

Councilman Smith called the meeting to order at 7:30 p.m.

Flag Salute.

Roll Call: Present – Carberry, Dineen, Pendergast (7:47 pm), Smith, Sosidka

Absent: Rylak, Mayor Kovach

**STATEMENT OF ADEQUATE NOTICE:**

Councilman Smith 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 Ms. Sosidka, to approve the minutes of the Council Meeting held February 28, 2017.

Vote all ayes  
Motion carried

**APPROVAL OF MONTHLY REPORTS – FEBRUARY**

A motion was made by Mr. Carberry, seconded by Ms. Dineen to approve the monthly reports for the month of February as submitted:

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

Vote all ayes  
Motion carried

**PUBLIC COMMENT**

**MAYOR’S COMMENTS**

1. Administrative Assistant, Caitlin Haughey, has been with the Town of Clinton for six months and is no longer in a probationary period. A motion was made by Ms. Dineen, seconded by Ms. Sosidka to make Ms. Haughey a permanent part time employee and to increase her pay status from \$14.00 an hour to \$16.00 an hour.

Vote all ayes  
Motion carried

2. A citizen involvement form has been received from Rielly Karsh for her interest in being appointed to the Historic Commission. A motion was made by Ms. Sosidka, seconded by Ms. Dineen to appoint Ms. Karsh as a member.

Vote all ayes  
Motion carried

**WATER REFUND**

Nancy Burgess, Water Collector, is requesting a water refund be issued in the amount of \$52.35 to John Shanoski. Motion made by Mr. Carberry, seconded by Ms. Dineen, to issue the refund as requested.

ROLL CALL: Ayes: Carberry, Dineen, Pendergast, Smith, Sosidka

Vote all ayes  
Motion carried

**PROCLAMATION**

Mr. Smith summarized the proclamation designating March 19 – 25, 2017 as National Poison Prevention Week. A signed copy will be sent to Rutgers, The State University of New Jersey.

**RESOLUTION #56-17 – EMERGENCY VENDORS**

A motion was made by Mr. Carberry, seconded by Ms. Dineen, to adopt Resolution #56-17 as submitted:

**RESOLUTION #56-17**

**WHEREAS**, the Town of Clinton Water Utility experiences various emergencies such as water main breaks, pump and motor failures; and

**WHEREAS**, when such emergencies occur, time is of the essence to make repairs in an expedient manner so as not to affect the health and welfare of their customers; and

**WHEREAS**, the Town of Clinton Water Utility has utilized the following vendors for their services in the past, and would like to call upon them in an emergency; and

Samuel Stothoff Company  
Rowe Electric  
Penn Bower Construction  
Kusant Electric  
Pumping Services  
Coyne Chemical

**WHEREAS**, if any of the vendors listed above are not available, the Town of Clinton Water Utility, will search for a vendor that can provide the service required at the time of the emergency.

**THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Town of Clinton approve the use of the above listed vendors during an emergency situation.

Vote all ayes  
Motion carried

**RESOLUTION # 57-17 – BYOB – TOWN PICNIC**

A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to adopt Resolution #57-15 as submitted:

**RESOLUTION # 57-17**

**WHEREAS**, the Code of the Town of Clinton, Chapter 32, Section 7, prohibits consumption of alcoholic beverages in, on, or upon any public street, or land owned or occupied by any federal, state, county or municipal government, or as further explained in the Section 32-7 A through D; and

**WHEREAS**, alcoholic beverages may be consumed at occasions or events held by bona fide nonprofit organizations or other groups if specifically permitted by resolution of the Mayor and Council; and

**THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Town of Clinton, that BYO (Bring Your Own) consumption of alcoholic beverages shall be permitted at the Town Picnic to the held at the Hunts Mill Park on Saturday, June 10, 2017 between the hours of 3:00 and dusk. Rain date is June 17, 2017.

Vote all ayes  
Motion carried

**RESOLUTION #58-17 – BYOB – PARADE**

A motion was made by Mr. Carberry, seconded by Ms. Dineen, to adopt Resolution #58-17 as submitted:

**RESOLUTION # 58-17**

**WHEREAS**, the Code of the Town of Clinton, Chapter 32, Section 7, prohibits consumption of alcoholic beverages in, on, or upon any public street, or land owned or occupied by any federal, state, county or municipal government, or as further explained in the Section 32-7 A through D; and

**WHEREAS**, alcoholic beverages may be consumed at occasions or events held by bona fide nonprofit organizations or other groups if specifically permitted by resolution of the Mayor and Council; and

**THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Town of Clinton, that BYO (Bring Your Own) consumption of alcoholic beverages shall be permitted at Hunts Mill Park on Saturday, May 20, 2017 beginning at 3:00 pm in celebration of the Clinton Fire Department and the Clinton First Aid and Rescue Squad 125 years and 50 years anniversary.

