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Mayor Kovach called the joint meeting of the Council and Land Use Board to order at 6:00 p.m. at the Clinton Fire Department.

Flag Salute.

Roll Call: Council Present – Carberry, Dineen, Pendergast, Rylak, Smith, Mayor Kovach
Absent - Sosidka

Land Use Board: Present – Sailer, Mellick, Smith, Healy, Viotto
Absent – Maher, Feldmann, Blanco

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.”

Mayor Kovach thanked the public for attending this evening’s presentation. Approximately 80 people were in attendance. Copies of the power point presentation and the District 23 legislators contact information were made available to the public. Following the meeting, copies of the presentation and the audio will be available on the Town website, www.clintonnj.gov

AFFORDABLE HOUSING OBLIGATIONS

Mayor Kovach introduced Attorney Tara St. Angelo of Gebhardt & Kiefer and Town Planner, Jim Kyle as the presenters of this evening’s topic, affordable housing obligations imposed by the New Jersey Council on Affordable Housing. The presentation lasted 2 hours and 15 minutes before adjourning and beginning the regular council meeting. Attorney St. Angelo’s presentation was displayed for the audience to view and outlined the affordable housing timeline, Clinton’s affordable housing record, current settlement offer, Clinton’s existing affordable housing, mechanisms to address affordable housing obligation, accessory apartments, the redevelopment area, inclusionary zoning, and the explanation of what a settlement would mean. Mr. Mellick asked what are our affordable housing obligations and Mayor Kovach said to expect at least 300 new homes.

Following the presentation several residents posed questions.

- Nancie Greany, 58 Halstead Street, is concerned about the river flooding resulting from building on the Moebus Tract but Mr. Kyle assured her that the builder would have to comply with DEP rules and the Highlands Council, which was formed to protect water quality. Stormwater will be taken into account as well.
- Richard Miller, 18 Georges Place, questioned when the special master working on the report will have numbers for the town and would it be worth waiting for his report? Mr. Kyle said Richard Reading, court appointed expert and economist is working for Vicinage 13, has no numbers yet and stated there is a risk in waiting. Mr. Mellick asked why the Town could not be pro-active?

Councilman Rylak said the Hills in Bedminster fought 250 units and ended up with 2,000.

- Lisa Intrabartola, 19 Georges Place, asked how many could be built on the tract, and was told low end would be 160 and high end would be 280. Questioned if the A&P location was ever considered for housing and was told it is under discussion.
- Angelo Yacone, 25 Georges Place, asked about the access to the Moebus Tract and if consideration has been made to the residents of Georges Place and Center Street? Yes, the only access would be on Route 31.
- Laura Burr, 26 Union Road, asked if the town has explored senior housing options? Concern of impact of school children. Valid concerns, yes council has considered both.
- Liz Hedden, 12 Hunts Mill, teacher and taxpayer, said Clinton Public School is approaching maximum limits and is also concerned with the increase in school aged children that would be attending if all this housing is built. There is no extra space on school grounds to add on or to place trailers.

Assemblyman Erik Peterson, legislator in the 23rd District, addressed the room and answered numerous concerns of residents and explained this is something that is happening throughout the State. Peterson said COAH failed because the court didn't like the rules they came up with. The court really wanted to do it themselves. "The legislature has to take action". Mr. Peterson also encouraged residents to write letters to the legislative leadership to call for action. Councilwoman Dineen asked why the legislature has not acted so far and Peterson's answer was "builders make large donations". Peterson said he thinks affordable housing obligations should be based on the census, see who lives in town to determine if the obligation is met. "If it is, no building."

- John Kashwick, 21 Water Street, directed his question to Assemblyman Peterson regarding open space and the possibility of introducing legislation before going for a builders remedy? Blight areas in need of revitalization.
- Reilly Karsh, 116 Center Street, asked about a timeline.
- Laura Burr, addressed the number of vacant buildings in town and approach owners.
- Kelly Boyd, 93 Center Street, happy to hear traffic would flow onto Route 31, questioned busing for school children.
- Karen Morris, 8 Orchard Court, asked about units for veterans and getting assistance from the government to builders to do so.
- Jan Holmstrup, Habitat for Humanity, offered ideas and an opportunity to meet to discuss.
- Phil Frazone, 47 Center Street, asked who makes the final decisions?

