberry, to accept with regrets.

Vote all ayes  
Motion carried

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A motion was made by Mr. Pendergast, seconded by Mr. Carberry to appoint Dave Sosidka, Alternate member on the Historic Commission to a full member position.

Vote all ayes  
1 Abstention (Sosidka)  
Motion carried

Kevin Olsen, Public Works employee, submitted his resignation effective October 2, 2015. A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to accept with regrets.

Vote all ayes  
Motion carried

### **COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY PRESENTATION**

Freeholders Matthew Holt and Deputy Director Suzanne Lagay attended this evening's meeting along with Sue Dziamara, Director of Department of Planning Economic Development and Land Use and Ken Bogen, Principal Planner for the Division of Planning Services for Hunterdon County to present a plan for the future of Hunterdon County.

Copies of the plan were distributed to Mayor, Council and the audience and are made available through the office of the County Department of Planning website: <http://www.co.hunterdon.nj.us/> Freeholder Holt began by showing how the County has changed from the 1970 to 2000 era compared to current statistics 2000 to 2015. He also compared the "Baby Boomers" to the "Millennials" and discussed their needs. Freeholder Holt stressed the importance of addressing housing, amenities such as cultural and recreational groups and accessibility for a walkable community and transportation, not only to New York City but to places such as high business districts of Morristown, Chester, Princeton and others. Freeholder Holt suggested Council take the time to visit the Flemington Bid, Business Improvement District, website for a cursory review of positive planning.

Freeholder Lagay addressed preparing for the 2016 – 2018 Master Plan review for Clinton and the need to incorporate thoughts discussed this evening. Grants available from the Federal Government to assist in the process and the opportunities the CEDS program would like to pursue in partnering with the municipalities. The entire presentation moved quickly and provided an informative outline.

### **SPECIAL EVENT APPLICATIONS**

Application received from Harvey Finkel to host the Apple 'n Pumpkin Harvest Festival on Sunday, October 11, 2015. Location will be the Clinton Fire Department parking lot and East Main Street. Police Chief Matheis signed off on the application. A motion was made by Mr. Rylak, seconded by Mr. Carberry, to grant the request as submitted.

Vote all ayes  
Motion carried

A second special event application for the annual Fairview Avenue Block Party to be held Sunday, September 27, 2015. Motion was made by Mr. Smith seconded by Mr. Carberry to grant the request as submitted.

Vote all ayes  
Motion carried

**RESOLUTION #123-15 – ECONSULT SOLUTIONS**

A motion was made by Mr. Rylak, seconded by Mr. Carberry, to adopt Resolution #123-15 as submitted:

**RESOLUTION # 123-15**

**WHEREAS**, the Town of Clinton (the “Town”) has filed a Declaratory Judgment Action in the Superior Court of New Jersey, Hunterdon County in furtherance of the Supreme Court’s March 10, 2015 decision captioned In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (the “Supreme Court Decision”); and

**WHEREAS**, the Town of Clinton entered into a Municipal Shared Services Defense Agreement (hereinafter “MSSDA”) in order to hire Dr. Robert W. Burchell via Rutgers University to produce an expert report in order to establish the Township’s affordable housing obligation; and

**WHEREAS**, Dr. Burchell is unable to perform his duties under the MSSDA due to health issues; and

**WHEREAS**, Rutgers seeks to terminate the MSSDA; and

**WHEREAS**, it has been proposed to the member municipalities to hire Econsult Solutions, having an address at 1435 Walnut Street, Suite 300, Philadelphia, PA 19102, to replace Dr. Burchell because Econsult appears to be the only qualified expert in the area of New Jersey affordable housing obligations.

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

1. The Town of Clinton hereby authorizes the substitution of Econsult as an expert under the MSSDA
2. The Mayor be and is hereby authorized to execute an addendum to the MSSDA to that effect subject to approval of the Town Attorney.
3. This Resolution shall take effect immediately.

Vote all ayes  
Motion carried

**RESOLUTION #124-15 – SUPPORT OF DELAWARE TOWNSHIP**

A motion was made by Ms. Sosidka, seconded by Ms. Dineen, to adopt Resolution #124-15 as submitted:

**RESOLUTION #124-15  
SUPPORT OF DELAWARE TOWNSHIP  
VS PENNEAST PIPELINE COMPANY LLC**

**WHEREAS** the Township of Delaware is continuing to oppose the PennEast Pipeline Company, L.L.C. to construct a 36” diameter natural gas pipeline within Delaware Township; and

**WHEREAS** the proposed pipeline routes will cross preserved farmlands, open space, environmentally-constrained lands, Category One streams and tributaries, habitats of species protected by the Endangered Species Act, and properties of significant historic and cultural value; and

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WHEREAS any disturbance of the aforementioned lands, species and historic sites by survey work is deemed as potentially harmful and could result in irreparable harm; and

WHEREAS on July 30, 2015 the New Jersey Conservation Foundation, a valued partner in the preservation of hundreds of acres of Township open space and farmland, issued a declaration to “cease and desist unauthorized entry and survey activities” on New Jersey Conservation’s properties in response to the “discovery that PennEast surveyors entered land owned by New Jersey Conservation Foundation and Hunterdon Land Trust” without the permission of the owners;

WHEREAS, by Resolution #2015-57 dated August 10, 2015 the Township of Delaware denied PennEast Pipeline Company, LLC all survey access to Township-owned property or property in which the Township has a legal interest

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Clinton support the efforts of Delaware Township to protect their land and landowners.