Vote all ayes  
Motion carried

**RESOLUTION #59-17 – TRANSFER OF FUNDS**

A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to adopt Resolution #59-17 as submitted:

**RESOLUTION # 59-17**

**WHEREAS**, various 2016 bills have been presented for payment this year, which bills were not covered by order number and/or recorded at the time of transfers between the 2016 Budget Appropriation Reserve in the last two months of 2016; and

**WHEREAS**, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Clinton that transfers in the amount of \$9,000.00 be made between the 2016 Budget Appropriation Reserves as follows:

	<b><u>FROM</u></b>	<b><u>TO</u></b>
Sewer Utility Salary & Wages	\$9,000.00	
Sewer Utility Other Expenses		\$9,000.00
<b>TOTALS</b>	<b><u>\$9,000.00</u></b>	<b><u>\$9,000.00</u></b>

ROLL CALL: Ayes: Carberry, Dineen, Pendergast, Smith, Sosidka

Vote all ayes  
Motion carried

**RESOLUTION #60-17 – LABOR ATTORNEY**

A motion was made by Mr. Carberry, seconded by Ms. Dineen, to adopt Resolution # 60-17 as submitted:

**RESOLUTION # 60-17  
RESOLUTION APPOINTING LABOR ATTORNEY**

**WHEREAS**, the Town of Clinton is in need of contracting for Labor Attorney and related services, within the Town of Clinton, Hunterdon County, State of New Jersey; and

**WHEREAS**, the firm of Trimboli and Prusinowski, LLC has submitted a proposal dated January 9, 2017; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires a resolution authorizing the award of the contract for professional services and that the contract itself must be available for inspection.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Clinton, Hunterdon County, State of New Jersey, that the Mayor and the Town Clerk of Clinton are hereby authorized, respectively, to execute and attest to an agreement with Trimboli & Prusinowski, LLC, for Labor Attorney and related services, according to the attached fee schedule.

Vote all ayes  
Motion carried

**RESOLUTION #61-17- FIREWORKS**

A motion was made by Ms. Sosidka, seconded by Mr. Carberry, to adopt Resolution #61-17 as submitted:

**RESOLUTION # 61-17**

**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 10, 2017, rain date June 17, 2017, 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 10, 2017, at dark, at the Hunts Mill Park, be approved.

Vote all ayes  
Motion carried

**RESOLUTION #62-17 – CHANGE ORDER – DeMAIO**

A motion was made by Mr. Carberry, seconded by Ms. Dineen, to adopt Resolution #62-17 as submitted:

**RESOLUTION # 62-17**

**CHANGE ORDER NUMBER 1  
WELL 7 IMPROVEMENTS AND WELL 14 DECOMMISSIONING**

**WHEREAS**, the need has arisen for a change order to complete the work on the Well 7 Improvements and Well 14 Decommissioning Project that was awarded to DeMaio Electric Co., Inc.; and

**WHEREAS**, according to the Town's Water Engineer's correspondence dated March 7, 2017, 2012, the change order is necessary to account for additional requirements imposed by the Construction Official, as well as field-changes needed to completed the project, and

**WHEREAS**, the resulting contract cost of the project, is as follows:

Original Cost of Contract \$583,300.00  
Change Order #1 Cost Adjustment - \$29,105.15  
Resulting Contract Cost \$612,405.15

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Town of Clinton that Change Order Number 1 for the Well 7 Improvements and Well 14 Decommissioning Project is hereby approved.

Vote all ayes  
Motion carried

**RESOLUTION #63-17 – CHANGE ORDER – REIVAX**

A motion was made by Mr. Carberry seconded by Ms. Dineen, to adopt Resolution #63-17 as submitted:

**RESOLUTION # 63-17  
CHANGE ORDER NUMBER 1  
HALSTEAD STREET SANITARY SEWER PIPE LINING PROJECT**

**WHEREAS**, with the exceptions of several punch list items, the Halstead Street Sanitary Sewer Pipe Lining Project that was awarded to Reivax Contracting Corporation is nearly complete; and

**WHEREAS**, due to adjustments of actual quantities in the field during the construction, the amounts were reduced, which has resulted in a reduction of the contract cost; and

**WHEREAS**, the resulting contract reduction, is as follows:

Original Cost of Contract - \$100,000  
Change Order #1 Cost Reduction - \$3,579.78  
Revised Contract Cost - \$96,420.22

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Town of Clinton that Change Order Number 1 for the reduction in cost for the Halstead Street Sanitary Sewer Pipe Lining Project is hereby approved.