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- Rodney Hendrickson, 140 Leigh Street, as a longtime resident of the town and a former 30 year Planning Board member, Mr. Hendrickson assured the audience the Council will do what is best for the town.
- Sean Rogan, 20 Rachel Court thanked Council for making the Town aware of the action being taken and to Assemblyman Peterson for attending. Mr. Rogan asked about the numbers and wanted clarification.

Settlement offer = 167 total (116 + 51) therefore, there is a short fall of 57 units from a settlement. Mayor Kovach said to expect 300 new apartments to be built throughout Town. Legislature has to help communities and the Mayor encouraged residents to contact their legislators as well as Assemblyman Peterson suggesting the same approach. Another town hall meeting will be held before settling.

CAPTAIN JUAN COLON – NEW JERSEY STATE POLICE – DRUG EPIDEMIC

With no other comments from the public regarding affordable housing, Mayor Kovach introduced Captain Juan Colon of the New Jersey State Police to address the war on drugs. Filling in for Hunterdon County Prosecutor Anthony Kearns, Captain Colon is a drug policy advisor. Heroin has become more fatal with the addition of fentanyl which is driving a rapid rise in opioid overdose deaths. Sadly, users are becoming younger in age and experimenting with different drugs. School and parental awareness is urgent and programs need to begin as early as grammar school. Megan Johnson, 4 Hillside Drive, is a social worker in Somerset, Warren and Hunterdon Counties, and is offering her services to young individuals. Mr. Pendergast said Mr. Kearns is scheduled to attend the November 28, 2017 council meeting and discuss the seriousness of the epidemic.

Concluding the community outreach portion of the meeting, a motion was made by Ms. Dineen, seconded by Mr. Smith, to close the Town Hall portion of the meeting at 8:15 p.m.

Vote all ayes
Motion carried

Mayor Kovach called the Regular Council Meeting to order at 8:15 p.m.

APPROVAL OF MINUTES

A motion was made by Mr. Carberry seconded by Mr. Smith, to approve the minutes of the Council Meeting held October 10, 2017.

Vote all ayes
Motion carried

PUBLIC COMMENT - NONE

MAYOR'S COMMENTS - NONE

INTRODUCTION OF ORDINANCE #17-08 – ACCEPTANCE OF EASEMENT

A motion was made by Mr. Carberry, seconded by Mr. Rylak, to introduce Ordinance #17-08 on first reading:

ORDINANCE NO. 17-08

**AN ORDINANCE ACCEPTING A PUBLIC PEDESTRIAN ACCESS EASEMENT OVER A
PORTION OF BLOCK 10 LOT 13**

WHEREAS, the Mayor and Council of the Town of Clinton, County of Hunterdon, State of New Jersey, wish to accept a Grant of Public Pedestrian Access Easement for a portion of Block 10, Lots 13, which is attached hereto as an exhibit; and

WHEREAS, N.J.S.A. 40A:12-4 authorizes the municipality to accept such easement; and

WHEREAS, attached hereto is a form of easement that have been reviewed by the Town Engineer and Town Attorney; and

WHEREAS, it appears to the Mayor and Council that the public interest would be served by accepting the easement described herein.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Clinton, County of Hunterdon, State of New Jersey as follows:

1. The Town of Clinton hereby accepts the above-referenced easement over a portion of Block 10, Lot 13 as more particularly described in the deed of easement attached hereto.

2. The Town Clerk, Mayor, her designee, and such Town Professionals as are necessary, are hereby authorized and directed to take such actions as are necessary to effectuate the provisions of this Ordinance including but not limited to executing the above-referenced easement in a form substantially similar to that attached hereto and made a part hereof.

3. The Town Clerk shall, within sixty (60) days of the effective date of this Ordinance, file a copy of this Ordinance certified by her under the seal of the municipality, to be a true copy thereof, together with proof of publication thereof, in the office of the Clerk of the County of Hunterdon in accordance with the provisions of N.J.S.A. 40:67-21.