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

Motion carried

**INTRODUCTION OF ORDINANCE #15-15 – GEORGES PLACE**

A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to introduce Ordinance #15-15 on first reading as submitted:

ORDINANCE # 15-15

ORDINANCE REPEALING ORDINANCE NO. 11-03 WHICH AUTHORIZED  
MUNICIPAL MAINTENANCE OF GEORGES PLACE EXTENSION

**WHEREAS**, Ordinance No. 11-03 authorized the Department of Public Works to perform certain maintenance on Georges Place Extension, a private road; and

**WHEREAS**, the Road Committee has evaluated the cost of maintaining Georges Place Extension and the potential costs of maintaining other private roads; and

**WHEREAS**, the funds available for municipal operations have been significantly curbed at the same time the municipal costs have increased significantly, thereby reducing the funds available for municipal operations; and

**WHEREAS**, the Mayor and Council have concluded that it is in the public interest to terminate maintenance activities on Georges Place Extension.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Town of Clinton, Hunterdon County, New Jersey, that Ordinance No. 11-03 is repealed and the Town of Clinton will no longer provide maintenance to Georges Place Extension.

This Ordinance will become effective upon passage in accordance with law.

Vote all ayes

Motion carried  
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A copy of this ordinance will be published in the September 30, 2015 edition of the Hunterdon Review.  
A public hearing will be held October 27, 2015.

### **INTRODUCTION OF ORDINANCE #15-16 – PAWNBROKERS AND DEALERS**

A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to introduce Ordinance #15-16 on first reading.

Mr. Rylak voiced his concerns regarding this proposed ordinance, such as fees that shops would incur for just performing a courtesy to their customers. Currently, shops have to take pictures of items, hold them for two weeks before melting and request photo ID's. Chief Matheis explained that this ordinance would put the information into a statewide data base for law enforcement agencies investigating theft of property. A few questions remained and a suggestion to have someone from the Prosecutor's office attend a meeting to answer questions prior to introduction. A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to withdraw the motion to introduce this evening and to table the introduction to October 13, 2015 allowing the Prosecutor's office to answer Council's questions.

Vote all ayes  
Motion carried

### **CORRESPONDENCE**

1. Raritan Headwaters Association thanked the Town of Clinton for donating \$300 in support of the 25<sup>th</sup> Annual Stream Clean Up of the Raritan River held April 18, 2015.
2. Meals on Wheels in Hunterdon is requesting to have an announcement in the Town Newsletter seeking drivers.

### **REPORTS FROM COUNCIL & TOWN OFFICIALS**

#### **Councilman Smith**

1. Water Committee – met and reviewed the new water reservation applications with the engineer, both small and major, to cover ourselves with the State.
2. The fire hydrant mapping is being completed and maintenance records are being incorporated into the system. Once completed, copies will be distributed to fire companies that use our water system with a request for each of them to provide a quarterly report of water used to attempt to zero in on unaccountable losses.
3. Rescue Squad – at a prior meeting, a flu shot clinic was discussed to be sponsored by Shop Rite. The Rescue Squad building was chosen to be a good location and they have agreed to hold the clinic on Friday, October 16 from noon to 2pm and again 6:00 to 8:00 pm for employees and volunteers that carry State insurance.
4. Buildings and Grounds – on display this evening is the mirror from the Council Room that was originally on the first floor of 43 Leigh Street before the fire. It has just been returned from the Red Mill Museum Village's 150<sup>th</sup> display of Clinton.

#### **Councilwoman Sosidka**

1. Board of Recreation – the Town Picnic was held September 19, 2015 due to rain on the 12<sup>th</sup>. The day was great! Perfect weather, huge turnout and a great bake off!

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The Board of Recreation is considering starting a walking club for seniors and a bocce tournament at the community center. Recruiting folks for team competitions!

**Councilman Pendergast**

1. Clinton Fire Department holding their last Grill Night for the season on Friday, September 25.
2. Sewer Committee discussed the transfer switch for one of the emergency generators which is showing its age. UV cabinet also discussed and the committee is discussing whether to refurbish or replace.

**Councilman Carberry**

Mr. Carberry reported on a special event that was held Sunday, September 20, 2015, the "HALF-WAY TO SAINT PATRICK'S DAY!" It was a huge success!! It was held on the patio of the Art Museum. A good time was had!

**Councilman Rylak**

1. Smart Growth survey results were presented to the general public at a special meeting of Smart Growth held at the Clinton Fire Department, Monday, September 21, 2015 at 7:30 p.m. Attendance was very good and interest was excellent! Mr. Rylak thanked the Fire Department for the use of their facility. Good ideas were suggested, now to implement those ideas. Sign up sheets were available, now the Town has to assist with the interest groups.

**Mayor Kovach**

Mayor Kovach announced the Clinton Fire Department received the 2014 FEMA Assistance to Firefighters Grant (AFG) in the amount of \$166,000 which was presented to the Fire Department by Congressman Leonard Lance.

**STANDBY AND OVERTIME**

A motion was made by Mr. Pendergast, seconded by Mr. Carberry to approve the standby and overtime submitted for August 28 through September 10, 2015 attached to these minutes.

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

Vote all ayes  
Motion carried

**PAYMENT OF BILLS**

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

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

Vote all ayes  
Motion carried

**ADJOURNMENT:** There being no further business, a motion was made by Ms. Dineen seconded by Mr. Smith, to adjourn the meeting at 9:12 p.m.

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Cecilia Covino, RMC/CMC  
Town Clerk

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Mayor Janice Kovach