Vote all ayes  
Motion carried

**RESOLUTION #64-17 – AGREEMENT WITH LEBANON CHEESE**

A motion was made by Mr. Carberry, seconded by Ms. Dineen, to adopt Resolution #64-17 as submitted:

**RESOLUTION # 64-17  
AUTHORIZING AN AGREEMENT WITH LEBANON CHEESE FACTORY  
RELATING TO WATER USAGE BILLING**

**WHEREAS**, it was recently discovered that there was an issue with the billing software relating to the water department; and

**WHEREAS**, after physically reviewing all 4,808 water accounts, it was determined that only account that was affected was Lebanon Cheese; and

**WHEREAS**, the computer error resulted in an reduced amount of water being billed to Lebanon Cheese compared to what they actually used; and

**WHEREAS**, the Business Administrator had met with the owner of Lebanon Cheese who has agreed to repay the Town of Clinton for the water that he used but was never billed for.

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Town of Clinton hereby authorize the Business Administrator, Richard Phelan, to draft and have executed a repayment Agreement with Lebanon Cheese.

Vote all ayes  
Motion carried

**BANNER REQUESTS**

A banner request has been received from Immaculate Conception Church to display a banner from June 12 – June 26, 2017 for their 16<sup>th</sup> Annual Parish Festival to be held June 21 through June 25, 2017. A motion was made by Ms. Sosidka, seconded by Ms. Dineen, to approve the request.

Vote all ayes  
Motion carried

**CORRESPONDENCE - NONE**

**REPORTS FROM COUNCIL**

**Councilwoman Dineen**

1. Shade Tree – Arbor Day will be held Friday, April 28, 2017 and the Commission is considering dedicating a tree to the CFD/CFARS and planting it in front of the demolished Music Hall on West Main Street, the location of the devastating fire that was sight of the work performed by the Clinton Fire Department and Rescue Squad.

**Councilwoman Sosidka**

1. Historic Commission – resident and former Commission member, Nancie Greaney, donated interview tapes made by herself and Joan Hooper years ago. Centennial books were also given for the Commission to review.

2. Conservancy / Green Team are meeting on Friday, March 17, 2017 at 7pm to review the plan for the next 18 months, considering the Sustainable grant is approved.

**Councilman Pendergast**

1. Sewer Committee – the treatment plant ran flawlessly yesterday, during the snowstorm, even without power. The generator worked well. Although JCP&L pulled the work order ticket by mistake, a call out to Rob Walton, area representative for JCP&L, got the power back quickly at the end of the day.

**Councilman Smith**

1. Rescue Squad – reported 34 calls down from the year before. The squad is solely purchasing a heavy duty rescue truck for about \$800,000. They have sold their current truck and have recently paid off the loan on their building. They are using a loaner truck until the new one comes in.
2. Water Department – a resolution adopted earlier this evening which will enable Mr. Phelan, Administrator, to negotiate with Lebanon Cheese Factory a repayment plan. As mentioned, there was a problem with the meter for several years which calculated usage. The Town is also working with the State of New Jersey to change out their meter at a cost of approximately \$45,000.

3. Buildings and Grounds – the committee approved installing doggie posts with baggies and signs for dog walkers. However, there will not be new garbage cans installed for waste.

Fibar at the Community Center needs to be replaced this Spring, the cost went from \$16 a yard to \$22 a yard.

The light in Alley's Way needs to be replaced.

4. Roads – Parking lots are scheduled to be repaved and the construction schedule has been decided but is subject to change. Lower Center Street lot should be closed for 10 days, April 10 – 21; Water Street lot 5 days, April 24 – 28; Municipal Building lot should take 15 days, May 1 – 17. Bids are due in March 22 at 11:00 a.m.
5. Mr. Smith stated he has been working with Kathy Madden and the plan to create a butterfly sanctuary along the Water Street parking lot and along the South Branch. Mr. Smith has an Eagle Scout willing to help do the work as part of his Eagle Scout project.

**STANDBY AND OVERTIME**

A motion was made by Mr. Carberry seconded by Ms. Sosidka to approve the standby and overtime submitted for the period of February 24 through March 9, 2017 attached to these minutes.

ROLL CALL: Ayes: Carberry, Dineen, Pendergast, Smith, Sosidka,

Vote all ayes  
Motion carried

**PAYMENT OF BILLS**

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

Regular Council Meeting  
March 15, 2017  
(postponed from March 14 due to snowstorm)

ROLL CALL: Ayes: Carberry, Dineen, Pendergast, Smith, Sosidka

Vote all ayes  
Motion carried

**ADJOURNMENT:** There being no further business, a motion was made by Mr. Carberry, seconded by Ms. Dineen to adjourn the meeting at 7:57 p.m.

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Cecilia Covino, RMC/CMC, Municipal Clerk

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Councilman Robert B. Smith