4. At least one (1) week prior to the time fixed for further consideration of this Ordinance for final passage, a copy thereof together with the notice of the introduction thereof and the time and place when and where the Ordinance will be further considered for final passage shall be mailed to every person whose lands may be affected by this Ordinance so far as may be ascertained. Said notices shall be mailed by the Town Clerk in accordance with the provisions of N.J.S.A. 40:49-6.

5. This Ordinance shall take effect immediately after final passage, approval and publication as provided by law.

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

7. 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.

Vote all ayes
Motion carried

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A copy of this ordinance will be published in the Hunterdon Review edition of November 1, 2017. A public hearing will be held November 28, 2017.

PUBLIC HEARING OF ORDINANCE #17-07

A motion was made by Mr. Carberry, seconded Mr. Pendergast, to open the public hearing of Ordinance #17-07:

CAPITAL ORDINANCE #17-07

CAPITAL ORDINANCE OF THE TOWN OF CLINTON SEWER UTILITY, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE MAKING OF IMPROVEMENTS IN, BY AND FOR THE TOWN OF CLINTON SEWER UTILITY AND APPROPRIATING THEREFOR THE UM OF \$125,000.00 FROM THE SEWER CAPITAL RESERVES FOR SEWER UTILITY IMPROVEMENTS

Vote all ayes
Motion carried

There being no public comment, a motion was made by Mr. Pendergast, seconded by Mr. Rylak, 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 #17-07 on second reading.

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

Vote all ayes
Motion carried

RESOLUTION #123-17 – CHANGE ORDER – WELL # 7 / WELL #14

A motion was made by Mr. Pendergast, seconded by Mr. Rylak, to adopt Resolution #123-17 as submitted:

RESOLUTION # 123-17

CHANGE ORDER NO. 2

WHEREAS, the need has arisen for a change order to the Well #7 Improvements and Well #14 Decommissioning projects and,

WHEREAS, according to the Water Engineer, there was additional work required on the SCADA Integration and Power Supply and,

WHEREAS, there was an increase of \$3,650.40 that has already been approved by the NJEIFP,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton that Change Order Number Two for the Well #7 improvements and Well #14 decommissioning be approved.

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

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Vote all ayes
Motion carried

RESOLUTION #124-17 – REFUND OF PAYMENT FOR LIEN ON TAX SALE

A motion was made by Mr. Carberry, seconded by Mr. Rylak, to adopt Resolution #124-17 as submitted:

RESOLUTION # 124-17

WHEREAS, the Tax Collector of the Town of Clinton has received a payment for a lien on tax sale certificate #2014-6;

WHEREAS, the amount of payment was not enough to cover the redemption, and,

WHEREAS, the Tax Collector has made a number of attempts to contact the redeemer requesting additional funds with no response;

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 payment to Corelogic, Inc., P.O. Box 961266, Fort Worth, Texas, 76161-0266 for the above Certificate in the amount of \$3,729.21.

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

Vote all ayes
Motion carried

RESOLUTION #125-17 – TAX SALE REDEMPTION

A motion was made by Mr. Smith, seconded by Mr. Carberry, to adopt Resolution #125-17 as submitted:

RESOLUTION # 125-17

WHEREAS, the Tax Collector of the Town of Clinton has been paid \$1,064.87, the amount necessary to redeem Tax Sale Certificate #2016-7 on Block 19, Lot 2, assessed to MTGLO Investors c/o Shellpoint Management (Torres, Luis & Kim), and purchased by FWDSL & Associates LP.

NOW THEREFORE BE IT RESOLVED, on this 24th day of October 2017 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 \$1,064.87 (certificate) & \$1,000.00 (premium) to FWDSL & Associates LP, 17 West Cliff Street, Somerville, NJ, 08876, 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 #2016-7 on Block 19, Lot 2, assessed to Leigh Street Realty LLC, from the Town of Clinton Tax Records.

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

Vote all ayes
Motion carried

RESOLUTION #126-17 – SUMMER RECREATION PROGRAM FEES

A motion was made by Mr. Pendergast, seconded by Mr. Carberry to adopt Resolution #126-17 as submitted:

RESOLUTION # 126-17

RESOLUTION ESTABLISHING 2017 RECREATION PROGRAM FEES

WHEREAS, Ordinance #08-01 provides that fees for programs sponsored by the Board of Recreation Commission shall be set yearly by Resolution of the Mayor and Council; and

WHEREAS, the Board of Recreation Commissioners has submitted recommendations to the Mayor and Council as to the fees to be established for 2017; and

WHEREAS, the Mayor and Council have reviewed these recommendations and find the recommended fees to be appropriate

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton, County of Hunterdon, New Jersey, that the following Program Fees are effective for 2017:

Summer Recreation Program Registration Fees:

Option #1 – Weekly Rate

Week 1: 6/26/17-6/30/17	\$80.00 per child
Week 2: 7/3/17 -7/7/17 (4 days)	\$70.00 per child
Week 3: 7/10/17 – 7/14/17	\$80.00 per child
Week 4: 7/17/17 – 7/21/17	\$80.00 per child

Option #2 – Three (3) Weeks of Choice Rate

1 st Child Rate	\$200.00 for 3 weeks of choice
2 nd + subsequent per child rate	\$175.00 for 3 weeks of choice

Option #3 – All Four (4) Weeks Rate

1 st Child Rate	\$225.00 per child
2 nd + subsequent per child rate	\$200.00 per child

Trip Fees

Five (\$5.00) Dollars per child for Brunch Bunch – per trip

Eight (\$8.00) Dollars per child for Jimmy’s Custard Stand and Mini-Golf Center – per trip

Nine (\$9.00) Dollars per child for Riegel Ridge Pool – per trip

Nine (\$9.00) Dollars per child for West Hunterdon Lanes – per trip

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Fourteen (\$14.00) Dollars per child for Yellow Dog Paddle – per trip

Fifteen (\$15.00) Dollars per child for Free Fall Trampoline Park – per trip

Late Fee

Twenty (\$20.00) Dollars late Registration fee after the cut-off date for accepting Registrations

Tennis Program Registration Fees:

Sixty (\$60.00) Dollars for Clinton Public School Students and Town Residents

Ninety (\$90.00) Dollars for out of town residents

Basketball Program Registration Fees:

Ninety-Five (\$110.00) Dollars per student in grades 3 through 8

Seventy-Five (\$85.00) Dollars per student in grades K through 2

Vote all ayes
Motion carried

SPECIAL EVENT - 31ST ANNUAL CLINTON CHRISTMAS PARADE

A motion was made by Ms. Dineen, seconded by Mr. Carberry, to approve the 31st Annual Christmas Parade request to be held Friday, December 1, 2017. All details approved by the Chief of Police as in previous years.

Vote all ayes
Motion carried

BANNER REQUEST – CLINTON GUILD

Council is in receipt of a banner request from the Clinton Guild to display a holiday banner from November 13, 2017 through January 2, 2018. A motion was made by Mr. Carberry, seconded by Mr. Pendergast to approve the banner request.

Vote all ayes
Motion carried

CORRESPONDENCE

1. Acknowledgement from Senator Joe Pennacchio in receipt of the Town of Clinton Resolution #115-17 expressing the Town's opposition to legislative proposals regarding the Open Public Meetings Act and Open Public Records Act.

REPORTS FROM COUNCIL

Councilwoman Dineen

1. Economic Development Committee meeting with Marc Saluk, Executive Director, was held on Tuesday, October 17, 2017 in Council chambers. The committee continues working on a mission statement.

4700

STANDBY AND OVERTIME

A motion was made by Mr. Carberry seconded by Ms. Dineen to approve the standby and overtime submitted for the period of October 5 through October 19, 2017 attached to these minutes.

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

Vote all ayes
Motion carried

PAYMENT OF BILLS

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

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

Vote all ayes
Motion carried

ADJOURNMENT: There being no further business, a motion was made by Ms. Dineen seconded by Mr. Rylak to adjourn the meeting at 8:22 p.m.

Cecilia Covino, RMC/CMC
Municipal Clerk

Mayor Janice Kovach